

**MINUTES  
BOARD OF SELECTMEN  
TOWN OF PEMBROKE, NH  
August 17, 2009 at 6:30 PM**

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

**Staff:** David Jodoin, Town Administrator

**Excused:** Selectman Larry Preston

**1. CALL TO ORDER**

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

**2. CITIZEN COMMENT**

None

**3. SCHEDULED MEETINGS**

**Tina Amyot – Donna Drive**

Tina and Scott Amyot, 27 Donna Drive, were present to discuss their concerns with water and drainage issues on Donna Drive and their residence. Mrs. Amyot explained that they have experienced flooding issues since purchasing their home in 2005. There is a large amount of amount of visible water in their yard and the sump pump in their basement runs most every day. She presented photographs which indicate the damage being caused to their property and their neighbor's properties, and stated that the problems have gotten worse since the road was last paved. Mr. and Mrs. Amyot feel that these problems are due to a town error and that the Town should be responsible to cover the cost (\$3,000) of the recent work they had done to install drainage around their home. Additionally, Mrs. Amyot is in possession of a petition signed by several residents on Donna Drive who are experiencing similar problems and she feels that the town is responsible to financially assist all residents on Donna Drive with their drainage issues and/or install drainage on Donna Drive. Mrs. Amyot is aware of one resident who is experiencing electrical problems. She stated that this resident was told by PSNH that the electrical problems are due to the water shorting out the underground wires. She feels that the lack of drainage on Donna Drive is the main problem and questioned a lawsuit the Town had against the builder of the homes in the Donna Drive area. She stated she heard that Chairman Kline had drainage issues at his property and that "he had them fixed". Mrs. Amyot stated that after some extensive research on-line, she found several federal funding programs to assist with flood damage i.e., Pre-Disaster Mitigation Grant. Mr. & Mrs. Amyot are concerned about the drainage plans for the proposed HUD housing development.

Chairman Kline indicated that he did have similar issues with drainage at his property several years ago however he himself paid for new drainage to be installed. He stated that perhaps there was some confusion over this and an issue regarding an article he amended at the 2003 Town Meeting regarding a road problem on Church Road. He indicated that drainage issues could occur if the land has been changed. He told Mr. & Mrs. Amyot that he does not anticipate assistance from the Town but encouraged them to find some volunteers from the area to write the grant applications and work with the town on the grant process. He warned that the grant process can be difficult but that he would assist in any way he can. Mrs. Amyot stated that the town would need to obtain the applications as she believes this is the town's responsibility, not hers. Chairman Kline also stated that the plans to the proposed HUD housing development are on file.

Selectman Lewis stated that not all roads have drainage and the fact that Donna Drive does not had nothing to do with the lawsuit. Additionally, the water table has risen approximately 2' which could also be inhibiting drainage. Further, drainage issues could occur if the integrity of the land or the home itself has been altered in any way.

There was discussion regarding grass clippings that have been dumped at the rear portion of some properties on Melissa Drive.

Selectman Sheldon suggested that possibly the perimeter drains for the homes on Donna Drive are beginning to fail which would be a builder issue. He further pointed out that the development originally had no trees and that the planting of trees could cause problems.

Mrs. Amyot asked Chairman Kline if she was correct is assuming that the Town would not assist with the cost of installing drainage at her property. Chairman Kline said that she was correct.

#### **4. OLD BUSINESS**

##### **Retaining Wall at 4 Union Street**

Mr. Jodoin was unable to obtain any additional quotes however, after walking the site with another contractor, he suggested that the top two rows of the wall be replaced with the same style blocks, seal them, and obtain a mason to touch-up/patch the lower areas. Mr. Jodoin indicated that approximately 120 blocks are needed at a cost of \$5.46 per block based on information he received from VERSA-Lok of New England. Selectman Sheldon and Selectman Lewis requested that Mr. Jodoin contact Gilbert Block Company in Hooksett for alternate pricing. Selectman Lewis stated that water proofing should be done and the fact that this is a temporary fix should be made very clear. All abutters to this wall should be notified that the wall is crumbling.

