

**MINUTES
BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
Monday, June 1, 2009 at 6:30 PM**

Present: Chairman Fred Kline; Selectman David Sheldon; Selectman Cindy Lewis; Selectman Larry Preston; 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. SCHEDULED MEETINGS

Todd Hayward – Assessing Update/Execute Contract

Mr. Todd Hayward, Granite Hill Municipal Services, was present to update the Board on the Statistical Update that Granite Hill Municipal Services will be conducting for a contracted cost of \$58,700. He indicated that he will not be measuring every property but will measure sales from the past 18-24 months, will recalibrate computer tables to generate new values, and will update photos. They will begin with residential properties on Wednesday, June 3, 2009.

Action: Selectman Sheldon moved to approve and sign the contract for Granite Hill Municipal Services for a Town Assessment Statistical Update in the amount of \$58,700. Selectman Courtemanche seconded. Motion passed 4-1. Selectman Preston voted no.

The Selectmen, with the exception of Selectman Preston, signed the contract. Mr. Jodoin has notified the newspapers.

Conservation Commission – Update on Potential Land Purchase

Ammy Heiser was present to update the Board on the Conservation Commission's proposed land purchase located at 553 Buck Street which consists of 42 acres. Also in attendance were; Carol Bertsimas, Stetson Heiser, Lea Anne Atwell, and Brian Mrazik, as well as the owner of the property, and Mr. Lee Grimes who farms the land.

Ms. Heiser gave a complete overview and status of the property as well as information on the 50% matching grant they are applying for through the Federal Farm and Ranch Lands Protection Program.

She reviewed and explained the Conservation Commission's Land Protection Criteria Rating Sheet in which this property scored 22 out of 30. Ms. Heiser stressed that this piece of property would be beneficial to the town due to it meeting the majority of the commission's criteria. She also indicated that timing is an issue as the deadline to apply for the grant is June 12, 2009 (originally May 15, 2009) and there are three other parties interested in the property. The amount of funds in the Conservation Commission's reserve account total \$825,000. Ms. Heiser requested that the Board vote to approve the Conservation Commission's purchase of the property and waive the requirement to bring it to town meeting.

The Selectmen discussed the proposed purchase at length. Several issues were addressed including their preference to bring the purchase before the voters at town meeting, the lack of time available for the required public hearings before the grant deadline if it is not brought to town meeting, and the fact that assessments are now in process which makes it difficult to determine the value of the property before the deadline. It was the general feeling of the Board that it is preferable to bring this purchase to vote at town meeting however if timing or circumstances do not allow for this, they would be willing to hold public hearings in lieu of town meeting. Additionally, the Selectmen agreed that they would be in favor of the purchase only if the grant is approved but they cannot authorize the purchase without first holding the required public hearings. The option of writing a letter in support of the purchase was discussed as this may assist the Conservation Commission in obtaining the grant.

Action: Selectman Sheldon moved to authorize the Conservation Commission to move forward with the proposed land purchase of 553 Buck Street and that although town meeting vote is preferred, the requirement will be waived if necessary however, two public hearings must be held as required by town policy before a final decision is made. The public hearings will not take place until after the assessment is complete. A letter will be written by Mr. Jodoin, on behalf of the Selectmen, in support of the purchase. Selectman Courtemanche seconded. Motion passed 5-0.

Mr. Jodoin will draft the letter and e-mail it to the Selectmen for review.

William Allaire – Buck Street Dam

William Allaire, 817 Bachelder Road, as well as several other residents in the Bachelder Road area, were present to voice concern regarding the Buck Street Hydro-Dam being proposed by Northeast Hydrodevelopment, LLC. The preliminary permit application for this project has been accepted by the Federal Energy Regulatory Commission (FERC), Washington, D.C. Mr. Allaire provided the area plans for review and feels that if this dam is built, it will be catastrophic to all residents above and below the dam due to the instability of the river. He indicated that any objections to the project must be stated by July 11, 2009 and requested that the Selectmen write a letter of opposition to FERC.

Pentti Aalto, 720 Bachelder Road, voiced his concern regarding the dam and feels that studies should first be done to determine flooding effects, safety, if it is environmentally appropriate and if it provides a benefit to the town.

Lisa Rocheford, 722 Bachelder Road, requested information on where to go or who to contact for solutions to the ongoing problems with the damaged river as a result of the avulsion. She stated that she has been in contact with Steve Landry who has applied for two grants to assist with the overall river issues which have both been denied. She suggested that the Board of Selectmen object to the dam. Chairman Kline stated that the Board has been trying to schedule a meeting with the appropriate parties regarding the river avulsion and have been unsuccessful to date.

