

**MINUTES  
BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
Monday, February 2, 2009 at 6:30 PM**

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

**Staff:** David Jodoin, Town Administrator

**1. CALL TO ORDER**

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

**2. CITIZEN COMMENT**

None

**3. MEETINGS**

**Bill Bonney – Execution of Plausawa Discretionary Easement**

Mr. Jodoin is in receipt of a check from Plausawa to reimburse the town for legal fees.

**Action:** Selectman Preston moved to approve and sign the Discretionary Easement for Plausawa Valley Country Club. Selectman Sheldon seconded. Motion passed 5-0.

Mr. Jodoin will have the document finalized by Tuesday February 5<sup>th</sup>. Mr. Bonney will then need to take it to the Registry of Deeds for recording.

**Lisa Slade – Request to use Facilities (Town Hall Parking Lot)**

Lisa Slade and Rena Smith were present to seek permission to organize a Farmers' Market for the Town of Pembroke and to request the use of the Town Hall/Library parking lot for this purpose. The market will consist of local farmers, crafters and bakers. Their hope is to operate the market on Wednesday evenings and Saturdays mornings beginning July 1<sup>st</sup> through late October. The number of vendors has not yet been decided. Ms. Slade stated that any vendor wishing to sell baked or canned goods will have the proper certification from the State Department of Agriculture.

The Selectmen were in favor of the market and suggested several items including; obtaining a certificate of insurance naming the town as additional insured (Mr. Jodoin will contact LGC to obtain contacts), contact state and local health inspector if selling cooked food, if a large amount of customers are expected at one time, a large gathering permit may be required by the town (contact Dave Jodoin), a peddlers license may be required by the town (contact Chief Lane). Selectman Lewis suggested that an article possibly be placed in an upcoming newsletter announcing the market. It was also suggested that EDC become involved in assisting with this project. Selectman Courtemanche will follow up.

**Jim Bruss - JBI Helicopter, 720 Clough Mill Rd.**

Mr. Bruss was present to request authorization from the town to extend the water line up to 2540' across the frontage of JBI's property which would be a 12" expansion of the water line. He distributed a packet outlining cost estimates for the full design and construction and is requesting assistance from the town to help defray the engineering costs of \$14,420. Mr. Culberson, Pembroke Water Works, gave an overview of the policies and procedures and explained that this project would be beneficial to the town. He stated that no one would be able to tap into the additional waterline for a minimum of five years unless they first reimburse the town for any portion of it that they funded.

It was suggested that Mr. Bruss meet with the Water Commissioners at their next scheduled meeting on Thursday, February 19<sup>th</sup>. It was also suggested that Mr. Jodoin contact the Sewer Department for any questions or issues they may have. Mr. Bruss should continue follow up with Pembroke Water Works and report back to the board with further information before a decision is made by the Selectmen.

Mr. Jodoin stated that there is currently money in a Capital Reserve Fund that the Selectmen are agents to expend in the event they approve this expenditure.

**7:00 Public Hearing – Proposed Updates to Solid Waste Ordinance**

Sally Hyland gave a brief overview on the ordinance including recent changes, updates and additions.

Chairman Kline opened the public hearing at 7:10 PM.

Dave Richards, Citizen, Old Bear Brook Road, expressed concern that such a large expenditure by the town is not feasible due to the state of the economy. He is in favor of recycling but is concerned that not all residents will participate in the program. Mr. Richards further questioned some language within the ordinance as well as the cost of implementation versus expected revenue. Mr. Richards also suggested other options for the current packers.

Joanne Richards, Citizen, Old Bear Book Road, expressed concern over the amount of residents that will actually participate in the program as well as the cost of implementing the program versus estimated savings to the town.

Ms. Hyland and Chairman Kline clarified their concerns regarding the language in the ordinance and cost savings to the town should the program be approved.

Chairman Kline closed the public hearing at 7:35 PM and thanked Ms. Hyland for her continued efforts on the recycling project.

One change was noted to the ordinance that Mr. Jodoin will update before the public hearing that is scheduled for Saturday, February 7<sup>th</sup>.

