

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
September 6, 2023 at 6:30 PM**

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

Excused: Selectman Sandy Goulet

Staff: Town Administrator David Jodoin

I. Call to Order:

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

II. Citizen Comment

Dana Carlucci, Meet Me in Suncook, shared that the Committee would like to set up a meeting with Board of Selectman to discuss the downtown area. Selectman Yeaton stated they can be scheduled for the meeting on September 20th.

III. Scheduled Meetings

Public Hearing – Town Code Chapter 155 Cemeteries

The Cemetery Commission met on August 10th and voted to propose amending Chapter 155 (Cemeteries) of the Town Code to fix an inconsistency in Section 155-12 by striking out "*No burials shall be held on Sundays or holidays except in case of emergency.*" The current contractor for burials, Dignified Cemetery Services, offers weekend and holiday burials for an additional fee without an emergency.

Selectman Yeaton opened the public hearing at 6:35pm.

Selectman Yeaton closed the public hearing at 6:36pm.

Selectman Frederickson made a motion to approve the changes to Chapter 155 as presented. Selectman Bean seconded the motion. Motion passed 4-0.

Public Hearing Range Road Building Permit Updates

David Jodoin explained the change they are discussing affects number 7 in the Town of Pembroke's Policy for Building Permits on Class VI or Private Roads; Effect of Approval/Occupancy Certificate. It adds "*A decision by the Board of Selectman to authorize the building permit does not relieve the application from compliance with any other application law, ordinance, or regulation, such as but not limit to, the*

Zoning Ordinance, State Building Code, State Fire Code, or Driveway Regulations. Notwithstanding a Board vote as described herein to authorize issuance of the building permit, the application must comply with all application ordinances and regulations to obtain a building permit." The policy was approved earlier this year; this section is being added for clarification purposes.

Selectman Yeaton opened the public hearing at 6:38pm.

Kevin Gagne, Trail Administrator for the New Hampshire Trail Dawgs, explained the club maintains an interconnecting trail system on the Range Roads. They have a vested interest in the development. He would like the Selectboard to consider having at least one corridor that would remain a trail in perpetuity.

Carol Bertsimas, Conservation Commission, asked where the Board stands with the waiver for residents to sign if emergency services are unable to reach them to protect the Town from liability. Selectman Yeaton answered that is the essence of the newer policy. The problem the Town/Selectboard was faced with is that residents with property on the Range Roads were coming in looking for building permits. Because there was no policy, there was no legal reason to say no. This policy puts limitations and guidelines that support the conversations around risk associated with the Town's issuance of building permits on class VI roads. Selectman Yeaton clarified that this policy would not allow a Range Road to be opened. That would be an entirely separate legal process.

Selectman Yeaton closed the public hearing at 6:47pm.

Selectman Gagy made a motion to accept the amended Town of Pembroke Policy Building Permits on Class VI Roads. Selectman Frederickson seconded the motion. Motion passed 4-0.

Matt Miller – Energy Committee Document Updates

Matt Miller, Energy Committee, has items to update the Board with regarding Community Power Documents. The Selectboard needs to designate an Authorized Official to occasionally make an official decision on behalf of Pembroke Community Power. The Committee recommends making this person David Jodoin or Rick Frederickson. There is a meeting every 6 months where they would review the market conditions and pricing of power. The Authorized Official would dial into the meeting and the Energy Committee would make sure that Official has all the background information they would need ahead of time. David explained that if the information was brought to the Selectboard and they made the decision for him to pass along, he would have no issue being the Official. If not, he would prefer it be Rick because he is the Selectboard Rep to the Energy Committee. Matt explained if the Selectboard Rep to the Energy Committee changes, it is easy to change the Official to the new person.

Selectman Yeaton made a motion to authorize Rick Frederickson as the Selectboard Representative to the Pembroke Energy Committee to be the Authorized Official representing Town of Pembroke with the Community Power Coalition of New Hampshire. Selectman Bean seconded the motion. Motion passed 3-0. Selectman Gagy abstains.

Matt explained the Town needs to submit a request for anonymized customer-specific information from the utilities and to designate CPCNH as agent for data management and protection and for David to send a form email to 10 email addresses giving them the authority to seek information. Selectman Frederickson asked what anonymized customer-specific information means. Matt explained they will be looking at actual usage data from the utility companies from an address but will not have their name and specific personal details attached. Designating CPCNH as the agent for data management and protection allows the other customer specific data to be transferred in a secure manner so they can correctly deliver energy and invoice. Selectman Bean would like to take some time to review the emails and to table the issue for the next meeting. The Board agreed.

Matt gave an update on the next steps until the program launches. The Energy Committee is working on continuous community outreach. They plan to host some additional informal informational meetings in the fall and then there will need to be an official public meeting in the first half of January 2024. They will put together a Pembroke Community Power informational brochure for a bulk mailing that the Board will be able to review in the late fall. The mailing needs to go out no less than 30 days prior to the launch in mid-February.

