

**MINUTES  
BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
May 17, 2010 at 6:30 PM**

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**Present:** Chairman Cindy Lewis; Selectman David Sheldon; Selectman Larry Preston;  
Selectman Tina Courtemanche; Selectman John Duggan

**Staff:** David Jodoin, Town Administrator

**1. CALL TO ORDER**

Chairman Lewis called the meeting to order at 6:30 PM.

**2. CITIZEN COMMENT**

None

**3. SCHEDULED MEETINGS**

**Frank Merrill – Silver Hills Drive Agreement**

Frank Merrill was present to execute the roadway and maintenance agreements for Silver Hills Development. The bond has been prepared however a correction needs to be made changing “plan prepared by KV Partners” to “plan prepared by TF Bernier”. Mr. Merrill will make this change and deliver to Mr. Jodoin on Tuesday, May 18<sup>th</sup>.

**Action:** Selectman Preston moved to accept the roadway and maintenance agreements for Silver Hills Development Company and the bond through North American Specialty Insurance Company as amended.

The selectmen signed the agreements.

**Chris Davis – Merrimack River WakeFest**

Cancelled

**Conservation Commission – Range Roads**

Brian Mrazik and Ammy and Stetson Heiser gave a detailed power point presentation on the deterioration of the Range Roads due primarily to heavy duty vehicles using the roads when saturated. Some items included in the presentation included rutting, diversion of natural drainage, erosion and destruction, and sedimentation of stream channels and wetlands. Also included were RSA's that state the Board of Selectmen's authority to regulate use. Options for preserving these roads were reviewed as well as policies put in place in Grantham and Hanover which closes class VI roads for a specific amount of time and imposes a fine for usage during closure.

BOS Minutes

The board discussed some options and asked Chief Lane, who was present at this meeting, about enforcement ability. Chief Lane indicated that of the options outlined, a seasonal approach would be more suitable for Pembroke. He stated that the grants received from Fish and Game has been reduced over the years from \$9,000 to \$2,500 and there are no other funds in the budget to cover patrolling these roads. He also indicated that signs would have to be posted at all entrances to the Range Roads. When asked what the Conservation Commission's recommendation is, Mr. Mrazik responded that their recommendation would be to close the roads seasonally posting signs to this effect. Ms. Heiser agreed to research how many signs will be required and an approximate cost. Mr. Boisvert indicated that there are at least 40 points of entry to the Range Roads. Weight limits were discussed; Chief Lane stated that nothing over 1000 lbs. should be adequate.

There was some discussion regarding which department budget would cover funds for signage and if this should be presented at town meeting, public hearings, or both. It is Selectman Sheldon's opinion that residents should have their say at town meeting and public hearings should also be held.

Mr. Jim Garvin was also present and provided a brief history of the Range Roads and their purpose. He indicated that any entity destroying roads and preventing others from using them should be stopped by an ordinance and that it is the responsibility of the Board of Selectmen to protect town resources and get input from townspeople.

The Board requested that Mr. Jodoin prepare an ordinance outlining seasonal Range Road closures. Ms. Heiser agreed to follow up on the public awareness aspect.

#### **Chief Lane – Highway Safety Grant/Generator**

**Action:** Selectman Preston moved to authorize the Chair to sign, on behalf of the Board of Selectmen, the Highway Safety Grant for Sobriety Checkpoints. Selectman Sheldon seconded. Motion passed 5-0.

Chairman Lewis signed the grant.

Chief Lane reviewed the Highway Safety Grants and indicated that a more defined Highway Safety Committee is needed to approve grant applications. He suggested that the Board of Selectmen be appointed to serve as this committee.

**Action:** Selectman Preston moved to appoint the Board of Selectmen to serve as the Highway Safety Committee. Selectman Sheldon seconded. Motion passed 5-0.

The generator purchase for the Department of Public Works was discussed. Chief Lane continues to finalize this purchase and indicated that \$27,632 has been received from the State. Electrical for a portable generator was discussed and Chief Lane agreed to research further.

There was a brief discussion regarding a letter of intent for a mitigation grant to cover costs associated with damage caused by the most recent windstorm.

### **Jim Boisvert – Proposed Broadway Project**

Present for this discussion were Jim Boisvert, Chris Culberson, Oscar Plourde, Henry Malo, Paulette Malo, and Brian Seaworth.

A large map of the area encompassing this project (Prospect, Maple and Pine Streets) prepared by KV Partners was reviewed and considerable changes were made. Areas of discussion included parking, sidewalks, Safe Routes to School Grant, one-way roadways, planting areas, drainage (not included in plan), curbing, easements and Broadway (not included in plan). This project will be phased over an undetermined period of time.

