

**MINUTES OF THE ANNUAL TOWN MEETING  
TOWN OF PEMBROKE, NH  
MARCH 14, 2006**

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

**A motion was made to read and act on Articles #1 and #2 and the remaining articles to be read and acted upon at the deliberative session on March 18, 2006 at the Pembroke Academy.**

**MOVED: Chester Martel**

**SECONDED: Roland Young, Jr.**

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

- **Denotes elected**

**Town Clerk for one year:  
Vote for not more than ONE  
James F. Goff           467\***

**Water Commissioner for five years:  
Vote for not more than ONE  
Louise Petit Roberts       433\***

**Treasurer for one year:  
Vote for not more than ONE  
John B. Goff           427\***

**Library Trustee for three years:  
Vote for not more than ONE  
Frank (Francis) Davis       439\***

**Moderator for two years:  
Vote for not more than ONE  
Thomas E. Petit       469\***

**Trust Fund Trustee for three years:  
Vote for not more than ONE  
Normand H. Provencher   434\***

**Selectman for three years:  
Vote for not more than ONE  
Fred Kline           258\*  
Roland Lemoine       231**

**Checklist Supervisor for six years:  
Vote for not more than ONE  
Roland Young, Jr.       459\***

**Sewer Commissioner for three years:  
Vote for not more than ONE  
Jules A. Pellerin       426\***

**ARTICLE 2 – AMEND ZONING ORDINANCE**

Are you in favor of adopting the following amendments to the existing Zoning Ordinance of the Town of Pembroke as proposed by the Planning Board?

**Amendment #1**

Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

To revise § 143-21 Table of Dimensional and Density Regulations, Note 3 to make it clear that the frontage of a buildable lot is to be measured along a Town Class V street, and to delete the incorrect reference to an official map of the town.

**YES   354   NO   80                    AMENDMENT #1 PASSED**

**Amendment #2**

Are you in favor of the adoption of Amendment #2 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

To revise and clarify the following definitions located in section §143-8 Definitions:

- Dwelling, Multifamily
- Dwelling, Two-Family
- Dwelling Unit
- Street

To adopt the following definitions:

- Dwelling, Single-Family Detached
- Class VI Roads

**YES 377 NO 89**

**AMENDMENT #2 PASSED**

**Amendment #3**

Are you in favor of the adoption of Amendment #3 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

To replace the existing language in §143-103(C)(Lot of Record) so that building permits may be issued only for lots with the necessary frontage along a Town Class V road.

**YES 333 NO 128**

**AMENDMENT #3 PASSED**

**Amendment #4**

Are you in favor of the adoption of Amendment #4 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

To amend Article XVII, Town of Pembroke Growth Management Ordinance, in order to:

- Expand the Authority and Purpose Section
- To clarify that this Ordinance is only for residential development and building permits; that one building permit is required for each dwelling unit; and to provide an exemption for qualified elderly affordable housing.
- To replace the lottery system for building permit distribution with a first-come first-served basis and to clarify the transferability and time limits on the building permits.
- To give the authority over administrative procedures to the Planning Board.
- To allow developments to be approved for up to 20 lots or units and to require the phasing of developments larger than 5 total lots/dwelling units
- To require subdivisions within 500 feet of municipal water infrastructure to make provisions to connect to the system

**YES 326 NO 130**

**AMENDMENT #4 PASSED**

**Amendment #5**

Are you in favor of the adoption of Amendment #5 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

To amend §143-68 Aquifer Conservation (AC) District, in order to:

- Update the Aquifer Conservation District Map using the 1996 US Geological Survey map
- Allow the Planning Board to dispute the District boundary in cases of incorrectly designated zones
- To prohibit “Commercial and Industrial vehicle maintenance as a principal use”
- To delete the current AC District requirement that “No more than 50% of any lot shall be rendered impervious by buildings and pavement”

**YES 350 NO 104**

**AMENDMENT #5 PASSED**

**MINUTES OF THE ANNUAL TOWN MEETING  
TOWN OF PEMBROKE, NH  
DELIBERATIVE SESSION  
MARCH 18, 2006**

At 9:55 a.m. Moderator Thomas E. Petit read the results of the election on Tuesday, March 14, 2006.

Moderator Petit opened the meeting at 10:00 a.m. with the Pledge of Allegiance.

Moderator Petit asked if there was any objection to waiving the reading of the whole warrant at the beginning of the meeting. He then took a vote, with all being in favor of waiving the reading of the entire warrant to start the meeting; the meeting was begun with Article #3.

