

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
November 3, 2021 at 6:30 PM**

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

Excused: Selectman Ann Bond

Staff: Town Administrator David Jodoin

I. Call to Order:

Vice-Chairman Richard Bean called the meeting to order at 6:30pm.

II. Citizens Comment:

None

III. Scheduled Meetings

First Congregational Church

Moved to next meeting.

Public Works Mowing Bids

VJ Ranfos, Director of Public Works, explained both Public Works and the Cemetery Commission recommend staying with their current vendor for mowing, Mattice Collins Property Services. Selectman Goulet asked VJ why they would like to stay with that company. VJ stated the current contractor does a good job, handles all problems efficiently, and come on schedule. It has been a very positive experience with them. The price difference was very low between the two bidders. Selectman Goulet asked how long we have been working with Mattice. VJ answered they were with them for a while but then their bid was beat by another company so they switched. The Cemetery Commission was not happy with that company and when the next cycle came up, they switched back to Mattice. Even though MowMentum's bid came in \$200 cheaper, that savings would be eaten up by the time it would take employees of Public Works to go around and show them all the properties. Mattice already knows all the properties. David read the bid requirements that were in the Boards packet. David explained MowMentum did not officially fulfill the bid requirements either. They submitted a 2-year bid and the RFP is for 3-year bid. MowMentum did submit a 3-year bid but it was after the bidding window had closed. Selectman Bean feels that they should open up the RFP again in the hopes of awarding the bid to a local company. David explained if they

re-open the bidding process, other companies can now come in and undercut these bids since the bids are public information.

Selectmen Yeaton was concerned as to the perception of awarding the bid to someone who did not comply with the specifications and was concerned about liability issues.

Selectman Yeaton made a motion to award the bid to Mattice Collins Property Services in the amount of \$90,900 for the cemetery property maintenance for the years 2022, 2023 and 2024. Selectman Goulet seconded the motion. Motion passed 3-1.

Public Hearing Chapter 191-10 Parking Violations/Chapter Code/Removal of Chapter 184

The Public Hearing has been canceled as the Chief of Police came up with a solution.

Chief Gilman, Pembroke Police Department, stated Chapter 185 and 184 of the Town Code duplicate each other. His idea is to add verbiage to Chapter 185 and remove 184 entirely. David and the Conservation Commission have reviewed it. The current signage that was ordered for the OHRV ordinance on the Range Roads lists RSA's that talk about damage to the road and damage to private property. This means the Police Officers would need to go out, find, and document damage in order to ticket people. Chief Gilman wants language on the sign that clearly lists an RSA that says people are not allowed on the road from December to May at all so he can go out and ticket based on that. The verbiage on the sign talking about RSA 236:86 and 236:39 should be there for recourse against damage but does not mean they cannot be there during the specified time frame. Adding 185-6: Prohibitions to the Town Code will give the Chief an enforceable town code and also a reference point for the signs. It states that all unmaintained portions of Class VI highways within the Town of Pembroke shall be closed to all motorized, wheeled vehicles, from December 16 to May 31 of each year.

Ammy Heiser from the Conservation Commission emailed concerns for the legality and effectiveness of the ordinance. Suggestions include:

1. Suggest using the term "OHRV-use" throughout the document since the statutory restrictions are based on usage, not a type of vehicle.
2. Suggest removing "The Town of Pembroke permits..." paragraph from the "Authority" section since it has already been stated in the Declaration of Purpose.
3. All references to fines under RSAs should be updated from \$1000 to the current misdemeanor amount or just state "as prescribed under RSA 236:39"
4. Under "Prohibitions", "Signage" and "Fines" sections, suggest removing "motorized" and "wheeled" descriptions unless they are referencing a vehicle

weight limitation. The OHRV limitation under state law is only for a use, not a vehicle type.

5. Signage wording is given under "Prohibitions" and "Signage" headings and they are inconsistent. If we retain a Signage heading it should be eliminated under Prohibitions and the wording needs to be revised as appropriate considering items 3 & 4 above.

David is going to talk with the lawyer to come up with one clear and concise policy that can fit on one sign and be easily enforceable by the Police Department.