Jay Richards, 11 Old Bear Brook Road, feels that Northeast Hydrodevelopment, LLC is fast tracking this project and if the dam is built, it will raise the water level that is already in his basement.

Dave Richards, Old Bear Brook Road, is opposed to the dam as it will cause more flooding and make matters worse. He indicated that the dam was originally built to control the water flow for the Suncook Mills.

Ron Swiggard, 815 Bachelder Road, spoke with Governor Lynch who referred him to Cara Osborne who tried to contact Jim Gallagher who is in charge of the dam. Mr. Swiggard received a call from Steven Doyoan, DES, who is Mr. Gallagher's assistant. Mr. Doyoan could not make it to this meeting due to the lack of notice but stated that DES is concerned with this project and encourages the Board to write letters of opposition to FERC. Mr. Doyoan indicated that he is willing to assist with drafting the letter.

Sandra Paul, 818 Bachelder Road, asked if proper policy was followed as it pertains to the town being notified of this project and if there is a State or Town ordinance or statute for this process. Chairman Kline stated that it appears that the company legally fulfilled their requirement by putting notice in the newspaper.

Tom Baumeister, 809 Bachelder Road, is opposed to the dam.

Action: Selectman Preston moved to write a letter, on behalf of the Board of Selectmen, opposing the proposed Buck Street Dam outlining their concerns with the instability of the current state of the river and the potential ramifications to the abutters. Selectman Courtemanche seconded. Motion passed 5-0.

Mr. Jodoin will contact Mr. Doyoan for assistance in drafting the letter.

Chairman Kline thanked all residents for attending the meeting.

Susan Intinarelli, 723 Bachelder Road, urges the Selectmen to oppose the dam and stated that because of the two recent floods, this river has changed its course and is filled with silt. The proposed plan will subject residents of Bachelder Road to abnormal flooding because the slower the water moves, the more silt drops down to the bottom of the river. She also expressed concern regarding the recent wildlife changes in the area and feels that a better solution would be to remove the dam completely.

4. OLD BUSINESS

French/Dearborn Cemetery

Mr. Jodoin gave a brief overview of the issues surrounding the cemetery as well as additional information he received from Jim Garvin which includes maps of the area. The Selectmen briefly discussed access to this cemetery by Ryan Cheney of Concord, NH and the Cemetery Commission. Permission has been granted to Mr. Cheney by one of the abutters but not by the property owner where the cemetery is located. Dave Richards, Cemetery Commission Chair, was present and indicated that he would like permanent, limited access to the cemetery, possibly twice per year, for maintenance purposes. Mr. Jodoin offered to draft a letter to the property owner in an attempt to gain access versus beginning the easement process. Selectmen Lewis stated that she would instead contact the property owner personally.

Health/Dental Insurance for Part Time Employees

Mr. Jodoin distributed for the Selectmen's review, the rules for health/dental insurance being offered for part time employees or elected officials. He indicated that if the Board would like to pursue this, a policy would need to be set up so that the individual electing coverage would be required to pay the full premium one month in advance. No decision was made.

Town Clock Windows

After checking with the Department of Public Works and maintenance personnel regarding the window replacement for the clock tower, Mr. Jodoin has determined that this project cannot be done less expensively considering the amount of time it takes as well as the personnel to complete the job. Additionally, there were no funds budgeted for this but there were funds budgeted for windows at 4 Union Street in error which do not need replacing. Mr. Jodoin suggested that the project go out for bid as the windows are severely in need of replacement which could present a safety issue. Further, he suggested that the funds that were budgeted for the window replacement at 4 Union Street in error be used for this purpose and that it be reconciled at the end of the year. The Selectmen agreed and asked Mr. Jodoin to get the bids. Selectman Lewis is concerned about vinyl windows being installed and suggested that Mr. Jodoin contact Jim Garvin for his input and recommendations on the best way to replace them. Mr. Jodoin will contact him as well as obtain the bids. A decision on what funds will be used will be made once the bids are in.

5. NEW BUSINESS

Authorization to Transfer Old Cruiser to Sewer Department

The Selectmen discussed the policy of transferring vehicles to different departments rather than selling them at auction and whether or not they should have a monetary value if transferred.

The Selectmen agreed that in lieu of the Sewer Departments recent contribution to the new website, they will authorize the transfer this year only for an amount of \$1.00.

Action: Selectman Preston moved to authorize the transfer of the old police cruiser (#4) to the Sewer Department for the amount of \$1. Selectman Courtemanche seconded. Motion passed 5-0.

Mr. Jodoin has provided a letter from Chief Lane, which was requested by the Board, explaining the process used in purchasing the 2009 Ford Crown Victoria police cruiser.