**ARTICLE 3-** To see if the Town will vote pursuant to RSA 162-k:9, IV to modify the Soucook River Tax Increment Financing District Plan approved at the 2005 Annual Meeting to temporarily reduce the allocation of incremental tax valuation allocated for TIF purposes from 50% of

incremental assessed valuation to 10% of incremental assessed valuation. The reduced allocation for TIF purposes shall remain in effect until further amendment by the Town Meeting.

### **Text of Amendment to TIF PLAN**

Pursuant to Section XII, the Soucook River TIF District Plan is amended by inserting the following new subsection C into Section XI, Uses of Incremental Revenues:

#### **C. TEMPORARY ALTERATION IN TAX INCREMENT ALLOCATION**

As a result of the temporary moratorium on sewer connections and current uncertainty of development plans for owners of some property within the boundaries of the District, the captured assessed value and use of incremental revenues shall be temporarily altered as follows:

Commencing with the tax year beginning on April 1, 2006, and continuing until further amendment of the TIF plan by the Pembroke Town Meeting, the percentage of valuation designated as captured assessed value shall be decreased from 50% of the increased assessed valuation over the District's initial valuation to 10% of such increased assessed valuation. The incremental revenues derived from such captured assessed value shall be used to defray costs for planning, engineering, and administrative services such as surveys, economic development studies, plans and current cost estimates for improvements in the District, and related services.

**MOVED: Daniel Crean**

**SECONDED: Larry Young**

Selectman Dan Crean explained that because there is a temporary moratorium on new connections to the sewer treatment system, the Board of Selectmen felt that it didn't make a lot of sense to allocate 50% of the increased value in the TIF district until they had a clear idea when the moratorium would be lifted. The purpose of this article is to temporarily allocate 90% of the tax revenue created by the TIF district to the general fund, which would make a 1.5% difference in the tax rate.

Ron Clouser asked what is the total amount of acres in the TIF district and how many acres are left to be developed.

Town Planner Laura Scott stated that there is 242 acres in the TIF district of which more than half is undeveloped.

Peter Bonnano asked for an explanation of figures on the handout specifically, the 2005 total value was 7.2 million then it shows in 2006 the estimated value is 27 million and then it shows 18 million.

Finance Director Geoff Ruggles explained that the 7.2 million is the assessed value of the property in the TIF district when it was established, the estimated 27 million is the current value of the property in the TIF district. The 18 million is the "captured" amount or additional value that the TIF formula will be applied to.

Dana Carlucci asked if we have dedicated sewer capacity for the Pembroke 600 and the Pembroke Crossing project that is underway.

Sewer Commissioner Paulette Malo stated that we do have reserved capacity for Phase 1 of Pembroke 600 and full buildout of Pembroke Crossing.

Dana Carlucci and Fred Kline spoke in opposition of this article stating that the town would be opting for shortterm tax relief in approving this article as opposed to long term investment by continuing with the initial plan as approved at last years town meeting.

Jim Parker asked if Allenstown does not upgrade the sewer system, will anything in the TIF district be able to be developed.

Thomas Petit stated that Phase 1 of Pembroke 600 and Pembroke Crossing will still be able to be developed but nothing after that would be able to connect to the sewer system.

Ryland Weisiger asked if the town votes in this article, could it in the future vote to increase the amount going back into the TIF.

Moderator Petit stated that it could be done.

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

**MOVED: Ron Clouser                      SECONDED: William Nunnally**

**VOTE: YES                                      MOTION PASSED**

**VOTE ON ARTICLE #3: YES      ARTICLE #3 PASSED**

**ARTICLE 4** – To see if the Town will vote to raise and appropriate the sum of \$20,000.00 to pay costs and administrative expenses incurred in connection with the Soucook River Tax Increment Financing District Plan. The amount appropriated by this article is intended to be funded solely by tax increment revenues derived from captured assessed value in the TIF District and, to the extent that such revenues do not equal or exceed the amount appropriated, the appropriation shall be reduced to that amount so that no moneys from general taxation are required for this appropriation.

**Recommended by Board of Selectmen**

**Recommended by Budget Committee**

**MOVED: Brian Tufts                      SECONDED: Brian Lemoine**

Town Administrator Troy Brown explained that this is the money that the Selectmen would use to continue to study the TIF District and work with developers.

