

**MINUTES OF THE ANNUAL TOWN MEETING  
TOWN OF PEMBROKE, NH  
MARCH 8, 2005**

The meeting was opened by Moderator Thomas E. Petit at 11:00 a.m.

**A motion was made to act on Articles #1 through #3 today and to act on the remaining articles at the deliberative session on March 12, 2005 at the Pembroke Academy Auditorium.**

**MOVED: Roland Young, Jr                      SECONDED: Chester Martel**

**VOTE: YES    MOTION PASSED**

**ARTICLE #1:** To choose all necessary officers for the year ensuing.

\*Denotes elected

Town Clerk for one year:  
Vote for not more than ONE  
James F. Goff                      366\*

Water Commissioner for five years:  
Vote for not more than ONE  
Kevin W. Brasley                      332\*

Town Treasurer for one year:  
Vote for not more than ONE  
John B. Goff                      337\*

Checklist Supervisor for five years:  
Vote for not more than ONE  
Chelsey D. Goff                      341\*

Selectman for three years:  
Vote for not more than TWO  
Larry J. Preston                      290\*  
Brian B. Tufts                      311\*

Trust Fund Trustee for three years:  
Vote for not more than ONE  
Gerard Fleury                      338\*

Selectman for one year:  
Vote for not more than ONE  
Cindy Lewis                      265\*  
Fred Kline (write-in) 95

Library Trustee for three years:  
Vote for not more than TWO  
Theresa M. Caplette                      324\*  
Pat Fowler (write-in) 19\*

Sewer Commissioner for three years:  
Vote for not more than ONE  
Paulette Malo                      326\*

**4759 registered voters on the Pembroke Checklist  
390 ballots cast**

**ARTICLE #2:** (by petition) “To see if the Town will vote to adopt the provisions of RSA 40:13 (known as SB 2) to allow official ballot voting on all issues before the Town of Pembroke on the second Tuesday of March.” (3/5 Majority vote required)

**YES 108              NO 258                      ARTICLE #2 FAILED**

**ARTICLE #3:** Are you in favor of adopting the following amendments to the Town of Pembroke Zoning Ordinance as recommended by the Pembroke Planning Board?

\*New language is shown in bold and italic text; Example: ***new***  
\*Changes are shown with a single line strikethrough; Example: ~~delete~~  
\*Current language is shown in normal text; Example: current language

**Amendment #1:** Are you in favor of adding a new section to Article V, Dimensional and Density Regulations, section 143-21 to read as follows?

***Section K – No structure shall be located closer than twenty (20) feet measured horizontally from any wetland.***

**YES 269      NO 85                      AMENDMENT #1 PASSED**

**Amendment #2** – Are you in favor of adding the *Suncook Business District (SB)* to Article III, Establishment of Zoning Districts, section 143-10?

**YES 261      NO 80                      AMENDMENT #2 PASSED**

**Amendment #3** – Are you in favor of adding the *Suncook Business District (SB)* to the zoning and overlay districts in Article IV, Use Regulations, section 143-19?

**YES 247      NO 82                      AMENDMENT #3 PASSED**

**Amendment #4:** Are you in favor of amending Article XIV, Zoning Board of Adjustment, Variances, and Special Exceptions, section 143-114 to read as follows?

- A. The variance will not be contrary to the public interest.*
- B. Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship.*
  - 1. To establish an unnecessary hardship for a use variance, an applicant must prove that:*
    - a. The zoning restriction as applied interferes with a landowner's reasonable use of the property, considering the unique setting of the property in its environment.*
    - b. No fair and substantial relationship exists between the general purpose of the zoning ordinance and the specific restriction on the property.*
    - c. The variance would not injure the public or private rights of others.*
  - 2. To establish an unnecessary hardship for a area variance, an applicant must prove that:*
    - a. An area variance is needed to enable the applicant's proposed use of the property given the special conditions of the property.*
    - b. The benefits sought by the applicant cannot be achieved by some other method reasonably feasible for the applicant to pursue, other than an area variance.*
- C. The variance is consistent with the spirit of the ordinance.*
- D. Substantial justice is done.*
- E. The value of the surrounding property will not be diminished.*

**YES 256      NO 83                      AMENDMENT #4 PASSED**

**Amendment #5** – Are you in favor of adding a new section to Article IX entitled “Overlay Districts” of the Pembroke Zoning Ordinance to read as follows?

