

Selectboard Minutes
November 7, 2023

Present: Jenn Jones, Chair
Andrew Artimovich, Vice Chair
Jon Morgan, via Zoom
Russ Kelly
Paul Kleinman

Jones called the meeting to order at 6pm.

The Board signed the payroll and accounts payable summary register.

Artimovich motioned, seconded by Kelly to accept the consent agenda which consisted of public minutes from 10/31/23, recreation manifest, Treasurer's report (found at the end of these minutes), and the following building permits:

- Roger & Linda Rev Trust, 90 Prescott, Solar
- Lynne Hangen, 389 South Road, Minor Project – new roof
- Lynne Hangen, 389 South Road, Demolition
- Michelle & Gabrielle Hagopian Fiorenza, 54 Middle Road, Building

Artimovich – aye; Kelly – aye; Kleinman – aye; Jones – aye.

Artimovich motioned, seconded by Kelly, to allow Morgan to attend remotely. Artimovich – aye; Kelly – aye; Kleinman – aye; Jones – aye.

The Select Board and the Friends of the Mary E. Bartlett Library had the honor of accepting a donation for the library amphitheater project. Janice Wiers, Library Director, and Liz McConnell, Chair of the Library Trustees accepted a \$100,000 donation from Kevin Johnston and his family, in memory of his wife Linda, their mother and grandmother. Wiers thanked the Johnston, Smith and Cooper family for their very generous donation. Linda was an avid library user and the amphitheater will be named for her.

Jones explained that the donation accepted this evening will be lumped together with the other funds and accepted into the Town at a public hearing in two weeks.

Jones opened the meeting to public comment at 6:09pm. Jones asked that any comments relating to Pickpocket Dam be held until that discussion later this evening. Seeing no public comment. Jones closed public comment at 6:09.

Lieutenant Doty was present to discuss two funding requests. Lieutenant Doty is requesting \$61,924.06 in ARPA funds for a new cruiser. The new cruiser would be fully marked. Lieutenant Doty noted that the Selectboard approved a new cruiser approximately 1 year ago, that was paid for out of the Police Detail Fund. Lieutenant Doty looked at both used and new cars, a used 2021 cruiser would go for about \$32,000, there is a new 2022 cruiser available for \$36,643.55. Lieutenant Doty explained why a new cruiser is needed. The Police Department is growing, they are adding qualified staff, which means increased patrols and increased shifts, there are only 4 frontline cars currently and 3 of those have well over 100,000 miles. Lieutenant Doty explained the difficulties of having a “tired” fleet, recently 2 cars went down and at times vehicles are not available for details. Lieutenant Doty explained they would like to get a shift car rotation going rather than running vehicles 24 hours a day, and also a cruiser replacement rotation. The 2022 cruiser would have a 100,000 mile power

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train warranty and the remainder of the 5-year warranty. Last year the cruiser repair line was overspent. Lieutenant Doty pointed out the importance of good equipment for the department. He also stated that none of the equipment in the current cruisers is transferable. The breakdown for the requested cruiser is as follows:

- Cruiser - \$36,643.55
- Outfitting - \$18,239
- Radio - \$4,591.51
- Laptop - \$2,450

The total cost would be \$61,924.06 for a patrol ready cruiser. Chief Ventura added that Brentwood has never had a cruiser replacement rotation which makes budgeting difficult. Chief Ventura explained how a cruiser replacement rotation works, vehicles start as patrol cars, as they get older, they get moved to detail or admin cars. Mark Kennedy, Prescott Road, asked for the difference between a detail car and a patrol car. Chief Ventura stated that Brentwood has 3-4 details per day, these cars sit idle, sometimes up to 8 hours, they do not perform at the same level as patrol cars that are being driven constantly. Kleinman asked if this request was for all funds to come from ARPA, Clement stated it was. Clement stated there is currently \$360,000 in ARPA funds. Morgan asked if there were any anticipated expenditures from ARPA. Clement stated there is about \$180,000 earmarked for other purposes between the library amphitheater and the new highway addition completion which leaves another \$180,000 that needs to be committed by the end of 2024. Jones asked about police impact fees. Clement stated that is an option, but that the Police Department has 2 requests this evening. Jones reminded everyone that the public's desire is to utilize ARPA funds for capital improvements, the Board did not disagree. Kleinman suggested Chief Ventura add this to the Capital Improvements Program, Chief Ventura said it would likely be added next year. Jones asked about the detail fund. Chief Ventura explained that the detail fund does not accrue enough each year to continue to pay for cruisers, he also explained the importance of not depleting the detail fund. Morgan asked if it would be reasonable to use some ARPA funds and some detail funds, and if the requests this evening were in order of priority. Chief Ventura stated that both requests are of equal priority. Chief Ventura is not opposed to a mix of funds. The Board agreed they would like to hear both requests before making any decisions. Kleinman asked if there were any anticipated ARPA expenditures. Morgan responded that funds may be needed to fix a major safety concern at the Recreation Center.

