

Selectboard Minutes

January 2, 2024

Present: Jenn Jones, chair
Andy Artimovich, vice chair
Jon Morgan
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 Morgan, to accept the consent agenda which consisted of the recreation manifest, treasurer's report (found at the end of these minutes), and the following building permits:

- Shane Townsend, 31 Route 107, Electrical
- 3 Ponds LLC, 100 Three Ponds Drive, Plumbing
- Drew Pierce, 54 Middle Road, Electrical
- Drew Pierce, 54 Middle Road, Plumbing

All were in favor.

Jones opened the meeting to public comment at 6:02pm.

Ward Byrne, Rowell Road East, was present with questions on the progress of the highway shed. He stated he was surprised to learn the building was not yet occupied. Byrne stated he believed the town had spent \$350,000 originally and another \$150,000 and the building is still unoccupied. He stated the building seems to be forgotten. Byrne voiced his concern with how funds are being used and suggested there is not a project manager.

Karen Clement, Town Administrator, responded that Kip Kaiser, building inspector, is overseeing the project. She stated the gas lines and tanks were installed last week. Clement added they just filled the trenches for all the electrical work.

Byrne asked if the project is in its third year. Clement responded it is in its second year. She stated she believes the project should be fully complete in 6-8 weeks.

Wayne Robinson, road agent, responded that the electrician was on the premises today doing some work. He added the meter and lines are in and the heat should be going soon. Once the heat is on, the painting can be accomplished, according to Robinson. He also added that Eversource needs to connect the power now that the electrician has completed the meter and lines.

Morgan responded that the town is saving money by utilizing Kaiser as the person overseeing the project. He added the board is doing their best to save money and complete necessary projects.

Becky Dunham, Conservation Chair, asked if the public would be allowed to speak on the Conservation Commission alternate applicants later in the meeting. Jones responded it is the intentionality for the board to interview the candidates. She added it can certainly be considered when the board gets to that point in the meeting.

Liz Faria, South Road, asked if Town Counsel advised the Selectboard to choose applicants in public now. Jones confirmed that was the case. She responded the board made that vote about two months or so ago after it was reviewed by counsel.

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Jones closed public comment at 6:08pm.

Chief Bird, fire chief, was present to share his concerns about how earned time payout was handled. Wayne Robinson, road agent, also joined chief at the table. Bird stated that at a meeting 5-6 weeks prior to the night a vote was made, earned time was discussed. He explained at that meeting, it was understood by him that the payout would be the same as it had been in prior years. Bird would have appreciated the opportunity to explain why he had unused earned time. He stated he feels he should have been notified and allowed the opportunity to use the time before the end of the year.

Robinson explained that while he was at the meeting the earned time was discussed, he was unclear that it was for the present year and understood it to be what was happening in the future. He added that he is currently a 2-person department, making it difficult to take time off. Robinson stated the board typically allows 2 weeks to be rolled over and has been paid out the remaining amount at the end of the year.

Jones stated the official policy is that there is no earned time buyout. It is currently a use it or lose it policy with a 2 week roll over. Jones stated the board pushed off the discussions for a new town policy into the new year.

Chief Bird replied the topic was brought up previously and the discussion was pushed off. He added that for the last 22 years he has been serving full-time on the fire department, the unused time has always been bought out – at full rate or half rate. Bird stated he was not notified following that meeting that he was going to be losing the time. Jones responded that the board did authorize a payout.

Artimovich asked Clement if she had sent out emails following that meeting. Clement responded that she had not. She explained she worked the day following the meeting and was then on vacation.

Clement explained that Chief Bird and Robinson typically take time off between Christmas and New Years. She calculated that between the buyout amount and the expected time off, they would be using all the time.

Jones apologized that Chief Bird was not informed. She added the payouts have always been an exception to the town policy. Jones added that the payout should not be variable, which is why they are trying to establish a new policy. Chief Bird acknowledged that and pointed out there was no notification about the decision a week before Christmas. Jones responded that payouts were made to four employees as a courtesy and that it was not on the agenda. She added it was brought up by Chief Ventura because it was affecting two of his employees.

Chief Bird argued that the amount chosen was an arbitrary number to benefit one of the other employees who had 42 hours. Artimovich responded that 48 hours was his original proposal. Bird responded that Artimovich's original proposal was 40 hours.

