

## Selectboard Minutes

March 5, 2024

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

At 6pm, Jones called the meeting to order.

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

The Board signed the payroll and accounts payable summary register.

Artimovich motioned, seconded by Kelly, to enter into non-public for personnel at 6:04pm. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye. Motion carried.

At 6:12 pm Kelly motioned, seconded by Artimovich, to come out of nonpublic session. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

At 6:12pm, Jones called the meeting back to public session.

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

Heather Haggett, Assistant Clerk, read the dedication of the Town Report. Richard “Dick” Chamberlain was honored in the 2023 Town Report.

Janice Wiers, library director, was present to share with Chamberlain that there is a chair with a plaque honoring him at the library. She thanked Chamberlain for the opportunity to work with him over the last 6 years.

Artimovich motioned, seconded by Kelly, to accept the consent agenda from 2/27/2024 and 3/5/2024 which consisted of public minutes from 2/20/2024, recreation manifest, the treasurer’s report (found at the end of these minutes), and the following building permits:

- Wayne Morill Jr & Kari Morrill, 370 South Road, Plumbing
- Wayne Morill Jr & Kari Morrill, 370 South Road, Electrical
- William & Colby-Jan Wolff, 68 Crawley Falls Road, Electrical
- John Webber, 312 Middle Road, Building
- John Webber, 312 Middle Road, Electrical
- Mark & Kendra Bean, 216 South Road, Building
- Mark & Kendra Bean, 216 South Road, Electrical
- Paul Langdon, 6 Stone Creek Drive, Building
- William Beauchesne, 31 Mohawk Lane, Electrical
- Langdon Construction, 9 Stone Creek Drive, Building
- AT&T Services, 152 Route 27, Building
- Sarah & Keith MacKinnon, 32 Prescott Road, Building
- 3 Ponds LLC, 90 Three Ponds Drive, Plumbing
- Stephen & Leanne Floyd, 80 South Road, Minor Project – new siding & roofing
- Stephen & Leanne Floyd, 80 South Road, Electrical

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

Jones opened the meeting to public comment at 6:20pm. Seeing no public comment, Jones closed it at 6:21pm.

Andy Gray, Recreation Director, was present to share information about a contract with Kingston Parks & Rec and the use of the Brentwood Recreation van. He explained that Kingston Parks & Rec would be utilizing the Brentwood Recreation van on occasion for their senior trips. Gray added that Brentwood residents interested in attending Kingston senior trips would be offered resident rates. He also added in exchange for the use of the Brentwood Rec van, Kingston would be offering Brentwood Summer Camp the opportunity to utilize their beach a few days each week. Gray explained that Kingston would be paying Brentwood Recreation a stipend which will help cover the cost of van maintenance.

Jones asked if there were any insurance or liability concerns. Karen Clement, Town Administrator, responded that there are no concerns. She explained Kingston also utilizes Primex.

Jones asked the stipend information to be spelled out more clearly so both parties understand how it will work. Gray confirmed it would be.

Kleinman asked if a criminal and driving background check had been done. Gray responded they are awaiting the results and assured the Selectboard the van would not be used by Kingston Parks & Rec until the results were received by Brentwood. Kleinman stated he would like indemnification language added to the Memorandum of Agreement to provide protection to the town. Artimovich expressed he would like the wording altered to reflect the beach days are for the summer camp attendees.

Artimovich asked if the stipend was a percentage and suggested it should be in writing. He also suggested putting both pages into one document.

Artimovich motioned, seconded by Kelly, to allow Andy Gray to move forward with formulating a final contract for van usage by Kingston Parks & Rec. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye. Motion carried.

Jones noted there were 3 applicants for the current opening on the Recreation Commission. After board discussion, it was decided the applicants would be invited to attend the Selectboard meeting on March 26, at which time a vote is expected to occur.