Section – 143-71.1 Suncook Business Overlay District

- A. Purpose: The purpose of this District is to restrict residential dwellings from the first floor of buildings in the Suncook Business District.*
- B. Boundaries of the District: The boundaries of the district shall be:*
  - Both sides of Main Street south of Union Street and Central Street, and north of Front Street and Glass Street.*
  - Easterly side of Main Street south of Glass Street, and north of Mills Falls.*
  - Both sides of Glass Street west of Crescent Street and east of Main Street*
  - Both sides of Union Street east of Prospect Street and west of Main Street*
  - Properties at the intersections of Front Street and Main Street; and Central Street and Main Street*

YES 246      NO 88                      AMENDMENT #5 PASSED

**Amendment #6** – Are you in favor of amending Article IV, Multiple uses in the B2, C1, and LO Districts, section 143-17 to read as follows?

143-17. Multiple uses in the **B1**, B2, C1, and LO Districts.  
Within the **B1**, B2, C1, and LO Districts only, multiple uses shall be allowed on a single lot provided that the uses are permitted by right. Uses permitted by special exception shall only be permitted as multiple uses in these districts by special exception.

YES 226      NO 95                      AMENDMENT #6 PASSED

**Amendment #7** – Are you in favor of amending Article VIII, Signs, section 143-63N to read as follows?

- N      Political signs: A sign designed to influence the actions of voters for the passage or defeat of a measure, or for the election of a candidate to a public office at a national, state or other local election.
- (1) Such signs are permitted if they are stationary, unlighted, and temporary;
- (2) Such signs shall be displayed ~~no earlier than forty five (45) days prior to a voting day, and shall be removed within five (5) days after a voting day; per~~ ***RSA 664:17 which reads as follows: No political advertising shall be placed on or affixed to any public property including highway rights-of-way or private property without the owner’s consent. The earliest date on which political advertising may be placed or affixed shall be the last Friday in July prior to a state primary. All political advertising shall be removed by the candidate no later than the second Friday following the election unless the election is a primary and the advertising concerns a candidate who is the winner in the primary. No person shall remove, deface, or knowingly destroy any political advertising which is placed on or affixed to any private property except the owner of the property or a law enforcement officer removing improper advertising; provided, however, that, before a law enforcement officer removes any advertisement, he shall notify the candidate that it is improper, and allow the candidate 24 hours to remove the advertisement himself. Sizes shall be consistent with the Dimensional Table of Signs in section 143-62***
- ~~(1) Such signs may not exceed four (4) square feet; and~~
- (2) A maximum of two (2) such signs per lot is allowed.

YES 271      NO 84                      AMENDMENT #7 PASSED

**Amendment #8** – Are you in favor of amending Article VIII – Signs, section 143-62 to read as follows?

	R1	R3	HB	B1	B2	C1	LO	
POLITICAL	P	P	P	P	P	P	P	§143-63(N)
	<del>4</del>	<del>4</del>	<del>4</del>	<del>4</del>	<del>4</del>	<del>4</del>	<del>4</del>	
	<b>12</b>	<b>12</b>	<b>12</b>	<b>80</b>	<b>80</b>	<b>100</b>	<b>12</b>	
	(T)	(T)	(T)	(T)	(T)	(T)	(T)	

YES 190      NO 103                      AMENDMENT #8 PASSED

**Amendment #9** – Are you in favor of amending Article VIII – Signs section 143-59D to read as follows?

- D. Removal of signs: Any sign which has been ordered removed by the Code Enforcement Officer, or which is abandoned or discontinued, shall be removed by the person, firm or corporation responsible for the sign within fourteen (14) days of written notice to remove the same. **The Code Enforcement Officer may cause the removal of any sign placed on public property or that constitutes a safety hazard.**