Lieutenant Doty discussed his request for a Live Scan fingerprint machine. The cost for this machine is \$23,496. The Police Department is still using ink, this has a turnaround time of approximately 50 days, the Live Scan would get results in about 2 days. The Live Scan can be used for new employees, coaches, teachers, volunteers, as well as Police needs. The Live Scan would improve safety conditions, save time and is more hygienic. It is tied to the records management system which would allow for officers to know within minutes if a subject being fingerprinted has any outstanding warrants or if they are lying about their identity (if their fingerprints are already in the system). This is technology that can be moved with the Department, it includes the printer, the setup and a 1-year warranty. Jones asked about the lifespan of the machine, Lieutenant Doty was unsure but guessed approximately 10 years. Lieutenant Doty is asking for funding for this from impact fees, half from the Police Department and half from Town impact fees. Clement stated Police has just over \$30,000 in impact fees, and the Town has \$60,000. Kleinman asked about an annual fee of just under \$4,000. Lieutenant Doty stated that was an optional maintenance fee and confirmed that is not part of what is being requested this evening. Chief Ventura reiterated the importance of quality equipment for his department.

Jones suggested using \$20,000 from the Police detail fund and \$41,924.06 from ARPA, Chief Ventura felt this was reasonable. Morgan motioned to utilize \$20,000 of police detail funds and \$41,924.06 of ARPA funds to purchase a fully outfitted cruiser, Kleinman seconds. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye;

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Jones – aye.

Morgan motioned to approve the purchase of the Live Scan machine with a 50-50 split between the Police Department impact fees and Town impact fees, Kelly seconds. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

Chief Ventura and Lieutenant Doty thanked the Board for their time.

There are 2 budgets to be discussed tonight, Debt Service and Code Enforcement.

Clement went over the debt service budget which covers bonds, principal, and interest upcoming for next year. This budget is reduced slightly because the library bond was paid off this year. Clement has also reduced the fire station bond by \$25,000 by utilizing the fire department's impact fees. Clement also added \$30,000 to the TANS line that was removed this year due to budget cuts at Town Meeting. Overall, the budget is reduced by about \$6,000. Jones asked about TANS and if it could be reduced or potentially drop it to \$1 as it has not been used in at least 12 years. Clement explained that while it has not been used as a Tax Anticipation Note, it has been used to offset other line items that have been overspent. The Board agrees that it is good to have this money in case of emergency. Jones feels that for budget cleanliness it would be best to put this money elsewhere. Clement suggested putting it in Emergency Management or the General Government budget. Kleinman did not see the need for this money in the budget. Jones explained that this year's budget cuts impacted the road repairs line, and when Pickpocket Road washed out the funds were not there. It makes sense to build a little wiggle room in your budget knowing that if that money is not spent it will either go back to the taxpayers, or not collected from the taxpayers, which is what happened this year when the tax rate was cut by 10% last week. Kelly asked Clement if she had any thoughts or concerns about setting this line item at \$1. Clement would like to see the money budgeted elsewhere rather than be removed. The emergency management budget has already passed, Clement would prefer to put it under General Government. Kleinman motioned to approve the debt services budget with a bottom line of \$240,081, Artimovich seconded. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

Kip Kaiser, the Building Inspector, was present to go over the code enforcement budget. Kaiser explained that he is on track to bring in close to \$90,000 again this year, just about covering last year's budget. There is an increase in outside inspectors, they have not been increased in a few years. The salary line is increased by 6%, increasing it to an average payrate for this position. There is a decrease in the line for books and publications as updated versions were purchased recently. Kaiser states he was looking at the proposed budget earlier and would like to increase the electrical inspections line by another \$1,000, this would also increase FICA/Medicare line by about \$75. Kaiser is working on a new fee schedule as well. Jones confirmed that this budget has a bottom line of \$87,224, an increase of 6.75%. Artimovich motions to approve this budget as presented. Kaiser asked about the additional \$1,000 for the Electrical Inspections and FICA/Medicare lines. This results in a total budget of \$88,300. Artimovich amends his motion to approve the Code Enforcement budget with a bottom line of \$88,300, Kelly seconded. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

There was a two minute recess.