IV. Non-Public:

Selectman Goulet made a motion to enter into non-public session in accordance with RSA 91-A:3 II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (a) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted, seconded by Selectman Yeaton at 7:20pm

Roll Call Vote:

Selectman Yeaton Yes

Selectman Bean Yes

Selectman Gagy Yes

Selectman Goulet Yes

The Board came out of non-public session at 7:26 PM

Selectman Goulet made a motion to promote Officer Kristen Vincent to the position of Detective effective November 4, 2021. Selectman Yeaton seconded the motion. Motion passed 4-0.

Chief Gilman shared different options of ways to show police logs. They can do a monthly log that gets put out to the community or however frequently the Selectman would like. Selectman Goulet stated they are looking for something simplistic with basic stats and no names so they have some sort of data they can share with residents. The Selectman decided they would like to see the report once a month.

V. Old Business:

Finalize 2022 Budgets

Right now, the bond for the Main Street project is estimated at \$1M. During the Capital Improvement process, Road Committee presented a project for Sherwood Meadows totaling around \$200,000. The Board could lump the two projects together and bond for \$1.3M. Currently the Town has two bonds, one for the Library and refinance of the Safety Center and another for the TIF district. There are 3 years left

on the Library Bond and the TIF District was originally \$3.1M and has 27 years left. Selectman Yeaton supports issuing for \$1.3M. Selectman Gagy has concerns that the taxpayers may turn down both projects because the amount is higher. The bottom-line budget for the Town with the bond would be \$11,528,786. That includes water and sewer estimates.

Selectman Yeaton made a motion to approve the Town of Pembroke 2022 budget proposal in the amount of \$11,528,786. Selectman Goulet seconded the motion. Motion passed 4-0.

VI. New Business

Approve 2021 Trust Fund Requests

Selectman Goulet made a motion to request the following amounts from the Trustee of Trust Funds; \$22,502.74 from the Property Revaluation Fund, \$9,343 from the municipal Facilities Fund, \$12,200 from the Police Small Equipment Fund, \$7,9082.60 from the Fire Department Small Equipment Fund, \$27,333.50 from the Town Roadway and Infrastructure Fund, \$104,500 from the Town Equipment Fund, and \$6,085 from the Cemetery Improvement Fund. Selectman Yeaton seconded the motion. Motion passed 4-0.

Manifests/Abatements

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

Minutes 10/20/21

Selectman Goulet made a motion to accept the minutes of October 20, 2021 as presented. Selectman Yeaton seconded the motion. Motion passed 4-0.

VII. Town Administrator Report:

The Board has to make a decision on the tax rate. Last year the tax rate was \$24.60. This year, DRA has set the rate and is saying the anticipated rate is going to be \$24 per thousand. That would mean that the Town is down \$0.16 due to the new formula for meals and rooms tax. County decreased went down \$0.07, and the School District returned a large amount of surplus and so the Local School rate went down \$.35. The State portion went down \$0.02.

Selectman Bean made a motion to allow the Town Administrator to move forward with setting the tax rate. Selectman Goulet seconded the motion. Motion passed 4-0.

VIII. Committee Reports:

Selectman Yeaton - None

Selectman Bean – Recreation Committee met and discussed the zero turn mowers. They will be coming to the Board to encumber those funds.

Selectman Goulet – None

Selectman Gagyí – Roads Committee discussed Hillcrest. It will not be finished this year. There are discussions still to be had with the vendor about the schedule and the possibility of encumbering funds. North Pembroke Road Bridge is another week behind but still looking at a December opening. Jason Menard resigned from the Committee. He has concerns that the San-Ken project is doing 20 feet wide roads and not 24 feet as it should be according to town standards.

Planning Board reviewed the tentative plans at the golf course development. They are planning to add a sidewalk to Route 3 and adding a designated turn lane.

IX. Other Citizens Comment:

None

X. Adjourn:

Selectman Goulet made a motion to adjourn at 7:59 PM. Selectman Yeaton seconded the motion and it was approved unanimously.

Richard Bean, Vice 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.