

**BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
December 7, 2022 at 6:30 PM**

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

Staff: Town Administrator David Jodoin

**I. Call to Order:**

Chairman Yeaton called the meeting to order at 6:30pm.

**II. Citizens Comment:**

None

**III. Scheduled Meetings:**

Bethany Chase Reynolds – Epilepsy Drop Box

Bethany Chase-Reynolds, resident and Epilepsy Foundation employee, explained that the Town currently utilizes Helpsy as their textile recycler. When the contract runs out, Bethany is requesting the Town change to the Epilepsy Foundation and Donation Center as the Town's exclusive textile recycler. The Helpsy bins and curbside pickup are not marketed well, and it has taken 2-years to reach the 2,000-pound threshold. Meanwhile, there are two Epilepsy Foundation bins that receive 1,000 pounds of donated materials per month. As of November 1, 2022, Massachusetts has banned textiles in the waste stream and that may get more prominent throughout the country as landfills fill up. Most textile will not break down. Bethany is proposing two textile bins at the transfer station as well as a book bin.

Selectman Gagy asked if they accepted children's toys. Bethany answered they will take toys and games but not items like a baby walker.

Selectman Frederickson asked where everything goes once it is donated. Bethany explained they have a partnership with Savers and all material stays in New England. The proceeds go back to Epilepsy Foundation.

Selectman Gagy asked if the Epilepsy Foundation does any reselling. Bethany answered they do through Savers. Most textile recyclers are for profit companies, but Epilepsy Foundation is not-for-profit.

Selectman Goulet asked if they would coordinate around trash days. Bethany answered they will build the routes around the pick-ups scheduled. They will send along labels that can be printed and put on the bags to distinguish from trash or they can move the location of the bags and there will be a note in the system for the driver.

Selectman Goulet asked when the Helpsy contract is up. VJ Ranfos, Director of Public Works, answered the contract was up in November and they have not re-signed and Helpsy has not reached out to them. Helpsy did inform them they are changing to one Saturday a month for pick up and the resident must put out at least three bags.

Selectman Yeaton asked how the scheduling process will work. Bethany answered the resident will call or go online and put in the zip code and a drop-down box will have available pick-up times. There are schedulers who are continuously looking at what is planned for any given day at any given time.

Selectman Yeaton asked if there have been any challenges people have found with working with the service. Bethany answered sometimes there will be a date too far out and, in that case, they can call and talk with a scheduler to see if there is anything they do. They can also discuss it directly with Bethany who lives in Town.

VJ explained they would like to keep the Planet Aid bins currently at the Transfer Station. Epilepsy Foundation has agreed to that, but they would want exclusivity on curbside.

Selectman Frederickson made a motion to accept the Epilepsy Foundation bins at the transfer station and to discontinue the agreement with Helpsy. Selectman Goulet seconded the motion. Motion passed 5-0.

#### Public Hearing – Solid Waste Fee Update Chapter 133-3 G (2)

Wendy Weisiger, Chair of the Solid Waste Committee, explained that after the transfer station fees were revised and adopted in October, the Committee was given an additional fee by the collector for 1 lb. propane cylinders. DPW has asked that a \$2.00 canister fee be added to the schedule. Wendy also discussed the changes to the recycling market. Selectman Yeaton asked the Committee has a long-term plan for the decision on the recycling program. Wendy answered they have not discussed a cost breaking point but that doesn't mean they won't ever revisit the issue. Casella has indicated that the market is reaching a low point and it should start to improve.

Selectman Yeaton asked what the 2023 budget estimate is. David Jodoin answered the budget figure is \$150,000. Selectman Yeaton asked how long the Town has been doing the recycling program. Wendy answered since 2010. Sally Hyland explained the costs is not \$150,000 for recycling alone. If the recycling program is stopped,

those costs would be transferred to the rate of trash. The true cost is the difference between two.

Selectman Yeaton opened the public hearing at 6:58pm.

Gerry Fleury explained there are a lot of these canisters being discarded at the transfer station. This fee will help the town recoup those costs.

Selectman Yeaton closed the public hearing at 6:59pm

Selectman Goulet made a motion to adopt the solid waste fee schedule as presented. Selectman Frederickson seconded the motion. Motion passed 5-0.

#### Town Code Parking Chapter 180-9

Larry Preston, Main Street, created an online petition and received 39 signatures to call parking restrictions on an as needed basis for snow emergencies. Currently, the parking ban is January 1 - March 31 from 12:00am – 6:00am. Larry discussed how the municipal lots are filled for 90-days for potentially 5 snow days. There is limited parking for the businesses downtown and there needs to be more of a balancing act between the needs of the residents and the operations of the Town.

Selectman Frederickson asked for clarification on the 5-storms. Larry explained he researched how many times it snowed 5 inches or more. Selectman Frederickson explained DPW plows often when there is less than 5 inches of snow and still need the cars off the road. Selectman Goulet explained the snow ban begins at midnight so if the storm is at 11am, there are cars on the road while DPW is plowing.

