

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
June 24, 2021 at 6:30 PM**

Present: Selectman Richard Bean, Selectman Karen Yeaton, Selectman Ann Bond, Selectman Sandy Goulet

Staff: Town Administrator David Jodoin

I. Call to Order:

Chairman Ann Bond called the meeting to order at 6:31pm.

II. Citizens Comment:

None

III. Scheduled Meetings

Public Hearing Illicit Drainage Ordinance

Selectman Bond opened the public hearing at 6:31pm

Matt Monahan, Central New Hampshire Regional Planning, called in to the meeting. Matt explained the illicit discharge order is a requirement of the MS4 permit that all Towns involved in this program have to adopt. It prevents anyone from pumping into the sewer system. This ordinance is based on a template from other small towns and a lot like the one Allenstown just adopted. The purpose is to protect water quality in Pembroke while providing for the health, safety, and general welfare of the citizens of the Town. MS4 stands for municipal separate storm sewer systems. They are publicly owned and operated facilities by which storm water is collected such as roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains, etc. Section 5 of the order clarifies that if a person responsible for a facility, site, or operation has information on an illicit discharge, that person shall take necessary steps to ensure the discovery, containment, and cleanup of such release to minimize the effect of the discharge. If the substance poses an immediate health or safety concern, the State of NH Emergency Services shall be notified. If the substance does not, the Town of Pembroke Health Department should be notified as soon as possible. Residential property owners will have 60 days from the effective date of the ordinance to remedy any illicit discharge into the storm water sewer system. The Department of Public Works will be responsible for administration. DPW will have the authority to enter a private property to conduct investigations into alleged illicit discharges within 48 hours of becoming aware of the potential discharge. DPW will need to provide advance notice to the property owner. DPW will have the authority to issue

a written notice of violation and fines to any entity or person who violates the ordinance. A property owner will have 30 days to appeal the violation and fines to the Board of Selectmen. Fines are not to exceed \$10,000 per day.

Selectman Yeaton asked if there is any federal or state funding to administer this. Matt has heard that there might be future funding but it is unlikely.

Selectman Goulet asked for clarification about chlorine swimming pools. Matt explained that the chlorine needs to be allowed to dissipate before backwashing.

Selectman Bean asked who wrote the document. Matt explained they took a copy that other towns were already using and simplified it.

Selectman Bond asked if the Town's legal counsel has seen it. David Jodoin answered they have.

Selectman Yeaton asked what is driving the need for the ordinance and are there any spots in town that are currently being measured that a bench mark could be set to revisit in a couple years to measure the effectiveness. Matt explained the town has to have an ordinance or regulation for the MS4 stormwater permitting process. The outflows from the Town are going to be monitored in accordance with the EPA mandated program. Mike Vignale, Town Engineer, clarified that right now, there is no testing being done but screening will start this summer. Mike explained how they took the federal regulations, extracted what is needed so the Town is in compliance, and created a simplified document. The Town is required by the federal government to adopt an illicit discharge regulation to be put into place by June 30th on year three of the process. The Town is in year three.

Selectman Yeaton asked how the Town would collect the fines. As part of the ordinance the collection would be set by the Board, and ultimately could require court action.

Selectman Yeaton shared concerns that this regulation will place a higher burden on Department of Public Works and for the ability to go onto private property to manage and investigate complaints. David explained that eventually the Town will need to hire additional personnel to administer the program and the Town has no choice in the matter. Anyone who has sat through budget discussions, it has always been made very clear by the Public Works Director that this would be time consuming and expensive.

Selectman Bond closed the public hearing at 7:14pm.

Selectman Goulet made a motion to approve the illicit discharge ordinance as presented and authorize the chair of the board to sign. Selectman Bond seconded the motion. Motion passed 3-1.

Public Hearing Main Street Project

Selectman Bond opened the public hearing at 7:20pm.

Mike Vignale, Town Engineer, presented the Main Street Project. The plan is to replacing the existing pavement on Main Street from Broadway up. Existing roadway is 30 feet wide on each end and narrows to 25 feet. The goal is to make the road consistent all the way through. The drainage system is in poor condition and will need to be replaced. There have been previous public hearings on this project and there was a lot of discussion surrounding sidewalks. On the Church Street side of the road, the sidewalks will remain where they are now and on the other side, they will exist from Broadway up to Turnpike. Utility poles will be moved to the other side of the street. Eversource and Consolidated Communications who own the poles, said they are prepared to move the poles.