Dick Chamberlain, Town Moderator, and Melissa Hanlon, Assistant Town Moderator, were present to discuss some of the warrant articles and to obtain clarification on a few of them. Chamberlain explained he would like to have discussion limited to 3 minutes on Warrant Article #01. He stated he would also request residents not continue to repeat themselves and “hog” the microphone. Chamberlain explained he will not accept a motion to postpone the vote unless the majority vote overrides that decision. He also noted that the SB2 vote requires 60% (3/5) to pass. Kleinman asked what the basis of postponement could be.

In reference to Warrant Article #02, Chamberlain explained that he and Jack Mitchell, budget committee chairperson, would like to press any residents who request altering the budget. He explained they would like to request the resident explain where they would like to cut and the reasoning. Kleinman stated he believes it behooves the resident to explain where they would like the money cut from and the reason behind that request.

Regarding Warrant Article #03, Chamberlain asked for the Selectboard’s rationale of those Capital Reserve Funds (CRF) being lumped together opposed to others. Jones responded that the Selectboard chose the most standard CRF which have

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historically passed without amendments in the past. She added it was also an attempt to shorten the number of warrants presented at Town Meeting. Jones added the other CRF have larger amounts or are new. Chamberlain shared he believes it is helpful when the Selectboard speaks on the Warrant Articles.

Chamberlain requested examples of what could be purchased with the funds from Warrant Article #09. Jones answered it could be trucks or signs. Clement added generators, laptops, or other large ticket items. She explained the funding will come from the Seabrook drill payments. Clement further explained the \$8,500 would carry over year after year. Chamberlain asked if these funds were connected to the school warrant article for safety. Clement responded the articles were not connected.

Chamberlain stated there are 14 NH towns taking the same vote as Warrant Article #13 of hand counting ballots. He added that hand counting would increase the length of time people would have to remain at the school following the closing of the polls. He noted that when the voting machine jammed 3-4 years ago, the ballots had to be hand counted. Chamberlain explained people were there until almost midnight counting. He added the later it got, the higher the possibility of mistakes due to fatigue. Chamberlain explained the machines are tested prior to every election and the totals come out perfect every time.

Hanlon asked if any of the warrant articles are illegal or not enforceable. Jones responded that Warrant Article #14 is unenforceable and warrant Article #11 is advisory because there is no money attached to it. Hanlon asked if a Selectboard member would be speaking to these at Town Meeting. Jones responded that the petitioners should be speaking to the articles. Chamberlain asked who would be present for legal counsel. Clement responded Laura would be present as legal counsel.

Hanlon noted there is a need for a timer and timekeeper. She asked about the procedure of the warrant articles being introduced. Artimovich stated that typically the Selectboard moves the article to the floor, speak on it, and then Budget Committee will speak on it.

Hanlon stated that all amendments or proposed amendments must be provided in writing.

The Selectboard members chose the warrant articles they would be motioning and speaking on, if necessary.

- Article #01 – petitioner
- Article #02 – Jones
- Article #03 – Kleinman
- Article #04 – Morgan
- Article #05 – Morgan
- Article #06 – Kelly
- Article #07 – Artimovich
- Article #08 – Kelly
- Article #09 – Artimovich
- Article #10 – Kleinman
- Article #11 through 14 – petitioners

Kip Kaiser, Building Inspector, was present to share the proposed fee schedule for permitting. He explained fees have not changed in about 3 years. He referenced what other towns charge in comparison to Brentwood and adjusted accordingly. Kaiser explained some items have their own category now such as solar and heat pumps. Jones asked if any items significantly changed. Kaiser responded that none changed significantly. Artimovich asked how much the square footage cost increased. Kaiser responded it remained the same. Kleinman suggested being able to see a comparison of the fee now versus the proposed.

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Artimovich motioned, seconded by Morgan, to accept the proposed 2024 fee schedule for permits to take effect April 1. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye. Motion carried.

Kaiser reminded the Selectboard there is still no business registration in the Town of Brentwood. He noted this can cause issues for the town clerk, fire department, police department, and building department.