**4. OLD BUSINESS**

None

**5. NEW BUSINESS**

**Request from DPW to Purchase Computers**

Jim Boisvert, Director, Public Works, was present to request authorization to purchase two new computers for Public Works. He stated that their current computers are extremely outdated and are no longer functioning in a required capacity. He received several quotes, the lowest being \$1,399.98 from Veteran Technology Services, Inc. He stated that there are funds in the budget to cover this expense.

The Selectmen discussed the computer purchase at length including the option of upgrading older computers at Town Hall and transferring the replaced computers to Public Works. Also discussed was how soon the computers would need to be purchased and if the monitors need to be replaced as well. Mr. Boisvert stated that there is not an immediate need for the upgraded computers and no monitors are needed at this time.

**Action:** Selectman Preston moved to authorize the expenditure of up to \$700, after Town Meeting, for a new computer at the Public Works Department. Selectman Lewis seconded. Motion passed 5-0.

**Manifest/Abatements**

**Action:** Selectman Lewis moved to approve the Manifest as presented and the abatements as recommended by the assessor. Selectman Sheldon seconded. Motion passed 5-0.

**Minutes 1/20/09**

**Action:** Selectman Preston moved to approve the minutes of 1/20/09 as presented. Selectman Courtemanche seconded. Motion passed 5-0.

**6. TOWN ADMINISTRATOR REPORT**

A letter and photos were received from a Pembroke student, Jessica Joy, requesting deer crossing signs be posted on Cross Road and Church Road. Although the Selectmen appreciate the concern and efforts of Ms. Joy, they do not feel that these signs would be effective at this time. The Board suggested that Ms. Joy contact the Conservation Commission for their advice and input.

**Action:** Selectman Preston moved to deny the request for placement of deer crossing signs at Cross Road and Church Road. Selectman Courtemanche seconded. Motion passed 5-0.

Mr. Jodoin will draft a letter to Ms. Joy.

*Selectman Preston left the meeting at 8:05 PM.*

Correspondence from Rev. Gary Schulte, Conference Minister, New Hampshire Conference United Church of Christ, was reviewed.

The Church has vacant space in their building that they wish to rent to compatible nonprofit organizations to use as administrative offices. Their PILOT agreement with the Town of Pembroke has language that they risk termination of the agreement if they rent to any other than a religious organization. They are requesting a waiver to this part of the agreement to allow rental to other non-profit entities that may not be affiliated with a religion.

The Selectmen discussed this at length and agreed that the Board will not consent to a waiver of the contract between the Town of Pembroke and the New Hampshire Conference United Church of Christ.

**Action:** Selectman Sheldon moved to deny the request from the New Hampshire Conference United Church of Christ to rent space to any persons other than that of a religious entity. Selectman Lewis seconded. Motion passed 4-0.

The Board reviewed correspondence from Jae Whitelaw regarding Church Road Procedures which includes a possible warrant article. No decisions were made at this time and it was decided to table the issue until a future meeting which will allow Mr. Jodoin time to obtain additional information.

*Selectman Preston returned to the meeting at 8:40 PM.*

**Action:** Selectman Sheldon moved to table the issue of Church Road Procedures until a future meeting. Selectman Lewis seconded. Motion passed 3-0. Chairman Kline and Selectman Preston abstained.

Mr. Jodoin distributed a copy of the Growth Management Ordinance Status of Growth in Pembroke, December 31, 2008 as well as various informational correspondence and articles including: article on Workforce Housing and proposed bill; communication from Councilor Shea; correspondence from Congressman Hodes regarding Economic stimulus plan; correspondence from Comcast regarding upcoming changes to their channel line-up; correspondence from Capital Area Mutual Aid Fire Compact, 2008 Annual Report to Board of Directors; correspondence from the Federal Regulatory Commission; correspondence from CNHRPC regarding Transportation Improvement Program; and correspondence from NH DOT regarding reimbursement from the State in the amount of \$2,916.69 for repairs to the North Pembroke Road bridge.

## 7. COMMITTEE REPORTS

Selectman Courtemanche reported on the most recent budget meeting. The budget committee was not in favor of warrant articles 8 & 9 which pertain to the recycling program. She also stated that the budget committee suggested that the cost of the carts be put into the tax bill rather than charging user fees.

