

**MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
May 3, 2010 at 6:30 PM**

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

Staff: David Jodoin, Town Administrator

Excused: Selectman David Sheldon

1. CALL TO ORDER

Chairman Lewis called the meeting to order at 6:33 PM.

2. CITIZEN COMMENT

Tom Baumeister, Bachelder Road, requested an update on the Buck Street Dam removal which was provided by Mr. Jodoin. The selectmen discussed the potential meeting involving the six affected towns and the possible preparation of a letter concerning the dam and river to be sent to Governor Lynch. Mr. Baumeister requested that this letter be sent from the Town of Pembroke should the meeting not take place as it is his opinion that removing the dam will buy time until the river is repaired.

Mr. Baumeister provided an update of recent changes and damages to the river caused by annual flooding. It is his opinion that any studies done in the past, including the USGS sediment study being prepared by Rob Flynn, are no longer valid due to the amount of changes within the past 12 months. Sally Hyland and Pentti Aalto, also of Bachelder Road, were present to aid in the video portion of the presentation. Mr. Baumeister indicated that he has spoken to representatives from the State, explaining river damage, corrosion and silt concerns but was not able to receive a definitive answer regarding any intended repairs to the river. He has however, requested an answer to his inquiry to the State within one week.

The ownership of the land where a large amount of damage is occurring was discussed.

Linda Spofford, Bachelder Road, has concerns regarding the amount of silt on her property and is in favor of removing the dam.

Ron Swiggard, Bachelder Road, has concerns regarding health risks to people who swim in the river as well as the fine power in the air causing lung/breathing problems.

Sally Hyland, Bachelder Road, stated that due to all of the deposits, the river bed has risen creating the potential for flood plain to expand which shows the extent of the impacts of the environmental degradation.

Chairman Lewis suggested that the selectmen attempt to schedule a meeting in Epsom on a Monday evening when the Pembroke Board of Selectmen is not scheduled to meet. Selectman Preston suggested that Mr. Jodoin draft a letter on behalf of the Board of Selectmen to present at the SVRTA scheduled for June. Mr. Jodoin will follow up. Mr. Baumeister stated that he has video footage on DVD's that he could provide for the meeting.

Mr. Alan Johnson, Hodges Companies, 5-9 Sheep Davis Road, was present to discuss the recommendation by the assessor regarding his property, his abatement request, and the valuation of his property.

Chairman Lewis explained the abatement process then stepped down from this portion of the meeting due to a conflict of interest. In the absence of Vice Chairman Sheldon, Selectman Preston took over the meeting.

Mr. Johnson is requesting a compromise of his valuation due to the 31% increase during the most recent town revaluation. He feels that this increase is unreasonable and was over a valuation that was already too high. Mr. Johnson explained his process of determining what he feels his valuation should be based on an income approach and operating history. He further indicated that he would like to reconcile this issue at the Board of Selectmen level versus the Bureau of Land and Tax Appeals and his attorneys.

When asked by Selectman Preston if Mr. Johnson had a hearing during the time the revaluation was in progress, Mr. Johnson stated that he had met with Tom Welch at which time a slight adjustment was made but was still significantly above what his evaluation should be. The Selectmen explained that the Town must adhere to the results obtained by the appraisal firm but that the Selectmen can send the request for abatement back for a second review.

Mr. Jodoin suggested that Mr. Johnson meet with Don Ingalls to review all information and to attempt a resolution. Mr. Johnson requested that Mr. Jodoin attend this meeting and report the outcome to the Board of Selectmen. Mr. Jodoin will schedule the meeting and Mr. Johnson requested that he be provided plenty of notice.

As this abatement request is currently before the Board of Selectmen for approval and, according to Mr. Johnson is an inappropriate amount, it was decided to put it on hold pending further review and discussion.

Chairman Lewis resumed chairing the meeting.