Morgan stated he admired the service of Chief Bird. He explained that the board has changed over the last few years and has been working to professionalize things including increasing transparency. Morgan added that is why the board plans to institute a new policy to align with how the board has been handling things, instead of continuing to bend the rules.

Bird questioned how it was fair to address it the week before Christmas and then not notify anyone. Morgan argued the meetings are done in public. Bird acknowledged that and pointed out it was not on the agenda. He added there was a policy change a week before Christmas without the participation of the people it was affecting.

Artimovich stated there was no policy change. Bird responded it was a precedent that was set over the years. Discussion continued. Morgan stated Chief Bird was getting disrespectful. Bird responded he felt disrespected. Morgan stated the board has Chief's back every day. Artimovich asked how much is being spoken about. Chief responded 4 days for him and 4 days for Robinson. Jones stated she was not inclined to change her vote.

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Kelly stated he understands the lack of notification and feels poorly about that. He believes that ideally it would have been better if Chief Bird was present at that meeting for discussion. Clement stated it has never been an agenda item historically and has always been handled in the same manner. Kelly stated he was not placing blame on Clement. He acknowledged that it can be confusing to employees without a clear policy that is abided by. He stated he could empathize and sympathize with Bird and Robinson. Kelly believes the decision that night was necessary timing wise. Jones agreed it was because the calendar year was being closed out.

Kelly apologized for how the situation was handled. He asked Chief Bird what he was asking the board to do to make it right. Chief Bird responded he wanted the board to fulfill their policy of paying out the time, even if it is paid at half time. Jones expressed her confusion. She added Chief was paid out half of his time. Jones added there is an existing policy. Chief Bird responded that finding out he had time that was lost without the opportunity to use it was not right. He added he feels the number was chosen to benefit one department and not everyone affected. Bird stated there is a good working relationship between the 2 departments and does not want to mar that. He added he has no animosity toward the officers that were paid their full amounts.

Artimovich suggested allowing Bird and Robinson to carry over that additional time, as a compromise. He suggested the time be used by March. Jones stated she would be open to a compromise but does not feel strongly toward the March deadline. Morgan believes putting a time frame on it will encourage Robinson and Bird to use their time.

Artimovich motioned, seconded by Morgan, to allow Robinson and Bird to carry 32 additional hours into 2024. Four were in favor with Kleinman opposed. Motion carried.

Kleinman stated the reason he was opposed is because he feels the payout is an entitlement.

Patrick Marcoux, Pickpocket Road, was present to discuss his interest in the Conservation Commission alternate position. He explained he grew up in Brentwood, attended Swasey School and Exeter High School and attended Saint Anslem College. Currently, Marcoux explained, he is a grad student at UNH. He added he is working on his master's in public policy. Marcoux added he is also serving as the Outdoor Recreational Policy Fellow for UNH.

Marcoux shared his property abuts conservation land. He stated he has seen the impact on the town of land that has not been conserved. He understands the importance of agriculture and the effects of housing developments going in. Marcoux added he is part of the NH Farm Bureau and believes farmers can work with conservation given the opportunity. He added he has heard stories about farmers not being able to conserve their land and desires to make sure that does not happen in Brentwood. He shared he would like to see landowners conserve their land when and how they want to. Marcoux believes the bond that passed at Town Meeting has the opportunity to allow Conservation to work with landowners to conserve what Brentwood is.

Kleinman asked if Marcoux has been attending Conservation meetings and if he is not named as an alternate, would he consider volunteering for tasks or still attending meetings. Marcoux responded he was not previously able to attend meetings, as he was away as a full-time student. He added he has been involved at Town Meeting and is an active speaker at those meetings. Marcoux added he would be willing to be involved even if he is not named an alternate.

Morgan asked Marcoux what his vision is for the use of the bond and clarification about agriculturalists doing what they want on their land. Marcoux responded he does not believe it is the Conservation Commission's responsibility to decide on the ideal piece of land. He believes it is up to landowners to express interest to the Commission. Marcoux added the commission should help the landowner understand how conserving land could help them. He also stated he would like the farmer to be able to still use his land for haying without concerns on bird habitats or driving his tractor without concerns for soil compaction.

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Artimovich asked Marcoux if he believes all conservation land should be open to the public. Marcoux responded he strongly believes that if it is town land, it should be for public use and added there should be a respect for the landowner's privacy. Artimovich pointed out that the town may own easements, but not the land itself. Marcoux responded if the town does not own the land access could be limited. He added if it is publicly owned land, he believes it should be open to the public while preserving the character.