Mr. Jodoin is in receipt of information from the Library regarding the break out of funds being used for computer expansion (\$5,000). Chairman Kline will distribute this data at the next budget meeting.

Selectman Lewis reported that the Planning Board approved JBI Helicopter's expansion and the lot line adjustment and minor site plan at Pembroke Crossing for future development.

Chairman Kline reported on the most recent meeting with the Semi-Q Committee. Items discussed were historical tours, education in schools, historical society, fund raisers and Old Home Day. He stated that shirt sales are off to a great start.

Chairman Kline is requesting that the Board authorize funds for down payments for the Ball to be held in November at the Grappone Center (\$500) and the live dance band (\$ TBD). He stated that funding for this event will be reimbursed through ticket sales. The Ball was discussed in more detail including the possibility of selling tickets at town meeting. Selectman Sheldon feels that ticket sales may be higher if residents had the option of using credit cards. Mr. Jodoin will contact the bank regarding the possibility of obtaining a temporary credit card machine.

**Action:** Selectman Sheldon moved to authorize the Semi-Q Committee to expend up to \$700 from the expendable trust fund for the purpose of a down payment for Grappone Center and a down payment for the Bedford Big Band. Selectman Courtemanche seconded. Motion passed 4-0. Chairman Kline abstained.

Custody and control of Old Home Day was briefly discussed as well as liability insurance. Mr. Jodoin will follow up on the specifics.

The logistics of the Selectmen preparing and serving breakfast at town meeting was discussed. There was a mixed opinion on how or if this should be done. No decision was made.

## 8. OTHER/CITIZEN COMMENT

Dave Richards, Chair, Cemetery Commission, was present to discuss Warrant Article 4 which states "To see if the Town will vote to discontinue the following Capital Reserve Funds in accordance with the recommendations made by the State of New Hampshire Department of Revenue Administration. Said Funds no longer carry a balance. 1993 Cemetery Improvement Fund; 1993 Library Building Capital Reserve Fund; 1995 Retaining Wall Fund (Union Street); 2001 Computer System Capital Reserve Fund". Mr. Jodoin read into the record an e-mail received from Mr. Richards on January 28, 2009 regarding this Article as well as the Cemetery Commission's attempt to obtain funds (interest only) from the Perpetual Care Fund. Other issues addressed in this e-mail is fencing, outdated drawings of Pembroke's cemeteries and the initial stages of consideration for a survey of all cemeteries and to relegate the information to the NH Geographical Information System on computer discs.

Mr. Jodoin stated that the reason the Capital Reserve Funds for the Cemetery Improvement Fund are being discontinued is because the funds have already been liquidated, the account has a zero balance and has shown no activity for several years. Mr. Jodoin will discuss this matter with the Chairman of the Trustees of Trust Funds.

## 9. NON-PUBLIC RSA 91-A:3 II (d) – Consideration of the acquisition, sale , or lease of real estate or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

**Action:** Selectman Lewis moved and seconded by Selectman Preston to enter into non-public session in accordance with RSA 91-A:3 II (d) at 9:17 PM.

Roll Call Vote:

Chairman Fred Kline (yes)  
Selectman Cindy Lewis (yes)  
Selectman Larry Preston (yes)  
Selectman David Sheldon (yes)  
Selectman Tina Courtemanche (yes)  
Vote: Unanimous

The Selectmen came out of non-public session at 9:54 PM.

- 10. Non Public 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:** Selectmen Lewis moved and seconded by Selectmen Preston to enter into non public session in accordance with RSA 91-A:3 II (e) at 9:55 PM.

Roll Call Vote:

Chairman Fred Kline (yes)  
Selectmen Cindy Lewis (yes)  
Selectmen Larry Preston (yes)  
Selectmen David Sheldon (yes)  
Selectmen Tina Courtemanche (yes)  
Vote Unanimous

The Selectmen came out of non public session at 9:58 PM.

**11. ADJOURNMENT**

**Action:** Selectman Preston moved to adjourn the meeting at 9:59 PM. Selectman Sheldon seconded. Motion passed 5-0.

Accepted by the Board of Selectmen

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Fred Kline, Chair