Execute Utility Assessment Contract

Action: Selectman Preston moved to approve and sign the Utility Assessment Contract with George Sansoucy in the amount of \$25,000. Selectmen Lewis seconded. Motion passed 5-0. The Selectmen signed the contract.

Action: Selectman Preston moved to authorize the Chair to sign the Confidentially Agreement with National Grid. Selectman Sheldon seconded. Motion passed 5-0. Chairman Kline signed the agreement.

Solid Waste Signage

The Public Works Department has prepared the new sign for the facility and requests the Board's approval on the draft. The Selectmen noted some format errors and requested further information on the sign including material that will be used to make the sign, how it will be displayed, and what the cost will be. Mr. Jodoin will follow up.

Bank Request for Proposals

Mr. Jodoin gave a brief overview on the bank proposals he received stating that references have been checked. He stated that although Citizen's Bank is a bit more expensive, he recommends remaining with them at this time due to transitional issues that have recently come up. He did explain that based on the proposal that TD Banknorth submitted, there was a financial benefit to the Town if they delivered everything that was promised. He also expressed some concerns with potential service issues.

Action: Selectman Preston moved to award the contract to TD Banknorth contingent upon all services and true costs being documented under Option A. Selectman Lewis seconded. Motion passed 5-0.

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.

Minutes 5/18/2009

Action: Selectman Lewis moved to approve the Minutes of 5/18/2009 as amended. Selectman Courtemanche seconded. Motion passed 3-0. Selectman Sheldon and Selectman Preston abstained.

6. TOWN ADMINISTRATOR REPORT

Correspondence included in the Selectmen's packets for review included: Correspondence from the Bow Board of Selectmen concerning dispatch fees; copy of the Warrant Article that Allenstown will be voting on for the sewer; correspondence from Steve Hamilton of DRA commending the town and staff for the work that was done on the town's 2008 values; correspondence from the town's auditor at DRA explaining to the town that the way the recommendations were handled on the warrant were incorrect; Notice of Abatement Actions.

The Selectmen and Mr. Jodoin discussed dispatch fees in more detail. Mr. Jodoin has forwarded the correspondence to Chief Lane for his review and comment.

Also enclosed in the packets was a new contact listing for emergency contacts. Chairman Kline agreed to be the primary contact and Mr. Jodoin agreed to be on the list as well. Mr. Jodoin indicated that currently Jim Goff is the main point of contact and no longer wishes to be.

Mr. Jodoin updated the Board on the windshield replacement for a DPW vehicle. The damage was a result of an ice storm. The town submitted this as a funding request which was denied and the vehicle would not pass inspection. There is also another vehicle that will need to be repaired.

The bids for the Automated Recycling Truck have been tabled. DPW will be reviewing the specifications in more detail.

Mr. Jodoin is considering seeking quotes to lock in diesel fuel costs.

Elizabeth LaRocca, Pembroke Women's Club, is requesting authorization for the hanging of the American Flags along RT3. There was some concern regarding safety with the manner in which the flags were raised.

Action: Selectman Preston moved to authorize the Chair to sign the authorization. Selectman Sheldon seconded. Motion passed 5-0.

Mr. Jodoin reviewed the Public Works Department's Expenditures "Budget vs. Actual". Additionally, there was a brief discussion regarding a change in the PWD budget structure for 2010.

The issue of the National Guard's proposed training facility was briefly discussed. The Board has until June 16, 2009 to respond to the Environmental Assessment. It was agreed to prepare a letter of opposition. Mr. Jodoin will draft the letter on behalf of the Board of Selectmen and e-mail it to the Selectmen for their review and input.

7. COMMITTEE REPORTS

Selectman Courtemanche reported on the most recent Recreation Committee meeting. The soccer field grass that was planted is not growing due to lack of watering. Additionally, at Memorial Field there is a light on a wooden pole in which the pole is splitting and in need of repair. This could be a safety issue.

Selectman Courtemanche and Selectman Lewis reported that the EDC has invited local businesses to attend their next meeting scheduled for June 18, 2009 at 4 Union Street to allow them to express their concerns and provide input on how the town may assist them. Kevin Foss has been unavailable.

Selectman Lewis reported that the Pembroke Hill Road development has not yet been accepted by the Planning Board. Mr. Jodoin stated that the developer has decided not to proceed with the Belanger Drive option.

8. OTHER/CITIZEN COMMENT

None

9. NON-PUBLIC SESSION

None

10. ADJOURNMENT

Action: Selectman Lewis moved to adjourn the meeting at 9:32 PM. Selectman Courtemanche seconded. Motion passed 5-0.

Accepted by the Board of Selectmen

Fred Kline, Chair