Janice Wiers and Liz McConnell were present to give an update on the progress of the amphitheater fundraising and an ARPA request. McConnell read a letter of recommendation for construction contractor work from Jeff Highland of Ironwood Landscaping. On Sunday, October 1, 2023, the Town of Brentwood advertised a bid request for site construction contractor services for the Mary E. Bartlett Library amphitheater improvement

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project. On Tuesday, October 10, a nonmandatory pre-bid meeting was held, several contractors were onsite to view the location and ask questions, following this meeting an addendum was issued for clarification. The bid process concluded on Friday October 27th at 11am. Three bids were received, Rye Beach Landscaping of Exeter, NH, Trimmer's Landscaping of Londonderry, NH and Triple Construction of Manchester, NH. Trimmer's Landscaping and their bid of \$373,880 were recommended. McConnell stated there was a Library Trustee's meeting prior to this Selectboard meeting and they voted unanimously agreeing with the recommendation of Trimmer's Landscaping. Wiers went over the monies raised thus far, \$100,000 from the Johnston family, \$30,000 anonymous, \$4,558 GoFund Me, \$15,105 assorted donations, \$7,300 from raffle. Wiers stated that the total they will be asking for at the public hearing is \$156,963. Other funding sources include \$50,000 in impact fees and there was a warrant article in 2022 for \$50,000 in engineering fees. If going with the Trimmer's bid, the library will be requesting \$117,000 of ARPA funds. Wiers stated that they were going to request \$130,000 to allow for some wiggle room but wasn't sure how the Board would feel about that. Jones suggested that the Board not make any decisions tonight to allow time for public comment. Wiers was not opposed to this but asked that the vote be made next week rather than at the public hearing on the 21st, so that the project can get started. McConnell asked to see any public comments received prior to the meeting, Jones commended the library for their fundraising efforts and the generosity of the Townspeople. During the prebid process one of the cost reducing methods discussed was add alternates, things that could be added later and subtracted off of the total cost now. Jones asked if the bid from Trimmer's Landscaping included any subtractions, Wiers stated the total today covers the base cost as well as the add alternates, if anything goes wrong, they could pull from the add alternates. Jones stated for clarification that the Trimmer's Landscaping bid includes a base price of \$335,000, with \$38,000 of add alternates which would essentially be the mailable fund. McConnell agreed and stated the budget also has a 10% contingency. Jones asked if this bid included the paving project, McConnell and Wiers stated it is. Kleinman asked to go over the numbers again, approximately \$157,000 in donations and \$117,000 being asked for in ARPA, where is the other \$100,000. Wiers went over the numbers again \$50,000 impact fees, \$50,000 2022 engineering costs is the other \$100,000. Kleinman asked if the \$50,000 engineering costs were built into the bid. McConnell stated that is part of what has got them to this point. The Library Trustees will go over the numbers again and appear before the Board next week with the ARPA request. Clement stated that would raise the request to \$166,770. Jones asked if there were any monies left from the engineering funds, McConnell stated they have received their final bill, and it will be expended. Artimovich asked about the library's budget, Clement will look into this. Jones asked Clement to confirm \$50,000 in library impact fees, she did. Jones asked the library to look at their numbers again, Clement will look into encumbering any funds from the library budget and discuss next week. McConnell and Wiers will look at the add alternate list to see if any monies can be used from there. Jones encouraged the public to email Town Administrator, Karen Clement, with any questions or comments, Clement will forward these on to the Selectboard and Library Trustees.

Robert Span, Peabody Drive, Eric Turer, Peabody Drive, and Becky Dunham, Block Drive & Conservation Commission Chair, were present to discuss the removal of the Pickpocket Dam by the Town of Exeter. Span explained that several years ago the town of Exeter received a deficiency notice from the State regarding the Pickpocket Dam, proposals to address the situation were due by 2024 and work completed by 2027. Exeter has a River Advisory Committee that has been studying this situation for several years, their options include reconstruction, modification, removal and purchasing the deficiency. The dam deficiency is a house that in the case of a more than 100 year flood would be flooded up to the first floor creating a high risk. Exeter has applied for a grant through the National Oceanic and Atmospheric Administration to receive \$1 million or more to make modifications or remove the dam. Span stated that throughout this process there has been no contact with the town of Brentwood. Span states that according to the Exeter River Advisory Committee the most significant impact will be to the Town of Brentwood up to Haigh Road, approximately 3.6 miles from the dam. The Exeter

