

Selectboard Minutes
July 16, 2024

Present: Jenn Jones, chair
~~Andy Artimovich~~
Jon Morgan (Via Teams)
Paul Kleinman
Letty Bedard

At 6:00pm, Jones called the meeting to order.

The Board signed the payroll and accounts payable summary register.

Clement was in receipt of the bond paperwork, requiring Board signatures, for the Fuller property. The bond proceeds will be \$250,000, the bond obligation is \$225,250 because there was a premium of \$24,750 that was received. Clement explained the debt payment schedule is for \$250,000, the true interest rate on the 15-year loan is 3.46%, the premium is given by investors, and it is to reduce the loan the town needs to pay back in order to bid using the higher coupon rates. The interest rate on \$225,250 is 5.1%, averaged over the \$250,000 that will be received in bond proceeds the interest rate is 3.46%. The warrant article stated that no bond issued would be of a term less than 15-years. Kleinman asked what the monthly payment will be. Clement stated that the annual principal payment is \$15,050. The board signed the documents.

Clement was also in possession of a Letter of Agreement which the Board voted to sign last week; the bond bank requested an additional sentence be added in the taxation paragraph. Jones asked if the sentence fundamentally changed the document. Clement stated it did not, an exemption was added. Jones and Rebecca Dunham, Conservation Commission signed the LOA.

Kleinman motioned, seconded by Bedard, to accept the consent agenda which consisted of public minutes from July 2nd, the recreation manifest, the treasurer's report (found at the end of these minutes), and the following building permits:

- Ekachai Ngamcharoenthana, 9 Peabody Drive, Electrical
- River Run Development, 5 Taylor Circle, Electrical
- Brian & Jessica Duffy, 3 Rousseau Lane, Plan Examination
- Brentwood Trading, LLC, 437 Route 125, Plan Examination

All were in favor. Motion passed.

Kleinman motioned, seconded by Bedard, to allow Morgan to participate remotely. All were in favor.

At 6:12pm, Jones opened the meeting up to public comment.

Rebecca Dunham, Block Drive, asked if the Board would like Board Chairs to hold their comments regarding board/committee candidates until that agenda item comes up. Jones stated that was preferable.

Rob Wofchuck, Peabody Drive, would like to thank the Selectboard and Karen Clement for their quick work. The State is making changes to Route 125 near the South Road intersection. Jones added that she would like to thank the Canty Family and other town members.

Liz Faria, South Road, would also like to thank Councilor Janet Stevens. Faria asked if anyone knew the status of Meadow's Merth Farm on South Road, the Board was unaware of any changes, problems, or concerns. Faria also asked the Board to go over the board and committee appointment process, Jones stated that will be reviewed when the topic is discussed. Faria

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stated that she is aware of someone who was “assigned a job” without submitting an application. Jones stated she was not aware that had happened and is unsure how that could happen. Faria provided no other details.

Mark Thompson, North Road, states he was part of the Citizen’s Petition for lots “24 & 30,” the Rullo property, located at 414 Route 125. Thompson states there has been a lot of activity on those two properties. Thompson stated that about 2 months ago he met with Town Planner, Glenn Greenwood, regarding the activity on those properties, Greenwood suggested he write a letter to the Selectboard, Thompson stated he did write a letter but has not received a response. Thompson read a portion of the letter “we are asking for our town to confirm that all the work is being done in accordance with any approved site plans, in accordance with Town bylaws and zoning for lots 30 and 24, and to determine if commercial trailer storage and commercial work is taking place on the Southeastern corner of the residential lot 24 and elsewhere on the eastern border of lot 24.” Thompson went on to say that he cannot verify that work is being done on the residential lot but he knows it is happening. Thompson states the trailers are being stored on the residential lot and there are signs advertising trailer rentals suggesting commercial activity is occurring on the residential lot. Thompson stated the property owners have brought in gravel and “built a road,” they are working in there, and he and his neighbors would just like to know if what the property owners are doing is permissible. Clement responded that the Town Office employees cannot verify a boundary, it is beyond their purview. Clement stated that Greenwood and Kip Kaiser, Code Enforcement, visited the property 7/10/2024, Clement read the memo which stated that the site visit was to check the placement of box trailers being used in commercial venture as described on site plan D35181. Any Box trailers located on the residential lot would need to be privately owned and not used in commercial enterprises. “It is recommended that the boundary be more clearly marked.” Clement clarified that the property owners own 2 abutting lots and the boundary in question is where the properties meet. Clement will follow up with Greenwood.