Kris Magnusson, Energy & Efficiency representative, was present to discuss the county's solar project. She read some facts from an article published in June 2022. She explained the 68-million-dollar county project broke ground in October. Magnusson noted there will be a savings of \$300,000 per year. She added the county received 25 million in ARPA funds and they plan to build a 13-acre solar grid with 6 million dollars of those ARPA funds. Magnusson explained the solar grid will offset \$700,000 in annual county electrical costs but added it will generate \$100,000 in revenue per year.

Magnusson stated Energy & Efficiency committee requested someone from the town sit with the county to figure out how the town could benefit from the KwH. She added Standard Power has expertise in the energy field and she believes they would be an excellent resource for the discussions. Magnusson would like to see the town benefit from some or all of the excess energy the solar field will produce. She added Brentwood is the host to the county, incurs expenses from being the host, and she believes there could be a benefit to the town. Magnusson also added the county pays no taxes to help offset expenses incurred by the town.

Jones responded that she feels it does not hurt to ask. Artimovich suggested waiting to see how the community power vote goes at Town Meeting. Jones asked Clement who would be the point of contact at the county. Clement responded she believed Jude Gates would be the best person to start with, as she is overseeing the project. Magnusson offered to reach out. Jones would like to have Clement reach out after the election.

Kelly noted the new board will need a new representative to the Energy & Efficiency committee.

Robert Span, Peabody Drive, was present to update the Selectboard on the report recently released on the Pickpocket Dam. He explained on February 27, the Town of Exeter presented the feasibility study. He stated there were about 60-70 people in attendance. Span explained the report was about 110 pages long with 200 pages of appendices.

Span shared some of the information gleaned from the presentation. It said that the river height will be reduced by 10 feet and that height reduction will affect the river all the way to Haigh Road. He added the surface water is expected to diminish by 80% causing a reduction from 96 acres to 26 acres. Span showed some photos of water activity and wildlife near the Peabody Drive access point. According to the feasibility study, Span explained that water would disappear.

Span explained the feasibility study demonstrates the river width will be reduced from 300 feet to 49 feet. He added it will affect habitat and wildlife. He added it will cause shrub growth on the riverbanks. Span explained the dam could be modified or removed. The feasibility study claims the dam is hindering fish from moving upstream. Span noted that claim is not supported by any studies.

Span added that Exeter will be receiving federal money to remove the dam. He noted there are no negative consequences noted for Exeter residents in the feasibility study. He believes there should be further study on the environmental impact. Span noted that public comment is being accepted until March 20. He suggested it is important for people to be heard.

Kleinman believes there is a good case for Brentwood. He suggested investing in an expert who can be consulted on potential negative impacts. Jones responded that she was unsure Brentwood had any legal standing to take action because the dam is owned by Exeter. She added the Dam Bureau had previously explained that Brentwood had no standing. Clement confirmed that.

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Morgan asked if legal counsel was consulted outside of the Dam Bureau. He believes Brentwood may have some standing given the ownership of conservation land and wetlands. Clement responded that based on previous information, she believes Brentwood did not have standing. She noted that with the release of the feasibility study, Brentwood may have legal standing if it shows possible irreparable harm. Kleinman suggested it be researched by legal.

Jones asked if the study was multi-year. Span noted the study was being worked on for several years. He added most of the study was on the technical aspect and sediment effects. Most of the study involving upstream impact started after the vote to remove the dam was made, according to Span. He noted that part of the study was completed within 2 or 3 months. He added that if it was a developer causing all these changes to the waterways and the destruction of wetlands, the public would not allow it. Jones stated she supports Kleinman's suggestion of speaking with town counsel. She asked if anyone was opposed to Clement consulting legal counsel. There were no objections.

Becky Dunham, Conservation Commission Chair, shared some thoughts on the release of the feasibility study. She noted that no official notice was given to abutters. At the meeting, it was stated any damage would be the responsibility of the abutters, according to Dunham. She added there was a grant proposal for 3½ miles of remediation. Dunham explained there was no date given for the grant decision date. She questioned if there would be a public meeting to accept the grant money.