Maranda Twombly, 178 Main Street, asked if there be any interruption in service while poles are being moved. Mike stated that he doubts there will be but residents will be notified of when they are being moved.

Earl Phair, 179 Main Street, asked if they planning to re-do the sewer lines. Paulette Malo, Sewer Commission, answered that they do not currently plan to redo them because the sewer lines are in really good shape. Water Works may be replacing some lines.

Amy Doyle, 178 Main Street, asked if they know a timeline of construction. Mike answered it will take about 3-4 months from start to finish. They are hoping to start early spring. Amy asked if parking spaces are going to moved or remain where they are. Mike explained that it is his understanding the parking will remain the same as it is now.

Theresa Phair, 179 Main Street, stated there used to be granite under the street but overtime they have repaved over it, will they get rid of that granite to widen the road. Mike stated yes, they will. There will be a vertical 6-inch granite curb on each side.

Jennifer Boff, 175 Main Street, asked if someone is going to notify them if their retaining walls are getting touched. Selectman Goulet explained that they will not know anything until the plans are finalized but they will be notifying them.

Paulette Malo stated the Roads Committee was hoping to get input on the sidewalk on the north side of the street. The Town has to maintain sidewalks year-round and they would like to know how they feel about eliminating it.

Jason Anderson, 201 Main Street feels that on Main Street, the sidewalks should be on both sides. There are a lot of families moving to the area and the bus goes up and down each side of the street.

Earl Phair, 179 Main Street, asked if it will still be a no truck zone and if it is, could they properly sign it. VJ Ranfos, Public Works Director, explained there is a sign on either end of the street that says no through trucks.

Amy Doyle, 178 Main Street, asked for the purpose of the road reconstruction. Mike answered the road is falling a part and can no longer be repaired.

Selectman Bond closed the public hearing at 7:46pm.

Selectman Bean asked if they had considered underground utilities. The Board explained that was asked in 2018 and the cost came out to approximately \$1,000 a foot.

Selectman Yeaton asked why the Roads Committee wanted to eliminate a sidewalk. Paulette explained the man-power hours for clearing after a snowstorm were a large part of the concern. Where it is located is not very safe for the equipment to be run on. There have been some accidents with the trackless. If the sidewalk is moved to street level, that would be ok but if it remains where it currently is, there are some issues.

Public Hearing Town Code Chapter 160 Cemetery Fees

Selectman Bond opened the public hearing at 7:50pm.

Selectman Bond closed the public hearing at 7:51pm.

Selectman Goulet made a motion to accept the changes to Chapter 160 - Cemetery Fees as written. Selectman Yeaton seconded the motion. Motion passed 4-0.

Chief Gilman - OHRV

Selectman Goulet made a motion to authorize Chief Gilman to enter into a contract on behalf of the Town and to allow him to sign all necessary documents. Selectman Bond seconded the motion. Motion passed 4-0.

IV. Old Business:

Execute Eviction Notice - Tax Deeded Property

Selectman Goulet made a motion to sign the eviction letters for tax map lot 632-11-120. Selectman Bond seconded the motion. Motion passed 4-0.

V. New Business

Letter from Mr. Mrazik RE: Eversource tree removal

David discussed the issue Mr. Mrazik brought to the attention of the Board regarding the new pole locations that have been identified in order to reach the San-Ken property and what trees have to come down. The tree inside the Town Pound has to come down but the pole will go outside the pound closer to the Road. Eversource has stated they cannot upgrade the lines coming from 4th Range Road. They need to come up Pembroke Hill. VJ Ranfos stated they are not opposed to taking down the tress by the Town Pound because they are in rough shape and should come down regardless of the decision of which lines are upgraded. The costs for new poles, new transformers, and tree removal will be covered by Eversource.

Selectman Yeaton asked if they are doing anything to make sure the stone wall of the pound is not disturbed since the tree has grown through it in places. VJ is not sure if they plan to remove the whole tree or just take off the top of it. He will discuss keeping the integrity of the wall in place with Eversource.

Selectman Goulet made a motion to move forward with the pole location as suggested by Eversource on Pembroke Hill Road. Selectman Bond seconded the motion. Motion passed 4-0.

Selectman Crockwell Letter of Resignation

Selectman Goulet made a motion to accept with regrets the resignation of Selectman Mike Crockwell effective immediately. Selectman Yeaton seconded the motion. Motion passed 4-0.

