

Selectboard Minutes

January 16, 2024

Present: Jenn Jones, chair  
Andy Artimovich, vice chair  
Russ Kelly  
Paul Kleinman  
Jon Morgan (zoom)

At 6pm, Artimovich motioned, seconded by Kelly, to allow Jon Morgan to attend remotely. All were in favor.

At 6pm, Morgan motioned, seconded by Artimovich, to enter non-public. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

Morgan motioned, seconded by Artimovich, to seal the non-public minutes. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

At 6:06 pm, Morgan motioned, seconded by Artimovich to enter public session. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

At 6:06pm, Jones called the public meeting to order.

The Board signed the payroll and accounts payable summary register.

Kleinman motioned, seconded by Artimovich, to accept the consent agenda which consisted of public minutes from 01/09/2024, recreation manifest, treasurer's report (found at the end of these minutes), and the following building permits:

- 3 Ponds LLC, 99 Three Ponds Drive, Electrical
- 3 Ponds LLC. 146 North Road, Electrical
- Conrad Marcotte Trust, 39 Mill Road, Electrical
- River Run Development, 2 Edgewater Drive, Building
- Alexandra L Smith Rev Trust, 16 Wilson Way, Electrical

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

Jones opened the meeting to public comment at 6:08pm.

Letty Bedard, Middle Road, made a request to the board that when large projects are done and money is pooled to accomplish the project, that spending be reflected from only one expense line. She believes otherwise, when the budgets are examined next year, it will give a less accurate appearance of actual expenses.

Jones asked Bedard how she would like to see that goal accomplished. Bedard suggested in the case of the safer access road, the entire expense be put in the road construction line. Jones asked Karen Clement, Town Administrator, where the expense would be put. Clement responded there were seven different budgets that had an excess of funds that would be used to help cover the cost of the project. She explained it would appear the highway budget was overspent, but the total operating budget would still be in the positive.

Jones asked Bedard if overspending the highway budget would make the most sense for record keeping purposes. Jones asked Clement if she had an issue with that. Clement responded it is not historically how it has been done. She added it would be the board's preference as each board has held each department head accountable for their budget. Clement feels it would be fine if the board supports that decision.

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Morgan voiced his concerns on putting it into one budget line. He feels it could get messy if is not being tracked closely. Morgan argued that if the highway line is overspent, it would be of added importance to watch the bottom-line budget. Jones stated money has been encumbered and is ear marked for the project. Morgan pointed out it is earmarked from different budgets. Clement reiterated it is the board's preference. She explained the auditors will look at the encumbrances that were approved, the contracts and invoices associated with the project, and the journal entry that is made. She added the auditors will then take all the operating expenses and whatever is remaining will be put into the unassigned fund balance. They will take the amount of encumbrance from the unassigned fund balance and restrict that dollar amount. Clement explained the auditors have never had an issue with how it has historically been handled in the past.

Artimovich stated both accounting methods are fine. He explained that the budget committee believes that artificially it looks like all the departments spent their budget when they actually did not. Jones stated Wayne Robinson, road agent, would not be held accountable for the overspent budget if the board decides to handle it the way Bedard is requesting. She stated it might look better accounting wise to not have a budget overspent. She added it looks cleaner to overspend the budget line.

Morgan argued that taking all the expenses from one line may give the appearance that the road line, for instance, was not allocated enough funds. He added the project might not have been approved if the funds from various budgets were not available. Artimovich stated he believes the cleanest way to handle it would be to have a separate line.

Kelly stated the decision seems to be rushed. He suggested the topic be added to a future agenda. Jones agreed.

Rebecca Dunham, Conservation Commission Chair, was present to give an update on the Webb property on Pine Road. She explained there was a conversation with Mrs. Webb and her realtor about possible interest in subdividing the property. Dunham reported that Mrs. Webb has declined to do a subdivision. The Conservation Commission has closed their interest in that piece of property.

Betsy Ibbitson, Scrabble Road, shared there is tree cutting and work being done on the property across from her. She is concerned it may not be authorized as it is wetlands in that area. Clement explained to the board that she has not had time to research that information yet. Jones asked for the address. Ibbitson responded she believes it is 100 or 106, possibly.

Jones closed public comment at 6:17pm.

Daphne Woss, Town Clerk/Tax Collector was present to update the board on some election information. She explained there was a question about ballot clerks being equitable on both sides. Woss assured the board the number for both sides is equitable. She explained, responding to a comment from the previous week's meeting, a ballot clerk request was denied because that political party already had an adequate amount of ballot clerks. The person sworn in last week was from a different political party. Woss encouraged anyone with election questions to reach out directly to her.

Woss reported they did absentee ballot voting at the nursing home last week. She shared it went well. There were 60 ballots cast, according to Woss. She added the Supervisors of the Checklist registered over 20 new voters. Woss also shared that Lieutenant Doty attended as well. She explained the nursing home residents were thrilled and enjoyed their interactions with him.

Woss shared there will be ballot testing tomorrow at 4:30pm at the Town Hall.

