

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

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

The following citizens were present to voice their concerns pertaining to severe water damage to their properties on Bachelder Road caused by the avulsion of the Suncook River; Tom Baumeister; Ron and Joan Swiggard, Dennis and Lisa Rocheford, and David Moran. Concerns were also expressed regarding issues the changing river may cause in the future and a possible buy-out program. The general feeling of these citizens is that something needs to be done about the river and although some residents may not have been interested in a buy-out program in the past, the continual damage to their property has made them re-evaluate their situation and would like to again begin the process of such a program.

The Selectmen were in favor of moving forward in attempting to establish another buy-out program for the residents on Bachelder Road and reminded the citizens that part of the criteria of the program is that all residents agree to participate (which was not the case in the past). Chairman Kline indicated that the value of their properties may not be as high as they might expect. Mr. Jodoin stated that should a buy-out program be established, residents would receive fair market value which is believed to be set at pre-damage value.

Mr. Jodoin will follow up on what steps need to be taken and confirm that funding is still available. He will begin preparing letters to all residents of Bachelder Road. Mr. Jodoin will also invite Mr. Landry and Mr. Couture of DES to a future Board of Selectmen meeting.

3. MEETINGS

Bill Field – Lot Line Dispute

Mr. Field was present to discuss a piece of property owned by the Littlefield Condo Association that abuts the rear acreage of his property.

According to Mr. Field, both Littlefield Condominiums and Mr. & Mrs. Fields prior owner, Duane and Diane Keeler, had subdivisions approved by the Planning Board. Keeler then sold the property to Mr. & Mrs. Field. When the town approved both subdivisions, there is an area between the subdivisions of approximately 1.39 acres that is shown as being owned by both sides. It appears that the surveyors did not inspect the common border to ascertain where the property lines are. According to Mr. Field, the Littlefield Condominium Association is willing to transfer the property over to him for an amount of \$1,640.00 in legal fees. He feels that since this is a town error, he should be compensated by the town for the legal fees he will incur for this transfer.

It was the general feeling of the Selectmen that this is not a town issue but rather an issue that should be directed to the surveyors who were responsible for the error. The Selectmen will however discuss this issue in more detail at the end of the meeting.

Lisa Slade – Community Garden and Update on Farmers Market

Mr. Jodoin was not able to reach Ms. Slade. It has been determined that the land that was requested to be used does not belong to the Town.

4. OLD BUSINESS

Town Website Update

Mr. Jodoin reviewed a proposal from Tina Newberry on a new town website which includes the purchase of the necessary software. The cost for the new website will be \$2,500 (much of Ms. Newberry's time will be donated). Mr. Jodoin has spoken with Pembroke Water Works who may be interested in donating \$500 to help offset the cost and will inquire with both the Sewer Department and Library as well. Kevin Foss was present for this discussion and feels that it would be advantageous to the Town to accept Ms. Newberry's proposal.

Action: Selectman Preston moved to approve the \$2,500 proposal from Ms. Tina Newberry for the implementation of a new town website and to pursue contributions from both Pembroke Water Works and the Sewer Department. Selectman Courtemanche seconded. Motion passed 5-0.

Youth Volunteer Services

Mr. Jodoin asked the Board if there was any interest in allowing high school students to perform small projects in town i.e., painting, raking, etc. to help them fulfill their community service requirement. He stated that the town is insured for this volunteer service.

No decision was made.

Town Assessment Recertification

The Selectmen discussed whether or not they should move forward with the assessment recertification. The Board agreed to proceed with the RFP however they question why the town is paying quarterly during a year when a full statistical revaluation is being done. Mr. Jodoin will follow up with MRI pertaining to the contract. He will also begin the process of sending out an RFP. The revaluation process should be considered in future contracts with MRI.

Action: Selectman Preston moved to proceed with an RFP for the statistical revaluation. Selectman Courtemanche seconded. Motion passed 5-0.