Seeing no other public comment Jones closed public comment at 6:22pm.

Jones discussed the status of the Town’s remaining ARPA funds. Clement stated there is \$131,000 of ARPA funds that need to be obligated by the end of 2024. Jones stated that the Board had previously discussed having a system when they look at ARPA requests, Jones asked the Board if it would make sense to set a timeline for all Town departments to consider ARPA requests. The Board was agreeable to this, Kleinman stated he would like to see the requests in their totality and suggested a September cutoff date. Jones asked Clement if it would make sense to have the deadline around the start of budget season which starts after Labor Day. Clement suggested the Board review ARPA requests before the start of budget season and suggested the August 20th meeting. Jones stated that the Board will be able to override the timeline if there is a need for immediate funding for health and/or safety. Morgan stated that he has been working with the Rec Commission on a proposal for tennis/pickleball courts. This proposal is considered time sensitive, if the Board waits until September, the tennis/pickleball project would likely be delayed until 2025. Clement stated there are 2 ARPA requests being presented this evening, from Library and Fire, she asked if the board would be willing to hear 2 other ARPA requests this evening, one from her and the other from Rec. The Board will not vote on ARPA requests this evening. Clement will send an email to department heads asking for all ARPA requests by August 6th. The Board was agreeable to this.

Chief Bird was present to discuss his ARPA request for 14 sets of PFA-free Fire Fighter gear. Chief Bird states that the interior lining of the coats currently being worn by the Fire Department are heavy in PFAs which cause cancer. The Governor just passed a bill to have full time members screened for cancer. Chief Bird states he requisitioned the idea from the Exeter Fire Department who just bought approximately 35 sets with their ARPA funds. Chief bird is asking for 14 sets for his full timers, per diems and more active call people. Chief Bird intends to purchase new gear yearly over the next few years until all Fire Fighters have at least 2 sets. Chief bird stated it takes about 2 hours to decontaminate a suit. Fire Fighters share gear if calls come in while their gear is being decontaminated. Chief Bird stated that typically the PFA free gear is about \$400 more per set, because he is buying in bulk the sets are about \$200 more than the cancer-causing fire gear. Jones asked about the age of the current gear. Chief Bird stated the NFPA requires the gear be replaced every 10 years. Chief Bird states he has a list he would need to refer to, but he is trying to replace the oldest gear first. Chief Bird stated this is stock gear,

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this is not for fitted gear. Jones asked Chief Bird if there was any room in his equipment/gear budget for this purchase. Chief Bird stated the gear budget was spent when gear was damaged fighting a fire earlier this year. Chief Bird described how his Firefighters decontaminate on scene. Morgan asked Chief Bird if the decontamination/gear washer is hooked up to the leech field at the Fire Station, Chief Bird stated it is. Morgan stated that each time the Fire Department runs the decontamination cycle on their gear, it is likely they are “rinsing those forever chemicals into the aquafer.” Morgan clarified that he is in favor of the Firefighters getting new gear to protect themselves and the aquafer. Chief Bird stated the cost per set is \$3,420.22, approximately \$48,000 for the 14 sets being requested. Bedard asked about financing options. Jones agreed that financing options are worth looking into, Jones asked Chief Bird how he would fund this request if ARPA funds were not available. Chief Bird stated it may be a warrant article. Jones stated that it could also be a line-item next year. Bedard asked how many total sets were needed. Chief Bird stated 25-30 sets. Kleinman asked about the differences between the two types of gear. Chief Bird explained that the older sets contain cancer causing PFAs throughout the gear, specifically in the lining of the gear, the new sets are “PFA free,” and only contain PFAs in the lettering. Jones stated that this request will be reviewed with the others and the Board will update Chief Bird and the Fire Department when necessary.