**YES 301 NO 58 AMENDMENT #9 PASSED**

**Amendment #10** – Are you in favor of adding a new section to Article VIII-Signs, section 143-59 to read as follows?

***(8) Exception to permits: The following signs shall be exempt from the permitting requirements;***

- A. All temporary SALE/RENT/LEASE covered by section 143-63 (F)***
- B. All political signs covered by section 143-63(N)***
- C. All temporary signs advertising yard sales. These signs shall not exceed 6 square feet in size and must be removed five (5) days after sale.***
- D. Signs less than 2 square feet in size identifying a personal residency by name and street address.***
- E. Hunting, no trespassing, and other such signs less than two (2) square feet in size.***

**YES 290 NO 52 AMENDMENT #10 PASSED**

**Amendment #11** – Are you in favor of adding a new section to Article 1 – General Provisions, section 143-2 to read as follows?

***The Planning Board is authorized to require preliminary subdivision review. The subdivision regulations regarding the requirements of such review are to be prepared and adopted by the Planning Board.***

**YES 267 NO 65 AMENDMENT #11 PASSED**

**MINUTES OF THE ANNUAL TOWN MEETING  
TOWN OF PEMBROKE, NH  
DELIBERATIVE SESSION  
MARCH 12, 2005**

Moderator Thomas E. Petit opens the meeting at 10:00 a.m. and then reads the results of the ballot vote taken on March 8, 2005.

**There was a motion made to dispense with the reading of the warrant and proceed with the meeting.**

**MOVED: Daniel Crean SECONDED: Brian Tufts**

**VOTE: YES MOTION PASSED**

Brian Tufts read the dedication for the 2004 Annual Town Report “The Pembroke Board of Selectmen wish to dedicate the 2004 annual town report to all Pembroke citizens who have served as volunteer members, past and present, on various Town boards, commissions and committees. Their knowledge, skills and experience make the Town of Pembroke the great place it is today. Without their dedication and commitment, it would impossible to provide public services efficiently and economically. Those listed below, and many others in years past, have dedicated themselves to preserving, protecting and improving the quality of life for all town residents; they see a problem as a challenge and give of themselves to find an answer. Thanks to all of you who volunteer your time to make it possible for everyone to “Prosper in Pembroke”.

Police Chief Wayne Cheney announced that there will be a grand opening of the Pembroke Safety Center on May 14<sup>th</sup> at 10:00 a.m.

Ron Clouser of the Pembroke Historical Society thanked Jon Menard for all of the hard work he provided the Historical Society in restoring the exterior of the Old School House as part of his Eagle Scott project.

**ARTICLE #4:** To see if the Town will vote to adopt the provisions of NH RSA 162-K MUNICIPAL ECONOMIC DEVELOPMENT AND REVITALIZATION DISTRICTS. By adopting the statute, the Town would thereafter have all the authority, powers, duties and responsibilities set forth in chapter 162-K, including the power for the Town Meeting to establish development programs and tax increment financing plans, including adoption of Article 5 at this year's 2005 Annual Town Meeting.

**MOVED: Daniel Crean                      SECONDED: Larry Young**

Selectman Daniel Crean explains the Tax Increment Finance (TIF) process.

Ron Clouser asks what it will cost taxpayers.

Dan Crean explained that 50 percent of the additional tax revenues would go back into the district and the other 50 percent of the additional tax revenues would be put into the town's general fund.

Chuck Button asked what Associated Grocers impact will be.

Dan Crean stated that the town would not know for sure until the building is further along and that it would have no impact in 2005.

Gregg Chadwick asked how the Town will be protected if this district does not develop as expected.

Dan Crean stated that no money will be spent unless we have contracts from developers.