Discussions regarding this process will continue at future Board of Selectmen meetings.

Committee Appointments

The Selectmen discussed whether or not all boards and committees are required to have Selectmen representation.

Conservation Commission – Chairman Kline

Recreation Commission – Selectman Courtemanche - (Selectman Courtemanche requested that this meeting be changed to the second Tuesday of each month).

Transportation Advisory Committee (TAC) – David Jodoin

I-93 Widening Committee – Selectman Lewis

Emergency Operations Committee – no longer required

The Selectmen agreed that the Recreation Needs Committee is no longer required and should be abolished.

Action: Selectman Sheldon moved to abolish the Recreational Needs Committee. Selectman Courtemanche seconded. Motion passed 5-0.

The CTAP Committee and CNHRP will be assigned at a future Board of Selectman meeting.

At this point of the meeting, Chairman Kline announced that Selectman Cindy Lewis wished to resign as Vice Chairman of the Board of Selectmen.

A nomination was made to elect Selectman David Sheldon.

Two nominations were made to elect Selectman Tina Courtemanche as Vice Chairman who respectfully declined both nominations.

A nomination was made to elect Selectman Larry Preston as Vice Chairman who respectfully declined the nomination.

The nominations were discussed and votes taken.

Selectman David Sheldon received four votes and will serve as Vice Chairman of the Board of Selectmen.

5. NEW BUSINESS

Resident Appointments to various Boards

Selectman Lewis introduced Mr. Jeffrey White who has expressed interest in becoming an alternate member of the Planning Board. His qualifications have been reviewed by the Planning Board and they request that he be appointed.

Action: Selectman Preston moved to appoint Mr. Jeffrey White as an alternate member of the Planning Board. Selectman Sheldon seconded. Motion passed 5-0.

Mr. White needs to be sworn by the Town Clerk before officially sitting on the Planning Board.

Action: Selectman Lewis moved to appoint Thomas Hebert as a member of the Zoning Board of Adjustment, Mark Simard as an alternate member of the Zoning Board of Adjustment, Kathy Cruson and Bob Burke re-appointed to the Planning Board, Michelle Carvalho and Karen Meisenheimer re-appointed to the Recreation Commission. Selectman Sheldon seconded. Motion passed 5-0.

Execute \$150,000 FEMA Grant/North Pembroke Road

Information from Mr. Richard Verville has been received which includes agreements that need to be signed. The total price for North Pembroke Road repair is now \$203,900. The total grant amount is \$150,000 and Pembroke's match is \$53,900. A question was raised as to what work will be included in the improvements.

Action: Selectman Preston moved to authorize the Chair to sign the execution of the \$150,000 FEMA Grant for North Pembroke Road. Selectman Courtemanche seconded. Motion passed 5-0.

Discuss/Execute Contract with KV Partners for North Pembroke Road Engineering

Selectman Lewis requested information on engineering costs that have been paid to KV Partners to date. The Selectmen requested that before approval of the agreement, Mr. Jodoin will obtain further information and report back to the Board at the next Board of Selectmen meeting.

Review Year to date Expense Reports through March

Mr. Jodoin distributed a spreadsheet of Town Expenditures for the Selectmen's review. He stated that all budgets seem to be in-line. The Selectmen briefly discussed miscellaneous items on the spreadsheet. Mr. Jodoin also reviewed some items on the revenue side. He indicated that there is a probability that Pembroke will lose approximately \$90,000 of State revenue due to budget cuts.

Approve 2009 Cost of Living Adjustments

The Selectmen reviewed the 2009 Cost of Living Increase Authorization. There was some discussion regarding whether or not the COLA salary increases (4.4%) will cause some employees to reach the top of their pay scales. Mr. Jodoin indicated that the pay scale changes as the cost of living increases. It was discussed that the entry level pay would not be increased by the 4.4% COLA in order to have a larger pay range.