Kevin Gagne Trail Dawgs Request for Access to Town Owned Land.

Kevin Gagne explained the Trail Dawgs are the group that maintains the snowmobile trail system throughout the Pembroke Range Roads that is a part of the State Interconnecting Trail System. There are also club trails that run alongside the State trails. The State trails are maintained through the Grant in Aid program and the club trails are maintained and developed by the club that loop through the main State system. Kevin is presenting the annual request for permission to use of the Range Roads and also to request use of town owned land to reroute corridor 15. A piece of property along corridor 15 was sold and is being developed. The annual permission allows them to apply for Grant in Aid money which will specifically go towards grooming the trails. David asked if they would need to cut any timber along the new route. Kevin stated they do not know but if they do, they have certified members who can do the work and there are State RSA's that protect the Town from any liability. Selectman Yeaton asked if they would be changing the elevation of the trails. Kevin answered they follow the contour of the land and try not to make any changes. Selectman Yeaton asked if there is any type of public hearing to abutters. David answered they can. Kevin explained they have had public hearings in the past to change the route and have handled the noticing. Selectman Bean asked who they have insurance through. Kevin answered Hadlock Group. They provide insurance

certificates to the Town and landowners. The State also has an insurance policy, and they provide a separate insurance certificate. Selectman Frederickson expressed concerns about people now using the trail year-round and the noise level for abutters. Kevin explained they are not an ATV club and they assume the Town would not want ATV traffic on the property. The Town or the club could gate the entrance to the lot. They have prosecuted trespassers in the past since most of the trails are on private property. They do not typically have too many issues on gated and posted properties. Selectman Yeaton stated that going forward, they would like more detail on improvements and maintenance of the trails on town owned property.

Selectman Gagy made a motion to approve the snowmobile permission for the NH Trail Dawgs dated May 1, 2023, and to authorize the Chairman to sign the document. Selectman Frederickson seconded the motion. Motion passed 4-0.

IV. Old Business

None

V. New Business

Approve 2023 State MS-1 Form

Selectman Gagy made a motion to approve the State MS-1 Form as presented. Selectman Frederickson seconded the motion. Motion passed 4-0.

Manifest/Abatements

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

Minutes 8/16/23

Selectman Gagy made a motion to approve the minutes of August 16, 2023 as presented. Selectman Bean seconded the motion. Motion passed 4-0.

VI. Town Administrator Report

Jill McNeil is stepping down as Recording Secretary for the Budget Committee and Capital Improvement Committee. Budget Committee is meeting on September 28th and the Town will need a replacement as soon as possible.

Selectman Gagy made a motion to authorize the Chairman of the Board to sign the agreement for the 2007 John Deere Gator with the State of New Hampshire. Selectman Frederickson seconded. Motion passed 4-0.

St Jean Auctions has sent notice of the fall live auctions on October 21st.

There is a request to withdraw \$43,859.52 from the Fire Department Small Equipment Capital Reserve Fund for a cardiac monitor for the ambulance service. The two current ones are nearing the end of their useful life and are out of warranty. If the motherboard goes on the machine, it is no longer serviceable. It could take 6-8 months to get a replacement. One of the machines is already in the CIP for replacement next year. This purchase will mean when Tri-Town Ambulance dissolves, there will be two dependable machines to split.

Selectman Bean made a motion to authorize the purchase of a cardiac monitor with in the amount of \$43,859.52 and to remove the funds from the Fire Small Equipment Capital Reserve Fund. Selectman Frederickson seconded the motion. Motion passed 4-0.

A quote for the stage roof came in at \$60,000+. It is likely not going to be a high priority on the 2024 budget. David is going to reach out to Brady Sullivan to see what they want to do with their donations.

VII. Committee Reports

Selectman Yeaton – None

Selectman Fredrickson – None

Selectman Bean – None

Selectman Gagyi – Gerry Fleury is coming to the next Selectman's meeting to make the CIP presentation.

VIII. Other/Citizen Comment

Katie Booker, Millard Street, discussed concerns with the use of the property at 160 Main Street and frustrations that it slid into Town without anyone realizing it.

IX. Non-Public

Selectman Bean 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 (1) has a right to a meeting and (2) requests that the meeting be open, in which case the requests shall be granted. seconded by Selectman Gagyi at 8:02pm

Roll Call Vote:

Selectman Gagyi Yes

Selectman Frederickson Yes
Selectman Bean Yes
Selectman Yeaton Yes

The Board came out of non-public session at 9:07 PM.

Motion by Rick, seconded by Peter to increase the payroll wages for the Police Officers based on the information presented for the pay week ending September 30th and to also create a separate pay scale for the Police Officers. Motion passed 4-0

Motion by Rick and seconded by Peter to approve the holiday pay change for overtime hours worked on holidays to be at time and a half to coincide with Public Works.

X. Adjourn

Selectman Gagy made a motion to adjourn at 9:09 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.