David Jodoin explained the different options they have tried throughout the years. This is a yearly discussion, and the current restrictions were a compromise from what has been tried year after year.

Selectman Goulet supports calling a snow emergency on a case-by-case basis rather than a ban from midnight to 6am. David explained the main issue is the large number of residents not complying. They have looked into a one call now system like the school has but there is a \$5,000 cost to it. Currently we post on the website, channel 9, nixle and Facebook and people still ignore it for the most part.

VJ Ranfos, Public Works Director, explained the ban gives people the time to make the plans for their vehicles. If there is a smaller storm or a freezing rain issue, they do not need to call a snow emergency, but they still need to clear the roads. With the current system, they can plow around cars during the day and then go back at night to clean everything up without obstacles. Under the proposed plan, anytime they want to plow, they will need to call a snow emergency. When they call snow emergency that means they also shut daily routines like trash pick-up. This ban helps them maintain town daily operations during smaller storms. From Jan – March

2022, there were 16 snow/ice events. In 2021, there 23 snow/ice events. In 2020, there were 19 and in 2019 there were 30 events. In the past without the ban, there have been accidents between the plows and resident vehicles.

Selectman Yeaton asked what triggers calling a snow emergency. VJ answered it is usually an expected 6-inches or more or a longer duration storm. Selectman Yeaton asked what calling a snow emergency does. VJ answered it gets all cars off the roads for the entirety of the snow emergency rather than just 12am-6am. Selectman Yeaton asked if people remove their cars without a snow ban. Police Chief Gaskell answered some people do some people do not. The response is sporadic. If DPW cannot plow around someone, they need to make all reasonable attempts to find the owner and then they have the ability to tow a vehicle, but they have to sit with the vehicle until the tow truck arrives. Once the truck is called, they cannot leave. This takes them off the road to deal with any other emergencies. Each year, the PD puts out cards on vehicles to let people know the parking ban is coming. It gives residents time to make arrangements.

Selectman Goulet asked if the Town is paying overtime for the roads to be cleared during the midnight – 6am timeframe. David answered if they need to. Selectman Goulet explained when the cleanup happens at the municipal lots, they put up signs, so everyone knows to not park there. Could they do something like that during the day rather than an overnight clean up. VJ explained that clean happens a within a few days of a storm, they wouldn't want to leave the roads with snow on them for longer than necessary, so they are safe for travel as soon as possible. Selectman Goulet shared concerns if they have a low snow or no snow year, they have aggravated residents and patrons for 90-days. Selectman Goulet would like to try one season without the ban. VJ answered he has been through seasons without the ban and it is very difficult. Residents have notice now to find somewhere to park because they know the ban is coming. If they only have a few hours, it is very difficult to scramble and find parking.

Selectman Yeaton shared concerns for the difficulty for the Pembroke Police Department to enforce a snow emergency so DPW can effectively do what they are expected to do during a snow emergency.

Selectman Gagy explained that at any given point there are 2 patrol cars on the road and overnight there is one. If they have to stop and wait for a tow truck, there is no coverage for the town anywhere else and that is a major safety issue for the rest of the town. Chief Gaskell explained they do try to prepare and have more people on in a snow emergency but he is correct there is a safety issue.

Gerry Fleury, 21 Kimball Street, there should not be anything in the way of snow removal. If a vehicle is left in the road and the snow freezes, DPW will not be able to get that down to pavement which compromises the safety of travelers. It is the responsibility of the vehicle owner to manage the vehicle.

Jess Stevenson explained she just purchased the old American Legion building and would like to see the parking issues eased up. She has signed the petition Larry Preston was discussing but understands the concerns from DPW and the Police Department. Their goal is to renovate the building and bring more businesses to the downtown. Jess asked if there has ever been parking limits in Town. Chief Gaskell answered there are currently 2-hour parking limits throughout downtown. Which is a whole separate and difficult issue.

Selectman Frederickson shared concerns for vehicles accidentally being hit by the plow.

Selectman Goulet made a motion to remove the winter parking ban for this year. Selectman Gagyí seconded the motion. Motion failed 4-1.

Public Hearing Acceptance of \$20,000 Donation from Brady Sullivan for the Stage Roof at Memorial Park per RSA 31:95-b III (a)

Selectman Yeaton opened the public hearing at 7:47pm.

Gerry Fleury, 21 Kimball Street, explained in that CIP there is a stage roof project scheduled for 4 years from now with an estimated cost of \$45,000. If the donation is made conditional on the funds being used only the roof, and the project does not come to fruition, what happens to those funds. David explained the Recreation Commission has a revolving fund that was set up several years ago at Town Meeting. The \$20,000 would be deposited into it. The fund is audited every year just like all the other town funds. The project was originally quoted at \$45,000 but the odds are those costs will rise. The Commission did an engineered design by A&B lumber and there are concerns with the stability of the stage itself. Selectman Frederickson explained the roof design was made so the footings would go outside of the stage and be an independent structure. David shared if the funds are never used for the roof, then they should be sent back to Brady Sullivan.

Selectman Yeaton closed the public hearing at 7:53pm.