**There was a motion made to vote on the Article.**

**MOVED: Robert Pope                      SECONDED: William Stanyan**

**VOTE: YES                                      MOTION PASSED**

**VOTE ON ARTICLE #4: YES      ARTICLE #4 PASSED**

**ARTICLE #5:** To see if the Town will vote to:

- (a) Pursuant to RSA 162-K:5 to create a Development District be known as the Soucook River Tax Increment Financing District which shall contain nine (9) properties shown on the Pembroke Tax map as Map 634, Lot 41, Map 634, Lot 43-2, Map 634, Lot 47, Map 634, Lot 48-3, Map 634, Lot 48-1, Map 634, Lot 48-2, Map 634, Lot 48, Map 632, Lot 5 and Map 563, Lot 6; and
- (b) Pursuant to RSA 162-K:6 and 162-K:9, to establish the Development Program and Tax Increment Financing Plan as proposed by the Board of Selectmen; and
- (c) Raise and appropriate the sum of \$75,000.00 for the purpose of paying engineering and consultant fees for the continued design and development of the Soucook River Tax Increment Financing District; said appropriation shall be offset by incremental tax revenue collected in 2005 in accordance with said Tax Increment Financing Plan.

**(Recommended by Board of Selectmen)**  
**(Recommended by Budget Committee)**

**MOVED: Dan Crean                      SECONDED: Larry Young**

Dan Crean explains that:      (a) outlines the district

- (b) adopts the plan
- (c) appropriates money for engineering

Penti Aalto asks if there are any plans for the preservation of the waterfront on the Soucook River.

Dan Crean explains that the town can negotiate with the owners for access to the shore.

**There was a motion made to vote on the Article.**

**MOVED: Larry Young                      SECONDED: Brian Tufts**

**VOTE: YES                                      MOTION PASSED**

**VOTE ON ARTICLE #5: YES      ARTICLE #5 PASSED**

**ARTICLE #6:** To see if the Town will vote to authorize the Board of Selectmen to sell land and building located at 4 Union Street, known as the former Police Station on such terms and conditions as the Board of Selectmen deem appropriate.

**There was a motion made to table any action on Article #6 until action is taken on Article #7.**

**MOVED: Larry Preston                      SECONDED: Larry Young**

**VOTE: YES                                      ARTICLE #6 TABLED UNTIL ACTION IS TAKEN  
ON ARTICLE #7**

**ARTICLE #7:** To see if the Town will vote to raise and appropriate \$25,000.00 for estimated maintenance, renovation and other related costs for continued ownership and future leasing of land and building located at 4 Union Street, known as the former Police Station and to authorize the Board of Selectmen to negotiate short and or long term lease agreements (more than one year) for use of said land and building.

**(Recommended by Board of Selectmen if article 6 is not approved)  
(Recommended by Budget Committee)**

**MOVED: Larry Preston                      SECONDED: Larry Young**

Ron Clouser asked how the town will get the \$25,000 back and what will the annual maintenance costs for the building be.

Dana Carlucci explained that it will cost about \$5,500.00 a year for heat and electricity. The Sewer Commission is intending to lease the first floor for \$7,200.00 which will leave the second and third floor for lease/rent. They can expect the income for those two floors to be between \$18,000.00 and \$30,000.00 per year.

**There was a motion made to vote on the article.**

**MOVED: Sharon Caldwell                      SECONDED: Robert Pope**

**VOTE: YES                                      MOTION PASSED**

**VOTE ON ARTICLE #7: YES      ARTICLE #7 PASSED**

**There was a motion made “that RSA 40:10 be applied to the vote on Article #7 in order to protect this vote, if reconsidered, for a period of at least 7 days.”.**

**MOVED: Dana Carlucci                      SECONDED: Larry Preston**

**VOTE ON MOTION: YES                      MOTION PASSED**

**ACTION ON ARTICLE #6**

**There was a motion made to table Article #6 indefinitely.**

**MOVED: Daniel Crean                      SECONDED: Brian Tufts**

**VOTE ON MOTION: YES                      ARTICLE #6 TABLED INDEFINITELY**

**ARTICLE #8:** To see if the Town will vote to raise and appropriate the sums set forth below to be placed in capital reserve funds previously established.

