

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
July 20, 2022 at 6:30 PM**

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

Staff: Town Administrator David Jodoin

I. Call to Order:

Chairman Yeaton called the meeting to order at 6:33pm.

II. Citizens Comment:

Ayn Whytemare, Pembroke Street, wanted to thank the Board for the seasonal Range Road closure. There are roads that are always wet but without having the constant churning during the mud season from ATVs and trucks, there is more settling happening. This will save them in the long term and will keep an important town resource intact.

III. Scheduled Meetings

Mrs. Frawley – 710 Clough Mill Road

Mrs. Frawley is asking for help to restore her property from damage caused by water from the road. She recently decided to put in a generator and discovered the north side of her foundation was failing. She requested that DPW put in a berm to help deflect some of the water. Her son and son-in-law repaired the foundation wall and started to put in drainage. Before the berm in the road could be put in, there was a heavy rainstorm that came through and wiped-out mitigation efforts her son and her son-in-law had put in while they were repairing the foundation. The stormwaters also moved her deck which has caused her to fall.

Selectman Frederickson clarified she didn't start getting water until after 2006. Mrs. Frawley said it started when they started paving the road. The house on the corner above her put in a leach field and water does come down from that as well.

Selectman Frederickson asked if the berm has been working. Mrs. Frawley said it has to some degree.

Selectman Frederickson stated from the pictures, it appears as though they had dug away from the foundation and water got in that way. Mrs. Frawley answered that if they had not dug to put in the generator, they would not have found that the house's

foundation was failing on that side, and they would not have had to dig around the foundation to repair it. They had filled it back in before the storm.

Selectman Bean asked about having proper drainage. Mrs. Frawley answered that her son was starting to put in better drainage before the rain came.

Selectman Goulet asked if she had pulled permits when the generator was put in and did the Fire Department come check after. Mrs. Frawley answered she had paid extra fees to the Davis Fuels for them to pull permits. She had spoken to someone at the Town and was told if she paid Davis Fuels to do it, then she didn't need to also do it.

Selectman Bean asked what she would like to see as an outcome. Mrs. Frawley answered she would like to have someone come and fix the wall, fix the drainage, and have her deck fixed.

Selectman Frederickson asked how she thought the deck was moved away from the house. Mrs. Frawley explained that her son and son-in-law moved it away from the house so they could get in and fix the foundation wall. It had been put back and was sturdy but when the water came, it washed away all the dirt around the foundation and deck which caused it to move.

Selectman Yeaton asked if she could describe what the rain did to the ground. Mrs. Frawley stated it came in from the southside of the driveway, under the deck, and went out the back of her property. Selectman Yeaton asked if that water path has been there. Mrs. Frawley explained that has been that way for a long time.

Selectman Frederickson asked if they had footings for the deck. Mrs. Frawley said it's always been on blocks and it has been sturdy until now.

Selectman Yeaton asked for specifics as to what she would like to see the Town do. Mrs. Frawley stated she would like the foundation wall to be put back with proper drainage and her deck be put back.

David Jodoin asked who did the initial digging. Mrs. Frawley answered Davis Fuel did when they put in the generator and discovered that her foundation wall was being washed away. David asked if they used equipment or shovels. Mrs. Frawley said they used equipment, but they did it gently and did not damage the wall. David asked for the size of the deck. Mrs. Frawley said it is not very big. Just big enough for a small table and two chairs.

David Jodoin asked if anyone from the Town inspected the work Davis Fuels did on the gas line. Mrs. Frawley answered that someone did. It is part of the fee she paid to Davis Fuels. David answered they do not have any permits on file. Usually, someone from the Town would come in and pull a permit and then the Code Enforcement Officer will go out and review the work before they backfill it. The Fire Department will also usually go out and look. Selectman Yeaton explained that the Board is

concerned that she was charged for a permit, she believed there was a permit on file, but the Town has no record of it. If she was charged and none were pulled, that is fraud, and she needs to be aware of that. Selectman Yeaton also explained that what also complicates it is figuring out what responsibility do the taxpayers have to pay for what happened if the proper steps weren't taken.

Selectman Gagyí asked for permission to go to the property and look at the complaint and the work done. Mrs. Frawley answered any of them would be welcome to come and look at it.

Selectman Goulet asked if the Selectman could go and look at the property, discuss it at the next meeting, and then get back to her with either a solution or more questions. Mrs. Frawley answered that would be fine.

IV. Old Business

Main Street Project

VJ Ranfos, Director of Public Works, explained there was a meeting last week between Public Works, Merrill Construction, Mike Vignale, and Matt Gagne from Water Works to discuss the Main Street project. It will officially be getting started on Monday, July 25th when Water Works will start their part. They discussed conflicts between the drainage and the work Water Works has to do. There is possible ledge removal that needs to happen and there were questions as to who would be responsible for paying for that. After talking with Mike Vignale, it was explained that it would be common practice for the Town to pick up the costs because they would not have to move the water line if the drainage wasn't there. There is a ledge removal line in the budget, but this is above what is in there. Merrill Construction is going to try and get two crews working simultaneously to get things expedited.

Selectman Goulet asked if they have talked to Consolidated Communications about moving the poles. David stated they have it on their plans to move them but they are still waiting on some things from Mike Vignale. They have not mentioned the \$70,000 price tag again. It is unknown when it is on their timeline. Selectman Gagyí asked if they can work around it. VJ answered that they can work around it. They will do the roadwork and then have to go back and fix where the poles were if Eversource doesn't come until after the fact.