Mr. Boisvert indicated that he spoke to the engineer at KV Partners who stated that the cost this year for the final design of the current plan (which does not include Broadway or drainage) and sending it out to bid would be \$21,000.

Mr. Jodoin will follow up with KV Partners requesting an updated proposal based on revisions made at this meeting and invite them to a future Board of Selectmen meeting to discuss. Water, Sewer, and Roads will also be invited to attend.

## **4. OLD BUSINESS**

### **Solid Waste Issues**

Issues discussed included an update from Mr. Boisvert on trash pick up, a listing of violations, a proposed violation sticker, parking, Solid Waste Ordinance, and school issues including comingling recyclables. There was a lengthy discussion regarding whether or not residents are required to place both trash and recycling carts out on pick up days.

**Action:** Selectman Preston moved to make mandatory that residents place both trash and recycling carts out for pick up or a violation sticker will be left. Multiple offenses will result in trash not being picked up. Chairman Lewis seconded. Motion failed 2-2-1. Selectman Duggan abstained.

Mr. Jodoin will follow up with Peter Warburton, Superintendent of Schools, regarding the school issues.

Selectman Sheldon requested that the decals for the new trash vehicle be addressed. These decals will be for both sides of the truck and will cost \$288.00.

**Action:** Selectman Preston moved to approve the purchase of truck decals in the amount of \$288.00. Selectman Sheldon seconded. Motion passed 3-2.

The Selectmen agreed to allow the proposed violation stickers to be printed for the minimum quantity if 2000. The cost has yet to be determined.

## **5. NEW BUSINESS**

### **Expenditures Budget vs. Actual**

The budgets were briefly discussed including unemployment and workers compensation. Mr. Jodoin stated that there are concerns with the cuts that were made to legal and that some other lines that need to be monitored. He indicated that the State has not finalized their budget.

### **Execute Agreement with PSNH**

This agreement is for the authorization to attach Flags to the PSNH poles for the Proudly Our Colors Fly program. Mr. Jodoin is working with the Fire Department for installation.

**Action:** Selectman Sheldon moved to approve and authorize the Mr. Jodoin to sign on behalf of the Board of Selectmen, the PSNH Pole Attachment Application and Permission to Temporarily Attach. Selectman Courtemanche seconded. Motion passed 5-0.

### **CEO Vehicle Repairs**

Repairs and repair quotes for this vehicle were discussed.

**Action:** Selectman Preston moved to authorize repairs to the Code Enforcement vehicle through RFA in the amount of \$310.00. Selectman Duggan seconded. Motion passed 5-0.

### **Service Contracts**

The G. & O. service contract was briefly discussed. It was agreed to postpone this discussion/decision until the new heating system is in place at the Safety Center.

### **Trail Dawgs Request to Access Range Roads**

**Action:** Selectman Preston moved to approve access of the Range Roads by Trail Dawgs for a period of one year and authorize Mr. Jodoin to sign on behalf of the Board of Selectmen. Selectman Sheldon seconded. Motion passed 5-0.

### **Town Hall Roof**

Mr. Jodoin reviewed three quotes he obtained for repairs to the roof at the Safety Center and stated that the building committee is recommending the bid from James L. Kelso for \$19,787. Additionally, Mr. Jodoin reviewed the settlement evaluation from the insurance company. Roof repairs/replacement cost = \$8,499.11 less depreciation, leaving a net of \$5,799.29 to be paid by the insurance company. FEMA stated that they will pay the \$1,000 deductible and any remaining funds will come out of capital reserve. It appears that the quotes differ in the work to be done. The Board requested that Mr. Jodoin obtain more specific information from Kelso for clarification on what will be done and what brands will be used.

### **Manifest/Abatements**

**Action:** Selectman Courtemanche moved to approve the Manifest as presented and the Abatements as recommended by the Assessor. Selectman Sheldon seconded. Motion passed 5-0.

### **Minutes 4/19/2010, 5/3/2010**

**Action:** Selectman Preston moved to approve the minutes of 4/19/2010 as presented. Selectman Courtemanche seconded. Motion passed 5-0.

**Action:** Selectman Preston moved to approve the minutes of 5/3/2010 as presented. Selectman Courtemanche seconded. Motion passed 4-0. Selectman Sheldon abstained as he was not present at the meeting.

### **Non Public Minutes 4/19/2010**

**Action:** Selectman Preston moved to approve and *seal* the non public minutes of 4/19/2010 as presented. Selectman Courtemanche seconded. Motion passed 5-0.

## **6. TOWN ADMINISTRATOR REPORT**

Mr. Jodoin is in the process of coordinating a meeting with the towns that have experienced issues with the flooding of the Suncook River. Epsom has requested that this meeting be scheduled for June 21<sup>st</sup>, 6:30 PM – 8:00 PM in Epsom, which is a regularly scheduled Pembroke Board of Selectmen meeting night. The Selectmen agreed.