Janice Wiers, Library Director, was present to request ARPA or other funds to accommodate some things that came up when constructing the amphitheater. Wiers stated that when change orders came in those costs were mitigated against costs, they were able to cut, this is no longer possible. The amphitheater project is coming to a close they are in need of \$10,605.72. Wiers states the overage is mostly due to project management costs. Wiers stated that they had previously requested \$130,000 in ARPA funds for this project, that was approved and then reduced, using the additional encumbered funds from 2023, if that request had not been reduced, Wiers would be requesting \$2,700. The change orders totaled \$5,758.25 and included some things that the Town would typically pay for, for example the paving and a lower basin that was eroded. Kleinman asked Wiers where she was getting the \$10,605.72 from, he did not see the overage in the invoices provided to the Board. Wiers stated that the overage was from the engineering and project management portion of the project, those invoices were not provided for this evening, the Board was provided with the change orders. Kleinman asked if the Board could see the invoices, Wiers agreed. Wiers asked if the spreadsheet Town Administrator, Karen Clement, maintains would be enough to see where the figure is coming from, otherwise she can provide invoices. Kleinman was agreeable to reviewing the spreadsheet. Bedard questioned a change order for jackhammering a concrete slab at the front entrance, Bedard questioned if this was part of the amphitheater, Wiers explained that it was. Jones clarified that the actual amphitheater project came in on budget and 100% of the overage is project management, Wiers stated that \$69.38 was overage on the project, the remainder (\$10,536.34) is due to project management. Jones asked Clement if there were any other funding sources that would make sense to cover the project overage, if ARPA was not available or approved. Clement stated that the library receives a quarterly payment, that would be the only other way for them to pay for the overage, out of their regular quarterly budget. Wiers stated that the library budget is exactly where it needs to be for this time of year, there is not a lot of room for extras. Bedard asked if the library was able to overspend their budget. Clement responded that the Town acts as a payroll vendor for the library, their salaries are paid by the Town out of the library budget, and they are cut a check quarterly for them to pay their bills. Jones asked if the Selectboard would have the prerogative to pay the overage out of the operating budget should the library be over budget at the end of the year, Clement stated that could be an option. Jones stated that this request will be reviewed with the others and the Board will let Wiers and the library know.

The Board reviewed the postings for the subcommittee appointments for Energy and Efficiency. Clement stated that Rick is not present to go over the energy posting, Clement stated there are no significant changes, the posting is to fill 2 alternate positions and potentially a full member position. There were no questions or concerns from the Board. Bedard motions to approve the Energy and Efficiency posting for two alternates, seconded by Kleinman. Morgan – aye; Kleinman – aye; Bedard – aye; Jones – aye. Motion passed. Jones asked how long these would be posted for, Clement stated 30 days. Jones and Clement clarified that the Energy and Efficiency Committee term lengths were left open-ended depending on the project.

The Board reviewed the posting for the Regional Associations Committee, this is a long-standing committee that can have

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up to 5 voting members and 1 alternate. Clement stated this posting will be for 2 full voting members and 1 alternate and it will be posted for 30 days. Kleinman noted that the posting stated you must be a US Citizen, Clement stated that is for all boards and committees. Jones added that being 18 years of age is also a requirement for board and committee members. Bedard motions to approve the Regional Associations posting, seconded by Kleinman. Morgan – aye; Kleinman – aye; Bedard – aye; Jones – aye. Motion passed.

Jones explained that the Board will next review the statements of interest for boards and committees. Rec will be reviewed on August 6th and Cemetery will be reviewed on August 20th. Jones reviewed the process for appointing board and committee members and/or alternates, the Board has been making changes to the appointment process in hopes of making it more collaborative, transparent and standardized.