Selectman Goulet asked if things were running on schedule. VJ answered they were hoping to have everything completed by October 1st but now they are hoping for November 1st and that is if everything starts July 25th. It will take 6 weeks for Water Works to finish their work so the goal is November 1st but it could be later.

Selectman Yeaton asked if Sherwood Meadows was done. VJ explained it is not done, the foreman was not happy with some of the work and is going to go back and

make some adjustments. Selectman Yeaton asked how they were doing on budget. VJ answered they are doing ok. It will be a little over but not bad at all. They just heard back from the State and they are able to get diesel fuel from the State Shed at just over \$2/gallon. That will greatly help the fuel line in the budget.

V. New Business

Large Gathering Permit – Old Home Day

Selectman Frederickson made a motion to approve the large gathering ordinance permit and to waive the \$100 fee for Pembroke Old Home Day. Selectman Bean seconded the motion. Motion passed 5-0.

Manifests/Abatements

Selectman Goulet made a motion to accept the manifests and abatements as presented. Selectman Frederickson seconded the motion. Motion passed 5-0.

Minutes - 7/6/22

Selectman Goulet made a motion to accept the minutes of July 6, 2022 as presented. Selectman Gagyi seconded the motion. Motion passed 5-0.

VI. Town Administrator Report:

Code Enforcement Office will be purchasing the 2018 version of international code council reference books and the 2020 National electrical code book. Every building department in the State will be issued the new versions. The books will cost around \$1,300. Selectman Goulet asked if they also get the electronic version. David answered they get both, but the booklet is easier to use.

Selectman Goulet made a motion to approve the Eversource pole license agreement for 334/213-1. Selectman Bean seconded the motion. Motion passed 5-0.

The Town won the recent appeal with NH Housing and Appeals Board against Mr. Evans. He can request another hearing by August 18th or go to the NH Supreme Court.

NH Lottery sent a letter saying Keno can be offered any where and no longer must be a pouring establishment.

Loudon Police Department sent a letter to thank the Pembroke Police Department for their assistance during the NASCAR Event.

The Water Department sent a letter to all residents on Town Water to implement an immediate restriction on outside watering beginning Monday, July 25th. The restriction is for outside watering to be limited to every other day. If your house is an

even number, you can water on even days, and odd number on odd days. The restriction pertains to watering by irrigation or sprinkler. Handheld watering of plants and car washing are exempt from this restriction. It will remain in effect until the Pembroke Water Works has a longer-term solution for remediation of PFAS. There will be fines for violation.

The Welfare Department sent a letter requesting an increase to the Town's guidelines for the payment of cremation expenses which have remained at \$750 for over 30 years. An increase in the Town's liability is overdue since most basic cremations now cost nearly \$2,000. The request is for the Town to pay up to \$1,500. This for people who would qualify through the welfare guidelines. Selectman Gagyi asked how many we normally do a year. David answered 1 or 2 a year.

Selectman Goulet made a motion to increase the cremation expense to \$1,500. Selectman Gagyi seconded the motion. Motion passed 5-0.

The Town Clerk's office is closed 7/29-8/15. Registrations can be done online.

VII. Committee Reports:

Selectman Gagyi – None

Selectman Yeaton – Conservation met with Eversource to discuss 8 poles to be replaced on Route 106. Conservation discussed concerns about a special use permit for a wetland crossing for a driveway on North Pembroke Road. Conservation is continuing to look at deeds. The Commission is concerned about the gate at White Sands not being very secure and the amount of glass at the beach as well as trash in general. They are looking at requesting permission to establish a policy that would allow the conservation commission to give property owners who abut conservation land permission to manage problematic trees on property lines.

Meet Me in Suncook are looking at cleaning up the Robert Frost Park.

Selectman Fredrickson – Planning is working on zoning updates with CNHRPC. They discussed whether to include all the Range Roads in long term planning for alternative traffic flow away from Route 3. A question was asked about who officially owns the Range Roads. David stated they would need to go to the archives held at the State Hospital grounds. The roads were laid out in 1700's. The only way the roads would revert to the property owners is if they were completely abandoned. Which they have not been. Selectman Yeaton suggested that they should be looking at all the Range Roads instead of automatically focusing on two Range Roads. That would give them some answers if property owners have questions about why they didn't consider opening their roads for development. David explained they are looking at the most efficient and most cost-effective roads to open.

Recreation is putting together CIP requests. Replacing the stage roof, middle field dug outs roof repair, and irrigation. Rose will be looking for a replacement in the coming years.

Solid Waste has a contract with Casella the Board will need to approve. The Committee is also reviewing the ordinance. They are also discussing composting.

Selectman Bean – None

Selectman Goulet - None

VIII. Other Citizen Comment:

None

IX. Non- Public Session:

Selectman Goulet made a motion to enter into non-public session in accordance with RSA 91-A:3 II (c) Matters of which, if discussed in public, would likely affect the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver fee, fine or other levy, if based on inability to pay or poverty of the applicant, seconded by Selectman Gagyi at 8:23pm

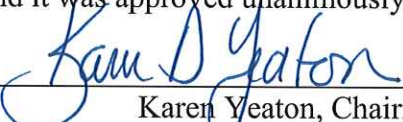
Roll Call Vote:

Selectman Gagyi Yes
Selectman Goulet Yes
Selectman Fredrickson Yes
Selectman Yeaton Yes
Selectman Bean Yes

The Board came out of non-public session at 8:44 PM

X. Adjourn:

Selectman Goulet made a motion to adjourn at 8:45 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.