Action: Selectman Preston moved to roll back the minimum salary for each grade level by 4.4% and keep the maximum figures as listed. Selectman Sheldon seconded. Motion passed 5-0.

Employee Evaluations

Mr. Jodoin presented new Employee Evaluations forms for Non-supervisory / Non-Exempt which includes; Employee Self Evaluation, Supervisor Evaluation, and Final Evaluation. The Selectmen discussed the Merit Increase section of the Final Evaluation. It was decided to add lines for Current Merit as well as Total Yearly Rate and to leave the Special Exception as is at 2.5%, Outstanding to 1.0% versus 2.0%, Above Standard to .75% versus 1.5%, and Standard to .50% versus 1%.

Action: Selectman Preston moved to adopt the Employee Evaluations forms as presented with the above listed adjustments. Selectman Sheldon seconded. Motion passed 5-0.

It was agreed that any special exception to a wage increase must come before the Board for prior approval.

Manifest/Abatements

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

The Selectmen discussed correspondence from Donald Ingalls and Joe Lessard regarding the laundry room issue at Emerson Mill Condominiums. Several options were discussed.

Action: Selectman Preston moved that Mr. Ingalls, Assessor, contact either Pembroke's Town Attorney or another appropriate attorney for input and further evaluation of this issue. Selectman Sheldon seconded. Motion passed 5-0.

Minutes 3/16/2009

Postponed

Non Public Minutes 3/2/2009 and 3/16/2009

Action: Selectman Lewis moved to approve and release the non-public minutes of 3/2/09 and 3/16/09 as presented. Selectman Sheldon seconded. Motion passed 5-0.

6. TOWN ADMINISTRATOR REPORT

Mr. Jodoin stated that there was a discussion at the Solid Waste meeting about adding the order form with the tax bills for the recycling trash carts. In accordance with RSA 76:11, the Board needs to vote to have this done to comply with the Statutes. It is estimated that a mailing will be done in mid May.

Action: Selectman Preston moved to approve adding the recycling trash carts order forms to be sent with tax bills. Selectman Lewis seconded. Motion passed 5-0.

The proposal from Academy Roofing Corp has increased from \$2,100 to \$2,885. This price change is to add two rows of railing. The Selectmen need to re-vote on this item as a motion to reconsider. The Selectmen reviewed the proposal and agreed to the updated proposal.

Action: Selectman Preston moved to accept the updated proposal from Academy Roofing in the amount of \$2,885 with the funds to be withdrawn from the Safety Center Capital Reserve account. Selectman Sheldon seconded. Motion passed 5-0.

Mr. Jodoin reviewed a press release stating that on Friday, April 17, 2009 at 7:00 PM, a retirement reception for Sergeant Glenn Northrup will be held at the Pembroke Safety Center. All are welcome to attend and light refreshments will be served. Mr. Jodoin indicated that the Selectmen should be represented at the reception. Chairman Kline will attend.

There is a hearing on Tuesday, April 7, 2009 pertaining to the stimulus grant for Allentown which Mr. Jodoin will attend.

Mr. Jodoin is in receipt of a request from Mrs. Gagne to allow DPW to install at Children at Play sign on High Street. DPW is asking for direction from the Selectmen. The Board asked Mr. Jodoin to forward this request to Chief Lane for his recommendation. Mr. Jodoin will follow up.

Mr. Jodoin distributed a Banking Services RFP package for the Selectmen's review. The RFP's have been sent out and are due back to the Town by May 4, 2009.

The Police Department has received approval from Highway Safety for the Pembroke Sobriety Checkpoints Project, effective March 25, 2009.

Correspondence from Maurice Lavoie states that he will be resigning from the Roads Committee as of March 17, 2009.

Action: Selectman Preston moved that Mr. Jodoin prepare a letter, on behalf of the Selectmen, thanking Mr. Lavoie for his many years of service to the Town of Pembroke. Chairman Kline seconded. Motion passed 5-0.

Correspondence from Comcast was reviewed.