Woss requested assistance from people on Monday, January 22 to set up for the election. Volunteers can report to Swasey at 4pm to assist.

Woss confirmed the Primary Election will be held at Swasey School from 7am – 7pm on Tuesday, January 23.

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Rebecca Dunham, Conservation Chair, was present to discuss the Letter of Agreement, the budget, and easement information on the Fuller Property. She explained town counsel has reviewed it and some changes were made. Dunham explained Conservation Commission reviewed the documents as well. She added the only concern was the minimum contribution amount of \$25,000 as required by SELT.

Dunham explained the easement according to Jeremy Lougee, from SELT, is similar to the Game Farm and has an agricultural easement. She added that she spoke with Glenn Greenwood, the Town Planner, last week regarding some wording in the easement. Greenwood assured her the language is what the state has approved and Brentwood has adopted.

Kleinman asked what the concern was with the budget. Dunham responded the minimum required amount from SELT of \$25,000 was a concern to a few members. Jones stated she believed it was the standard minimum amount. Dunham confirmed it was. Artimovich added that the \$25,000 is in perpetuity. He also stated the town is spending less money than the easement is worth.

Morgan asked Clement to be 100% certain that the Conservation Bond is legal. He voiced his concern from the standpoint that a legislative body from one term cannot mandate what a future legislative body does. Morgan is concerned about the timing the bond was passed and the current sitting board.

Artimovich responded that he believes it was a super majority vote to enter into a contract, which allows the town to enter into a multiple year bond agreement. He added a simple majority vote would not allow it to bind year to year. Morgan responded he would like to see that in an RSA, otherwise, he has concerns. He wants to be absolutely sure because the town has not yet entered into the bond.

Dunham added the bond is a 5-year bond. Jones responded that counsel had reviewed the warrant article language to bond over a 5 year term. Clement added the process was that there was a public hearing for that bond, super majority vote at Town Meeting and a non-lapsing warrant article. She added the purpose and intent of the bond cannot be changed. Clement explained it would be up to the sitting governing body to decide on which parcels and how to expend those funds.

Artimovich stated he believes the key term is non lapsing. Morgan stated that is the part he is concerned about. Clement explained that budgetary wise that even if Brentwood was an SB2 town, debt is one of the exceptions that would be precalculated to the default budget. Morgan is concerned about the issuance of new debt by a previous legislative body.

Artimovich pointed out the agreement is contingent on bond issuance. Clement stated that under RSA 32:7 Section 3 “an amount raised through bonds or notes does not lapse until the purpose it was intended for is completed or unless a bond authorization is rescinded by a vote of the legislative body. Either at a time specified in the original vote to issue the bond or by a later vote to rescind under RSA 33:8-F”. She added when the original warrant was approved by the legislative body, it was to lapse after 5 years.

Jones asked if Morgan felt better after hearing that. He confirmed he did. Dunham explained if the board signed the agreement tonight, SELT would begin with due diligence in the next few weeks. She added Clement stated they would apply for the July bond deadline. Clement added they would look to participate in the July bond sale in an effort to get funds for Q4.

Morgan asked if this was for Pickpocket Road. Dunham confirmed it was. Artimovich added that the property goes out to Middle Road. Dunham added it connects to another conservation parcel.

Artimovich motioned, seconded by Kleinman, to sign the letter of agreement. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

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Jones signed the agreement. Dunham signed the document as well.

Dunham stated she and Lise McNaughton will be meeting with the Swasey's on January 25. She added more information will be forthcoming.

Josh Bertoulin, Communications Committee, was there to update on the AV. He explained they have started the installation of the equipment with the televisions. Bertoulin stated the committee had requested \$21,000 for the project and was able to reduce the cost by removing some of the items originally quoted. He explained the committee will come in under budget at \$15,000. Bertoulin explained there is an opportunity to add a Microsoft Teams Room capability to the deployment to allow the boards to include remote participants. He added they would have the ability for the person to be displayed on the screen and remotely share items with the participants at the table.

Bertoulin explained it is typically a \$2,500 to \$3,000 expense. He added that because the committee came in under budget, there would be a need for \$1,200 over budget to cover that cost. Bertoulin explained he wanted to see how the Selectboard would like to proceed. Jones asked what the recommendation of the communications committee was. Bertoulin responded that it was to promote the idea of Microsoft Teams and allow the Selectboard to choose.

Jones asked for a further explanation of the functionality of the program. Bertoulin explained it would be a one-touch option. He added it would allow people to schedule the use of the room. Artimovich supported the option. He added that Microsoft Teams is built around companies having meetings.

There was discussion about the camera that would be used and how it would be set up. Bertoulin explained they could attempt to relocate the camera and see how it worked out in a different location. Ultimately, Bertoulin explained, he wants to be able to configure the system correctly from the beginning. Kleinman questioned the cost of the hardware.

Artimovich motioned, seconded by Morgan, to expend \$1,300 from impact fees to purchase the hardware for Microsoft Teams. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

Artimovich asked if the podium being constructed would fit the equipment. Bertoulin explained it should and added he has been in contact with the builder of the podium.

