

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
DECEMBER 17, 2018 at 6:30 PM**

Present: Chairperson Tina Courtemanche, Selectman Ann Bond, Selectman Sandy Goulet, Selectmen Vincent Greco, Selectmen Michael Crockwell

Staff: Town Administrator David Jodoin, Recording Secretary Jillian McNeil

I. Call to Order:

Chairman Tina Courtemanche called the meeting to order at 6:30pm.

II. Citizen Comment:

None

III. Scheduled Meetings:

Charles Cleary, Wadleigh Law, presented the Discretionary Conservation Easement documents to the Board on behalf of Pembroke Golf, LLC. The easement is for a term of 10 years with an option to extend for an additional 10 years. The easement consists of an area approximately 164.34 acres with 5.57 acres of land marked for other improvements. The remainder of the property is forest land in current use. David Jodoin, stated that after the last presentation to the Selectmen, the document went to the town attorney, the attorney reviewed it, had some comments and changes, the changes were made and sent to Monica Hurley the Town Assessor. She compared the assessment maps to the actual language. The original maps on file didn't correlate to current maps so an updated map was completed. After the update, the document went back to Monica for a final review. The document as presented has passed both legal and assessing. David stated that the original easement was for 20 years, then it changed to 10 years in 2009, and going forward it will be for 10 years.

Selectman Goulet made a motion to approve the Discretionary Conservation Easement Pursuant to RSA 79-C. Selectman Greco seconded the motion. Selectman Bond opposed the motion. Motion passed 4-1

Charles gave David the warranty deed for the conservation land donation to the Town by Pembroke Pines Golf, LLC. Legal and the Conservation Commission have approved the document and the Planning Board would like the Selectman to vote on whether or not to accept the donation. Selectman Bond asked for clarification if this piece of land is going with the development of 33 acres. Charles stated that it is the section at the bottom of the development. Selectman Crockwell stated that Conservation will control the property. Selectman Greco made a motion to accept

the warranty deed from Keystone Pembroke, LLC. Selectman Goulet seconded the motion. The motion passed 5-0

IV. Old Business:

None

V. New Business

The Roads Committee is asking the Selectman to add a \$20,000 budget line for crack sealing. Selectman Goulet asked if this was for a specific road. Selectman Courtemanche explained that this is how the budget was done and over the years it has changed and the Roads Committee would like it to change back and be shown as a separate line item. Selectman Bond stated that because it hasn't been its own line item, other projects have taken priority and crack sealing isn't getting done. David stated that he had tentatively put it into the 2019 budget and hasn't impacted the proposed tax rate. Selectman Goulet made a motion to put the \$20,000 into the Highway Department capital outlay budget. Selectman Bond seconded the motion. Motion passed 5-0

David presented the bid from Advanced Excavating and Paving for the culvert on Nadine Drive in the amount of \$43,833. The Roads Committee is recommending they be awarded the bid. The other bid came in at \$93,000. Selectman Bond asked if the whole culvert is being replaced. David stated that it is. Selectman Courtemanche asked why it is being replaced and if it due to the development. David stated that it is caving in and the traffic for the new development will be going through there. Selectman Crockwell made a motion to approve the bid to Advanced Excavating in the amount of \$43,833. Selectman Goulet seconded the motion. Motion passed 5-0

David stated that the Roads Committee had some uncompleted projects and they wanted to finalize that the remaining funds in the budget would be encumbered to next year. Based on what they currently have for funds, they would be able to do the final portion of Union Street and a small portion of Pleasant Street. After the final portion of Union Street is completed, the top coat for the Union Street parking lot would have to come from the Town Building/Maintenance Capital Reserve Fund. Selectman Sandy made to award the final paving bid of 2018 to Advanced Excavating in the amount of \$23,392 and to encumber the funds to 2019. Selectman Greco seconded the motion. Motion passed 5-0

David presented the fiduciary deed for the Heiser land donation that was accepted at the November 19, 2018 meeting. Carol Bertsimas, Pembroke Conservation Commission, was also present to sign the document. Selectman Bond asked if the boundary lines would be marked. Carol stated at this point it is not well marked. The survey of the property was done a few years ago but a piece of the property was not surveyed yet. She stated that for now, residents should refer to the town maps for guidance. Selectman Bond asked if the Rod and Gun Club would be angry if

residents were on their property that abuts this parcel. David stated that he believes the pond is there and they do not believe land connects along the backside. Karen will discuss the boundaries with Ammy and Stetson Heiser. There are +/- 31.5 acres on the tax maps for parcel 941-42. Selectman Bond asked if it clear to the public which piece of the property is the homeowner and which is public use. Carol stated that there is a shared driveway that has a small parking area on left and residents would have to head out onto the property keeping off toward the left. They will work on trying to make the markings more obvious.

Selectman Courtemanche stated that it was brought up at the Budget Committee meeting that the Town should consider an advisory warrant article for disposing of the Perry Eaton Building also known as 4 Union Street.

Selectman Goulet asked would the Town still need to fix the wall if the decision was to sell the building. Selectman Greco stated that it depends on the buyer, it is possible to sell it without fixing the wall. David explained that they are currently out doing the surveying and the engineering study will likely be done in the beginning of January. There will be a warrant article this year for repairing the wall. David suggested putting the advisory warrant article for retaining the building first and if the voters vote to keep the building, they would then move to the next warrant article for repairing the wall. The Board agreed with the structuring of the warrant articles.

