

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
August 4, 2021 at 6:30 PM**

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

Staff: Town Administrator David Jodoin

Absent: Selectman Sandy Goulet

I. Call to Order:

Chairman Ann Bond called the meeting to order at 6:32pm.

II. Citizens Comment:

None

III. Scheduled Meetings

Kayla Hopkins (Via Phone) and James Garvin – Pembroke Dam

Kayla Hopkins (via phone) on behalf of Pembroke Hydro Associated Limited Partnership (PHA), a subsidiary of Eagle Creek Renewable Energy discussed the Webster Pembroke Project. “The Project” consists of the Webster Dam and Pembroke Dam located on the Suncook Rive in Pembroke. The Project was issued an exemption from licensing by the Federal Energy Regulatory Commission on February 24, 1983. The owner of the Project is PHA. PHA is looking for permission to install banners on the light poles attached to the Main Street Bridge in order to complete the terms of a Memorandum of Agreement (MOA) with the New Hampshire State Historical Properties Office. In 2018, PHA starting looking for a partial removal of the Pembroke Dam spillway to ensure high flows would no longer overtop the Pembroke Dam and an adjacent condominium building would no longer flood. The MOA was signed on September 20, 2019 and the removal was completed on August 26, 2020. The MOA has three requirements attached to it; preparation of photographic documents of the dam before and after, development and installation of interpretative signage in the vicinity of the Pembroke Dam, and design and installation of historic banners that would be placed along the bridge over the Pembroke Dam. Allenstown has agreed to hang the banners on their side of the bridge. They are still working on the placement of the interpretative sign.

Selectman Bond asked if the Town of Pembroke was involved in the MOA. Kayla answered it was signed by the Federal Energy Regulatory Commission, New Hampshire State Historic Properties Office, and PHA. Selectman Bond asked if they discussed it with either Town. Kayla answered they did not.

Selectman Bean asked what the cost of the banners is. Kayla answered she is unsure at this point. She will gather that information.

David Jodoin asked who is responsible for the signs if they are vandalized. Kayla assumes once the banners are up, they would be the Town's responsibilities or there may be requests from Eagle Creek that they be removed. Selectman Yeaton asked who Eagle Creek is. David answered they are the company that own the Dam.

Selectman Bean asked if they are vinyl banners and would the poles move up and down. Kayla answered they should be vinyl and would be just like the ones that are currently there. James Garvin, Meet Me in Suncook, explained the banners they are proposing are 4 feet long which is longer than what is currently there. They will have iron rods securing them to the pole. Image 4 out of Manchester is the company designing the banners. The banners and interpretive sign will have a graffiti and fade resistant coating on them and should last 20+ years.

Selectman Yeaton asked if these signs fall under jurisdiction of the sign zoning ordinances. David Jodoin answered there are no restrictions for the Town. Selectman Yeaton asked if they are proposing for the sign to go by the laundromat. James Garvin answered that is where they would look for it to go but they need to see who owns that property. VJ Ranfos, Public Works Director, answered that is likely owned by the State. James explained they have been talking with NH Department of Transportation about the project and while they decided to no longer be a part of the discussions, Kayla can bring this back to them.

Selectman Bond asked if they have to do the sign and the banners or could they choose. Kayla would need to go back to New Hampshire State Historic Properties Office to see if they will allow only one since they have specifically asked for both. James Garvin explained that when damage is done to a federal feature, a federal permit is required to fix it. The National Historic Preservation Act which was signed into law in 1966, requires mitigation be completed for the loss of historical integrity. In this case, negotiations for the MOA did not include a representative from the Towns but did include both Allenstown and Pembroke's Historical Societies as well as Meet Me in Suncook. The Town probably doesn't have to accept these terms but money was budgeted for this project. These terms are standard practice.

Selectman Yeaton asked for a sense of costs moving forward for maintenance. Kayla answered that at this point, she doesn't have costs because they last for so many years. Selectman Yeaton asked if there was opportunity to negotiate with Eagle Creek for maintenance of the sign and banners. Kayla answered she will talk with them but at this point they are just looking to meet their obligations of the MOA.

VJ Ranfos shared concerns that where they want to put the interpretive sign is where they plow snow to and there needs to be enough clearance under the banners for the trackless sidewalk snow clearing machine to fit under. The bridge is also a point of high wind which has blown off banners that has sent DPW into the river to fish out.

Selectman Yeaton asked if there is any obligation for length of placement for the banners and sign. Kayla answered there is not. James Garvin explained the obligation is to place the signs but not for any length of time.

Gerry Fleury – Solid Waste RFP

Gerry Fleury, Solid Waste Committee, presented the RFP for solid waste processing and recycling. Currently, the cost per ton for disposal is around \$60 and with the shortage of landfills and escalating costs it will be likely it will be over \$100/ton in the next contract. There are three focuses of RFP; who is going to take the tonnage, length of contract, and what are the other options for the Town. An option may look like the Town outsourcing a route or they take over the entire process. The RFP also includes a mandatory bidders conference. Selectman Bond asked where the conference will be held. Gerry answered that he envisions it being at Town Hall during the day.