Appointments

Selectman Goulet made a motion to appoint Andrew Yonchak to the Capital Improvement Committee. Selectman Bond seconded the motion. Motion passed 4-0.

Acceptance of Unlicensed Dog List from Town Clerk

Selectman Goulet made a motion to accept the unlicensed dog list as presented from the Town Clerk. Selectman Bond seconded the motion. Motion passed 4-0.

Manifests/Abatements

Selectman Goulet made a motion to accept the manifests and abatements as presented. Selectman Yeaton seconded the motion. Motion passed 4-0.

Minutes 6/2/21

Selectman Bean made a motion to accept the minutes of June 2, 2021 as presented. Selectman Bond seconded the motion. Motion passed 3-0. Selectman Goulet abstained.

VI. Town Administrator Report:

Selectman Goulet made a motion to allow the Town Administrator to sign the State PA 28 form Selectman Yeaton seconded the motion. Motion passed 4-0.

Building Committee met to look at all Town buildings. The library has the same issues with insulation and roof as previous years. The Safety Center has major roof repairs needed to prevent further leaking. The seals on the glass on the windows have also gone. There was also some noted interior work needed such as touch up paint. The Public Works building has the same issues with the windows and the leaning wall is still a major issue. They have not come up with costs for these projects. These issues may lead to a larger CIP warrant article this year to address them.

Perry Brother Monument sent a quote for \$225 for the POW/MIA color insignia on the granite bench at Town Hall. There is a 2-3 month wait. After some discussion, the Board decided to get a price on a more general statement to honor all those who served. There will be flag raising ceremonies at several sites in Town on June 26th for the POW flags. The schools will raise their flags in September.

There is a request from a member of the Planning Board to see if the Board will put a HEPA air filter on the meeting room. David will get price quotes.

The signs for the new OHRV restrictions on the Range Roads came in and the wording is unenforceable by the Police Department. Ammy Heiser will be in in July to discuss it further.

The Assent to Motion for Voluntary Nonsuit for San-Ken Homes went through. They removed their suit against the Town for not opening up the Range Roads.

The Energy Committee met with the Community Power Coalition of New Hampshire. It is a new nonprofit with the mission of helping communities organize their own energy plans. Membership to this Coalition is free. The Committee wants to discuss what a community power plan looks like for this Town and what the overall goal would be. David reached out to Eversource to discuss an energy audit and available grants.

David discussed the likelihood of another revaluation similar to 2017 due to home sales being so much higher than the current assessed values. The Town will have a better idea when the ratio is set by the State.

Selectman Yeaton asked VJ Ranfos for clarification on the long-term goals of the chip seal after there were some complaints by residents. VJ presented the Board with a pamphlet they gave to the residents prior to the work being done and they did not receive any calls. Since it has been completed, they have received some calls. When it first goes down, it resembles a gravel road. Two days after it is laid, they do

a sweeping to pick up loose stone. As the traffic drives over them, the roads will smooth out. Hemlock Hill in Loudon was done last year. If residents would like to see how the road will look, they can drive that road for reference. This process will ultimately prolong the life of the roads and save the Town money.

David cautioned the Board that when they speak with residents that they inform them that they cannot approve anything without a vote of the Board and that anyone that they talk with on an issue should contact Town Hall and request to be placed on the agenda.

D. Jodoin informed the Board that the new applicant for DPW has passed all the necessary phases and is good to be hired. Motion by selectmen Bean, seconded by Selectman Bond to hire Jordan Fanny as the new DPW employee at a rate of \$18 per hour. Vote unanimous.

VII. Committee Reports:

Selectman Yeaton – Conservation met with the gentlemen looking to sell his piece of property on the Range Road. Conservation will be running the parcel through their appraisal sheet and do a walk through. Pembroke Pines came in to discuss the 15 acres they plan to donate to conservation. They will review the acres to ensure the parcel meets their specifications.

Recreation met to discuss the summer concert series, summer recreation, and the annual Regatta.

Selectman Bean – None

Selectman Bond – None

Selectman Goulet – None

VIII. Other Citizens Comment:

None

IX. Adjourn:

Selectman Bean made a motion to adjourn at 8:58 PM. Selectman Yeaton seconded the motion and it was approved unanimously.

Ann Bond, Chairman

For more detailed information, the meetings are now taped and can be seen on www.townhallstreams.com click on Pembroke NH and look for the day of the meeting under the month.