

BRENTWOOD BOARD OF SELECTMEN
MINUTES OF JUNE 16, 2009 MEETING

Convened: 6:30 p.m.
Present: Jeffrey Bryan
Andrew Artimovich
Jane Byrne
David Menter
George Waldron

The Board met and reviewed payroll, accounts payable, and signed the register. The Selectmen reviewed and signed the recreation manifest.

Jonathan Ellis was in to present the weekly Treasurer's report. Ellis reported that we've collected just shy of \$785,000 in property taxes thus far this month.

The Selectmen reviewed the minutes of the 6/2/09 meeting. Waldron made a motion to approve the minutes as written; motion was seconded by Artimovich. Bryan said we need to discuss at some point the matter with Carole Belliveau. All members voted in favor of approving the minutes as written.

The Board began reviewing the notes:

- Tocky, one of the surveyors who has looked into the proposed change in the island at South & Crawley Falls Roads, is estimating a cost of \$2,000-\$3,000 which would include researching the original roadway, doing a physical survey, and preparing a plan. The order of events Tocky recommends are: have her complete her work, present a plan to the town, have town counsel prepare an agreement for the Town and 2 abutters, and have the property transaction voted on at Town Meeting. The above cost does not include the legal expenses. Duane Demeritt suggested we just go ahead and put it in now as he's sure the abutters will be fine with it; put the road in now and worry about the paperwork later. Waldron and Byrne agreed with Demeritt and further explained that we can put the road in now but not do the land transactions end of it until later. Julie explained that the only concern is that Tocky believes the island probably was originally part of the parcel to the right and that is what she wants to research. Artimovich made a motion to have Tocky investigate and continue her work and hold off on any road work until that's done and then inquire with Town Counsel to get their opinion. Byrne seconded the motion; all voted in favor.
- Waldron made a motion, seconded by Byrne, to reopen the minutes of the 5/26/09 meeting and amend them to include the motion by Byrne and second by Artimovich to approve the extension of Phyllis Elliot's property taxes until 6/30/09. All voted in favor.

Menter made a motion to go into nonpublic session per RSA 91-A:3, II(c) to discuss a property tax payment agreement with Mr. Carl Rullo. Motion was seconded by Byrne; Bryan, Artimovich, Byrne and Menter voted in favor; Waldron was opposed. Motion carried to enter nonpublic session.

A motion was made by Byrne to come out of nonpublic session and seal the minutes. Artimovich seconded the motion; Bryan, Artimovich, Waldron, Byrne and Menter voted in favor.

BRENTWOOD BOARD OF SELECTMEN
MINUTES OF JUNE 16, 2009 MEETING

The Board opened the bids for town counsel. The members will bring them home to review and discuss at their July 7, 2009 meeting. Bids were opened from the following:

1. Daniel Crean, Attorney at Law
2. PretiFlaherty
3. Wiggin & Nourie
4. Mitchell Municipal Group
5. Donahue, Tucker & Ciandella
6. Cronin & Bisson
7. Sykas Law Office
8. Getman, Stacey, Schulthess & Steere
9. HageHodes Attorneys at Law

Abby Sykas of Sykas Law Office; Chris Hilson of Donahue, Tucker & Ciandella; and a representative from Wiggin Nourie were in attendance and they introduced themselves and thanked the Board for their consideration.

The Board returned to the notes:

- The DOT has found critical bridge deficiencies of the Crawley Falls Bridge resulting in a recommendation that the load limit be reduced to 15 ton. Fire Chief Lemoine was in attendance and they inquired which of their vehicles this would affect. Lemoine said that Engine 3 and Engine 4 are over the weight limit. The Chief and the Board agreed to have these 2 vehicles use an alternate route for non-emergencies.
- The 7/7/09 meeting will be held at the BCC as the Board will be meeting with the NH DOT in a public informational meeting to discuss the Rte 125/Rte 111A project and the Rte 125/North Road project.
- Waldron made a motion, seconded by Menter to approve Victor Schmalzer as the 3rd representative to ERLAC. All voted in favor.
- Carole Belliveau has submitted a letter of resignation as Emergency Management Director. Bryan mentioned it is a sad situation as she is very qualified. Bryan commented that it was Belliveau's responsibility to negotiate with Florida Light & Power (Seabrook). Byrne said she was given permission at an earlier meeting to correspond with Lisa Byrne of Eastern Propane to get a payment history. Byrne said she did not contact Eastern Propane (other than Lisa Byrne) or Seabrook Station. She said she did not do anything after the meeting in which Belliveau was given permission to do the negotiating. Byrne inquired why we didn't find out about this problem with Eastern Propane's August bill until May? Byrne commented that she feels her job as Selectman is to watch the money of this town. She researched Seabrook's payment history of the propane and since the day the generator went in the Town has not paid a dime on that fuel bill. Bryan said it is very explicit on the paperwork presented that Seabrook is only responsible for a portion of the bill. Byrne responded that she has researched that document and has not been able to find that page in the Emergency Response Plan. The document presented has no date or revision number. The only agreement that is there and signed was approved by the previous Board. Byrne continued that it was presented to us that this was a crisis situation that the FD needed propane and Eastern would not deliver because of the bill. She checked the tank and it was still half full and we were not in any