The Zoning Board of Adjustment has provided the Board with 3 statements of interest, Doug Cowie, Ken Christiansen and Jack Garber. Cowie and Christiansen are seeking reappointment to their voting member positions, Garber provided his statement of interest with the intent of becoming an alternate. Jones asked Garber if he would be interested in being appointed as a full voting member, Garber was agreeable to this. Jones asked Garber if he would like to make a statement to the Board. Garber stated that he takes the ZBA very seriously, he is a former lawyer and is aware of towns being sued as a result of ZBA action, and he would like to help protect the Town. Jones agreed and stated that Brentwood recently pulled the Selectboard representative from the ZBA to avoid potential conflicts of interest. The Board next spoke with Doug Cowie, Cowie has been on several town boards and committees for many years. The Board had no other questions for Cowie. Ken Christiansen was not present this evening, Clement stated that Christiansen has been a ZBA member for 9 years, he was a Selectboard member, and was on the budget committee. The current chair and vice chair are Cowie and Christiansen respectively. Cowie agreed with Jones that the three applicants would work well on the ZBA. Jones explained that appointing these 3 applicants would get the ZBA up to its 5 full voting members, they would not have any alternates but could post the openings again. Bedard asked about staggering the terms. The 2 current active members terms expire in 2025. Clement suggested appointing Cowie and Christiansen for 3 years, 2027, and Garber for 2 years, 2026. All were agreeable to this. Kleinman motions to approve the appointment of Doug Cowie, Ken Christiansen and Jack Garber to the Zoning Board of Adjustment, seconded by Bedard. Morgan – aye; Kleinman – aye; Bedard – aye; Jones – aye. Motion passed.

The Board discussed appointing Library Trustee alternates. There are 4 applications for 3 positions; 1 alternate is stepping down, 2 are reapplying. The two reapplications are Susan Lunn and LeeAnn Kane and 2 new applicants, Jennifer Bordis and Lois DeYoung. Melody Santos, Library Board of Trustees, Co-Chair, was present to discuss applicants with the Selectboard. Santos stated that the Trustees recommend the two incumbents, LeeAnn Kane and Susan Lunn as well as Jen Bordis. Jones asked how long Kane and Lunn have been alternates, Santos stated that Kane has been an alternate for 1 full year, and Lunn for longer. Jones asked how often alternates are called on to be voting members, Santos stated not often. Santos stated that the Trustees and alternates all have solid attendance records. Jones asked about Bordis and her teaching background. Santos stated that she does not know Bordis personally, but her statement of interest showed a teaching background, Bordis has worked with children and individuals with developmental disabilities which could be a great asset to the library. Kleinman suggested deferring until applicants could be present. Clement stated that they were all aware of this meeting. Kleinman motioned to defer it until the next Selectboard meeting when applicants could be present. There is no second, motion dies. Morgan motions to appoint the three applicants recommended by the Library Trustees, Jennifer Bordis, Susan Lunn, and LeeAnn Kane, seconded by Bedard. Morgan – aye; Kleinman – abstain; Bedard – aye; Jones – aye. Motion passed, 3 in favor, 1 abstention. The Selectboard thanked DeYoung for her application, Wiers also wanted to thank DeYoung and stated that she hopes to work on Senior Programs with her.

Next the Board discussed appointing 1 alternate to the Trustees of the Trust Fund, there is 1 applicant, Linda Garey. Morgan motioned to appoint Garey as alternate to the Trustees of the Trust Fund, seconded by Bedard. Morgan – aye; Kleinman – aye; Bedard – aye; Jones – aye. Motion passed.

