

**MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
September 20, 2010 at 6:30 PM**

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

Staff: David Jodoin, Town Administrator

Prior to the start of the meeting, the Selectmen presented Nancy Kurinskas with a clock in recognition for her many years of dedicated service to the town. Ms. Kurinskas will retire as of September 30, 2010.

1. CALL TO ORDER

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

2. CITIZEN COMMENT

None

3. SCHEDULED MEETINGS

Public Hearing Town Code Changes Chapter 133 Solid Waste Ordinance

Chairman Lewis opened the public hearing at 6:35 PM and asked if there were any public comments.

Sally Hyland requested information on what revisions are being considered by the Selectmen. Selectman Sheldon explained that language changes regarding the recycling truck not making second attempts or special pick ups for carts not placed out in time are being discussed. Additionally, Chairman Lewis indicated that the Planning Board will be discussing the option of allowing small containment units on residential properties to house the carts.

Chairman Lewis closed the public hearing at 6:39 PM.

Action: Selectman Sheldon moved to continue discussions regarding the Solid Waste Ordinance at the next Board of Selectmen meeting scheduled for October 4, 2010 for additional revisions. Selectman Courtemanche seconded. Motion passed 5-0.

Mr. Jodoin will add this item to the agenda for October 4th.

Joe Lessard – MRI Assessing

Two tax appeals/Orders of Notice were discussed at length; Hodges-Pembroke, LLC v Town of Pembroke, and Aranosian Oil Company, Inc. v Town of Pembroke.

It is Mr. Lessard's opinion that the actions are defensible and feels there are no issues with the assessed values of either property.

Action: Selectman Preston moved to authorize Mr. Jodoin to contact Aranosian Oil Company to determine if negotiations are still possible. If so, Mr. Jodoin will contact Mr. Lessard for assistance with a resolution. Selectman Sheldon seconded. Motion passed 5-0.

Action: Selectman Sheldon moved to allow Hodges-Pembroke, LLC to proceed to Superior Court. Selectman Duggan seconded. Motion passed 4-0. Chairman Lewis abstained.

There was a general discussion regarding assessing and revaluation.

4. OLD BUSINESS

Solid Waste Operating Plan

The Selectmen reviewed and discussed the plan. Chairman Lewis asked if there was anything within the plan that could effect Union negotiations. It was agreed to forward the plan to the Solid Waste Committee for further review and possible revisions.

Action: Selectman Preston moved to forward the Solid Waste Operating Plan to the Solid Waste Committee for their review and input. Selectman Courtemanche seconded. Motion passed 4-0. Selectman Duggan abstained.

Copies of the plan will be available for the Solid Waste Committee.

Town Website - Terms of Use Policy

There was a brief discussion regarding the policy.

Action: Selectman Sheldon moved to accept and implement the Terms of Use Policy for the Town Website. Selectman Courtemanche seconded. Motion passed 5-0.

Drug Testing Policy – Costs

Mr. Jodoin outlined the costs relating to the Drug Testing Policy; initial test for all employees at \$40 each for a total of approximately \$2,500. Subsequent to the initial testing, each test to cost \$105 or \$92 on site. The Board will need to determine what percentage of employees will be tested after the initial test ranging from 20%-50% of employees and these costs will be included in the budget.

Mr. Duggan asked the outcome if an employee should fail or refuse the drug test. Mr. Jodoin replied that the Selectman approved a zero tolerance policy which means should either of these situations occur the employee would be terminated.

The Selectmen discussed their decision for zero tolerance in more detail and agreed to amend the policy.

Action: Selectman Preston moved to approve the drug testing policy to allow for an appeal process. If an employee should test positive, he/she would be suspended without pay and must go through the Employee Assistance Program at their own cost and will be responsible for regular/random testing for a period of one year at their own cost (maximum of 12 tests). Zero tolerance will be followed for any second offense. Further, random testing will be performed for 40% of all employees. Selectman Duggan seconded. Motion passed 5-0.

5. NEW BUSINESS

Manifest/Abatements

Mr. Jodoin indicated that two checks are being held: Advanced; and the final payment for G & O until final inspection of the boiler is complete.

Action: Selectman Sheldon moved to approve the Manifest as presented, holding final payments to Advanced and G & O, and the Abatements as recommended by the Assessor. Selectman Courtemanche seconded. Motion passed 5-0.

Minutes 8/23/2010; 9/7/2010

Action: Selectman Sheldon moved to table the minutes. Selectman Courtemanche seconded. Motion passed 5-0.

6. TOWN ADMINISTRATOR REPORT

Sewer Electrical Permits

Action: Selectman Sheldon moved to table this issue until the next meeting scheduled for October 4th. Selectman Courtemanche seconded. Motion passed 5-0.

Semi Q Inventory

Mr. Jodoin provided an inventory of surplus items from Semi Q. The Selectmen discussed the option of donating these items to the Old Home Day Committee to give out as raffle prizes at next year's Old Home Day event.

Action: Selectman Sheldon moved to authorize all remaining Semi Q items be donated to the Old Home Day Committee to be used as raffle prizes. Selectman Courtemanche seconded. Motion passed 5-0.

