

**MINUTES  
BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
February 1, 2010 at 6:30 PM**

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**Present:** Chairman Fred Kline; Selectman Cindy Lewis; Selectman Larry Preston;  
Selectman Tina Courtemanche

**Staff:** David Jodoin, Town Administrator

**Excused:** Selectman David Sheldon

**1. CALL TO ORDER**

Chairman Kline called the meeting to order at 6:34 PM.

**2. CITIZEN COMMENT**

None

**3. SCHEDULED MEETINGS**

**Public Hearing – Update to Noise Ordinance**

Mr. Jodoin stated that the amendment to the noise ordinance is to allow either the Police Chief or Code Enforcement to extend the current 10:00 PM deadline when necessary. This will be an article on this years warrant at Town Meeting.

Chairman Kline opened the public hearing at 6:35 PM. There were no public comments therefore Chairman Kline closed the public hearing at 6:36 PM.

**Action:** Selectman Lewis moved to include on the warrant, the article to amend the noise ordinance as written. Selectman Courtemanche seconded. Motion passed 4-0.

**NE Flower Farms**

NE Flower Farms recently experienced a fire at their Loudon location and would like to expand their present site of 4 acres in Pembroke by an additional 1½ acres. Applications have been submitted to both Planning and Zoning, however due to planting deadlines, Henry Huntington was present to request authorization from the Selectmen to proceed with construction prior to meeting with Planning and Zoning.

Mr. Jodoin indicated that he has discussed with the Code Enforcement Officer, the possibility of the Zoning Board holding a special meeting so that NE Flower Farms could obtain any required approvals prior to meeting with the Planning Board. This was discussed with members of the Zoning Board who were in agreement.

The meeting date with Zoning will be scheduled for February 16<sup>th</sup> and with Planning on February 23<sup>rd</sup>.

The selectmen agreed to authorize a permit for NE Flower Farms to proceed at their own risk and pending required approvals from Planning and Zoning.

**Action:** Selectman Preston moved to issue a conditional building permit to NE Flower Farms with the understanding that they are building at their own risk and must comply with any decisions made by Planning and Zoning. Selectman Courtemanche seconded. Motion passed 4-0.

#### **Sally Hyland/Jim Boisvert – Transfer Station Fees/Demolition Debris**

Ms. Hyland and Jim Boisvert were present to discuss proposed changes to the Solid Waste Ordinance.

The Solid Waste Committee is recommending that construction demolition debris no longer be accepted at the transfer station due to the cost incurred by the town and the fact that there is no fair way of charging because there is no scale. These materials can be brought to the Concord Cooperative for a fee of \$129 per ton.

The following items have been added to the fee schedule: Dishwashers \$15; Gas Operated Power Tools \$5; Mattress \$5; Box Spring \$5; Upholstered Couch \$7; Upholstered Loveseat \$6; Upholstered Chair \$5; Sleeper Sofa \$10.

There will be a public hearing scheduled for February 15<sup>th</sup> to discuss the fee changes and the discontinuation of the acceptance of demolition at the transfer station.

**Action:** Selectman Lewis moved to hold a public hearing on February 15, 2010 to discuss fee schedule changes and discontinuing acceptance of demolition debris at the transfer station. Selectman Courtemanche seconded. Motion passed 4-0.

Ms. Hyland indicated that since the 2,100 letters regarding the recycling program were sent out, 1,257 households have purchased trash/recycling carts. Selectman Lewis stressed the importance of informing residents of the “no parking” regulations on trash collection days. She suggested that this be announced at all public town/school meetings.

#### **Jim Boisvert – Landfill Monitoring 2010**

Mr. Boisvert indicated that KV Partners completed their final testing and provided the results. There is no contract in place for 2010 testing which will be required in April and November. The selectmen discussed whether to allow KV Partners to continue testing or if an RFP should be sent out. No decision was made.

**4. OLD BUSINESS**

**Cease and Desist Enforcement - 65 Sheep Davis Road**

**Action:** Selectman Preston motioned to move forward with Legal on the Cease and Desist Enforcement at 65 Sheep Davis Road. Selectman Lewis seconded. Motion passed 4-0.

**5. NEW BUSINESS**

**Capital Reserve Withdrawal Request**

**Action:** Selectman Preston moved to approve the amount of \$115,605 to be taken from the Town Equipment Capital Reserve Fund for the payment of the Peterbilt body for the new automated collection truck. Selectman Lewis seconded. Motion passed 4-0.

**Tri Town Request**

Tri-Town Ambulance is requesting use of the town gas pumps to fuel their vehicles. The selectmen discussed the fuel card system as well as the gallon limits that are in place. Jim Boisvert indicated that the minimum allotment of cards available for purchase is 50 (25 vehicles) for a cost of \$2,000. Tri-Town will only require a total of six cards. The selectmen were in agreement but with the understanding that additional fuel can be obtained from the town's supplier, Tri-Town pays the cost of the additional cards and that they are permitted to do so under tax exempt status.

**Action:** Selectman Preston moved to authorize Tri-Town Ambulance Services to utilize the town gas pumps providing they pay the cost to expand the card system (\$2,000). Selectman Lewis seconded. Motion passed 4-0.

The current cost for fuel is \$2.27 @ 17,000 gallons and diesel \$2.31 @ 20,000 gallons. Once the maximum gallons are reached, the contract must be renegotiated.