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The Conservation Commission is seeking 2 full voting members (1 member has stepped down, 1 member's term has expired) and 3 alternates. The Board is in receipt of applications for 3 full voting members and 3 alternates. Jones and Becky Dunham, Conservation Commission Chair, stated that for the 2 full voting member positions, Andy LaRoche has reapplied, and 2 alternates, Rob Wofchuck and Michelle Siudut have applied. Doug Cowie, Heather Dudley-Tatum and Emma Laham have applied for the alternate positions. Becky Dunham, Conservation Commission, Chair, was present to discuss. Dunham stated that she does not want to lose any of the candidates, Dunham spoke with Andy LaRoche, one of the full member applicants, and he would be willing to move to an alternate position. This would lower the number of full-time applicants to 2 for two open positions and it would increase the number of alternate openings to 4, and there would be 4 applicants for those positions. Dunham asked that the Board stagger the terms of the appointees this evening as 2 other alternates were appointed this year, (Marcoux & Wofchuck) and Dunham does not want everyone's terms to expire at once. After some discussion it was suggested to appoint LaRoche and Cowie until 2027, Marcoux until 2025, and Dudley-Tatum and Laham until 2026. Jones asked Dunham if as Chair of the Conservation Commission she is comfortable with not strictly enforcing the statute regarding term lengths in order to stagger terms, Dunham stated she is comfortable with that. Dunham stated that she would like Marcoux to have a 3-year term, and suggested Cowie be appointed until 2025. Bedard motioned, seconded by Kleinman to appoint Michelle Siudut and Rob Wofchuck as full voting members, with 3-year terms, to the Conservation Commission, Morgan – aye; Kleinman – aye; Bedard – aye; Jones – aye. Motion passed. Bedard motions to appoint alternates, Cowie until 2025, Dudley-Tatum and Laham until 2026 and LaRoche until 2027, seconded by Kleinman. Morgan – aye; Kleinman – aye; Bedard – aye; Jones – aye. Motion Passed. Kleinman motioned to modify Patrick Marcoux's term by reappointing him until 2027, Jones seconds, Morgan – abstain; Kleinman – aye; Bedard – no; Jones – aye, motion passed.

Clement stated that the tax deed for 339 Route 125 has been recorded, returned from the registry of deeds and added to the Towns's insurance.

Clement is in receipt of the MS 535 as prepared by the auditors for audit year 2023, this is a report of actual expenditures versus voted appropriations and revenues. Morgan motions to approve the MS 535, seconded by Bedard, Morgan – aye; Kleinman – aye; Bedard – aye; Jones – aye. Motion passed.

Clement explained to the Board that last year moisture readings and humidity level tests were performed in the Police Department after some flooding had occurred. Since that time some employees have presented with symptoms that can be traced back to water and mold issues. Air testing was recently done in the squad room, supervisor's office, outside and in the Sanborn Room (located upstairs in the Town Office). The air tests were positive for various numbers of different mold spores. Clement is asking to start the remediation process in the Police Department. Clement stated the estimate received over a year ago to fix the water issue was \$20,500, this price has likely gone up, but includes sump drains, perimeter drains, and sump pump, it also requires the drywall to be replaced with a PVC product to avoid moisture wicking. Jones stated this remediation is really remediation and prevention, Clement agreed. Interior finish work and landscaping are not included in the quote. There is also a question of how thick the cement slab in the basement is, if it is over 5" it will result in additional costs. Clement states the total amount of the remediation process could potentially be about \$50,000. Jones asked Clement what funding source she would recommend, Clement stated she would request the funds to come out of ARPA. Clement stated that there is a Capital Reserve Fund (CRF) for maintenance of town owned buildings, which currently has a balance of about \$133,000. Clement reminded the Board that in addition to this project the windows and the furnace need to be replaced at the Brentwood Recreation Center. Clement would recommend ARPA funds for the mold remediation and either ARPA or the CRF for the windows and/or furnace, the goal being to leave the CRF with a healthy balance to avoid asking for a warrant article in 2025 to replenish the CRF. Clement stated she would like to move forward with this as quickly as possible. Bedard asked if this is covered by insurance. Clement stated that mold is not considered part of insurance, if there was an active flood then repairs would be covered. Jones asked if there were active plans to present the Rec projects this year. Clement stated these projects are actively being worked on, there has been difficulty obtaining the 3 quotes required for the windows. Both Rec projects are included in the Capital Improvements Program. Bedard suggested starting the mold