Town Equipment Capital Reserve Fund	\$200,000.00
Police Cruiser Capital Reserve Fund	\$ 37,000.00
Municipal Facilities Capital Reserve Fund	\$ 5,000.00
Recreation Facilities Capital Reserve Fund	\$ 4,000.00
Police Small Equipment Capital Reserve Fund	<u>\$ 1,000.00</u>
<i>Total</i>	<b><i>\$247,000.00</i></b>

**(Recommended by Board of Selectmen)**  
**(Recommended by Budget Committee)**

**MOVED: Robert Pope                      SECONDED: Roland Lemoine**

**THERE WAS A MOTION MADE TO TABLE ARTICLE #8**

**MOVED: Ron Clouser                      SECONDED: Chuck Button**

**VOTE: NO                      MOTION FAILED**

Ron Clouser spoke in opposition to Article #8.

**VOTE: YES                      ARTICLE #8 PASSED**

**ARTICLE #9:** To see if the Town will vote to raise and appropriate a sum not to exceed \$378,000.00 to purchase a fire pumper/attack truck with equipment and to authorize the withdrawal of a sum not to exceed \$231,300.00 from the Fire Equipment Capital Reserve Fund created for this purpose, with an amount not to exceed \$146,700.00 raised from general taxation.

**(Recommended by Board of Selectmen)**  
**(Recommended by Budget Committee)**

**MOVED: Roland Lemoine                      SECONDED: Brian Lemoine**

Fire Chief, Harold Paulsen stated that this article is to fund replacement of a 1980 truck, which was scheduled to be replaced in the year 2000. This was put off to save the town money. The order for the truck will be placed now but it will take about a year and a half to build.

Ron Clouser stated “we’re buying something we don’t have enough money to buy, why don’t we wait until we have enough money to buy something, basically what’s happening is \$146,000 that we’re paying taxes on and they didn’t have proper planning, they should be held accountable, when we have enough money to buy something they should be allowed to buy it, that’s what I do at home. We can’t buy everything on credit”.

Gerard Fleury explained that the process is to set money aside in advance. Unless you place the order now and commit the funds now, there is no way to take delivery on a vehicle that will take better than a year to build. The planning for the purchase of this vehicle has been made.

Rob Farley stated that he takes exception to Mr. Clouser’s comments about lack of planning. The fire department and other departments have put in requests for contributions to the CIP for many years and have been turned down.

**VOTE: YES**

**ARTICLE #9 PASSED**

**ARTICLE #10:** To see if the Town will vote to raise and appropriate a sum not to exceed \$133,615.00 to purchase a ten wheel dump truck with equipment and to authorize the withdrawal of a sum not to exceed \$133,615.00 from the Town Equipment Capital Reserve Fund created for this purpose, with no amount raised from current taxation.

**(Recommended by Board of Selectmen)**

**(Recommended by Budget Committee)**

**MOVED: Roland Lemoine**

**SECONDED: Rob Farley**

Walter Norris, Public Works Director, explained that this is to replace a 1980 six wheel dump truck which can handle 6 yards of sand/salt. The 10 wheeler will handle 15yards of sand/salt which means it will be more efficient to operate. The town now rents a 10 wheeler for snow removal of the downtown area.

**There was a motion made to vote on the article.**

**MOVED: Roland Lemoine**

**SECONDED: Robert Pope**

**VOTE: YES**

**MOTION PASSED**

**VOTE ON ARTICLE #10: YES ARTICLE #10 PASSED**

**ARTICLE #11:** To see if the Town will vote to raise and appropriate a sum not to exceed \$65,176.00 to purchase a dump / plow truck with equipment and to authorize the withdrawal of a sum not to exceed \$65,176.00 from the Town Equipment Capital Reserve Fund created for this purpose, with no amount raised from current taxation.

**(Recommended by Board of Selectmen)**

**(Recommended by Budget Committee)**

**MOVED: Roland Lemoine**

**SECONDED: William Stanyan**

**VOTE: YES**

**ARTICLE #11 PASSED**

**ARTICLE #12:** To see if the Town will vote to raise and appropriate a sum of \$50,920.00 to purchase and equip two police cruisers and to authorize the withdrawal of a sum not to exceed \$50,920.00 from the Police Cruiser Capital Reserve Fund created for this purpose, with no amount raised from current taxation.

**(Recommended by Board of Selectmen)**

**(Recommended by Budget Committee)**

**MOVED: Roland Lemoine**

**SECONDED: Robert Pope**

Ron Clouser stated that last year we bought 2 police cruisers for \$40,000 and this year its \$50,920, why is there a vast difference in price.

