

**MINUTES OF THE ANNUAL TOWN MEETING
TOWN OF PEMBROKE
MARCH 14, 1995**

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

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, 2000 at the Pembroke Academy auditorium.

MOVED: Roland Young, Jr.

SECONDED: Florence Woods

VOTE: YES

MOTION PASSED

Moderator Petit read Articles #1 and #2 on the Town Warrant and then opened the polls for voting.

ARTICLE #1: To choose all necessary officers for the year ensuing.

*Denotes elected

Town Clerk for one year:

vote for one

James F. Goff 417*

Sewer Commissioner for three years:

vote for one

Andrew L. Boisvert 375*

Moderator for two years:

vote for one

Thomas E. Petit 417*

Water Commissioner for five years:

vote for one

Michael G. Bobblis 153

Kevin William Brasley 229*

Treasurer for one year:

vote for one

no one filed

Daryl L. Borgman 36 write-in votes*

Library Trustee for three years:

vote for one

Donna G. Martel 390*

Selectman for three years:

vote for one

Gerald R. Belanger 327*

Michael A. Hebert 94

Library Trustee for one year:

vote for one

Daryl Borgman 383*

Checklist Supervisor for six years:

vote for one

no one filed

Roland Young, Jr. 70 write-in votes*

Trust Fund Trustee for three years:

vote for one

Normand H. Provencher 381*

ARTICLE #2: Are you in favor of the adoption of the following amendments to the existing Zoning Ordinance of the Town of Pembroke as proposed by the Planning Board:

AMENDMENT #1

To amend Chapter 143 of the Code of the Town of Pembroke, entitled Zoning, to add a new section following Section 143-45, to be known as Section 143-45.1, *Parking Requirement Waivers*. Also, to amend Chapter 143 of the Code of the Town of Pembroke, entitled Zoning, Section 143-48, Location of parking spaces within the B2 district. *Recommended by the Planning Board.*

Explanation:

Permits the Planning Board to reduce or eliminate parking requirements if practical difficulty or hardship is found, and allows the Planning Board, rather than the Zoning Board, to reduce or eliminate the required on-site parking within the B2 district provided certain requirements are met.

YES: 268

NO: 132

AMENDMENT #1 PASSED

AMENDMENT #2

To amend Chapter 143 of the Code of the Town of Pembroke, entitled Zoning, to add a new section following Section 143-30, to be known as Section 143-30.1, *Office Conversions*.
Recommended by the Planning Board.

Explanation:

The purpose of this section is to permit the conversion of existing residential units into non-residential professional and business office space.
The intent of this district is to allow for professional/business office space to be located in formerly residential units. It will enable existing buildings to be adapted to new uses and to allow a more flexible pattern of residential and business development. The business use shall not significantly change the residential character or function of the property to the extent that the use will be objectionable to other residential uses in the neighborhood. Mixed residential and office units will be permitted within a single building.
The boundaries of the district shall be measured to a depth of five hundred (500) feet either side of the center line of Pembroke Street beginning at the boundary of the L/O District and running to the boundary of the B1 district.

YES: 296 NO: 107 AMENDMENT #2 PASSED

AMENDMENT #3

To amend Chapter 143 of the Code of the Town of Pembroke, entitled Zoning, to add a new section following Section 143-44, to be known as Section 143-44.1, *Adult Entertainment Uses*. Also to amend Section 143-8: "Definitions" to add definitions cited in new Section 143-44.1. Also to amend Section 143-63; "Special Conditions for Specific Types of Signs" to create a new subsection to be titled "W:Adult Entertainment Use Signs". Also to amend Section 143-62: "Dimensional Table of Signs" to include adult entertainment use of signs as only permitted in the C1 District in accordance with Section 143-63 W. *Recommended by the Planning Board.*

Explanation:

The purpose of this section is intended to pro-actively control the location and concentration of adult entertainment uses in the Town of Pembroke. Without this amendment, such uses may be located in any commercial area in Town.
The intent of this amendment is to protect the public health, safety and welfare (including but not limited to protection of property values, separation of incompatible land uses, location of such uses near major regional highways, and prevention of blight and crime) and to control the location and concentration of adult entertainment uses.

This Chapter restricts the locations of adult uses to nonresidential areas and prohibits their location in close proximity to one another or to facilities primarily devoted to use by children and families, thereby limiting the absolute number of adult uses in Town and, in addition, effectively preventing the concentration of such uses.