Mr. Jodoin distributed the School approved MS-22 for the Selectmen's review.

Mr. Jodoin indicated that \$26,016 of the CDBG grant has been received for the Storm Water Project. A portion of the figure represents \$5,000 that the Sewer Department has already paid and needs to be reimbursed for.

Everett Hodge has requested that Mr. Jodoin bring before the Selectmen an issue pertaining to a piece of property on Sheep Davis Road where several pallets are being stored. Mr. Hodge continues in his attempt to contact the owner of the property.

Correspondence from the Pembroke Water Commission indicates that they have finalized the purchase of a parcel of land at 346 Pembroke Street on March 31, 2009. Pembroke Water Works will be meeting with the Planning Board in the near future and shall be acquiring a building permit for electrical upgrades to the building. They are requesting that the Planning Board application fees and building permit fees be waived by the Board of Selectmen.

Action: Selectman Preston moved to waive fees for the Planning application and building permits. Selectman Sheldon seconded. Motion passed 5-0.

There was discussion that the Water Department would need to pay for any postage and engineering studies.

Mr. Jodoin provided a lien listing and a deed listing for the Selectmen's review.

The CDBG Grant must be finalized and approved by the Selectmen by the next Board of Selectmen meeting.

A question was raised of selling Cemetery Plots back to the Town of Pembroke. Any inquiries for this should be forwarded to the Cemetery Commission.

Leo Bernier is the newly elected County Commissioner for District II.

7. COMMITTEE REPORTS

Selectman Courtemanche reported on the last EDC meeting. The Committee is requesting information on when a Planner will be hired. The Selectmen discussed some options and would like a recommendation from the Planning Board.

Selectmen Sheldon attended a Recreation Commission meeting. Very little was discussed as there was no quorum.

Selectman Lewis reported that the Planning Board is working on the Open Space Ordinances.

Mr. Jodoin attended the Suncook Regional Valley Town Association meeting where discussions included combined purchases for supplies. Allenstown expressed interest in sharing a building inspector and possibly a planner. Joint assessing was also discussed.

Chairman Kline indicated that the Sewer Department has expressed interest in an old police cruiser. It is unclear what the status is and who the car is now registered to. Mr. Jodoin will obtain more information and report back to the Board.

Chairman Kline stated that the Roads Committee will be addressing the issue of possibly becoming a Commission versus Committee at their next meeting.

Chairman Kline and Selectmen Lewis attended the National Guard hearing pertaining to their proposed land purchase in Pembroke.

Chairman Kline asked how the Selectmen felt about allowing Semi Q to allot funds to Allenstown for Old Home Day to enhance the day by adding bands to the parade or for Sunday events. The Selectmen seemed in favor of this idea.

8. OTHER/CITIZEN COMMENT

Meetings taking place at Town Hall when there are no town employees present was discussed as well as the alarm system.

The Selectmen reviewed the land issue discussed in the earlier meeting with Mr. Field. The Selectmen agreed that it is a private civil matter and will decline assistance with his legal fees.

Action: Selectman Preston moved that Mr. Jodoin contact Mr. Field and explain that the Board of Selectmen have declined assistance with his legal fees as they feel it is a private civil matter. Selectman Sheldon seconded. Motion passed 5-0.

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

Action: Chairman Kline moved and seconded by Selectman Preston to enter into non-public session in accordance with RSA 91-A:3 II (b) at 10:20 PM.

Roll Call Vote:

Chairman Fred Kline (yes)

Selectman Cindy Lewis (yes)

Selectman David Sheldon (yes)

Selectman Tina Courtemanche (yes)

Selectman Larry Preston (yes)

Vote: Unanimous

The Selectmen came out of non-public session at 10:25 PM.

10. ADJOURNMENT

Action: Selectman Courtemanche moved to adjourn the meeting at 10:25 PM. Selectman Sheldon seconded. Motion passed 5-0.

Accepted by the Board of Selectmen

Fred Kline, Chair