

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
May 4, 2022 at 6:30 PM**

Present: Selectman Richard Bean, Selectman Peter Gagy, Selectman Karen Yeaton, Selectman Rick Frederickson

Absent: Selectman Sandy Goulet

Staff: Town Administrator David Jodoin, Recording Secretary Jillian McNeil

I. Call to Order:

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

II. Citizens Comment:

None

III. Scheduled Meetings

Mike Vignale – Main Street Project

Mike Vignale, Town Engineer discussed the changes Primex (Town's insurance company) requested in the contracts with F.L. Merrill Construction Inc. for the Main Street project. The main change being a shift in the liability from the Town to F.L. Merrill which increased the costs of the project. Terry McCormack, F.L. Merrill Construction stated the increase for them is \$1,700 in liability coverage. Terry will provide a final clean document for the Town to execute and will submit a change order for the \$1,700.

Selectman Bean made a motion for the Town Administrator to sign the contract documents with F.L. Merrill Construction Inc. for the Main Street Project. Selectman Frederickson seconded the motion. Motion passed 4-0.

IV. Old Business

2019 Tax Deeds Final Decision on Deeding

Richard Dube, Commander, Bob McKechnie, Vice-Commander, and Joe Mens Finance Officer for the American Legion were present to discuss the tax deed issues with the American Legion Posts at 43 Church Street and 3 Glass Street.

David explained for any non-profit entity to remain tax exempt, there is certain paperwork that needs to be filed with the Town and the IRS every year. The last

filing the Town received was in 2016 and at that time the Commander submitted a 2013 IRS-990 tax form with the paperwork. When an entity doesn't file the proper tax-exempt paperwork, that property is then assessed a tax bill. Letters and notices were sent to the Legion that went unanswered for three years. After being delinquent for three years, the property is now subject to tax deeding which means the Town can take ownership of the property. In March, the new Commander came to Town Hall to talk with David and explain their situation. Richard explained they have hired two accountants to straighten out their books. The previous Commander did not properly file paperwork or pay bills. David explained the IRS has revoked the Legion's non-profit tax-exempt status as of August 16, 2017. It takes 3-years of not properly filing the 990 form to lose that status. Someone will need to go back to 2014 and reconstruct the records and re-apply to the IRS to regain the non profit status. In all probability you will not get it back until you file all past documents. The tax deed date for the Town is Friday May 6th and the bank will likely call to get a payoff for the 2019 taxes and add that charge to your monthly bill.

Selectman Yeaton asked David what the options are for the Town and the Legion in order to resolve this issue. David stated the legal letters were set out that the deeding date is the 6th. David explained if they pay off the taxes for this year, they still have two more years of taxes to pay on their two properties. Richard stated the Glass Street property is currently under contract with a buyer and the buyer will pay a portion of the back taxes. The remaining proceeds will hopefully pay off other debts and allow them to hire the proper people to get them out of the situation they are in. Selectman Frederickson asked what the timing of the sale is. Richard stated they are ready to move forward at any time. The sale was put on hold when all the tax issues came to the front. The Commander will move forward with the sale and come back on May 18th with a status update for the Board.

Selectman Frederickson made a motion to continue the tax deeds until May 18, 2022. Selectman Gagy seconded the motion. Motion passed 4-0.

V. New Business

Trail Dawgs – Grant in Aid Form

Kevin Gagne, Trail Administrator, and Galen Riordan, President, discussed the grant in aid permission form. The Trail Dawgs maintain the snowmobile system from Bear Brook to Rt. 129 in Loudon for a total of 18 miles. Each year in the spring, they apply for and receive money from the NH Trail Bureaus Grant-In-Aid program. These funds are a portion of all snowmobile registrations in the state to be used for trail maintenance and grooming. The club is looking at doing some repairs on the range roads. They are coming into the meeting on the 18th to give more details but the application is due this Friday and each land owner needs to sign it and agree they can do the work on it.

are all around the same amount of money because they are all state bid pricing. The Chief is asking the Board to waive the three-bid requirement and continuing with the purchase of a new cruiser with Irwin Motors. Chief Gilman stated the cost of the car is currently at \$33,873.

Selectman Bean made a motion to waive the bid requirements on the 2022 police cruiser purchase and to authorize Chief Gilman to move forward with the purchase with Irwin Motors of Laconia. Selectman Frederickson seconded the motion. Motion passed 4-0.

Selectman Frederickson made a motion to authorize the Chairman of the Board to sign the governance letter with Vachon and Clukay, PC. Selectman Gagyi seconded the motion. Motion passed 4-0.

Selectman Bean made a motion to authorize the Town Administrator and Chairman of the Board to sign the engagement letter with Vachon and Clukary, PC. Selectman Gagyi seconded the motion. Motion passed 4-0.

Selectman Frederickson made a motion to authorize the Chairman of the Board to sign the certificate of vote of authorization for the ARPA funds in the amount of \$100,000. Selectman Gagyi seconded the motion. Motion passed 4-0.

Selectman Frederickson made a motion to authorize the Chairman of the Board to sign the certificate of vote regarding authorization of bonds and approval of the loan agreement with the New Hampshire Municipal Bond Bank. Selectman Bean seconded the motion. Motion passed 4-0.

IX. Committee Reports:

Selectman Gagyi – Planning held a design review of 6 rental units on Kimball Street. There were questions about parking spaces and residents were upset that the plan is no longer to do condos.

Selectman Yeaton – Energy is working on the aggregation plan and doing outreach in the community. Selectman Gagyi stated CPCNH received funding support from NH Charitable Foundation in the amount of \$75,000 and wants to know what it will be used for. Selectman Gagyi would also like to find out who is paying for the various consulting firms listed.

Selectman Frederickson – None

Selectman Bean – Roads Committee discussed crack sealing issues. Recreation will hold Concerts in the Park again and will be getting sponsorships for those.

X. Other Citizen Comment:

None

XI. Adjourn:

Selectman Gagyí made a motion to adjourn at 9:31 PM. Selectman Bean seconded the motion and it was approved unanimously.



Karen Yeaton, 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.