**Action:** Selectman Sheldon moved that the town go forward with the temporary fix of the retaining wall at 4 Union Street allowing the Highway Department to purchase and replace the top 2-3 layers and waterproof/seal the wall. Selectman Lewis seconded. Motion passed 4-0.

There was some discussion regarding maintenance of the wall during the winter months and keeping the salt in that area to a minimum.

#### **Appointment - Emergency Management Director (EMD)**

Mr. Jodoin indicated that at the request of the Board, he has asked Larry Young if he would be interested in becoming the new EMD to replace Tom Petit. Mr. Young is in fact interested, providing he receives administrative support, and has asked Alan Topliff if he is interested in becoming the Deputy EMD which he is. It came to Mr. Jodoin's attention that Chief Lane has also expressed interest in the EMD position.

The Selectmen discussed both positions at length including administrative support, possible time constraints for Chief Lane due to the amount of time required for grant writing and attending meetings, and computer knowledge. It was suggested that should Chief Lane be appointed to the EMD position, Mr. Young would continue to maintain the deputy position.

**Action:** Selectman Sheldon moved to appoint Chief Scott Lane to the position of Emergency Management Director. Selectman Courtemanche seconded. Motion passed 4-0.

### **5. NEW BUSINESS**

#### **Public Works Department 2009 Snow and Ice Control Policy**

Mr. Jodoin indicated that a minor change has been made to the policy to move Priority 10: After storm – perform snow removal around fire hydrants (Attachment E) to Priority 7. This change is agreeable by both the Fire Department and the DPW. Additionally, the date of the policy will be changed to August 2009.

**Action:** Selectman Sheldon moved to accept the Public Works Department 2009 Snow and Ice Control Policy with the above changes. Selectman Courtemanche seconded. Motion passed 4-0.

Snow removal was discussed in more detail. The Selectmen have some concerns which Mr. Jodoin will discuss with Mr. Boisvert.

#### **Acceptance of Easement Deed – 424 North Pembroke Road**

Mr. Jodoin has come across an easement for a right-of-way for the Cormier subdivision. He indicated that this project has been through the Planning Board. The document was signed on September 21, 2007 and was executed but not recorded. Once the Selectmen approve it, Mr. Jodoin will hand deliver it to the Registry of Deeds.

**Action:** Selectman Sheldon moved to authorize Mr. Jodoin to submit the easement documentation. Selectman Courtemanche seconded. Motion passed 4-0.

### **Manifest**

**Action:** Selectman Sheldon moved to approve the Manifest as presented. Selectman Courtemanche seconded. Motion passed 4-0.

### **Minutes 8/10/2009**

**Action:** Selectman Sheldon moved to approve the minutes of 8/10/2009 as presented. Selectman Lewis seconded. Motion passed 4-0.

## **6. TOWN ADMINISTRATOR REPORT**

Mr. Jodoin indicated that Mr. Boisvert, Public Works Director, has received a request from the resident at 145 Smith Ave. to clean the drainage easement located at their property.

The Selectmen discussed this type of easement and whether or not the town is responsible to maintain them. Selectmen Sheldon suggested that perhaps the decision to maintain an easement be made on a case-by-case basis. Selectman Lewis explained the Planning Boards easement process. The Board requested that Mr. Jodoin discuss this issue with legal counsel and LGC before a decision is made. There was a brief discussion regarding the responsibilities of the Public Works Department where these easements are concerned.

A meeting has been scheduled at Town Hall for Wednesday, October 14, 2009 at 7:00 PM with Executive Councilor Shea, Commissioner Campbell, Assistant Commissioner Brillhart, and others from DOT to discuss the 2011-2020 Transportation Plan. The meeting is planned to last approximately two hours.

The State of NH is in the process of paving RT3. The markings are in place to include a center turn lane versus individual turn lanes from Plausawa Hill Road to Academy Road. The travel lanes will become narrower and the bike lane will also be reduced making it extremely narrow. Mr. Jodoin indicated that the Town can choose to deny this change. The Selectmen are concerned that there has been no public hearings to discuss a change of this magnitude with the public and agreed that the road should be left as it was. Mr. Jodoin will follow up.