YES: 348 NO: 57 AMENDMENT #3 PASSED

**MINUTES OF THE ANNUAL TOWN MEETING
TOWN OF PEMBROKE
DELIBERATIVE SESSION
MARCH 18, 2000**

Moderator Petit opens the meeting at 10:48 a.m. with the results of the ballot vote held on Tuesday, March 14, 2000 and then read Warrant Articles #3 through #19.

ARTICLE #3: To see if the Town will vote to raise and appropriate the sum of two hundred ten thousand dollars (\$210,000) for the purpose of constructing a new water well and pump station, one hundred fifty thousand dollars (\$150,000) of such sum to be raised through the issuance of bonds or notes under and in compliance with the Municipal Finance Act, RSA 33:1 et seq., as amended; with the balance of sixty thousand (\$60,000) to come from the Pembroke

Water Works Capital Funds and savings accounts; to authorize the Selectmen to issue, negotiate, sell and deliver said bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. The cost of borrowing and repaying the bond or note will be paid with Pembroke Water Works funds. *Recommended by the Board of Selectmen and Budget Committee.* (2/3 ballot vote required)

MOVED: William Stanley

SECONDED: Peter Mehegan

There was a motion made to open the polls for article #3 at the same time the polls are opened for article #4.

MOVED: Charles Connor

SECONDED: Brian Lemoine

VOTE ON MOTION: YES

MOTION PASSED

ARTICLE #4: To see if the Town will vote to raise and appropriate the sum of one million six hundred thousand Dollars (\$1,600,000) for the purpose of constructing a new library building, up to one million dollars (\$1,000,000) of such sum to be raised through the issuance of bonds or notes under and in compliance with the Municipal Finance Act, RSA 33.1 et seq., as amended; furthermore to authorize the withdrawal of one hundred thousand dollars (\$100,000) plus all accumulated interest to the date of withdrawal from the Library Building Capital Reserve Fund; with the balance of five hundred thousand dollars (\$500,000) to come from donations raised for this purposed; to authorize the Selectmen to issue, negotiate, sell, and deliver said bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof; and to authorize the Selectmen to take any other action or to pass any other vote relative thereto. *Recommended by Board of Selectmen, Library Trustees and Budget Committee.* (2/3 ballot vote required)

MOVED: Marilyn Ross

SECONDED: William Nunnally

Marilyn Ross and Daryl Borgman speak for article #4

Peter Tennant, architect for the project gives a brief explanation about the proposal.

Ron Caron asks if the footprint could be made smaller and have a second floor added.

Peter Tennant explains that they would then need to use about 1,400 sq. ft. for an elevator, stairs and second means of egress, and they would have to add more staff.

Keith Momberger asked what the \$110.00 per sq. ft. cost includes.

Peter Tennant states that the \$110.00 per sq. ft. cost is for the building only and the rest of money is for everything else, the overall cost is relatively low because of the easy site work.

Norinne Field asked what the architect's cost is.

Peter Tennant states that it is 7 percent of the total cost of the project which comes out to \$88,480. This includes building and landscape architect fees and engineering fees.

Clark Hartford asks if the staffing costs will go up and what will happen with the current library building.

Marilyn Ross explains that the library committee plans on adding just one part time position, the school district owns the building so they will decide what will happen to the building after the new library is built.

Glenda Lemoine asks if the library will be open longer hours after the new building is built.

Marilyn Ross states that the library is open 36 hours a week and that the commission has no plans to expand the hours of operation.

Rosemary Michaud and Richard Kelsea stated that they were concerned about what might happen if the commission does not raise the \$500,000 in donations to complete the project.

Redmond Carroll stated that the commission should come back next year with a smaller building proposal.

Ted Natti stated that the commission should come back with the proposal after they have raised the \$500,000 in donations.

Peter Mehegan, Ayn Whytemere, Dan Stauffacher, and Drew Neilson speak for the article.

Thomas Colburn spoke in opposition to the article.

There was a motion made to vote on the article.

MOVED: Roy Annis

SECONDED: Keith Momberger

VOTE ON THE MOTION: YES

MOTION PASSED

The moderator opened the polls for voting on Article #3 and Article #4 at 12:25 p.m.

ARTICLE #5: To see if the Town will vote to raise and appropriate the sum of eight thousand five hundred dollars (\$8,500) to be added to the Sewer and Water Extension Capital Reserve Fund previously established and to authorize the transfer of the December 31 fund balance in that amount for this purpose.