Selectman Goulet made a motion to accept the \$20,000 donation from Brady Sullivan with the funds to be used by the Recreation Commission for the stage roofing in accordance with RSA 31:95-b III (a). Selectman Gagyí seconded the motion. Motion passed 5-0.

#### **IV. Old Business**

Dubois and King – Asset Management Presentation

VJ Ranfos met with Dubois and King and discussed the proposed overages. VJ explained they were unhappy with the notice of these charges. Dubois and King said they understand the Town's position but is still submitting the \$9,600 as is bill for

payment. Aimee Rutledge who was the Project Manager, did the work, and submitted the bill, was not the person who submitted the original bid to the Town. While Dubois and Kind did notify the Town that the initial budget would not cover all expenses, they did not share the actual expected costs or what specifically was not being covered. VJ explained he did the request the additional meeting with the Selectman to review the substantial amount of information however, they never shared there would be a \$2,500 cost to do so. If they had, he would have withdrawn the request.

The Selectman agree that there was an issue with the intern at a cost of \$1,600, but finding out about cost overruns at the end of the project is not the right way of running a project.

Selectman Bean asked if any of this bill has been paid. David explained the Town received a \$30,000 grant and has paid out \$29,500. David would request the additional \$500 from the State to close out the grant and take the remaining costs out of the engineering line of the DPW operational budget.

Selectman Yeaton asked for the outcome of the meeting. VJ answered they acknowledged the concerns but are looking to be paid. They still need to finalize the report which was included in the original scope of work and has already been paid for.

Gerry Fleury read from the contract that states they can add additional service charges with or without notice.

Selectman Gagyí would like to see the final report that is due before discussing whether they pay this bill or not. David asked what is left for them to finalize the report. VJ answered they have already sent the rough draft to the Town and NHDES. NHDES made some comments, and they will need to make those revisions.

The Board decided to review the final report and then discuss the additional charges.

## **V. New Business**

### Encumbrance – Fairview Ave/Renarl Ave Design

Selectman Goulet made a motion to encumber \$15,900 for the engineering fees for Fairview/Renarl Ave paving project, \$112,950 to Viking Equipment for 10-wheel truck, and \$101,050 for Advanced Excavating for Borough Road Project, Selectman Frederickson 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 - 11/16/22

Selectman Goulet made a motion to accept the minutes of November 16, 2022 as presented. Selectman Frederickson seconded the motion. Motion passed 5-0.

**I. Town Administrator Report:**

Selectman Goulet made a motion to appoint Dawn Shea as Police Lieutenant and Travis Murray as a Police Officer. Selectman Frederickson seconded the motion. Motion passed 5-0.

County tax rate is proposing a 2.9% increase. That will not be finalized until closer to Town Meeting

The State of New Hampshire approved the special emergency appropriation.

The State of New Hampshire changed the language for the All Veterans Credit that was approved at Town Meeting last year so it will need to be reapproved this year. NHDRA said it will be looking for it on the warrant before they approve budgets.

The tax bills have gone out and are due January 11, 2023. The lateness of the bills will impact several areas.

Selectmen Gagyi stated that the Chairman and the Vice Chairman of the Budget Committee were going to meet with members of the School Board to insure that reports are filed in a timely manner so that this doesn't happen again.

**II. Committee Reports:**

Selectman Yeaton – Received a letter from Merrimack Nashua Watershed FEMA Mapping Update for a meeting December 13 at 9am.

Energy Committee is meeting tomorrow night with CPCNH to review the cost sharing agreement documents and policy documents.

Selectman Goulet – None

Selectman Fredrickson – Planning approved an application for 15 Lindy Street to subdivide. Approved an application for a new large facility at 52 Sheep Davis Rd.

Selectman Bean – Roads Committee is on break until February.

Selectman Gagyi – Budget met with Fire and Ambulance. There were concerns from members on the Budget Committee as to what would happen to Pembroke's service

if we are spending so much time in Allenstown because their level of service will be less than Pembroke's.

The next Budget meeting will be with Water Works and Police.

**III. Other Citizen Comment:**

None

Selectmen Goulet left the meeting for work.

**IV. Non-Public Session:**

Selectman Frederickson made a motion to enter into non-public session in accordance with RSA 91-A: 3 II (a), seconded by Selectman Yeaton at 9:12pm

Roll Call Vote:

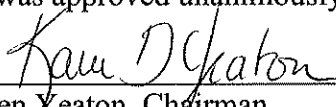
Selectman Yeaton	Yes
Selectman Bean	Yes
Selectman Frederickson	Yes
Selectman Gagyi	Yes

The Board came out of non-public session at 9:30 PM

Motion by Selectmen Frederickson, seconded by Selectmen Bean to approve a 2% merit raise for the Town Clerk as approved at Town Meeting. Motion passed 4-0.

**V. Adjourn:**

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

  
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Karen Yeaton, Chairman

For more detailed information, the meetings are now taped and can be seen on [www.townhallstreams.com](http://www.townhallstreams.com) click on Pembroke NH and look for the day of the meeting under the month.