Jones thanked Marcoux for speaking on that point. She shared she believes public access and landowner rights have created a little bit of friction on the Conservation Commission.

Kelly clarified that Marcoux stated he had not attended meetings because he was not around. Marcoux acknowledged that was correct and added he most recently attended the December Conservation Commission meeting.

Jim Hajjar, Conservation Commission alternate applicant, was present to share his interests in serving on the Conservation Commission. He stated his motivation for applying was to volunteer to help. Hajjar believes the role ties into areas he is already interested in and feels it would be a good opportunity to be involved.

Kleinman asked if Hajjar has been attending meetings and if he would be interested in volunteering for tasks if he is not selected as an alternate. Hajjar responded that he has not been attending meetings regularly. He added he was involved during the game farm property. Hajjar stated he might attend meetings if not an alternate if he feels passionate about a particular property or feels he can offer information/insight on a certain topic.

Hajjar stated he believed the Selectboard supported the appointments of the various commissions and was surprised to learn he would need to interview for the alternate position.

Morgan asked Hajjar what his vision is for ideal parcels. Hajjar responded it would be for land that will not be developed in the future and offer green space while being smart about the use of the bond funds.

Jones asked Hajjar about his view on public access. Hajjar believes access should be available but does not support forcing every landowner to allow public access. He believes hunting is separate from public access.

Jones stated the third applicant, Rob Wofchuck, was not able to attend as he is out of the country. Jones asked if the board would support making a vote even though Wofchuck was not available or if they would prefer to wait given the next Conservation Commission meeting is next week. Clement asked if all the board members were familiar with Wofchuck.

Kelly read a portion of Wofchuck's statement of interest. It read as follows, "...I am very interested in returning to the Conservation Commission to bring back some institutional knowledge that was lost after the turnover of the commission in 2020. I feel I have the experience and knowledge to help the commission be successful. Between my experience on the commission and with SELTNH, I have seen over 100 conservation easement transactions and feel I can help achieve positive outcomes with town residents to conserve their land. I would welcome the opportunity to bring in educational resources from various organizations to help the commission further understand the opportunities for grants and other resources. I also feel I can sharpen the focus of the commission and provide leadership to move projects forward in a timely manner."

Morgan thanked both candidates for attending. He shared he had no issues or concerns with the information presented by both applicants. He admitted he was shocked when he saw that Wofchuck was not put forward as an alternate based on his knowledge and experience.

Kelly believes that Wofchuck is a gold standard candidate given his experience. He shared Morgan's surprise based on

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Wofchuck's talent and expertise. Based on Kelly's interactions with Wofchuck on Energy & Efficiency and the Communications Subcommittee, he believes Wofchuck is of high intelligence and has a stellar background of expertise with the town's best interest in mind.

Jones asked if Kelly was looking to only move forward with Wofchuck. Kelly confirmed that was his thought process. He believes good decisions need to be made now to fill the open alternate positions.

Kleinman supports Wofchuck being given an opportunity to meet with the board. He added he supports Marcoux or Hajjar as the second alternate with the idea of bringing in some younger newer people. Kleinman requested Dunham be allowed to speak, as chair of the Conservation Commission.

Kelly thanked Kleinman for his thoughts. He reminded the board there were previously issues with alternates not showing up to meetings. He believes progress can be made by filling 1 of the 2 openings. Artimovich shared he voted for Hajjar and Wofchuck at the conservation meeting. He shared he believes Wofchuck's institutional knowledge is incredible. Artimovich added, he believed Marcoux would be busy with schooling and working and felt Hajjar might be more available. He supports filling the positions.

Becky Dunham, Conservation Chair, came to the table. She expressed her feelings of being vilified. Dunham expressed her displeasure at the view that the Conservation Commission is not functioning. She argued it is functioning and feels there are people serving who have knowledge. She stated she takes issue with anyone thinking Conservation is not making progress. She explained they have made contact with the Planning Board and are looking into a potential third bond. Dunham suggested the board appoint 2 candidates to fill the vacancies tonight.

Dunham expressed her desire to have Wofchuck appear before the Selectboard in order for the audience to hear from him. She believes it would be an equal playing field. Jones asked if Dunham's preference was for the board to vote tonight. She responded she was fine with the vote being delayed until Wofchuck could be heard from directly. Dunham pointed out there are people willing to serve and they should be considered to fill those roles.

