

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
DECEMBER 16, 2019 at 6:30 PM**

Present: Chairman Tina Courtemanche, Selectman Ann Bond, Selectman Sandy Goulet,
Selectmen Richard Bean

Staff: Town Administrator David Jodoin, Recording Secretary Jillian McNeil

Excused: Selectman Michael Crockwell

I. Call to Order:

Chairman Tina Courtemanche called the meeting to order at 6:31 pm.

II. Citizen Comment:

None

III. Scheduled Meetings:

Freedom Energy Logistics – Community Choice Aggregation

Steve Jorgensen and Bart Fromuth, Freedom Energy Logistics NH-Local, discussed a Community Choice Aggregation (CCA) program with the Board. The CCA program is combining the electricity usage of residences and small businesses within a municipality to compound buying power for electricity supply. Bart stated that consumers have had the ability to buy third party from electricity suppliers since 2001. Bart explained that opt-in aggregation is when a large group of consumers goes out to bid for cheaper rates. Recently, House Bill 284 was approved in the legislature that allows local governments to combine town resources with all residences and businesses that are on standard offer with the utility company. Bart explained that in New Hampshire, 85% of residences buy standard offer from utility companies rather than through a 3rd party supplier compared to the 90% of large medium consumers who buy third party. A large reason for this is that the smaller rate payer is not coming to the table with the same buying power as a large company. The passage of this bill allows the smaller rate payers to band together to get the same rates as the larger rate payers. The Town will act as a steward to get those preferential rates and contracts. Freedom Logistics would look at the contracts to ensure that there are no hidden fees, rates, or contractual items built into the contract. The bill is still new and there have not been any towns to take advantage as of yet. However, there are 150 communities in Massachusetts who currently use this model.

Selectman Bond asked if there are any companies willing to bid on any New Hampshire towns yet. Bart responded that as of right now, there is one supplier that would be willing to participate but it is still a new program and cannot guarantee that they would bid. Right now, they are still months out from getting this kind of program off the ground. Communities can authorize their Select Board to take advantage of the program when the CCA program is up and running. Bart stated that the utility companies will still handle any power outages or required maintenance, this program would only change the supplier.

Selectman Bean stated he uses third party suppliers asked if he would still have the ability to switch suppliers monthly based on who has the better rate like he currently does. Bart stated that people would still be able change their supplier at will. The larger group may sign a 2-year contract with Direct Energy but the homeowner who is a member of that group, has the ability to leave at any time without early termination fees. The Town would form a municipal aggregation committee to determine the needs of the CCA. The committee would be the stewards of the program. Steve Jorgensen stated that there would be an opt-out option for members. Freedom Choice would look at any contracts in order to protect the rate payer from any predatory companies. This works in favor of elderly consumers who are typically preyed upon.

Selectman Bean asked who would do the marketing for the program. Bart stated that they would come in as a CCA consultant and work with the committee to market the program. They would host a website for the Town and work with the Town to gather all the necessary data. If there are not enough rate payers that want to join the CCA, the CCA could also be formed with neighboring towns in order to have even more buying power. The committee could also work with Central New Hampshire Regional Planning to form a multi-town CCA.

Selectman Bond asked if there are any fees to the residents. Bart stated that it would depend on the structure. The cost for Freedom Energy to act as a consultant gets embedded in the rate. Ex: if the stated rate is .75/kw hr, Freedom Choice would receive a tenth of a cent per kilowatt hour that is embedded in that .75/kw hr rate.

Selectman Bond asked if they did a warrant article, would it be something that would need action right away. Bart stated that the warrant article would give the Select Board the authority to enter into the contract.

David Jodoin shared concerns for the amount of calls that would come into town hall regarding this program if they were to do this as a town sponsored committee even though it is not an official town act or entity. Selectman Goulet stated that they would need to focus on the education of residents involved in the program. Bart stated the Town employees would receive some calls but they would give the town hall employees the correct numbers to give to residents to call the suppliers or Freedom Choice. The Town website would have a link that would take them to a

website Freedom Choice creates specifically for the Town that would have all the information residents need and a 24/7 live chat feature. The Town would be acting as the authorizing vehicle to sign the contract for everyone in town that is currently on standard offer. Anyone already on third party supply would not be automatically pulled into this group.

Pentti Aalto, Energy Committee, asked how would they deal with solar or other energy generators. Bart stated that residents on net metering or energy assistance would need to be opted out. They cannot use third party supply. JJ Smith, Energy Committee, stated that the law changed a few years ago so people who use physical net metering can also use a third-party supplier. Pentti asked if he had a lot of kilowatt hours available during the day, what would be the process to sell them. Bart stated that he believes that Eversource does not have the ability to tell a third-party supplier that they have to purchase the hours. There is a lot of legislation currently happening regarding net metering and paybacks. Pentti asked if it is something that could be structured into the deal. Bart responded that they have the ability to structure that into the municipal aggregation plan. However, the CCA may not be able to find a supplier that will accommodate that need.