3. SCHEDULED MEETINGS

Jim Boisvert, DPW Director – Road Bids, Salt Shed, Landfill Closure, Town Hall Carpeting

Mr. Boisvert as well as Roads Committee members Oscar Plourde, Paulette Malo, and Brian Seaworth were present. The primary roads for paving and reclaiming are Cross Country Road (Seventh Range to Sixth Range) and Cross Country Road (Sixth Range to Fourth Range) for a total of \$292,971.68 based on the Roads Committee's recommended bid from Brox Industries, Inc. Other work included in the bid process which includes final engineering for the Broadway Reconstruction project and Cross Country Road (N. Pembroke Rd. to Chichester Town Line) for a total of \$139,456 also based on the bid from Brox Industries, Inc is not recommended by the Roads Committee. After a lengthy review of all road paving and reconstruction bids including potential price increases and comments listed on the bids, specifically clauses and certificates of insurance, the Board agreed to award the bid to Brox Industries located in Dracut, operating out of Hooksett, contingent upon them holding their price until September 30, 2010.

There is currently \$537,300 in the Roads Budget. Ms. Malo stated that the Committee is budgeting only \$500,000 for roads due to the anticipated decrease in Rooms and Meals Tax Revenue. Mr. Boisvert indicated that no shoulder work will be done in 2010.

Action: Selectman Preston moved to award the paving bid to Brox Industries contingent upon their price being held until September 30, 2010. Should the pricing not be held, the bid will be awarded to Suburban Paving. Selectman Courtemanche seconded. Motion passed 4-0.

Ms. Malo indicated that three culverts need to be replaced. Mr. Boisvert explained that after a review of all culverts, there are actually 12 that need work and that the cost for this is included in the bids. Chairman Lewis requested a cost breakout for the 12 culverts and it was decided that that it be sent out to bid.

Action: Selectman Preston moved to send out to bid, all culverts not to exceed 15. Bid specifications should include type of culverts and other pertinent information such as headwalls and deadlines. Selectman Duggan seconded. Motion passed 4-0.

The cost for pipes in the amount of \$3,000 as well as a complaint from a Chichester resident regarding Cross Country Road was discussed.

Due to the conflict of work that needs to be completed for culverts and timing issues, it was decided to reschedule the Roads Committee meeting to May 11th at 6 PM at which time the bid specifications can be reviewed and finalized. Mr. Jodoin will post this change.

Mr. Boisvert will rework the Road Reconstruction and Paving Calculations worksheet.

Correspondence from KV Partners was briefly discussed as it pertains to the Broadway Reconstruction Project. It was agreed that the plan needs to be reviewed and revised.

This item will be placed on the agenda for the next Board of Selectmen meeting scheduled for May 17th at which time more information will be provided for review. The Selectmen agreed that copies of the plans would be sufficient versus the entire project book.

Mr. Boisvert brought for review, an option of "Pembroke Recycles" decals for the Peterbilt recycling truck for a cost of \$288 (both sides).

Action: Selectman Preston moved to approve the purchase of recycling truck decals. Selectman Courtemanche seconded. Motion failed 2-2.

There was discussion regarding radio bids for Public Works.

Action: Selectman Courtemanche moved to award the new radio bid for the Public Works Department to Wright Communications in the amount of \$1,051.90. Selectman Duggan seconded. Motion passed 4-0.

There was a considerable discussion pertaining to the new trash program. Overall, the first pick up day (Monday, May 3rd) went well with the exception of a minor problem with a hydraulic sensor on the truck. Additionally, a higher than expected amount of recycling material was collected filling the truck to capacity by 1 PM. Approximate ratio of recycling to trash was 60/40 but this is expected to reverse soon. Some other unresolved issues were discussed including letters for noncompliance and parking,

Annual maintenance for HVAC equipment in town buildings was briefly discussed based on correspondence from G & O Heating and Air Conditioning. Mr. Jodoin will include information from G & O in the selectmen packets for review and will add to the agenda for the next Board of Selectmen meeting scheduled for May 17th.

Repairs to the roof and garage doors at the Safety Center were briefly discussed. Mr. Boisvert indicated that the insurance may pay for the repairs caused by the most recent damage from the rain/wind storm and FEMA will pay the \$1,000 deductible. Further discussion was postponed until more information is obtained.

There was a brief discussion regarding the town owned easement located at 442 Pembroke Street. Mr. Boisvert indicated that Pembroke cleans two catch basins in that area each year however the State has not cleaned their catch basins on Pembroke Street in over three years. Mr. Boisvert spoke with the State and was told that the catch basins will be cleaned this year but will not the end of the pipes. Chairman Lewis suggested that the State catch basins that dump into Town owned culverts be added to Pembroke's annual cleaning schedule which usually takes place on May 17th each year.