Dunham shared there is a Conservation Commission meeting on March 13. She noted the feasibility study will be discussed. Dunham asked if there is a way to get a list of abutters from the Planning Board. Clement responded the information is available online on the town website. Dunham responded that Conservation Commission has no administrative support and that she plans to utilize the Planning Board admin. Dunham asked if there is a meeting planned on March 19. Clement responded there will be.

Clement presented the board with an intent to cut for the Brentwood Recreation property as part of the Safer Access Road project. Artimovich asked where the timber would go. Clement responded with the logger. She explained there is expected to be 2,000 board feet of pine and 300 tons of chips.

Artimovich motioned, seconded by Kelly, to sign the intent to cut for 190 Route 125. Artimovich – aye; Morgan – abstain; Kelly – aye; Kleinman – aye; Jones – aye. Motion carried.

Clement presented the board with the last five Land Use Change Tax (LUCT) warrants and bills for Three Ponds Drive.

Artimovich motioned, seconded by Morgan, to sign the LUCT warrant for the last five Three Pond Drive parcels. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye. Motion carried.

Clement presented the board with the hazard mitigation plan approved by FEMA. Jones asked if the mitigation plan previously existed. Clement confirmed it did. Jones asked if there were any major changes. Clement responded there were no material changes.

Artimovich motioned, seconded by Kelly, to accept the certificate of adoption for the hazard mitigation plan approved by FEMA. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye. Motion carried.

Clement presented the board with the 95% exemption for education request for Painters Trade School located at 34 Commercial Drive. She explained the application has been reviewed and recommended by Jim Michaud, the town's contracted assessor.

Artimovich motioned, seconded by Kelly, to accept the exemption request from Painters Trade School. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye. Motion carried.

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Clement presented the board with an appointment slip for Inspector of Election with an expiration of August 2024.

Artimovich motioned, seconded by Kleinman, to sign the appointment slip for Robin Wrighton as Inspector of Election. Artimovich – aye; Morgan – aye; Kelly – abstain; Kleinman – aye; Jones – aye. Motion carried.

Jones stated the Selectboard received two resignations.

Artimovich motioned, seconded by Kelly, to accept the resignation of Officer Jared Wright-Ward effective March 16 and the resignation of Eli Corson from the fire department. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye. Motion carried.

Artimovich had no committee updates.

Morgan shared the Economic Development round table breakfast went well.

Kelly shared that Energy & Efficiency committee has an energy audit planned. He requested Tom Palma, Energy & Efficiency representative, share some information with the Selectboard.

Palma explained Eversource has completed 2 infrared thermal energy audits for no charge and has more buildings slated for some time next fall/winter. He requested the agreement be signed to allow the audit findings for the library and rec center to be released.

Palma explained that there will also be a lighting audit which will be scheduled with department heads.

Kleinman raised concerns with the Wilder property. He stated he received a complaint from an abutting property owner regarding activity and additional noise. Clement suggested the details be discussed in non-public due to the active litigation. Artimovich suggested the complainant use their phone to video or photograph the activity.

Jones offered a reminder about the School Meeting tomorrow, March 6 at 6pm. She added residents will be voting on warrants and the school budget.

At 7:48pm, Artimovich motioned, seconded by Kleinman, to adjourn the meeting. Artimovich – aye; Morgan – aye; Kelly – aye; Kleinman – aye; Jones – aye.

Respectfully submitted,

Tamera Peek

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WEEKLY TREASURER'S REPORT

		<b>3/5/2024</b>		
<b>DATE:</b>				
<b>General Fund:</b>		<b>TD BANK</b>		
Previous Balance:		6,761,723.70		
Deposits:		67,112.27		
Payroll:		35,135.94	DDP: \$35,135.94	
			CHK: \$	
FICA:		8002.26		
A/P:		910,730.98	Reg A/P Cks \$29,598.98	NHRS \$
			Swasey \$232,200.00	CO-OP: \$648,932.00
Voided Check 49128		(95.00)		
Admin CC Paid				
Returned Check		(\$611.90)		
Account Balance:		5,874,449.89		
Interest Earned YTD:		37,977.69		
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Joyce A. Gallant, Treasurer				