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

**MOVED: William Nunnally              SECONDED: Ron Clouser**

**VOTE ON MOTION: YES**

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

**ARTICLE 5** – To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the construction, renovation or maintenance of town bridges, to be known as the Bridge Repair and Replacement Capital Reserve Fund and to raise and appropriate the sum of \$30,000.00 to be placed in this fund and appoint the Board of Selectmen as agents to expend from this fund.

**Recommended by Board of Selectmen**

**Recommended by Budget Committee**

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

**VOTE: YES                                      ARTICLE #5 PASSED**

**ARTICLE 6** – To see if the Town will vote to establish a Public Safety Services Revolving Fund pursuant to RSA 31:95-h. The money received from fees and charges for public safety services, including but not limited to public safety services in connection with special events, highway construction and other construction projects, shall be allowed to accumulate from year to year and shall not become part of the Town's general fund unreserved fund balance. The Town Treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the Board of Selectmen.

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

**VOTE: YES                                      ARTICLE #6 PASSED**

**ARTICLE 7** – To see if the Town will vote to rescind the provisions of RSA 31:95-c and abolish the Special Police Detail Fund created in 2002 that restricts revenues from Police Department special details for the purpose of funding 100% of personnel, vehicle and administrative costs associated

with special details and transfer the balance remaining in said fund to the new Public Safety Services Revolving Fund created in article 6.

**MOVED: Brian Tufts**

**SECONDED: Larry Preston**

**VOTE: YES**

**ARTICLE #7 PASSED**

**ARTICLE 8** – To see if the town will vote to expand the purpose of the Fire Department Small Equipment Capital Reserve Fund created in 1997 to allow for the repair and replacement of small equipment and vote to appoint the Board of Selectmen as agents to expend from this fund. (RSA 35:16 requires 2/3 vote)

**MOVED: Larry Young**

**SECONDED: Harold Paulsen**

Cindy Lewis explains that the purpose of the article is to make Article #8 and Article #9 identical. As it stands now the capital reserve allows for the purchase of fire department small equipment but not for the repair and replacement of fire department small equipment.

**VOTE: YES**

**ARTICLE #8 PASSED**

**ARTICLE 9** – To see if the Town will vote to expand the purpose of the Police Small Equipment Capital Reserve Fund created in 2003 to allow for the purchase of small equipment and vote to appoint the Board of Selectmen as agents to expend from the Police Small Equipment Capital Reserve Fund. (RSA 35:16 requires 2/3 vote)

**MOVED: Larry Young**

**SECONDED: Cindy Lewis**

Cindy Lewis explains that this capital reserve now allows for repair and replacement of police department small equipment but not for the purchase of police department small equipment.

**VOTE: YES**

**ARTICLE #9 PASSED**

**ARTICLE 10** – 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
Fire Equipment Capital Reserve Fund	\$150,000.00
Recreation Facilities Capital Reserve Fund	\$ 50,000.00
Police Cruiser Capital Reserve Fund	\$ 37,000.00
Sidewalk Capital Reserve Fund	\$ 30,000.00
Municipal Facilities Capital Reserve Fund	\$ 10,000.00
Police Small Equipment Capital Reserve Fund	<u>\$ 2,000.00</u>
Total	\$479,000.00

**Recommended by Board of Selectmen**

**Recommended by Budget Committee**

**MOVED: Larry Preston**

**SECONDED: Daniel Crean**

**There as a motion made to amend Article #10 “so that \$350,000 be funded from the unresved undesignated Fund Balance.”**

**MOVED: Ron Clouser**

**SECONDED: John Bender**

Geoff Ruggles explained that we could take the \$350,000 out of the fund balance but the town needs about \$1.4 million to pay the bills for every six month tax cycle. If we take the money out of the fund balance we would have to borrow money in anticipation of taxes and that would cost the town money in the long run with interest payments.

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

**MOVED: Richard Bilodeau                      SECONDED: William Nunnally**

**VOTE: YES**

**VOTE ON AMENDMENT TO ARTICLE #10 NO                      AMENDMENT FAILS**

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

**ARTICLE 11** – To see if the Town will vote to raise and appropriate a sum not to exceed \$130,000.00 to purchase a front end loader and to authorize the withdrawal of a sum not to exceed \$105,000.00 from the Town Equipment Capital Reserve Fund created for this purpose, with the balance to be raised by taxes.