Recommended by the Board of Selectmen and Budget Committee. (Majority vote required)

MOVED: Armand "Tom" Martel

SECONDED: Brian Lemoine

VOTE: YES

ARTICLE #5 PASSED

ARTICLE #6: To see if the Town will vote to raise and appropriate the sum of one hundred and ten thousand dollars (\$110,000) to be added to the Town Equipment Capital Reserve Fund previously established. *Recommended by the Board of Selectmen and Budget Committee.*
(Majority vote required)

MOVED: Paulette Malo

SECONDED: Isabelle Racine

VOTE: YES

ARTICLE #6 PASSED

ARTICLE #7: To see if the Town will vote to raise and appropriate the sum of sixty-five thousand dollars (\$65,000) to be added to the Fire Equipment Capital Reserve Fund previously established. *Recommended by the Board of Selectmen and Budget Committee.* (Majority vote required)

MOVED: Robert Farley

SECONDED: Thomas Veinotte

VOTE: YES

ARTICLE #7 PASSED

ARTICLE #8: To see if the Town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) to be added to the Fire Department Small Equipment Fund previously established and to authorize the transfer of the December 31 fund balance in that amount for this purpose. *Recommended by Board of Selectmen and Budget Committee.*
(Majority vote required)

MOVED: Robert Farley

SECONDED: Brian Lemoine

VOTE: YES

ARTICLE #8 PASSED

ARTICLE #9: To see if the Town will vote to raise and appropriate the sum of thirty thousand dollars (\$30,000) to be added to the Library Building Capital Reserve Fund previously established in 1937 and to authorize the transfer of the December 31 fund balance in that

amount for this purpose. *Recommended by the Board of Selectmen, Library Trustees and Budget Committee.* (Majority vote required)

MOVED: William Nunnally

SECONDED: Thomas Veinotte

There was a motion made to table Article #9 until after the polls are closed and the results are announced for Article #4.

MOVED: Daryl Borgman

SECONDED: Joyce Belanger

VOTE ON MOTION: YES

MOTION PASSED

ARTICLE #10: To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35.1 for highway right-of-way acquisition and to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be place in this fund and to authorize the transfer of the December 31 fund balance in that amount for this purpose. *Recommended by Board of Selectmen. Not recommended by the Budget Committee.* (Majority vote required)

MOVED: Armand "Tom" Martel

SECONDED: Henry Malo

Rosemary Michaud asks what a fund balance is and if it could be used towards the library building.

Town Administrator, David L. Stack explains what a fund balance is and states that the fund balance could be used for the library but would have to be put on next year's town meeting warrant to be voted on.

VOTE: NO

ARTICLE #10 FAILS

The polls were closed for voting on Article #3 and Article #4 at 1:32 p.m. after all registered voters in the auditorium who wished to vote had done so. The ballots were counted and the results were read after the voting was done on Article #13.

ARTICLE #11: To see if the Town will vote to raise and appropriate a sum not to exceed forty-five thousand dollars (\$45,000) to purchase a backhoe and to authorize a withdrawal of a sum not to exceed forty-five thousand dollars (\$45,000) from the Town Equipment Capital Reserve Fund created for this purpose. *Recommended by Board of Selectmen and Budget Committee.* (Majority vote required)

MOVED: Henry Malo

SECONDED: Paulette Malo

Victor Martin speaks in opposition to the article, asks how old the current backhoe is and states that a good backhoe should last 25 years.

Road Agent Henry Malo states that the backhoe is 12 years old and that there is a problem getting parts when they get to be 15 years old, it is in need of refurbishing and that will cost approximately \$30,000.

VOTE: YES

ARTICLE #11 PASSED

ARTICLE #12: To see if the Town will vote to raise and appropriate up to one hundred twenty-five thousand dollars (\$125,000) to complete the construction of the Highway Garage addition project and to authorize the transfer of the December 31 fund balance in that amount for this purpose. This article will not lapse until the completion of the project. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is completed or December 31, 2001, whichever is sooner. *Recommended by Board of Selectmen and Budget Committee.* (Majority vote required)

MOVED: Kenard Ayles

SECONDED: Norman Provencher

VOTE: YES

ARTICLE #12 PASSED

ARTICLE #13: To see if the Town will vote to raise and appropriate up to one hundred thousand dollars (\$100,000) to rehabilitate the Town Clock tower and clock and to authorize the transfer of the December 31 fund to balance in that amount for this purpose. This article will not lapse until the completion of the project. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the project is completed or December 31, 2001, whichever is sooner. *Recommended by Board of Selectmen and Budget Committee.* (Majority vote required)

MOVED: Peter Mehegen

SECONDED: Janet Fortnam

VOTE: YES

ARTICLE #13 PASSED

ARTICLE #3 RESULTS:

The Moderator reads the results to the voting on Article #3.

