

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

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

Excused: Selectman Larry Preston

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

Tom Petit – Town Meeting

Tom Petit was present to review the logistics of Town Meeting. Chairman Kline indicated that he should be receiving a proclamation from Governor Lynch to be read at Town Meeting for Pembroke's 250th Anniversary. The selectmen will be serving breakfast from 8-9:30 AM. This breakfast is a fundraiser to benefit the Semi Q. It was agreed that Selectman Preston and Sally Hyland will present information on the Solid Waste Ordinance, Article 8 as well as Articles 9, 10 and 11 which pertain to the recycling program. Options for ways in which to present these articles were discussed. Mr. Jodoin will have the tax impact relating to each warrant article. Mr. Jodoin will present warrant articles 12 and 13. Warrant articles 16 and 17 were discussed. Mr. Jodoin indicated that according to a statement he received from DRA, these articles should not appear on the Town Warrant as the dollar amounts also appear in the total operating budget. Another option discussed was to remove Water and Sewer's operating budgets from the town's total operating budget. The selectmen agreed to remove warrant articles 16 & 17. Mr. Petit suggested that David Freeman-Woolpert provide an explanation to this after Article 15.

Action: Selectman Sheldon motioned to remove Articles 16 and 17 from the Town Warrant based on the statement from DRA. Selectman Courtemanche seconded. Motion passed 3-1. Selectman Lewis voted no.

Selectman Lewis asked Mr. Petit for an update on the Emergency Management Plan. He stated that updates are still being made and he will keep the Board informed.

7:00 PM – Public Hearing – Solid Waste Committee

The Selectmen and Sally Hyland, Chair, Solid Waste Committee addressed some issue that arose at the Public Hearing held on February 7th.

Included in this discussion was; if there is cart damage caused by the State, allowing the Board of Selectman to make changes to the ordinance, and the regulations of how the carts must be placed for collection, specifically 5' apart. Ms. Hyland suggested that the explanation for the placement of carts may need to be made clearer.

Chairman Kline opened the Public Hearing at 7:26 PM and asked for public comments.

Tom Petit asked about the life expectancy of the carts. Ms. Hyland stated 10 years.

Roger Lafleur, had concerns regarding trash collection and the placement of carts in the village and other congested areas specifically, downtown.

There being no further citizen comments, Chairman Kline closed the Public Hearing at 7:28 PM.

Issues regarding the placement of carts were discussed further including parking issues in the downtown area on trash day. The general opinion is that it may difficult for some residents to abide by the regulations but that according to the ordinance, "The Director of Public Works shall have the authority to designate placement of carts" which would imply that exceptions can be made by the Director of Public Works if necessary. Ms. Hyland will obtain input regarding this issue from her contacts in Scarborough, ME and Goffstown.

7:30 PM – Steve Hamilton – DRA, Director, State of NH Property Appraisal; Keith Gagne

Mr. Hamilton explained that part of his department's responsibilities pertaining to appraisals include to assist, train and generally oversee the property assessing system in the State for each municipality. Five-year assessment reviews are conducted where a comprehensive audit of all assessing practices in town is completed. He stated that fundamentally, the Constitution (Part 2, Article 6) requires that if taxes are assessed based on the value of property, the value of that property must be reviewed at least once every five years. RSA 75:8-a mirrors this requirement stating that "The assessors and/or selectmen shall reappraise all real estate within the municipality so that the assessments are at full and true value at least as often as every fifth year". Mr. Hamilton indicated that his does not mean the Town must go conduct a full revaluation but that a limited reappraisal could be done based on existing information considering Pembroke has a comprehensive plan in place to maintain the quality of the physical description of properties.

Chairman Kline expressed concern with utilizing taxpayer monies to re-evaluate property when property values in Pembroke are currently at 93% of market value. Mr. Hamilton stated that the process of developing the values on the properties must be done but that physical re-inspection and measuring of the properties may not be required which is usually the most costly part of the re-appraisal process. Mr. Hamilton explained that the real estate market is volatile and the market rates change frequently and at different rates for different properties. He also explained that under RSA 21-J:3 (xv), if a town fails to meet the requirement of RSA 75:8-a, the Commissioner shall petition the Board of Land and Tax Appeals to order a reassessment of the town. He suggested that the town begin moving forward with this process as timing may become an issue and if a petition is filed with the Board of Land and Tax Appeals and is approved and certified back to DRA, who would handle the revaluation, the cost for this service would be added to the town's tax rate.

