



Town Of Pembroke

Sewer Commission

MONTHLY SEWER COMMISSION MEETING

DATE: May 20, 2019 TIME: 7:00 P.M. PLACE: 4 Union St.

1. Meeting Called to Order: 7:07 pm

Attendance: Commissioner Harold Thompson, Commissioner Jules (Andy) Pellerin, Paulette Malo, Operations Director

Unavailable: Commissioner Daniel Driscoll

2. Citizen's Comments: None

3. Scheduled Meetings: a. None

4. Old Business: 4 Union St: Paulette read into the minutes an e-mail from David Jodoin dated May 15, 2019 "We have an off on the building who would still rent out to you commission has first right at 155 thousand the selectmen will look at the offers Monday and I am sure make a decision to proceed pending sewer" Paulette read her response into the minutes "I will let my commissioners know at their meeting Monday night"

Paulette stated that she contacted David Jodoin by e-mail early this afternoon with 3 questions. Paulette read the e-mail into the record "1. Are you sure that the BOS will accept the offer from the third party? 2. #8 states "the Lessor shall submit a written copy of such offer to the Lessee" Do I use your e-mail as the written copy or are they going to give us a copy of the P&S agreement? 3. If the Commissioners agree to purchase for the price that has been offered (\$155,000.00) does this need to go back to Town meeting for the selectmen to get approval? My commission does not need Town approval."

David's responses were read into the record "1. I think that the Board would accept the \$155,000 and everything would stay the same with the tenants. Either prospective buyer would continue to lease the property. 2. Use my e-mail we have two offers \$155k and \$150k 3. Town meeting gave approval to sell so it will be sold. Remember the other caveat that was clear message was that the Town should sell this building and not be in the real estate business. The selectmen are concerned that the will of the voters would not be upheld if the Sewer Commission bought it." David's last comment on this e-mail was "If it were me making the decision I would say continue to lease and let someone else take over the headaches of building maintenance and parking issues."

Paulette then read into the minutes # 8 of the lease between the Town of Pembroke and the Pembroke Sewer Commission "8. NON-ASSIGNABLE RIGHT OF FIRST REFUSAL. If the Lessor shall receive from any third party an acceptable bonafide offer to purchase the property which contains the Leased Premises, the Lessor shall submit a written copy of such offer to the Lessee, giving the Lessee sixty (60) days from the date of receipt of said notice to meet such offer and deliver to the Lessor its Notice of Exercise of Right of First Refusal. Upon the Lessee's failure to meet such a bonafide offer within sixty days of receipt of notice, the lessor shall be free to sell the leased premises or any portion thereof to such third person in accordance with the terms and conditions of its offer, subject to the terms of this lease. In the event the Lessee exercises its right of first refusal, the purchase price shall be the same as the purchase price offered by the bonafide purchaser. The closing shall take place within sixty days of the receipt by the Lessor of the Lessee's notice of exercise of right of first refusal. (Copies of all e-mails and lease are attached to the original minutes.)

Andy and Harold discussed the pros of owning the building such as the department wouldn't have to move at any time in the future unless it was by the commissioner's choice. The commission already added the second garage door last year. The building would be an investment for the future needs of the department.

The Cons, the wall would need to be fixed and any up keep to the building would be the commission's expense.

Paulette suggested that the vote should be with all commissioners present. A Special Meeting can be set up next week to vote on the purchase where the commission has 60 days to notice the selectmen.

Motion: Andy made the motion to match the offer of \$155,000.00 and buy 4 Union St Pending Dan's approval. If Dan disagrees the commission would not purchase the building.

Seconded: Harold seconded the motion.