David discussed the \$34,420 warrant article for the repairing of the Town Clock. Selectman Bond asked how much is currently in the budget line for repairs. David stated that the \$34,420 would come out of taxation and not out of the capital reserve fund. In the past, the cost of fixing the clock has been offset with surplus at tax rate setting time. David asked the Board if they would like an advisory warrant for retaining the rights to the clock as well. Selectman Bond asked what the consequences are for breaking the lease. David said the Town would likely have to pay the remaining balance of the lease which is a cost of around \$80.00. Selectmen Crockwell asked how much the clock has cost the town in the last 15 or so years. David said the number is substantial and he will work to have a figure for Town Meeting.

Selectman Bond moved to approve the Manifest/Abatements. Selectman Greco seconded the motion. Motion passed 5-0.

Selectman Greco moved to approve the minutes of December 3, 2018 as presented. Selectman Goulet seconded the motion. Motion passed 4-0. Selectman Crockwell abstained.

VI. Town Administrator Report:

David reported that Public Service is currently out taking care of the streetlights. Lightech sent an email stating that their electrical contractor will begin work on

December 26 or December 27, 2018. Eversource will also begin their work this week.

David presented a spreadsheet of the total revenues and expenditures of 4 Union Street (Perry Eaton Building) from 2005 – 2018. The Town is still in the black by \$3,359.16, however, that does not include any employee time that was spent at the building by Public Works. That time was never tracked. Next year, the income projected is over \$27,000 and expenditures, including employees time, at around \$17,000. However, this does not include repairing the wall which may cost upwards of \$125,000.

David stated that he went to DPW with a Code Enforcement Officer to look at the green storage building (Waco) that the POD would be replacing. The building will need a new roof but overall, it is still structurally sound. Once the building is cleaned out, it will create a storage space for some of the Town Clerk's records that are in the Town Hall and continue to store the election items. If the roof is fixed and the building is cleaned out, then the money for the POD would be taken out of the budget.

David stated that the law firm that represents the Town in the pending utility cases is down in employee staffing and they are transferring a portion of their utility cases to Attorneys that work for Donahue, Tucker & Ciandella, PLLC. They are familiar with our utility cases and are currently working on other utility cases. Selectman Goulet made a motion to authorize the Town Attorneys to transfer their cases and assistance to Donahue, Tucker, & Ciandella PLLC. Selectman Greco seconded the motion. Motion passed 5-0

David discussed the lawsuit levied against Tri-Town Ambulance. The Town has received papers regarding the suit. The Town took over Tri-Town in 2013, the incident was prior to 2013. Selectman Goulet clarified that Tri-Town was a 5013C entity at that time. David answered that they were indeed a non-profit. The Town has filed the paperwork with the insurance company. There were charges leveled against the current board or a current employee of Tri-Town.

VII. Committee Reports:

Selectman Goulet - None

Selectman Bond – There is a petition coming to the Planning Board to change the zoning of Silver Hills Drive to Commercial. Selectman Goulet asked why they are petitioning for this. Selectman Bond said it zoned for residential. David stated that whenever any company wants to build out their commercial entity, they have to get approval from the Zoning Board before going to Planning Board. This has been a discussion for 20+ years.

Selectman Greco – The Roads Committee met last week and a rep from Central New Hampshire Regional Planning presented a map of all of the roads in Pembroke. They discussed the importance of regular maintenance. They also discussed the traffic patterns of the roads and which ones will be used more heavily in the future with the different developments happening. The Committee also discussed the crack ceiling and paving bids. There will not be a meeting in January and the next meeting is February 5, 2019.

Selectman Courtemanch – The Budget Committee met last week and heard the Water and Sewer 2019 Budgets. There was discussion on insurance for Sewer and there will be no changes in plans for the upcoming year.

Selectman Crockwell – There will be a piece of the hydro dam taken out at the bridge downtown to ensure a more natural water flow. Conservation wanted to know what the status was of the lot behind the Chaput Property. David stated the lots have no sold and they are still owned by the Town. On 7th Range Road an abutter put in a bid that was rejected by the Town. The owner of the Chaput property offered the land to the Conservation Commission, Ammy stated that the Commission did not want it, the owner then wanted to know what the process was since he owed back taxes. He decided to donate the land to Conservation. The ATV club that met with the Selectmen looking to maintain the Range Roads met with the Commission. David spoke with the Chief of Police to get in touch with someone from Fish and Game to get their schedule so the Town can schedule a public hearing and have a rep there.

VIII. Other/Citizen Comment:

None

IX. Non-Public Session

Motion by Selectman Goulet to enter non-public session in accordance with RSA 91-A:3 II (B). The hiring of any person as a public employee at 7:13 PM.
Seconded by Selectman Bond.

Roll Call Vote:

Selectman Goulet
Selectman Bond
Selectman Greco
Chairman Courtemanche
Selectman Crockwell

The Board came out of non-public session at 7:22 PM.

X. Adjourn:

Motion by Selectmen Crockwell, seconded by Selectmen Goulet to adjourn at 7:23 PM Motion passed.

Justine M. Courtemanche, 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.