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remediation under the Town of Brentwood Repairs and Maintenance line. Clement stated there is presently \$5,000 in that line. Bedard explained that by doing it this way they can use ARPA or building funds later, but they cannot undo using funds from the CRF. Jones and Clement confirmed this to be true. Clement suggested starting the project under Due from the Trustees of the Trust Funds which would pay for it under the general fund waiting for ARPA funds approval. Clement states that she is seeking approval from the Board to move forward with this project as soon as possible. Bedard motions to begin the mold remediation under the Town of Brentwood Repairs and Maintenance line, with the understanding that this project will be discussed with all other ARPA requests. Kleinman states that he would prefer to use the funds in the Capital Reserve Fund. Bedard's motion died without a second. Kleinman motions to begin the mold remediation Due from the Trustees of the Trust Funds, Jones seconds the motion. Morgan – aye; Kleinman – aye; Bedard – no; Jones – aye. Motion passed.

Morgan has provided the Board with an estimate for 2 Tennis/4 Pickleball courts in the amount of \$52,150. Morgan states that these courts provide significant revenue generation opportunities. The estimate does not include fencing or line painting, these will likely increase the cost by about 50%. Jones asked about funding for this project. Morgan stated the Rec Commission had discussed 50/50 ARPA funds and Impact Fees. Morgan stated the request would be for 50% of the \$52,150 and 50% of the fencing quote which has not yet been obtained. Jones asked about alternate funding sources, Morgan stated there are none. Bedard stated there is approximately \$67,000 in Rec Impact Fees available. When asked if some of the Rec impact fees had already been assigned to other projects Morgan stated the Rec Commission felt it would be best to have some contingency money available. Morgan also stated there are several Rec projects that may be upcoming. Jones asked if the amount needing to be considered for the ARPA discussion next month was approximately \$42,000. Morgan stated he anticipated \$35,000-\$40,000. Bedard asked if there were any grants available for this project. Morgan is not aware of any. The Board briefly discussed hiring a grant writer, will discuss further at a future meeting.

Kleinman updated the Board regarding Conservation Commission, they had 2 presentations recently regarding the Prescott Project on Route 27 and MTI Polyexe located on Pine Road. They are also working on redoing their handbook.

Bedard clarified that her intent in discussing Mohawk Lane was not to change the name, but to start a discussion. Bedard stated that in her research she found that 3 out of the 4 road names in that development appear to be from “the list.” Bedard stated that she has reached out to the developer but has not heard back yet. During this discussion Sunset Lane in the Three Ponds development was mentioned, Clement stated that “Sunset Lane” was a request by the Hibbard Family who owned the original campground.

Jones updated the board regarding the Budget Committee. On Monday the 22nd at 6pm, they will be doing their site walk at the Recreation Center, In August they will visit the Highway Department.

Jones stated the next Municipal Building meeting is July 23rd at 1:00. The public information session was held last night with Chief Ventura.

At 8:10pm, Bedard motioned, seconded by Kleinman, to enter nonpublic for personnel. Kleinman – aye; Bedard – aye; Jones – aye. Motion passed.

At 8:40, Bedard motioned to come out of non-public, 2nd by Kleinman. Kleinman – aye; Bedard – aye; Jones – aye. Motion passed.

Bedard motioned to seal the minutes, 2nd by Kleinman. Kleinman – aye; Bedard – aye; Jones – aye. Motion passed.

At 8:41, Kleinman then motioned to adjourn, 2nd by Bedard. Kleinman – aye; Bedard – aye; Jones – aye. Motion passed.

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Respectfully submitted,

Jillian Benedix

WEEKLY TREASURER'S REPORT				
DATE:			7/16/2024	
General Fund:			TD BANK	
Previous Balance:			8,556,555.50	
Deposits:			110,124.24	
Payroll:			36,867.55	DDP: \$36,096.70
				CHK: \$770.85
FICA:			8651.23	
A/P:			12,893.08	Reg A/P Cks \$12,893.08
				Swasey \$
Transfer to Impact Fees			3,618.00	NHRS \$
Transfer Rec CC			(425.00)	CO-OP: \$
Account Balance:			8,604,224.88	
Interest Earned YTD:			84,065.46	