IV. Old Business: Upper Beacon Range Road Opening Request

Selectman Courtemanche asked if everyone had the chance to look at the correct property markings. The Board stated that they all had the opportunity to. Selectman Bond asked when the property was purchased. David answered that he bought it shortly before the Range Road was changed to Class VI. Selectman Bond asked if a road is closed at Town Meeting, do the Selectman have the authority to turn around and re-open the road. David stated that a person can request a lay out petition under 231 (a) which gives Selectman the ability to re-open the road if they accept the petition and go through the public hearing process. Selectman Goulet clarified that the petitioner only wants 300 feet opened. David stated that he does. Selectman Goulet stated that as long as he stayed under the 600 feet dead end standard set by the town, she was ok with the road being opened. David stated that at TRC they discussed opening the road to Route 3 due to the safety services that will likely be frequently used in 65+ community. Selectman Bean suggested having a right turn only out of that road onto Route 3. Selectman Bond asked how long the closed portion of the road is. David believes it is 800 feet in total. David shared concerns that the road would not be able to be brought up to town standards due to the width of the road at certain points.

Selectman Bean made a motion that they do not accept the petition. Selectman Bond seconded the motion.

Selectman Bond expressed concerns for amount of the people in the community and the wishes of fire, ambulance, and police.

Selectman Bean stated that he would like to deny the petition.

Selectman Courtemanche stated that she is taking into consideration that when he purchased the property it was Class V and it was closed shortly afterwards.

David stated that it is his understanding that if it was decided that the whole road needed to be opened, the petitioner would do that. Selectman Bond asked if he has said at any point that he would definitely be willing to open the whole road and assume all the costs associated if he was asked to. David said he it was his understanding that he would but he can't say for certain.

Selectman Bean withdrew his motion to deny the petition. Selectman Bond withdrew her second.

Selectman Goulet made a motion to table the discussion until they know whether or not the petitioner would be willing to open the whole road. Selectman Bond seconded the motion. Motion passed 4-0.

V. New Business:

Snow Removal Discussion

Jim Boisvert, Director Department of Public Works, discussed the complaints on Facebook regarding the snow removal in the last storm. Jim stated that it takes between 24-26 hours to clear the sidewalks after a snow storm. The last storm happened on a double trash route day compounding the problem. Jim shared that there were only four complaints called into DPW during the storm regarding snow removal or trash pick-up. The majority of the comments happened on various town groups on Facebook. The majority of the complaints regarding sidewalks are about the sidewalks on Pembroke Street. The high schoolers do not have busses and have to walk. After this storm, the sidewalks were not cleared and they had to walk in the street. When the state plows, they go right to the curb and if DPW takes the time to clear the sidewalks before the State is done, the plows fill the sidewalks back in and they need to be done again.

Jim stated that the confusion over the trash pick-up can be mitigated with resident education. The snow storm happened after the Thanksgiving holiday where there was not trash pick-up on Thursday or Friday. There were trash carts out on North Pembroke Road all weekend and during the storm. The DPW had to spread its man power thin between plowing, trash pick-up, and sidewalks during the long duration storm. Jim stated that if the snow bans end after 7am then they are not picking trash that day. If the snow bans end at 6:00am, then they will be picking up trash that day. Selectman Bond asked where it is posted when there is a snow ban. Jim responded on the website, WMUR, the sign at the safety center, and the town website.

David stated that if the Board continues with the same personnel count they have now, they will always plow the sidewalks on Pembroke Street the day after a storm no matter what. If they want to designate all DPW employees to snow removal so it is done quicker and there is a snow storm on Tuesday or Saturday then they would have to close the transfer station.

Selectman Courtemanche asked if the person who sends out the One Call Now messages for the School District calls DPW when they are making the decision whether or not to close school. Jim stated that from 2am-7:30am they are talking to the school. Selectman Bean asked if the Town would be able to send out the same type of message saying what services will be open for that day. David stated that they have looked into that in the past and it is very expensive.

After some further discussion, the Board decided to continue with the process that is currently being used for snow removal. If the winter emergency ban is in effect past 7am, trash will not be collected that day and will be collected the following day. The sidewalks will be cleared on Pembroke Street and Academy Road once the state is done their plowing.

Jim presented the Board with three options for the 2020 trash pick-up and spring clean-up schedule. David stated that the way that schedule 2 is set up, there will be one person who is going to be paid holidays and overtime. Jim is recommending schedule 1 which does not have any double trash pick-up days. Selectman Courtemanche asked for clarification of what the Thanksgiving adjustment is on schedule 1. Jim stated that that he is unsure exactly what that means but he will get it clarified or changed if it shouldn't be there.