Kelly asked Dunham if the candidates were interviewed at the Conservation Commission meeting. Dunham responded the new process has little glitches. She explained there is some vagueness around the discretion of the board. Dunham encouraged the board to look at the Conservation minutes to see what is being accomplished.

Jones stated she is happy with the direction of the Conservation Commission. She added she appreciates the efforts. Morgan explained in light of the rough moments, he felt it was heading in the right direction until he saw a candidate with all this expertise not considered for an open alternate position as a red flag.

Kelly asked Dunham if she voted for Wofchuck. Dunham confirmed she did not. Dunham claimed the turbulence of the committee is gone. Morgan questioned that. Kelly reminded the board it was Wofchuck who brought to the board's attention that the appointment of the alternates was planned to be in non-public during a Conservation Commission meeting. Artimovich replied it was a miscommunication. Dunham explained she was not aware that the procedure had changed when that announcement was made. Artimovich explained it was not intentional.

Hajjar came to the table and withdrew his application. He argued his point and cautioned the board on the slippery slope they are going down. Hajjar was gaveled and asked to leave the table.

Artimovich motioned, seconded by Kleinman, to hold off on voting for the Conservation Commission alternates at this time until Wofchuck can interview with the Selectboard. All were in favor.

Clement presented the board with the 2024 level-funded 1 year assessing contract for Jim Michaud. She stated it was

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reviewed and approved by DRA and the only change made was the wording “Board of Selectmen” was changed to Selectboard.

Artimovich motioned, seconded by Morgan, to sign Jim Michaud’s assessing contract. All were in favor.

Clement stated that the Primaries will be held on Tuesday, January 23 at Swasey. She asked if the board would prefer to sign the manifest or have a meeting. Artimovich suggested a manifest be signed, as he expects the election to have a high turnout. He believes the focus should be a smooth-running election. It was decided a decision would be made on January 16 based on the need for a meeting.

Clement presented the board with Health Officer reappointment slips for Bob Mantegari as Health Officer and George Kelloway as Deputy Health Officer. Jones asked if it would be possible for one of them to check in with the board twice a year to keep the board apprised of what is happening.

Artimovich motioned, seconded by Morgan, to sign the Health Officer reappointment slips for Bob Mantegari and George Kelloway. All were in favor.

Kleinman supports Jones’ request for the Health Officer to attend a few times a year.

Jones stated a citizen’s petition warrant article for SB2 was submitted recently. She believes a public hearing will need to be scheduled in February. Kleinman asked how that works. Jones replied it is an informational hearing without the board taking a stance one way or the other possibly during a regular Selectboard meeting. Artimovich asked who would be doing the hearing. Clement replied it is typically the petitioners.

Janice Wiers, library director, shared there is a SB2/Town Meeting discussion on January 18 at 6pm at the library. They will be offering a Q&A at the end of the presentation.

Artimovich had no updates.

Morgan shared that Economic Development will be meeting tomorrow, Wednesday, January 3 at 6pm.

Kelly had no updates.

Kleinman stated the Planning Board will be meeting on Thursday. He shared the rock business on Route 125 will be on the agenda.

Jones shared Esther Asbell, Superintendent, sent out a communications-based survey to all residents in the SAU 16 area on communication preferences. She encouraged residents to respond to the survey. Jones also thanked Swasey and the School Board for allowing the January 23 election to occur at the school.

At 7:30pm, Artimovich motioned, seconded by Morgan, to adjourn. All in favor.

Respectfully submitted,

Tamera Peek

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WEEKLY TREASURER'S REPORT				
DATE:			1/2/2024	
General Fund:		TD BANK		
Previous Balance:		9,447,649.18		
Deposits:		23,904.68		
Payroll:		33,707.41	DDP: \$	
			CHK: \$	
FICA:		7165.52		
A/P:		907,968.25	Reg A/P Cks \$26,836.25	NHRS \$
			Swasey \$232,200.00	CO-OP: \$648,932.00
Transfer to REC CC				
Voided Check				
Admin CC Paid				
Transfer to Impact Fees				
Account Balance:		8,522,712.68		
Interest Earned YTD:				
<hr/>				
Joyce A. Gallant, Treasurer				