Public Works has submitted information from the State that the fuel pumps at the Department of Public Works need to be closed by 2015. A cost savings will be realized if they are changed out by 2013. The Town will need to look at other sources for fuel.

The Suncook Little League President has contacted Mr. Jodoin regarding a light pole at Memorial field that he would like replaced as it is used for night games.

Mr. Jodoin reviewed two property deeds; Deerpath Lane and Old Borough Road. No decision was made. Mr. Jodoin will continue to follow up.

Mr. Jodoin is in the process of ordering the next round of trash/recycling carts. There is \$8,300 in funds that have been received from residents for the extra carts that were ordered on the first order. The funds that we currently have will cover (100) 64 gallon carts and (60) 96 gallon carts. The Selectmen discussed the price residents will be charged for the carts which will include shipping, delivery, and set up fees. Shipping charges have increased over the first order because of the limited quantity ordered. Public Works personnel will now be required to put the carts together and deliver to residents, which was handled on the first order by the cart company.

**Action:** Selectman Preston moved to purchase the carts which will be sold at \$60 for 64 gallon carts and \$70 for 96 gallon carts. Selectman Duggan seconded. Motion passed 5-0.

Mr. Jodoin briefly reviewed notices of violations for the previous weeks of recycling.

Work has been sent out to bid for sewer repairs on Bridge Street Extension. The cost of repairing the road (overlay) will come from the Sewer Department.

The lift to do the work for the insulation at the Safety Center will cost \$300 per week. This work will be done by Public Works. Chairman Lewis requested that any work to be performed by Public Works is first reviewed in detail by the Board of Selectmen to make sure they are able to complete the project in a timely manner.

Payment in lieu of taxes for Pembroke Housing for the Elderly was discussed. Tax will be based on the local tax rate which is currently \$6.03 for 2009. The determination that this property would be tax exempt was made in 2008. The current agreement is needed for taxing purposes.

**Action:** Selectman Preston moved to approve payment in lieu of taxes and to authorize Mr. Jodoin to sign the document. Selectman Courtemanche seconded. Motion passed 5-0.

Erica Peaslee, 667 North Pembroke Road, is requesting a "Slow Children" sign near her property. Chief Lane has spoken to Ms. Peaslee and agreed to dedicate enforcement in this area.

Selectman Sheldon is concerned about the disruption of traffic on Pembroke Street caused by the Grace Capital Church Flagger. The board was in agreement with Selectman Sheldon however it is unclear what can be done. Selectman Duggan suggested that this be reviewed with Chief Lane.

Documentation included in Selectmen packets for review included: Energy Brief from PSNH; Notice from the Town of Bow regarding PSNH plant; CEO letter for non-compliance; e-mail from Grace Capital Church; Letter from Chief Lane regarding Details; A&B Decision; Correspondence from Cemetery Commission; Interest letter from Christine Robinson for the Recreation Commission; Correspondence from Mr. and Mrs. Driscoll; and Letter from DES regarding Large Well Approval.

## 7. COMMITTEE REPORTS

Selectman Preston reported on the boiler for the Safety Center. The committee is recommending the purchase of two high efficiency boilers due to a \$10,000 grant that is available. Bids will be available at the next Board of Selectmen meeting.

Selectman Sheldon questioned a possible discrepancy in the meeting date for the most recent Roads Committee Meeting.

The Discretionary Easement for Plausawa Valley Country Club was briefly discussed as it pertains to the abatement process.

## 8. OTHER/CITIZEN COMMENT

An issue regarding residents parking near the park at the start of Broadway Street was discussed. Mr. Jodoin agreed to follow up with Code Enforcement.

The Board accepted with regret, the resignation of Sue Seidner from the Recreation Commission.

## 9. NON PUBLIC SESSION RSA 91-A:3 II (e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the public body or any subdivision thereof, or against any member thereof because of his or her membership in such public body, until the claim of litigation has been fully adjudicated or otherwise settled.

**Action:** Selectman Preston moved and seconded by Selectman Courtemanche to enter into non-public session in accordance with RSA 91-A:3 II (e) at 10:27 PM.

### Roll Call Vote

Chairman Cindy Lewis (yes)

Selectman David Sheldon (yes)

Selectman Tina Courtemanche (yes)

Selectman Larry Preston (yes)

Selectman John Duggan (yes)

Vote: Unanimous

The selectmen came out of non-public session at 10:44 PM and voted not to divulge the minutes.

**10. ADJOURNMENT**

**Action:** Selectman Sheldon moved to adjourn the meeting at 10:45PM. Selectman Courtemanche seconded. Motion passed 5-0.

Accepted by the Board of Selectmen

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Cynthia A. Lewis, Chairman