Mr. Jodoin has received a complaint from resident, Larry Wurster, 236 Fourth Range Road, that there is water running off Fourth Range Road onto his property. Selectman Lewis gave a brief history of what was done to correct this issue in the past. Mr. Jodoin stated that Suburban Paving will be at this location on Thursday, August 20<sup>th</sup> at 8:00AM to take care of this issue. Suburban's check will be held until this work is complete.

Mr. Jodoin has contacted Merrill Construction to discuss additional cost savings for North Pembroke Road. He learned at that time that there will be no driveways paved.

Distributed for the Selectmen's review, was correspondence dated August 14, 2009 from Suncook Youth Soccer regarding Memorial Field improvements.

## 7. COMMITTEE REPORTS

### Selectman Lewis

A new fee schedule has been prepared by the Planning Board and it was decided not to increase fees.

### Chairman Kline

#### CIP

The Roads Committee is requesting Phase 1 of the Broadway Reconstruction Project be completed in 2010 which includes the assumption of turning Pine and Maple Streets into one-way streets.

#### Old Home Day Parade

Governor Lynch will be marching in the parade. Chairman Kline informed the selectmen that they should arrive for the parade at 9:30 AM.

#### Semi-Q

Chairman Kline asked if the selectmen would be interested in authorizing the purchase of buntings for Town Hall (\$120) as well as a banner (\$200) to commemorate the 250<sup>th</sup> anniversary. The Board was in favor of and agreed to the buntings but not the banner.

The Old Home Day Committee has secured the Alvirne High School marching band for the parade and is requesting assistance with the cost in the amount of \$1,200. Chairman Kline indicated that these funds could be taken out of the Semi-Q Capital Reserve Fund which has a balance of \$2,500. He noted that the Ball is self-funding.

**Action:** Selectman Sheldon moved to approve the expenditure of \$1,200 for the Alvirne High School marching band to be withdrawn from the Semi-Q Capital Reserve Account. Selectman Courtemanche seconded. Motion passed 4-0.

Chairman Kline received an application for the Semi-Q Committee to have a booth at Old Home Day. There will be a \$20 fee however he was told by Pat Fowler that this fee could be waived. He will follow up with the Old Home Day Committee.

Chairman Kline has received a donation from Comcast of four tickets to the Hampton Beach Casino to see the Wailers (Bob Marley's former Band). The tickets come with parking and a private suite/skybox. These tickets will be raffled off at the softball game with the winner announced just before the end of the game.

## 8. OTHER/CITIZEN COMMENT

None

9. **NON PUBLIC SESSION - RSA 91-A:3 II (c)** Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

**Action:** Chairman Kline moved and seconded by Selectman Courtemanche to enter into non-public session in accordance with RSA 91-A:3 II (c) at 8:34 PM.

Roll Call Vote:

Chairman Fred Kline (yes)

Selectman David Sheldon (yes)

Selectman Cindy Lewis (yes)

Selectman Tina Courtemanche (yes)

Vote: Unanimous

The Selectmen came out of non-public session at 8:39 PM and voted not to divulge the minutes.

**Non-Public Minutes 6/15/2009, 7/6/2009, 8/10/2009**

**Action:** Selectman Sheldon moved to approve the non-public minutes of 6/15/2009, 7/6/2009, and 8/10/2009 as presented. Selectman Lewis seconded. Motion passed 4-0.

**Action:** Selectmen Sheldon moved to divulge the non public minutes of 12/15/08, 1/20/09, 4/6/09, 6/15/09, 7/6/09, and 8/10/09. Selectmen Courtemanche seconded. Motion passed 4-0.

**10. ADJOURNMENT**

**Action:** Selectman Sheldon moved to adjourn the meeting at 8:41 PM. Selectman Courtemanche seconded. Motion passed 4-0.

Accepted by the Board of Selectmen

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Fred Kline, Chair