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Selectboard has voted to approve the application for the grant and to remove the dam. The purpose of the grant is to enhance fish passage. Exeter notified the Town of Brentwood last week that they will be removing the dam. Span has submitted a Right to Know Request to the town of Exeter. Eric Turer, abutter and one of Brentwood's Exeter-Squamscott River Local Advisory Committee representatives, states this process has been going on since 2018, states it is true Exeter hasn't reached out to Brentwood, but also states he has been in touch with the acting Chair of the River Advisory Committee along the way, that communication broke down this September. Turer states he reached out to the Chair of the River Advisory Committee 9/5 regarding their September meeting, was told there would not be a meeting, Turer was contacted on 9/12 and was told there would be a meeting to discuss a quick turnaround grant, there was no mention of dam or dam removal on the 9/21 agenda. Turer states he has looked at the grant and its requirements, it specifically requires stakeholder support and a community outreach and education process. Turer states no notice was given to abutters or to the Exeter-Squamscott River Local Advisory Committee or Brentwood's Conservation Committee. Becky Dunham, Chair of the Conservation Committee provided the Selectboard with a map of properties abutting the Exeter River from the Pickpocket dam to Haigh Road, many properties abutting the Exeter River are conservation lands. Dunham states that from what she has read of the grant there is no funding for remediation or solution to any damage that would be caused to Brentwood properties. Dunham is concerned about the long term effects on abutters and the conservation land. Turer explained that the Exeter-Squamscott River Local Advisory Committee is dedicated to the good of the river, whatever that may be, they are not opposed to the dam being removed, but there is a process underway and that was not followed. Artimovich mentioned that about 5 years ago Fremont did this same thing without notifying property owners. Turer stated that the urgency to remove the Fremont dam was much greater as that dam had failed structurally and was privately owned. Mark Kennedy, Prescott Road, asked about the timeline of dam removal. Dunham answered, grant decisions are made July 2024, work begins 2025 and is completed by 2027. Gary and Kathy Whiting, 23 Cross Road, Exeter, state that they have not been notified by Exeter either. Dunham stated there has been some sort of dam at that location since 1672. Lois DeYoung, Crawley Falls Road, asked about having the location become a historical site, Dunham states they tried this in the past, but the location did not meet the criteria. DeYoung asked for clarification on the dam owner. Dunham states the property is in Brentwood, but the dam property was given to the town of Exeter by the previous owner. Rob Wofchuck, Peabody Drive, agrees the process was broken, the studies are not complete, and Brentwood deserves to be informed and involved. Letty Bedard, Middle Road, asked about the next opportunity for public comment. The next Exeter River Advisory Committee meeting will be Thursday November 16th at 3pm. Wofchuck asked about a letter from the Selectboard regarding the lack of process that occurred. Conservation would like to know what the Selectboard is going to do before they make any decisions about how they will proceed. Jones asked for input from the Board. Artimovich states he feels a letter from the Board would be appropriate mentioning the need for stakeholders and abutter involvement. Clement stated she spoke with the Town Manager of Exeter asking for the status of the study. Turer stated the latest information states the study should be released January 2024. Kleinman asked if it would be worth speaking with Town Counsel regarding this. Kelly asked about creating a task force so that this does not slip through the cracks. Clement suggests taking a less aggressive approach and trying to work with Exeter. Brentwood Selectboard and residents encouraged the Whiting's to work with their Selectboard. Artimovich agreed with Kleinman that it may be worth having a conversation with Town Counsel, Clement will contact counsel.

The Board moved to Board and Committee updates. Artimovich stated Conservation Committee meets tomorrow night, Wednesday, November 8th at 6:30pm. Morgan states the Charrette presentation was well attended. Kelly states the Communication Committee is reviewing the proxy website or will be shortly. The public hearing for the Energy & Efficiency Committee was last night, there will be another one on the 15th. Kleinman stated the Planning Board is working on the Master Plan Vision and Transportation chapters. Jones

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updated the Board on the School Board, they are currently working on their fiscal year budget, no changes in teachers/staff, but there are some anticipated increased costs; the wireless system needs to be updated and they have been considering a solar project as well. Tomorrow at 5:30 at the library there is a public forum with the new Superintendent Esther Abel.

At 8:22pm, Artimovich motioned, seconded by Kleinman, to go into non-public for personnel matters. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

At 8:34pm, Artimovich motioned, seconded by Morgan to seal the minutes and go into public session. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

At 8:34pm, Kelly motioned, seconded by Kleinman to adjourn. All were in favor.

WEEKLY TREASURER'S REPORT				
DATE:			11/7/2023	
General Fund:		TD BANK		
Previous Balance:		2,382,655.11		
Deposits:		49,172.14		
Payroll:		32,872.67	DDP: \$32,318.57	
			CHK: \$554.10	
FICA:		7313.58		
A/P:		68,223.68	Reg A/P Cks \$68,223.68	NHRS \$
			Swasey: \$	CO-OP: \$
Transfer to REC CC				
Pd Admin CC				
Transfer to Impact Fees		9,386.00		
Account Balance:		2,314,031.32		
Interest Earned YTD:		106,020.57		

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