Town Administrator, Troy Brown stated that last year the town purchased one cruiser and this year the town will purchase a Crown Victoria and a Ford Explorer.

Police Chief Wayne Cheney explained that last year they purchased one cruiser for \$26,000 fully equipped and this year they intend to purchase the cruiser and Explorer. The town does have a replacement schedule for the police vehicles and the old ones are sometimes traded in and sometimes they are passed down to other departments.

Ron Clouser asks "What happened to the \$14,000, we found out two years ago that the town had in excess of over a million dollars over and above and by statute they can in fact, the selectmen can keep so much above, what is the balance of that? What are the total funds the town has over and above what was needed to run the town."



Finance Director, Dawn Ouellette, explained that the unexpended appropriations for 2004 to be about \$3,600.00, she doesn't have an exact figure because the auditors have not finished the town's audit for 2004. She also explained that what Mr. Clouser might be referring to is the town's fund balance. The New Hampshire Department of Revenue Administration requires that the town carry between 5.0% and 12.0% of the operating budget as a fund balance. The Town of Pembroke's fund balance is about 5.3% which is on the low side of what is required by the state.

Budget Committee member, Charles Connor gave a brief explanation of what a fund balance is and why it is required by the state.

**VOTE: YES**

**ARTICLE #12 PASSED**

**ARTICLE #13:** To see if the Town will vote to raise and appropriate a sum not to exceed \$7,300.00 to purchase replacement bleachers and to authorize the withdrawal of a sum not to exceed \$7,300.00 from the Recreation Facilities Capital Reserve Fund created for this purpose, with no amount raised from current taxation.

**(Recommended by Board of Selectmen)**  
**(Recommended by Budget Committee)**

**MOVED: Robert Pope**

**SECONDED: George Rainville**

**VOTE: YES**

**ARTICLE #13 PASSED**

**ARTICLE #14:** To see if the Town will vote to raise and appropriate a sum not to exceed \$3,250.00 to purchase one (1) SCBA Replacement Bottle, and five (5) Emergency Alerting Pagers and to authorize the withdrawal of a sum not to exceed \$3,250.00 from the Fire Small Equipment Capital Reserve Fund created for this purpose, with no amount raised from current taxation.

**(Recommended by Board of Selectmen)**  
**(Recommended by Budget Committee)**

**MOVED: Harold Paulsen**

**SECONDED: William Stanyan**

**VOTE: YES**

**ARTICLE #14 PASSED**

**ARTICLE #15:** To see if the Town will vote to raise and appropriate a sum not to exceed \$2,500.00 to purchase police body armor/vests and to authorize the withdrawal of a sum not to exceed \$2,500.00 from the Police Small Equipment Capital Reserve Fund created for this purpose, with no amount raised from current taxation.

**(Recommended by Board of Selectmen)**  
**(Recommended by Budget Committee)**

**MOVED: Roland Lemoine**

**SECONDED: Robert Pope**

**VOTE: YES**

**ARTICLE #15 PASSED**

**ARTICLE #16:** To see if the Town will vote to raise and appropriate the sum of \$169,360.00 to fund building improvements to the Highway Garage, and to authorize the use of the December 31, 2004 fund balance in that amount for this purpose.

**(Recommended by Board of Selectmen)**  
**(Recommended by Budget Committee)**

**MOVED: Brian Tufts**

**SECONDED: Larry Young**

Walter Norris, Public Works Director, explained that this money will correct an insulation problem that caused moisture and rust in the metal beams. It will also put back some of the

features in the original design that were dropped because the bids came in over what was originally appropriated.

**VOTE: YES**

**ARTICLE #16 PASSED**

**ARTICLE #17:** To see if the Town will vote to raise and appropriate a sum not to exceed \$25,000.00 to be used for Cemetery Improvements; said funds to be transferred from perpetual care Trust Funds held by the Town, if approval is obtained from the Probate Court. If approval is not obtained, this article shall be deemed void.