The salt shed, landfill closure fencing and asphalt, and repairs to various buildings were briefly discussed but tabled due to insufficient information. These items as well as drainage repairs to roads will be discussed at a future meeting.

4. OLD BUSINESS

None

5. NEW BUSINESS

Tax Deeds

Mr. Jodoin reviewed potential tax deeds for consideration.

Action: Selectman Preston moved to sign deed waivers for Maple Grove Map 870-20 Lot 36, Map 870-20 Lot 16, and Map 870-20 Lot 34. Selectman Courtemanche seconded. Motion passed 4-0.

Action: Selectman Courtemanche moved to sign the deed for property currently owned by Larry Wurster located at Dearborn Road, Map 266-79. Selectman Duggan seconded. Motion passed 4-0.

Map 565-191-1 - owner unknown, was discussed with no decision. Chairman Lewis agreed to research.

Map 561-37 – well, owned by Marina Parmenter, was discussed but no decision will be made until more information is obtained including land value. \$3,175 is owed in back taxes. Mr. Jodoin agreed to call Ms. Parmenter to review the issue and possible resolution.

Manifest/Abatements

Action: Selectman Preston moved to approve the Manifest as presented and the Abatements as recommended by the Assessor with the exception of the Pembroke Place Abatement (Hodges Companies) which will be addressed at a future meeting. Selectman Courtemanche seconded. Motion passed 4-0.

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Postponed

Appointments

Action: Selectman Preston moved to appoint Nieda Briggs to the Planning Board. No second. Motion failed.

6. TOWN ADMINISTRATOR REPORT

Mr. Jodoin has received a reply from Don Lyford indicating that the State has no interest in purchasing the property at the end of Pembroke Hill Rd.

Suncook Little League has determined that the outside stairway at the canteen building will not be feasible. They will instead designate an area on the side of the building for announcing games.

The court date for the 65 Sheep Davis Road issue is schedule for May 10, 2010 at 10:30 AM at Merrimack Superior Court.

Mr. Jodoin read into the record, correspondence from Everett Hodge to Harriet Cunha and John Hondrellis, Jr. regarding outside stored material and a storage pod at 448 Deerpath Lane. According to the correspondence, Mr. Hondrellis has agreed to have all material stored outside the storage pod gone by May 31st and the storage pod removed by July 15th.

Damage to a light pole at Memorial Field (Little Field) was discussed. No decision was made.

Selectman Duggan began a discussion regarding lawn care maintenance being performed by Ms. Galligan at Memorial Field and inquired if this should be done by the Town or under the current mowing contract. Mr. Jodoin will research the history and report back to the Board. Details of the summer program at Memorial Field were also questioned.

Selectman Preston left the meeting at 10:17 PM.

A large gathering permit was discussed for a Wake-Boarding Fest "Pembroke Wakefest" that is being scheduled for July 24th or 25th. There may be concessions and vendors and they are expecting approximately 60 people to attend. The organization is run by Christopher Davis, NH International League. The Selectmen discussed launching pads and the New Hampshire rivers speed limit and requested that the organization be invited to a future meeting to discuss their intentions. Mr. Jodoin will follow up.

Mr. Jodoin has spoken to Selectman Sheldon who has agreed to represent the Board of Selectmen on the negotiating team for DPW.

Action: Selectman Courtemanche moved to appoint Selectman Sheldon to represent the Board of Selectmen on the DPW negotiating team. Selectman Duggan seconded. Motion passed 3-0.

Mr. Jodoin will be hosting the SVRTA meeting at Pembroke Town Hall on June 17th. Tentatively there will be a presentation from the Temple and Allenstown Police Chiefs on joint collaborations.

The Board is invited to attend and Mr. Jodoin requested that should anyone be interested in attending that they contact him one week in advance so he can post the meeting if necessary.

7. COMMITTEE REPORTS

Selectman Duggan was unable to attend the Recreation Commission meeting due to lack of notice for the meeting.

8. OTHER/CITIZEN COMMENT

None

9. NON PUBLIC SESSION

None

10. ADJOURNMENT

Action: Chairman Lewis moved to adjourn the meeting at 10:37 PM. Selectman Duggan seconded. Motion passed 3-0.

Accepted by the Board of Selectmen

Cynthia A. Lewis, Chairman