Clement presented the board with a warrant article from Rick Murphy, Emergency Management Director. She explained the desire is to use the \$8,500 received from the Seabrook station yearly, to be put into a revolving fund to cover large ticket items. Kleinman asked if the fund would go on indefinitely. Clement confirmed it would unless it was voted on at Town Meeting to move the funds or close the account.

Clement added the funds would be used toward emergency equipment. Artimovich added it can be used for traffic control, signs, cones, and other items related to emergency services.

Artimovich motioned, seconded by Kelly, to recommend to "Establish revolving fund: Emergency Management to see if the town will vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of maintaining and operating equipment for the emergency operations center. All revenues received for said purpose from the NH Department of Safety in connection with the Seabrook Station REP Plan will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund balance. The town treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. (Majority vote required). Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

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Jones stated there would be no public Selectboard meeting on January 23. Clement reminded the Selectboard members that they are required to be at the voting location unless a pro tempore has been selected. She added if you need to select one, please see Woss.

Andy Gray, Recreation Director, has requested to encumber \$2,316.54 for land maintenance. Clement stated there is \$6,850 appropriated in his 2024 budget. She added the full invoice is \$11,039. Jones asked why the invoice is higher than the budgeted line. Clement explained Gray has not increased the amount in his budget for a number of years and pays the remainder out of his revolving fund.

Artimovich voiced his concern. He stated there is a lot of outside use of the field. Artimovich feels the fees from the outside use should be used to pay for the invoice. Jones asked if the revolving fund would be “tight” this year. Clement responded it will be tight, as it is a smaller balance that it has historically been. Clement added some of that might be alleviated with the increase in summer camp fees and moving the camp director position to the operating budget for 2024.

Kleinman asked if Gray shops around for better pricing. Clement responded Gray does price it out. Morgan supports encumbering the funds especially given Gray has not increased the appropriations despite the price increase and has continued to absorb those costs.

Morgan motioned, seconded by Kelly, to encumber \$2,316.54 from the recreation budget for land maintenance. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – abstain; Jones – aye.

Clement explained there was a website training today. She explained user permissions will be provided by the Communications Committee soon. Clement shared the planned launch is next Wednesday. Jones thanked the Communications Committee for all their hard work.

Clement stated there was a fire in Epping. She reported there were no injuries and 12 departments responded. Brentwood sent 3 full-time fire fighters and 3 command staff to assist, according to Clement. She stated there was damage to 3 uniforms which will need replacing in the amount of \$14,000. Clement explained she and Chief Bird would be submitting a claim to Primex tomorrow. Jones asked who bears the responsibility. Clement responded the property owner.

Jones questioned the water quality given the retardants used along with the chemicals from the fire. Clement responded that she has not heard of any water quality issues. Kleinman asked what the amount of the insurance deductible is. Clement responded \$1,000.

Clement stated the budget committee is not in favor of the warrant article lumping the 5 CRF together. Jones asked what the budget committee wanted. Clement responded that the budget committee wants them as 5 separate articles. Jones asked what the reasoning was. Clement responded it was primarily because if there is an amendment at Town Meeting, it would be gross appropriation. Jones would like to align with the budget committee. Morgan supports moving ahead with the Selectboard recommendation. Artimovich posed his concern about the amount being more than 10%. Clement suggested asking the budget committee to reconsider at their next meeting on February 5.

Artimovich had no committee updates.

Morgan shared there is a quarterly business breakfast on February 21 at 7:30am. It will be held at the Brentwood Recreation Center.

Kelly had no committee updates.

Kleinman shared the cease and desist was signed and served today.

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Jones shared she attended the communication committee meeting last week. She shared that Steve Dawson had put forth a presentation to be considered by their board that explained the budgets, how it works, and how it connects to taxes. Jones explained the numbers have been vetted through Clement. She explained the presentation is public facing and Jones suggested it be presented on February 20 during the SB2 hearing. Kleinman stated he is in support of being educated.

At 7:04pm, Artimovich motioned, seconded by Kleinman, to adjourn the meeting. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

Respectfully submitted,

Tamera Peek

WEEKLY TREASURER'S REPORT				
<b>DATE:</b>			<b>1/16/2024</b>	
<b>General Fund:</b>		<b>TD BANK</b>		
Previous Balance:		8,544,707.59		
Deposits:		64,762.41		
Payroll:		34,951.02	DDP: \$34,260.03	
			CHK: \$690.99	
FICA:		8100.64		
A/P:		309,409.31	Reg A/P Cks \$9,717.51	NHRS \$66,552.45
			Swasey \$232,200.00	CO-OP: \$
Transfer to REC CC				
Returned Check		(283.20)		
Bond Payment		(\$19,833.50)		
Transfer to Conservation Acct		4,702.09		
Account Balance:		8,232,190.24		
Interest Earned YTD:				
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Joyce A. Gallant, Treasurer				