**(Recommended by Board of Selectmen)**

**(Recommended by Budget Committee)**

**MOVED: Brian Tufts**

**SECONDED: Stephen Elliott**

**VOTE: YES**

**ARTICLE #17 PASSED**

**ARTICLE #18:** To see if the Town will vote to raise and appropriate \$50,000.00 for the purpose of funding improvements to the intersection of Route 3 and Pembroke Hill Road. This appropriation shall be non-lapsing and may be encumbered by the Selectmen for up to four years.

**(Recommended by Board of Selectmen)**

**(Recommended by Budget Committee)**

**MOVED: Daniel Crean**

**SECONDED: Brian Tufts**

Joe Crowley, William Faith and Sara Smith speak in opposition to this article.

Charles Connor explains that the selectmen do not have to spend the money but it will be available for up to four years.

**VOTE: YES**

**ARTICLE #18 PASSED**

**ARTICLE #19:** (by petition) “To see if the Town will vote to raise and appropriate \$75,000.00 for the purpose of funding the town’s share of the total \$150,000.00 project cost to reconstruct and install traffic signal lights at the intersection of Pembroke Hill Road and Route 3.”

**(Not recommended by Board of Selectmen as written)**

**(Not recommended by Budget Committee)**

**There was a motion made to table this article.**

**MOVED: Brian Tufts**

**SECONDED: Joe Crowley**

**VOTE: YES**

**ARTICLE #19 TABLED**

**ARTICLE #20:** To see if the Town will vote to authorize the Board of Selectmen to sell town land created by the Church Road Realignment Project to abutting property owners on such terms and conditions as the Board of Selectmen deem appropriate for an amount not less than, but not limited to, town expenses incurred to transfer said land.

**MOVED: Daniel Crean**

**SECONDED: Brian Tufts**

**VOTE: YES**

**ARTICLE #20 PASSED**

**ARTICLE #21:** To see if the Town will vote to raise and appropriate the amount of \$6,100,806.00 for the 2005 operating budget, not including appropriations by special warrant articles and other appropriations voted separately.

**(Recommended by Board of Selectmen)**

**(Recommended by Budget Committee)**

**MOVED: Charles Connor**

**SECONDED: Gerard Fleury**

Tina Courtemanche, Vice-Chair of the Budget Committee, explained that both the School and the Town came in with very conservative budgets, and the Budget Committee did not make one cut to the proposed budgets. The school came in with a 1.6 percent increase and the town came in with a 1 percent decrease.

Richard Caplette stated that his tax bill went up 70 percent after the assessment, he can't understand how the old people can afford to live in Pembroke and that he won't be able to if taxes keep going the way they are.

Denise Reed stated that her taxes doubled and that she can barely afford to live in Pembroke because of the taxes.

Sally Hyland stated that there is no money in the budget for Household Hazardous Waste Collection. She understood that the Board of Selectmen intended to put money in next years budget for it. She would like to make sure that this is done because it will be 4 years without Household Hazardous Waste Collection in the Town.

**VOTE: YES**

**ARTICLE #21 ADOPTED**

**ARTICLE #22:** To see if the Town will vote to amend Chapter 138, Article I of the Code of the Town of Pembroke, entitled Exemption for the Blind, to change the amount of the exemption from \$15,000.00 to \$30,000.00, to read as follows:

**ARTICLE I**  
**Exemption for the Blind**  
**§138-1. Adoption of statutory provisions.**

The Town adopts the provisions of RSA 72:37 for exemption for the blind from property tax. This statute provides that every inhabitant who is legally blind shall be exempt each year from the property tax on a residence to the value of \$30,000.00.

**MOVED: Ron Clouser**

**SECONDED: Nancy Clifford**

Kathy Cruson asked what the requirements are to determine legally blind.

Town Administrator, Troy Brown stated that the requirements are set by state law.