**Recommended by Board of Selectmen**

**Recommended by Budget Committee**

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

**There was a motion made to amend Article #11 to read: “To see if the Town will vote to raise and appropriate a sum not to exceed \$126,755.00 to purchase a front end loader and to authorize the withdrawal of a sum not to exceed \$96,755.00 from the Town Equipment Capital Reserve Fund created for this purpose, with the balance to be raised by taxes.**

**This action will result in a net decrease of \$8,245.00**

**\*Note RSA 32:6 gives the voters the right to appropriate either more or less than was stated on the warrant or posted budget.”**

**MOVED: Dan Crean                      SECONDED: Larry Preston**

**VOTE ON AMENDMENT TO ARTICLE #11: YES                      AMENDMENT PASSED**

**VOTE ON ARTICLE #11 AS AMENDED: YES**

**ARTICLE #11 PASSED AS AMENDED.**

**ARTICLE 12** – To see if the Town will vote to raise and appropriate a sum not to exceed \$110,622.00 to purchase a 6 wheel dump truck with equipment and to authorize the withdrawal of a sum not to exceed \$110,622.00 from the Town Equipment Capital Reserve Fund created for this purpose.

**Recommended by Board of Selectmen**

**Recommended by Budget Committee**

**MOVED: Dan Crean                      SECONDED: Brian Tufts**

**There was a motion made amend Article #12 to read: “To see if the Town will vote to raise and appropriate a sum not to exceed \$115,687.00 to purchase a 6 wheel dump truck with equipment and to authorize the withdrawal of a sum not to exceed \$115,687.00 from the Town Equipment Capital Reserve fund created for this purpose.**

**This action will result in an increase of \$5,065.00**

**\*Note RSA 32:6 gives the voters the right to appropriate either more or less than was stated on the warrant or posted budget.”**

**MOVED: Brian Tufts                      SECONDED: Dan Crean**

Paulette Malo asked if the town would be trading in a vehicle.

Troy Brown stated that the town would keep the old vehicle as a spare in case any of the other trucks break down.

Kathy Cleveland asked if the town would still have repair costs for the old vehicle.

Troy Brown stated that the town would take care of the maintenance but would not make any major repairs to the vehicle.

**VOTE ON AMENDMENT TO ARTICLE #12: YES**                      **AMENDMENT PASSED**

**VOTE ON ARTICLE #12 AS AMENDED: YES**

**ARTICLE #12 PASSED AS AMENDED**

**ARTICLE 13** – To see if the Town will vote to raise and appropriate a sum of \$25,016.00 to purchase and equip a police cruiser and to authorize the withdrawal of a sum not to exceed \$25,016.00 from the Police Cruiser Capital Reserve Fund created for this purpose.

**Recommended by Board of Selectmen**

**Recommended by Budget Committee**

**MOVED: Brian Tufts**

**SECONDED: Larry Young**

**VOTE: YES**

**ARTICLE #13 PASSED**

**ARTICLE 14** – To see if the Town will vote to raise and appropriate a sum of \$28,250 to reconstruct the Memorial Field basketball court and install new equipment and to authorize the withdrawal of a sum not to exceed \$28,250.00 from the Recreation Capital Reserve Fund created for this purpose.

**Recommended by Board of Selectmen**

**Recommended by Budget Committee**

**MOVED: Dan Crean**

**SECONDED: Brian Tufts**

Brady Serafin, president of the Suncook Youth Soccer League, stated that there is no money spent on the soccer field, he would like to see the town form a committee to look at the priorities for all sports.

Dan Crean stated that the town has a CIP Committee that deals with that and that their meetings are open to the public.

**VOTE: YES**

**ARTICLE #14 PASSED**

**ARTICLE 15** – To see if the Town will vote to raise and appropriate a sum of \$4,791 to resurface the Tennis Courts located at Pembroke Academy and to authorize the withdrawal of a sum not to exceed \$4,791.00 from the Recreation Capital Reserve Fund created for this purpose.

**Recommended by Board of Selectmen**

**Recommended by Budget Committee**

**MOVED: Dan Crean**

**SECONDED: Cindy Lewis**

There was a question as to who owns the tennis courts. It was stated that the town owns them but they are on school district property.

Brady Serafin asked if there was anybody at the meeting that could tell him how many people make use of the tennis courts. There is only one soccer field for the Town of Pembroke and that Suncook Youth Soccer, a non-profit organization, serves over 400 children. He believes this amount of money would be better spent to resurface the one town owned soccer field.

David Freeman-Woolpert stated that this article is for maintenance of the tennis courts, this will fix the cracks in the surface that are starting to form. This will hopefully keep the town from running into major repairs.