Vote: 2 in favor, motion pending final vote of Dan

Paulette said that she could call Dan tomorrow to see if he agrees or disagrees with the purchase of the building. If he agrees then a Special meeting will be set for next week when all are available to reaffirm the vote.

b. Update Meeting with Trustees: Paulette explained that Harold and she went to the meeting with the Trustees about the future of the Trust Funds being handled by an independent firm starting in 2020. Mr. Fleury said they were trying to have all the cost of the firm be only the amount of any interest made on the accounts. Harold said that the Commission will have to find out if the money needs to stay with the Trustees or if the account can be eliminated by the vote of the full board.

c. Ted Berry Quote: Paulette explained that she received the bid quote from Ted Berry Company from Maine. Any asked if AAA Pump Service could do the same job as Ted Berry. Paulette stated that they do not have the man power or their own equipment needed to do the same job.

Motion: Andy made the motion to wave the bidding process and accept Ted Berry's Bid for 2 years at \$31,500.00 for approximately 21,000 linear feet of light cleaning and CCTV

Seconded: Harold seconded the motion.

Vote: 2 in favor, motion passed

5. New Business: a. Review and Sign Manifest: Manifest was reviewed and signed

b. Review and Sign Warrant 2 Zone 2: Warrant was reviewed and signed

c. Review and Sign Late Register Zone 3: The Late Register was reviewed and signed.

d. Abatement: 405 Grandview Rd Main St.: Paulette read the request.

After a discussion about the property

Motion: Andy made the motion to approve the abatement for \$30.00 late penalty.

Seconded: Harold seconded the motion.

Vote: 2 in favor, motion passed

e. Correspondence: Correspondences were reviewed. The Town Administrator called with a request from the BOS for the Sewer Commission to meet with them concerning capacity in Pembroke. Harold said that he asked Paulette to send David an e-mail stating that the commission would be willing to meet with the BOS at a future date. The issue on capacity is currently in dispute with the Allenstown Commission and that we have sent this to our attorney for review as well as our engineer. (Copy of e-mail attached to original minutes)

f. Accept minutes of April 15, 2019:

Motion: Harold made the motion to accept the minutes of April 15, 2019 as written

Seconded: Andy seconded the motion.

Vote: 2 in favor, motion passed

f. Possible Future Sewer Connection: Paulette explained that she received an application to be placed on the waiting list for the possible addition of 101 units on Beacon Hill Rd. This project has not gone before the ZBA or Planning Board yet. Paulette explained that the applicant had proof of current amounts be use for water/sewer at another location that would be the same type of development.

Motion: Harold made the motion to place the application on the current waiting list.

Seconded: Andy seconded the motion.

Vote: 2 in favor, motion passed

6. Any New Business: Quotes from AAA Pump Service for Grinder at Bow Lane and New Controllers for Keith Ave and Sheep Davis Rd: Paulette showed the quote for the Grinder being \$17,160.00 and the cost of the new controllers are \$3,819.50 each.

Motion: Andy made the motion to accept the quote for the Grinder being \$17,160.00 and the cost of the new controllers are \$3,819.50 each and to have AAA Pump Service do the work.

Seconded: Harold seconded the motion.

Vote: 2 in favor, motion passed

Internet for Pump Stations from Comcast Business: Paulette explained that she received the prices to have internet at the pump station in order to access the camera systems. The monthly cost will be a 2 year contract for \$126.85 per month plus taxes for each station.

Harold explained that this was in the budget to upgrade to the use of internet at the stations.

Motion: Andy made the motion to accept the quote for the internet 2 year contract at all 5 station buildings.

Seconded: Harold seconded the motion.

Vote: 2 in favor, motion passed

Paulette explained that the work truck was hit by an unknown driver in front of Lavallee Store on May 9, 2019. Only the driver side mirror was damaged. The cost to fix is \$522.52 and the check is included in this manifest.

7. Adjourn: 7:51 pm and Reconvene next week if needed

Motion: Andy made the motion to adjourn and Reconvene next week if needed

Seconded: Harold seconded the motion.

Vote: All in favor, motion passed

Respectfully Submitted,
Paulette Malo,
Operations Director