Essentially, the town would lose control over how in depth the revaluation would be as well as their choice in contractors.

Chairman Kline thanked Mr. Hamilton and Mr. Gagne for attending the meeting and for the information provided.

4. OLD BUSINESS

Mr. Jodoin opened a discussion regarding recommendations on warrant articles. Chairman Kline stated that historically, on any monetary articles, the selectmen and the budget committee have posted whether or not they recommended the articles. DRA is now stating that only special and petition warrant articles should include recommendations. He indicated that the budget committee voted on their recommendations, leaving it up to the discretion of the selectmen to decide whether or not recommendations would be posted. Should the change be made to follow DRA's recommendations, a vote to recommend Article 3 will be required. Chairman Kline also stated that in the future, a warrant article could be prepared so that the town could vote on whether or not they want recommendations to be posted on the warrant. Should this be the case, the vote must include the number of votes for both recommended and not recommended. The selectmen agreed to leave the warrant as is for this year and to not vote on Article 3.

Action: Selectman Lewis moved to recommend all monetary warrant articles with the exception of the petition warrant article. Selectman Courtemanche seconded. Motion passed 4-0.

5. NEW BUSINESS

Execute Fairpoint Pole License

Action: Selectman Sheldon moved to approve the Fairpoint Communications Pole License Petition for the licensing of one replacement pole (7/12S) and the purchase of ½ interest in poles (7/14 and 7/15S) on Exchange Street, in the Town of Pembroke, NH. Selectman Courtemanche seconded. Motion passed 4-0.

Mr. Jodoin stated that there will be no cost to the town.

Execute Bow Dispatch Contract

Action: Selectman Lewis moved to authorize Police Chief Scott Lane to sign the Bow Dispatch Contract in the amount of \$91,411.00. Selectman Sheldon seconded. Motion passed 4-0.

Forest Fire Warden and Reappointment Authorization

Action: Selectman Lewis moved to approve and sign the authorization of the 2009 Forest Fire Warden and Deputy Reappointment forms. Selectman Courtemanche seconded. Motion passed 4-0.

Manifest/Abatements

Action: Selectman Lewis moved to approve the Manifest as presented and the abatements as recommended by the assessor. Selectman Courtemanche seconded. Motion passed 4-0.

Minutes 1/29/09 and 2/2/09

Action: Selectman Lewis moved to approve the minutes of 1/29/09 as presented. Chairman Kline seconded. Motion passed 3-0. Selectman Sheldon abstained as he was not present at the meeting.

Action: Selectman Sheldon moved to approve the minutes of 2/2/09 as presented. Chairman Kline seconded. Motion passed 4-0.

6. TOWN ADMINISTRATOR REPORT

Mr. Jodoin is in receipt of a proposal from Molloy Sound and Video Contractors for a sound system. The Selectman agreed to table this item.

Distributed for the selectmen's review included: communication from Councilor Shea; a letter of thanks from a resident to the highway crew; minutes from CNHRPC; correspondence sent to PA student; correspondence sent to the United Church of Christ; letter from LGC reducing property liability rates from 9% to 5%; correspondence from the Town of Bow regarding meetings for PSNH; correspondence from Corcoran Consulting regarding their single stream facility open house; recommended computer replacement program from Veteran Technology Services; Hooksett Town Council Agenda.

Selectman Lewis asked if Mr. Jodoin has received a written response from Casella stating that they will accept Pembroke's recyclables. Mr. Jodoin has not received anything yet but will follow up with Casella.

Mr. Jodoin indicated that it has been decided to replace Linda Williams' computer with a new one and have her present computer transferred to the Department of Public Works. A motion made at a prior selectmen's meeting indicates that the purchase price must not exceed \$700 for the new computer and that the purchase will not be made until after Town Meeting.