Peter Gagyí asked what happened between 2018 and 2020 in the historical solid waste tonnage data. Gerry Fleury answered that they are not sure but COVID-19 definitely had an impact. VJ Ranfos shared that the Town must be doing better with recycling because the last slip that came had the price per ton for recycling down \$1.88

Public Hearing per RSA 31:95-bIII (a)

Tabled until the next meeting.

Public Hearing Town Code Chapter 165 Financial Policies

Selectman Bond opened the public hearing at 7:37pm.

David explained the auditors are coming on the 3rd week in August and one of the requests is to see the updated financial policies. The new fund balance policy being presented has the maximum amount for fund balance retention set at 25% and a minimum set at 10%. David met with the Roads committee to discuss allocating anything that is over that 25% to the Main Street Project but now the price is double the originally proposed \$500,000 so that is off the table. They are now discussing future paving projects. Based on the audited fiscal year 2019 numbers, 10% of the fund balance would total a little over \$2.4m and the 25% maximum would total a little over \$6m. The New Hampshire Department of Revenue Administration standards are still 7%-18% and had been for many years.

Selectman Bond closed the public hearing at 7:45pm

Selectman Bean made a motion to accept the fund balance policy as presented. Selectman Yeaton seconded the motion. Motion passed 3-0.

IV. Old Business:

None

V. New Business

Peter Gagyi – Resignation from the Budget Committee

Selectman Yeaton made a motion to accept the resignation of Peter Gagyi from the Budget Committee. Selectman Bond seconded the motion. Motion passed 3-0.

Appointments

Selectman Bean made a motion to appoint Peter Gagyi as a member of the Board of Selectman until March 12, 2022. Selectman Yeaton seconded the motion. Motion passed 3-0.

Manifests/Abatements

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

Minutes 7/19/21; 7/21/21

Selectman Yeaton made a motion to accept the minutes of July 19, 2021 as presented. Selectman Bean seconded the motion. Motion passed 3-0. Selectman Gagyi abstained.

Selectman Yeaton made a motion to accept the minutes of July 21, 2021 as presented. Selectman Bean seconded the motion. Motion passed 3-0. Selectman Gagyi abstained.

VI. Town Administrator Report:

Roads Committee recommends the Board of Selectmen have a current survey done on the roads in Town to update conditions with a cost not to exceed \$1,750. VJ Ranfos explained they are working Central New Hampshire Regional Planning Commission on the 10-year preservation program. When the process started, CNRPC drove all of the roads and noted their condition so they knew where to start. They did it for the first time for free but from now on, the Town will need to pay for them to do it. They suggest doing the survey every 3-5 years. Selectman Yeaton asked when the survey is completed, should they expect to see changes in the 10-year plan. VJ answered that they would likely see some shifts in the schedule.

The Community Action Program sent a thank you letter for their annual appropriation.

Amoskeag Rowing club is moving forward with the large gathering permit for the Annual Regatta which will take place on October 17, 2021. All the department heads have signed the permit. They have provided all of necessary information and paid the \$100 fee. In September, they will meet with all the department heads to go over how the day will run as they are anticipating 1,500 rowers and 2,000 spectators.

Selectman Bond made a motion to approve the Amoskeag Rowers Club's large gathering permit request for October 17, 2021. Selectman Yeaton seconded the motion. Motion passed 4-0.

VII. Committee Reports:

Selectman Yeaton – CIP met at the Safety Center with the Police Department. They are proposed buying tasers but did not realize they had proposed and gotten approved for them last year. They will remove that request and purchase the tasers. This year's proposal had come in \$3,000 less than last year. They are also requesting one car. The Fire Department only requested funding for their capital reserves. The Committee is meeting next with the Building Committee at Town Hall. They will also tour the Town Clock. While at the Safety Center they saw cracks in the cinder block walls, windows that are unable to close because the frame is so shifted, and water damage in the ceiling tiles from a leaking roof.

Roads Committee met with neighbors from Wellington Way who were expressing concerns for the new chip seal treatment on the road. Bruce Davis from Allstate Asphalt explained why the treatment was selected for that road and what the material actually is. From the comments, they think part of the road may have been compromised so VJ is going to go back over with Bruce Davis to check out a few of the concerning areas. The Main Street project estimate came in close to \$1,000,000 and that will go out to bid by October. There were also discussions on the Sherwood Meadows curbing project.

Selectman Bean – None

Selectman Bond – Planning met with NE Flower Farms and some lot adjustments on Buck Street.

Selectman Goulet – None

Selectman Gagyi – Assigned as the BOS Rep for Roads Committee and the backup for the Energy Committee

VIII. Other Citizens Comment:

None

IX. Adjourn:

Selectman Yeaton made a motion to adjourn at 8:12 PM. Selectman Bean seconded the motion and it was approved unanimously.

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.