Dave Doherty, tennis coach at PA, stated that there are approximately 40 to 60 students on the PA boys and girls tennis teams, Three Rivers School uses the courts for their intramural program and the courts are open to the town year round weather permitting. This article is for routine maintenance to keep a great facility in good shape for about the next 5 years.



Selectman Larry Preston explained that the Board of Selectmen decided to bring this back to vote on because it represented \$150,000 in the town budget and that this was not explained at last years town meeting when this tax credit was voted in. He stated that although the number of eligible veterans in the Town of Pembroke has decreased in the past three years, the eligibility requirements have been expanded by the state. As the war in Iraq and Afganistan continues, the number of eligible veterans is expected to increase. The Board of Selectmen decided to bring this back to the voters so that this year they may make an informed decision.

James Walsh, Harold Thompson, Mike Hebert, Bill Fields, Richard Therrien spoke in opposition to this article.

**VOTE: NO**

**ARTICLE #18 FAILED**

**ARTICLE 19** – To see if the Town will vote to authorize the Board of Selectmen to acquire or sell land, buildings or both in accordance with RSA 41:14-a and that said authority shall continue in effect indefinitely until rescinded.

**MOVED: Dan Crean**

**SECONDED: Larry Preston**

**VOTE: YES**

**ARTICLE #19 PASSED**

**ARTICLE 20** – To see if the Town will vote to authorize the Board of Selectmen to accept a parcel of land (0.10 acre) owned by Harold and Nancy Loso Trustees as a gift to the Town subject to abatement of taxes, fees, penalties and interests. Said parcel is located on Simpson Avenue and recorded in the Town tax map as map VW, lot 168-1.

**MOVED: Dan Crean**

**SECONDED: Brian Tufts**

**VOTE: YES**

**ARTICLE #20 PASSED**

**ARTICLE 21** – To see if the Town will vote to request the Board of Selectmen to report individual annual wages earned by Town employees and provide a cost summary of employee benefits in future Annual Town Reports.

**MOVED: William Stanyan**

**SECONDED: Richard Bilodeau**

Ron Clouser stated that two years ago we voted on this article and it was passed and wanted to know why this was not done.

Troy Brown stated that if this passes the selectmen plan to report base wages, any overtime wages and then probably lump sum the benefits.

Ron Clouser stated that that was not how the article passed two years ago and that “I want to know the total cost, what’s your retirement, what’s your mileage, what do you get for overtime for meetings, I want to know it all”.

Maryalice Adams stated that she has a copy of the 2003 Town Report that has every article that was passed. If they can find the motion that was passed, can they clear up this motion today. She then stated that the paperwork mysteriously disappeared.

Tom Petit stated that if the motion in question was located, then the selectmen would have to abide by it. If this article today is acted upon and passed, then it would reinforce what was done two years ago or if it fails, it would negate what was done two years ago.

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(Town Clerk’s note - The motion in question was made, seconded and passed at the 2002 Town Meeting held on March 12, 2002 as part of Article #19: To transact any other business that may legally come before said meeting. It is part of the minutes of the 2002 Annual Town Meeting and printed in the 1500 Town Reports printed for the year 2002.

It reads as follows:

There was a “Motion that the town report include all pay & benefits. Of all Town employees”.

**MOVED: Ronald Clouser                      SECONDED: Thomas Veinotte**

**VOTE ON MOTION: YES                      MOTION PASSED**

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**There was a motion made to “To see if the Town will vote to report all wages and benefits separately by Town employees and provide a cost summary of employee benefits in future Annual Town Reports.”**

**MOVED: Ron Clouser                      SECONDED: Linda Johnson**

Paulette Malo asked if the Town might run into the problem of confidentiality depending on how detailed the information is.

Dan Crean stated that they would look into that.

Chester Martel spoke in opposition to the motion.

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

**MOVED: Richard Bilodeau                      SECONDED: Alan Topliff**

**VOTE ON AMENDMENT: NO                      AMENDMENT FAILED**

**VOTE ON ARTICLE #21 AS WRITTEN: NO                      ARTICLE #21 FAILED**

**ARTICLE #22** – To transact any other business that may legally come before said meeting.

Dan Crean read the dedication of the Town Report as written by Linda Williams.

**There was a motion made to adjourn the meeting.**

**MOVED: William Nunnally                      SECONDED: Jim Parker**

**VOTE: YES**

**The Meeting as adjourned at 1:49 p.m., March 18, 2006.**

Respectfully submitted:

James F. Goff  
Town Clerk  
Pembroke, NH

TOWN SEAL