Mr. Jodoin received a call from Mr. Kline who stated that he is willing to continue the efforts of the Semi Q Committee by forming an Ad-Hoc Committee to possibly purchase a commemorative bench and a create a commemorative book with the remaining funds in the Semi Q capital reserve account which has a balance of approximately \$2,500. Selectman Sheldon indicated that Selectmen approval would be required prior to any purchases. The Selectmen were in agreement.

Cemetery Fees

A letter was received from James Garvin, Pembroke Cemetery Commission, requesting to raise the fee for a full weekday burial from \$400 to \$450.

Action: Selectman Sheldon moved to authorize the Cemetery Commission to raise their fee for a full weekday burial from \$400 to \$450. Selectman Courtemanche seconded. No vote was taken; motion and second were withdrawn.

Action: Selectman Sheldon moved to schedule a public hearing to update the fee schedule code for the Cemetery Commission from \$400 to \$450 for a full weekday burial. Selectman Courtemanche seconded. Motion passed 5-0.

Mr. Jodoin will add the public hearing to the agenda for the next Board of Selectman meeting.

Mr. Jodoin asked the Selectmen if they would like to lock in new fuel prices. Currently being paid is \$2.27 gas and \$2.31 diesel which will increase to \$2.52 gas and \$2.77 diesel. No decision was made. Mr. Jodoin will monitor pricing and bring back for review during the budget process.

Mr. Jodoin is in receipt of documentation pertaining to the Storm Water Project. The document requires some revisions. Mr. Jodoin will follow up and add the agenda for the next meeting.

A certified letter of notification pertaining to Chickering Meadows has been received. Mr. Jodoin provided a brief update.

Don Dollard, Dollard Associates, who handles the mapping for Pembroke will retire; his last day will be January 1, 2011.

James St. Jean will be holding their annual auction on October 16th. Mr. Jodoin asked the Board Selectmen if the old police SUV should be included in the auction.

Action: Selectman Preston moved to authorize the old police SUV to be sent to St. Jean's auction. Selectman Duggan seconded. Motion passed 5-0.

Additional file cabinets for the second floor of Town Hall are being requested. Mr. Jodoin has purchased used file cabinets at a substantial savings (\$79 for a 4-drawer) from a company in Manchester.

Action: Selectman Preston moved to authorize the purchase two used file cabinets; one 5-drawer and one 4-drawer for the second floor of Town Hall. Selectman Duggan seconded. Motion passed 5-0.

Mr. Jodoin will follow up with the purchase.

The agreement from Mark Altman Associates for the second half tax bills as well as the first half of next year has been received. The rate is locked in however the cost may increase if postage increases. The agreement between Pembroke and Mark Altman Associates is renewed automatically for two years unless either party provides a written 60 days notice of cancellation by November 1, 2011. Mr. Jodoin will move forward with the second half tax bill which will appear in the budget cycle.

The reclamation bond is still in process with Kruger Excavating and Trucking. Mr. Jodoin provided a brief update and will continue to follow up.

Mr. Jodoin is in receipt of correspondence from The State of New Hampshire Liquor Commission regarding Kimballs Market and Sub Shop, Inc. DBA Kimballs Cav'ern. Kimballs has made application to the Division of Enforcement for a Restaurant Beverage/Wine liquor license under provisions of RSA 178:20. The correspondence further states that the Town may submit data, views, comments, or other materials or evidence with respect to the potential issuance of the liquor license.

The Selectmen discussed this issue at length and before any data is submitted they will require clarification on the type of license being requested, what type of liquor will be served, if retail alcohol will be sold, and if the market will still exist.

Town Hall roof repair was reviewed. Mr. Jodoin indicated that work will start Saturday, September 25th. Fascia boards as well as some roof rakes for both sides of the roof need to be replaced for a total cost of \$1,800.

Action: Selectman Preston moved to replace fascia boards on both sides of the Town Hall roof for the amount of \$1,800. Selectman Courtemanche seconded. Motion passed 5-0

Included in the Selectmen packets for review included: Letter from resident regarding the asphalt plant; letter from Audiology Specialists, LLC.

7. COMMITTEE REPORTS

Chairman Lewis met with the Suncook River Task Force regarding river/flooding issues. It was her impression that nothing will be done to repair the river and that people in the flood district will be encouraged to participate in a buy-out plan when one becomes available.

8. OTHER/CITIZEN COMMENT

None

9. NON PUBLIC SESSION

RSA 91-A:3 II (b) - The hiring of any person as a public employee.

Action: Selectman Sheldon moved and seconded by Selectman Courtemanche to enter into non-public session in accordance with RSA 91-A:3 II (b) at 8:30 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 Board came out of non public session at 8:37 PM.

Action: Selectmen Sheldon moved to appoint David Jodoin as Tax Collector, and Linda Williams to continue as Deputy Tax Collector for a probationary period of six months. Selectman Courtemanche seconded. Motion passed 5-0.

10. ADJOURNMENT

Action: Selectman Courtemanche moved to adjourn the meeting at 8:38 PM. Selectman Duggan seconded. Motion passed 5-0.

Accepted by the Board of Selectmen

Cynthia A. Lewis, Chairman