**2010 Warrant Articles**

The selectmen reviewed the process of recommending monetary warrant articles and agreed to include their recommendations on the warrant. Also discussed was the total operating budget figure that is to be used for Article 8. It was agreed to include both the Selectmen Recommendation as well as the Budget Committee Recommendation.

**Action:** Selectman Preston moved to recommend Article 5 as written. Selectman Courtemanche seconded. Motion passed 4-0.

**Action:** Selectman Preston moved to recommend Article 6 as written. Selectman Courtemanche seconded. Motion passed 3-0. Selectman Lewis abstained.

**Action:** Selectman Preston moved to recommend Article 7 as written. Selectman Courtemanche seconded. Motion passed 4-0.

**Action:** Selectman Preston moved to recommend Article 8 in the amount of \$7,545,665. Selectman Courtemanche seconded. Motion passed 4-0.

There was a brief discussion regarding a Petition Warrant Article. Mr. Jodoin read into the record the following language that will be included on the Warrant: To see if the Town will vote to approve the following resolution to be forwarded to our State Representative(s), our State Senator, the Speaker of the House, and the Senate President.

Resolved: The Citizens of New Hampshire should be allowed to vote on an amendment to the New Hampshire Constitution that defines "marriage".

#### **Manifest/Warrants**

Selectman Courtemanche questioned a coffee purchase for the Safety Center listed on the Manifest in the amount of \$99.95. Mr. Jodoin will obtain more specific information and report back to the Board.

**Action:** Selectman Courtemanche moved to approve the Manifest and Warrants as presented. Selectman Lewis seconded. Motion passed 4-0.

There were no abatements.

#### **Appointment – Larry Young**

**Action:** Selectman Lewis moved to approve the appointment of Larry Young as a full time member of the Planning Board (currently alternate member). Selectman Courtemanche seconded. Motion passed 4-0.

#### **Public Minutes 1/18/2010**

Postponed

### **6. TOWN ADMINISTRATOR REPORT**

Included in the selectmen packets for review:

Correspondence from Dana Carlucci regarding parking; Capital Area Mutual Aid Fire Compact Annual Report to Board of Directors; Letter from Pembroke Trustees of Trust Funds; Newspaper Articles regarding Veano's Italian Kitchen and The Meat House; NRRRA Newsletter; Comcast Letters; Thank you letter from the Friends Program acknowledging Everett Hodge; Letter from Library concerning budget reduction.

Mr. Jodoin read into the record, correspondence received from Grace Levergood, Department of Environmental Services: "I mentioned that we would be putting together a public informational meeting for early 2010 so that more of the public could attend and voice their concerns regarding the potential removal of the West Buck Street Dam. We would like to postpone this meeting until we gather further information on the site. We would like to have the results of sediment samples as well as a hydraulic model of the river prior to this meeting. The hydraulic model that we were going to use from the USGS sediment transport study will not be available until the spring 2010. We will work on gathering data so that by early summer 2010 we can hold an informative joint meeting with all three towns."

Comcast will possibly be holding a Comcast Care Day at Memorial Field on April 24<sup>th</sup>.

Reno Nadeau has passed Road Scholar II courses through the UNH Technology Transfer Center and Eric Alley has achieved Road Scholar I.

Mr. Jodoin read into the record, a document he would like to send out, on behalf of the Board of Selectmen, requesting representation (Fire Chiefs) from both Pembroke and Allenstown, as members of Tri-Town's Board, prior to Town Meeting. The selectmen were in agreement however requested that Mr. Jodoin add that the Fire Chiefs would be "voting" members.

## **7. COMMITTEE REPORTS**

Selectman Courtemanche reported that the Budget Committee voted to cut the town budget by \$77,020 (Library \$4320; Legal \$5000; Road Paving \$67,700).

Selectman Lewis indicated that she will be stepping down from the Planning Board once her term for Selectman expires in March.

Chairman Kline indicated that the Women's Club has expressed interest in organizing a breakfast prior to Town Meeting. There would be a "use" fee charged to the town by the school however the event would be run by the Women's Club. The general feeling of the selectmen was unfavorable.

## **8. OTHER/CITIZEN COMMENT**

None

9. **NON PUBLIC SESSION** 91-A:3 II (b) the hiring of any public person as a public employee.

**Action:** Selectman Preston moved and seconded by Selectman Courtemanche to enter into non-public session in accordance with RSA 91-A:3 II (b) at 8:14 PM.

Roll Call Vote

Chairman Fred Kline (yes)

Selectman Cindy Lewis (yes)

Selectman Larry Preston (yes)

Selectman Tina Courtemanche (yes)

Vote: Unanimous

The Selectmen came out of non-public session at 9:15 PM and voted not to divulge the minutes.

**Non Public Minutes 1/4/2010, 1/11/2010, 1/18/2010**

**Action:** Selectman Preston moved to approve the non public minutes of 1/4/2010, 1/11/2010, and 1/18/2010 and to release these minutes including the Non Public minutes of 12/21/2009. Selectman Courtemanche seconded. Motion passed 4-0.

10. **ADJOURNMENT**

**Action:** Selectman Preston moved to adjourn the meeting at 9:16 PM. Selectman Courtemanche seconded. Motion passed 4-0.

Accepted by the Board of Selectmen

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Fred Kline, Chair