Mr. Jodoin reported that he plans to attend the Hooksett Town Council meeting being held on February 18th which will include a town ambulance update. It appears that Hooksett is planning to move forward with their plan to streamline their operation and will purchase a second ambulance through impact fees. Mr. Jodoin invited Allenstown Selectman, Roger Lafleur this evening to hear the presentation by DRA and to discuss collaboration efforts between Pembroke and Allenstown as it pertains to Tri-Town Ambulance Services.

Chief Lane reviewed preliminary discussions regarding emergency shelters. The selectmen discussed the possibility of Pembroke Academy being used as a shelter as well as St. Jeans Parish Center in Allenstown.

Mr. Jodoin informed the selectmen that snow/ice falling from the roof of the Safety Center continues to be a problem and a possible liability issue.

He reviewed a quote received last year from Academy Roofing Corporation in the amount of \$2,100 for a snow rail system. Other options were discussed including moving the door to a different location which would carry a much higher cost.

Mr. Jodoin will ask Jim Boisvert, Director of Public Works, to obtain an updated quote from Academy Roofing. Once that is received, the selectmen will address the issue further.

Mr. Jodoin read into the record, an e-mail from Chester Martel dated 2/17 regarding the sale of property located to the right of the Safety Center. Chief Lane stated he would try to obtain additional information.

Jim Boisvert, Director of Public Works, has asked if the board would like him to apply for a pre-application for the Clean Water State Revolving Fund totaling \$1.6 million. Project name would be Broadway Section Road and Storm Drain Improvements. This project would affect Broadway, Pine, Maple, and Prospect Streets. DES is now accepting applications. The upgrading of the sewer plant in Allenstown was also discussed and the Board was supportive of the idea of Pembroke and Allenstown joining together for the Stimulus Grant.

Mr. Jodoin is in the process of reviewing escrow accounts and balance sheets. There are four items that have a negative balance. He will be sending out invoices which will include interest.

The town's drug and alcohol policy was discussed. The current policy is very limited and needs to be updated. Additionally, Mr. Jodoin requests that the Board review and possibly consider changing to a different company that would be more beneficial for Pembroke. He will forward additional information for their review and add this item to a future meeting agenda.

7. COMMITTEE REPORTS

Chairman Kline has secured the Grappone Center for the Ball in November with a \$500 deposit. The Bedford Band contract is being sent and the deposit will be \$100.00. Chairman Kline requested authorization to expend funds for tickets to the Ball. Other options for obtaining tickets were discussed which Chairman Kline will research before ordering.

Action: Selectman Lewis moved to authorize Chairman Kline to expend up to \$100 for tickets to the Semi Q Ball. Selectman Sheldon seconded. Motion passed 4-0.

The selectmen will be serving a pancake breakfast the morning of Town Meeting from 8-9:30 AM. Chairman Kline stated that the breakfast will cost \$125.00 plus \$2.25 per plate. A deposit in the amount of \$225.00 will be required.

Action: Selectman Sheldon moved to authorize Chairman Kline to enter into contract and to expend \$225 for a deposit on the pancake breakfast to be held on the morning of Town Meeting. Selectman Courtemanche seconded. Motion passed 4-0.

The breakfast will be a catered event held at the Pembroke Academy cafeteria, served by the selectmen, and will cost \$5 per person.

8. OTHER/CITIZEN COMMENT - None

9. **NON-PUBLIC RSA 91-A:3 II (a) – The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.**

Action: Selectman Sheldon moved and seconded by Selectman Lewis to enter into non-public session in accordance with RSA 91-A:3 II (a) at 9:05 PM.

Roll Call Vote:

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

The Selectmen came out of non-public session at 9:44 PM.

NON-PUBLIC 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 9:45 PM.

Roll Call Vote:

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

The Selectmen came out of non-public session at 9:49 PM.

Action: Selectman Sheldon moved and seconded by Selectman Lewis to authorize the Town Administrator to spend up to \$200 for the purchase of filing cabinets. Motion passed 4-0.

10. ADJOURNMENT

Action: Selectman Sheldon moved to adjourn the meeting at 9:54PM. Selectman Courtemanche seconded. Motion passed 4-0.

Accepted by the Board of Selectmen

Fred Kline, Chair