**VOTE: YES**

**ARTICLE #22 ADOPTED**

**ARTICLE #23:** To see if the Town will vote to amend Chapter 138, Article IV, of the Code of the Town of Pembroke, entitled Elderly Exemptions, to change the amount of the exemptions from \$15,000.00, \$30,000.00, and \$60,000.00 to \$35,000.00, \$65,000.00, and \$125,000.00 respectively, to read as follows:  
(majority vote required)

**ARTICLE IV**  
**Elderly Exemptions**  
**§138-4. Adoption of adjusted elderly exemptions**

The town adopts optional adjusted elderly exemptions from property tax. The optional exemptions, based on assessed value, for qualified taxpayers shall be as follows: for a person 65 years of age up to 75 years, \$35,000.00; for a person 75 years of age up to 80 years, \$65,000.00; for a person 80 years of age or older, \$125,000.00. To qualify, the person must have been a New Hampshire resident for at least five years, own the real estate individually or jointly; or, if the real estate is owned by such person's spouse, they must have been married for at least five years. In addition, the taxpayer must have a net income of not more than \$18,400.00 or, if married, a combined net income of less than \$26,400.00 and own net assets not in excess of \$35,000.00, excluding the value of the person's residence.

**MOVED: Ron Clouser**

**SECONDED: William Stanyan**

**VOTE: YES**

**ARTICLE #23 PASSED**

**ARTICLE #24:** To see if the Town will vote to amend the Pembroke Town Code, Chapter 138, Article VII, entitled Disability Exemption, to change the amount of the exemption from \$50,000.00 to \$105,000.00 to read as follows:

**ARTICLE VII**  
**Exemption for the Disabled**  
**§138-7. Adoption of disability exemptions.**

The Town adopts an exemption for the disabled under the provisions of NH RSA 72:37-b. The exemption from assessed value for qualified taxpayers shall be \$105,000. To qualify, the person must be eligible under Title II or Title XVI of the Federal Social Security Act, must occupy the property as his principle place of abode, must own the property individually or jointly, or if owned by a spouse, they must have been married for at least 5 consecutive years, had in the calendar year preceding April 1 a net income from all sources of not more than \$13,400.00 if single and \$20,400.00 if married, own net assets not in excess of \$35,000.00, excluding the value of the persons actual residence and up to 2 acres or the minimum single family residential lot size specified in the Town zoning ordinance.

**MOVED: William Stanyan**

**SECONDED: Ron Clouser**

**VOTE: YES**

**ARTICLE #24 ADOPTED**

**ARTICLE #25:** (by petition) “To see if the Town will vote to adopt the provisions of RSA 72:28 V and VI for an optional veterans exemption and an expanded qualifying war service for veterans seeking the exemption and to set the optional veterans exemption at \$500.00 rather than \$100.00” and to amend the Pembroke Town Code Chapter 138, Article VI, entitled Optional Veteran’s Exemption, to read as follows:

**ARTICLE VI**  
**Optional Veteran’s Exemption**  
**§138-6. Adoption of statutory provisions.**

The Town adopts the provisions of RSA 72:28, V and VI, for an optional veteran’s exemption and an expanded qualifying war service for veterans seeking the exemption. The optional veteran’s exemption is \$500.00 rather than \$100.00

**MOVED: Ron Clouser**

**SECONDED: Joe Crowley**

**VOTE: YES**

**ARTICLE #25 ADOPTED**

**ARTICLE #26:** (by petition) “To see if the Town will vote to adopt the provisions of RSA 72:35 I-a, the optional Tax Credit for service connected total disability for veterans seeking the exemption. The optional total disability exemption is \$2,000.00 rather than \$1,400.00”

**MOVED: Ron Clouser**

**SECONDED: William Stanyan**

**VOTE: YES**

**ARTICLE #26 ADOPTED**

**ARTICLE #27:** To transact any other business that may legally come before said meeting.

Roland Lemoine asked if it were a possibility to have the Town Meeting on the Saturday before the election and the school district meeting on the Saturday after the election next year and then swap it around each year after that.

Dan Crean stated that by law the deliberative session of Town Meeting cannot be before the town election which is held on the first Tuesday in March each year.

There was a motion made to adjourn.

**MOVED: William Stanyan**

**SECONDED: Ron Clouser**

**VOTE: YES**

**MEETING ADJOURNED AT 12:51 p.m.**

Respectfully submitted:

James F. Goff  
Town Clerk  
Pembroke, NH

TOWN SEAL