BRENTWOOD BOARD OF SELECTMEN
MINUTES OF JUNE 16, 2009 MEETING

crisis. Bryan said we may not have been in a crisis but the bill was still long past due and needed to be paid. Byrne said that she is certainly going to speak up when a financial change is being proposed to change something that has been done for 23 years; it has always been the Town's position that that generator belongs to Seabrook Station. She continued that, despite what Belliveau reported, the only appliance hooked to that tank is the generator. Byrne said she did not interfere with the vote of the Board. Bryan responded that we have to work together as a Board and that it is clear from Belliveau's letter that she feels her bounds and her authority were stepped on. Byrne said that the bill was brought to the Board to deal with and that's what they were doing. Bryan commented that it seems a shame to have such a loyal volunteer walk away. Byrne said she is a loyal volunteer as well. Waldron recommended sending a letter of appreciation to Belliveau. The Board would like a notice put in the Brentwood Newsletter that we are in need of an Emergency Management Director. Robinson, Deputy EM Director and Police Chief, requests that the individual be a resident.

- Waldron made a motion with a second from Artimovich to approve payment to Tri-State striping from encumbered funds for the lining of the BCC lot and Town office lot. All voted in favor.
- Byrne made a motion to approve payment to Jim Michaud from encumbered funds for cyclical data collection. Menter seconded the motion; all in favor.
- Epping is going to have a Planning Board meeting on 6/25 regarding Sigarms and Bryan suggested that there may be some favorable participation allowed by the Town of Brentwood. Bryan asked if anyone could attend. The Board would like a letter drafted to the Epping Planning Board again requesting it be considered of Regional Impact. Artimovich offered to deliver the letter.
- Bryan reported that the Fire House Building Committee met 6/15/09. He handed out revised copies of Ricci's bid for construction with new costs reflecting the ARRA requirements. The new quote is \$2,234,065. This is an increase from the \$1,695,000 that was presented at Town Meeting. Bryan requested whether we want to set up a special town meeting to vote on approving the station using stimulus funds. There was discussion regarding the time factor in posting a legal notice of a special meeting. The Fire House Committee wants to submit 60% of the cost to be covered by the ARRA funds which would be \$1,279,547 and the town would pay \$954,511. This is not quite the 40% cost as the stimulus funding will not pay for furnishings, landscaping, etc. Gary Raymond wrote a letter expressing his concern about whether or not the selectmen would be doing the right thing and that it may look like they are forcing this on the taxpayers. Fire Chief Lemoine said that he spoke with Raymond and their feeling is that we shouldn't have a town meeting before the ARRA grant is actually approved. Bryan questioned whether "shovel-ready" includes having the project town approved. Lemoine's other concern is that if they held a special town meeting and it got voted down, they wouldn't even be able to apply for the grant. If the Selectmen wait to have the town meeting until we find out if we get approved, we can at least apply for the grant. Lemoine said that at no place on the grant application does it ask whether or not the project has town approval. Lemoine requested a letter from the Selectmen supporting their grant application. Waldron made a motion, seconded by Byrne, to write such a letter. All voted in favor. Wayne St. Hilaire, who was in attendance, recommended a

BRENTWOOD BOARD OF SELECTMEN
MINUTES OF JUNE 16, 2009 MEETING

letter be included in the next Brentwood Newsletter explaining what is taking place. The Board agreed.

Gil Tuck, Building Inspector was in with the following permits which the Board signed:

- Robert & Jane Duarte of 12 Peabody Lane to open up and enlarge existing rooms.
- Roger Savage of 103 Deerhill Road to add a deck.

Last week, on a non-meeting week, the building inspector submitted the following permits which were signed by a majority of the Board:

- Anna & Alan Quinn of 31 Northrup Drive for the addition of front and rear dormers.
- Carol Holt of 51 Middle Road to remodel a bathroom.

The Selectmen were in receipt of Town Engineer Steve Cummings' plans for the work to be done on the South Road Bridge.

The Board signed the following documents:

- 2 Intent to Cut notices, one for William & Rebecca Dunham of 9 Block Drive and one for Priscilla MacMullen of 312 Middle Road.
- Release of letter of credit for Hayward Realty Investment and one for Mill Pond Crossing as voted by the Planning Board.
- A letter to Plodzik & Sanderson approving the audit report for 2007 be released.
- An abatement request for 339 Rte 125 for KF Realty Trust. Property was assessed for \$149,100. Jim Michaud, assessor, had an appointment for an inspection which the property owner cancelled and did not reschedule. The property is listed for sale at \$550,000. Michaud, therefore, recommends that the abatement be denied. Byrne made a motion, with a second by Artimovich, to deny the abatement. All voted in favor.

Menter made a motion to go into nonpublic session per 91-A:3, II(a) to discuss some personnel issues. Byrne seconded the motion; Bryan, Artimovich, Waldron, Byrne and Menter voted in favor.

Following discussion, Byrne made a motion, seconded by Artimovich, to come out of nonpublic session and seal the minutes. Bryan, Artimovich, Waldron, Byrne and Menter voted in favor.

At 8:35 p.m. a motion was made by Artimovich to adjourn. Byrne seconded the motion; all voted in favor.

Respectfully submitted,

Julie Stevens