There were 520 ballots cast. 348 equals the two thirds majority to pass.

YES: 397

NO: 122

UNMARKED: 1

ARTICLE #3 PASSED

ARTICLE #4 RESULTS:

The Moderator reads the results to the voting on Article #4.

There were 522 ballots cast. 350 equals the two thirds majority to pass.

YES: 289

NO: 235

UNMARKED: 1

ARTICLE #4 FAILS

ARTICLE #9:

A motion was made to take Article #9 of the table to be acted upon.

MOVED: Daryl Borgman

SECONDED: Thomas Veinotte

VOTE ON MOTION: YES

VOTE ON ARTICLE #9: YES

ARTICLE #9 PASSED

ARTICLE #14: To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) for the purpose of conducting feasibility and engineering studies related to the possible construction of a sewage treatment plant for the Town of Pembroke, and to authorize the withdrawal of said amount from the repair and replacement fund maintained by the Pembroke Sewer Commission or such other funds under the control of the Commission as the Commission deems appropriate. *Recommended by the Board of Selectmen and Budget Committee.* (Majority vote required)

There was a motion made to table Article #14 indefinitely.

MOVED: Paulette Malo

SECONDED: Keith Momberger

VOTE ON MOTION: YES

ARTICLE #14 TABLED INDEFINITELY

ARTICLE #15: To see if the Town will vote to raise and appropriate the sum of \$4,834,668 which represents the operating budget. Said sum does not include special or individual articles addressed.

MOVED: David Freeman-Woolpert

SECONDED: Daryl Borgman

VOTE: YES

ARTICLE #15 PASSED

ARTICLE #16: To see if the Town will vote to convey ownership of a parcel of land designated on the tax assessor's map as Map 561, Lot 44-1, to the abutter, Richard Kruger, in consideration of payment by the purchaser of the sum of \$1.00 and all costs incurred in connection with the transfer, including costs of preparing a deed and the Town's legal costs, and to authorize the Board of Selectmen to take all steps necessary to transfer the land.

MOVED: Thomas Veinotte

SECONDED: Isabelle Racine

VOTE: YES

ARTICLE #16 PASSED

ARTICLE #17: To see if the Town will vote to discontinue and relinquish all interests of the Town therein a portion of Sand Road beginning at a point nine hundred and fifty feet (950') from Pembroke Street/U.S. Route 3 and terminating at Sheep Davis Road/Route 106, pursuant to RSA 231.43, provided that the Town incurs no expense resulting from the discontinuance and provided that the owner of the parcels designated as Map 632, Lot 5 and Map 632, Lot 6, purchases the adjoining parcel, Tax Map 632, Lot 7, and submits a notice of lot merger form for parcels 632-5, 632-6 and 632-7 to the Planning Board by June 1, 2000.

MOVED: Paulette Malo

SECONDED: Isabelle Racine

There was a motion made to amend Article #17 by removing "by June 1, 2000" from the article.

MOVED: Gerald Belanger

SECONDED: James Garvin

VOTE ON MOTION: YES

MOTION PASSED

VOTE ON ARTICLE #17 AS AMENDED: YES

ARTICLE #17 PASSED AS AMENDED

ARTICLE #18: To see if the Town will vote to send the following resolution to the New Hampshire General Court: "Resolved, New Hampshire's natural, cultural and historic resources in this town and throughout the state are worthy of protection and, therefore, the State of New Hampshire should establish and fund a permanent public/private partnership for the voluntary conservation of these important resources".

MOVED: William Nunnally

SECONDED: Charles Thompson

VOTE: YES

ARTICLE #18 PASSED

ARTICLE #19: To transact any other business that may legally come before said meeting.

Maurice Regan, member of the Old Home Day Committee stated that the committee is again looking for volunteers for the 2000 Old Home Day.

Ernest Petit asked of the Sewer Commission how they came up with the new sewer rates that went into effect as of January 2000.

Sewer Commissioner Paulette Malo asked Mr. Petit to come to the Sewer Commission office on the next Monday and she could explain the formula that the commission used to come up with the new rates.

Henry Munroe asked of the Town Clerk why the vital records for the year 1999 were not in the Town Report.

Town Clerk, James F. Goff stated that the records had not come in from the Department of Vital Records in time to be put in the Town Report.

There was a motion made to adjourn the 2000 Town Meeting.

MOVED: Howard Robinson

SECONDED: Thomas Veinotte

VOTE: YES

The meeting as adjourned at 2:35 p.m.

Respectfully submitted
James F. Goff
Town Clerk
Pembroke, NH

TOWN SEAL