Selectman Bean asked if anyone complained about trash not being picked up on Thursday. Jim stated that there was not but there was confusion about Friday's pick up and that could have been mitigated if everyone had the schedule at home or looked it up online.

Selectman Bond clarified that on Schedule 1 trash pick-up for July 4th, which falls on a Saturday in 2020 and observed by the Town on Friday, July 3rd, will now be picked up the following Tuesday because Tuesday currently does not have any trash routes on it. Jim responded that that was correct. The transfer station will also be closed on the 4th of July and for Old Home Day.

Selectman Bond asked if spring clean-up could be pushed into May. Jim stated that it would be difficult because construction season is beginning and the catch basins need to be cleaned but it also largely depends on the weather. The Board decided to change the spring clean-up weeks to April 20-24, April 27-May 1.

Selectman Goulet asked if they close the transfer station on a snow day. Jim stated that 25% of the residents in Town do not own carts and they come to the transfer

station whether it is snowing or not. If they close the station, the trash will get left at the gates.

Trust Fund Distribution

Selectman Goulet made a motion to approve \$7,354.21 to be expended from the Property Revaluation Capital Reserve. Selectman Bond seconded the motion. Motion passed 4-0.

Selectman Goulet made a motion to approve \$99,644.00 to be expended from the Town Equipment Capital Reserve. Selectman Bond seconded the motion. Motion passed 4-0.

Selectman Goulet \$9,950.00 to be expended from the Cemetery Improvements Capital Reserve. Selectman Bond seconded the motion. Motion passed 4-0.

Selectman Goulet \$5,400.00 to be expended from the Municipal Facilities Capital Reserve. Selectman seconded the motion. Motion passed 4-0.

Selectman Goulet \$16,899.06 to be expended from the Police Cruiser Replacement Capital Reserve. Selectman Bond seconded the motion. Motion passed 4-0.

2019 Encumbrances

Selectman Goulet made a motion to approve the 2019 encumbrance listed as presented. Selectman Bond seconded the motion. Motion passed 4-0.

Execute Contract with St. Jean Auctioneers, 2-4 Prospect Street

Selectman Goulet made a motion to authorize the Town Administrator to sign a contract with James R. St. Jean Auctioneers. Selectman Bond seconded the motion. Motion passed 4-0.

Manifests/Abatements

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

Minutes 11/18/19, 12/2/19

Selectman Goulet made a motion to approve the minutes of November 18, 2019. Selectman Bond seconded the motion. Motion passed 4-0. Selectman Bean abstained

Selectman Goulet made a motion to approve the minutes of December 2, 2019. Selectman Bean seconded the motion. Motion passed 4-0.

VI. Town Administrator Report:

Steven Whitley from the Mitchell Municipal Group is leaving to work for Drummond Woodsum. The Board now has to decide whether to stay with Mitchell Municipal Group or transfer all files to Drummond Woodsum. The Town has worked with both Walter Mitchell and Steven Whitley at Mitchell Municipal Group.

Selectman Goulet made a motion to stay with Mitchell Municipal Group and authorize the Town Administrator to sign the contracts. Selectman Bond seconded the motion. Motion passed 4-0.

David gave the Board updated budget documents. There is one more manifest before the end of the year and the books will stay open until mid-January for any last minute invoices but it looks as though the Town will not over expend its bottom line this year.

VII. Committee Reports:

Selectman Bean – The Economic Development Committee had a great first meeting. There are talks with putting in a convenience/gas station at the cross on Route 106 and Route 3 on land behind the liquor store.

Selectman Bond – Selectman Bond did not make it to the Planning Board meeting due to illness but David shared that they worked on town ordinances and approving the solar application.

Selectman Goulet – Budget Committee discussed Water, Sewer, and Public Works. Selectman Goulet asked David if Sewer is still planning on putting any profit made at the end of the year towards a new building since it was not mentioned in the meeting. David stated that they are. Selectman Courtemanche noted that the Water Department is giving 3% raises and wondered if that was their COLA and merit raises. David answered that he wasn't sure. Sewer is also planning to purchase more capacity from Allenstown and there is a 6-person waiting list when it is granted. David and Selectman Courtemanche commented on the lack of questions for the different town entities.

Selectman Courtemanche – None.

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 (a) The dismissal, promotion, or compensation of any public 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 meeting to be open, in which case the request shall be granted. Seconded by Selectman Bond at 8:12pm.

Roll Call Vote:

Selectman Bean	Yes
Selectman Bond	Yes
Chairman Courtemanche	Yes
Selectman Goulet	Yes

The Board came out of non-public session at 8:23 PM

Motion By selectmen Goulet, seconded by Selectmen Bond to give the Town Administrator a 2% merit increase for a successful performance review.

X. Adjourn:

Motion by Selectmen Goulet, seconded by Selectmen Bean to adjourn at 8:24 PM.
Motion Passes 4-0.

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.