



**TOWN OF
BROOKLINE, NEW HAMPSHIRE
SELECTBOARD**

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*Minutes
Selectboard
Monday September 11, 2017*

Selectboard members present: John Carr, Brendan Denehy, Tom Humphreys, Val Ogden and Eddie Arnold along with Town Administrator Tad Putney.

Also present: Finance Committee Member Brian Rater, Melendy Pond Evaluation Committee Member Tom Solon, Corey Hill Road Residents Evalyn Maghakian, Jim Treacy, Jesse Mendenhall, Ken Hang, and Mary Passamonte.

6:30 John opened the meeting with the Pledge of Allegiance.

Public Input

Tom Solon said he would like to get clarification from the **Board** on whether the Melendy Pond Evaluation Committee (MPEC) should be looking at the possibility of extending leases even though at Town Meeting it was voted to end them. **Tad** said he believes that the MPEC's charter is to look at all possibilities. The Board will take this up at the next meeting.

Approve Minutes

Eddie moved, seconded by Brendan, to approve the minutes from the August 28th meeting and September 7th meeting as written; Voted Yes 5-0. Brendan moved, seconded by Eddie, to approve three sets of the non-public minutes from the August 28th meeting as written and unseal the third set; Voted Yes 5-0. Brendan moved, seconded by Val, to approve the non-public minutes from the September 7th meeting; Voted Yes 5-0.

Sign Warrants for Payment

The **Board** signed **Accounts Payable Warrant #37** in the amount of **\$1,310,441.53**, **Payroll Warrant #38** in the amount of **\$54,293.55** and **Police Detail Warrant** in the amount of **\$1,327.50**.

Announce Electronics Collection Day

John announced the next Electronics Collections Day will be at the Transfer Station on Saturday Oct 7, 2017 from 9am to 3pm.

Announce Resignation of Grove Manager

Tad said we have received the resignation of **Cheryl O'Donnell**, Manager of The Max Cohen Memorial Grove. The **Board** agreed that the Recreation Commission will lead the process of seeking a suitable recommendation for appointment by the **Selectboard**.

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Sign Thank You Letter to Anrik Irrigation

The **Board** signed a thank you letter to **Anrik Irrigation** for their generous donation of a new irrigation system and the labor to install it at the Town Hall.

Discuss Status of Transfer Station on Veteran's Day

After a brief discussion, *Tom moved, seconded by Eddie, to close the Transfer Station on Saturday November 11, 2017 in honor of Veteran's Day; Voted Yes 5-0.*

Review Year-to-Date Expenses

Tad said at the end of August, we were 67% of the way through the year and we have expended 65% of the operating budget.

Review and Discuss MS-535

The **Board** signed the MS-535 Report which is annually prepared by the auditors and details what the town spent the previous year. **Tad** said he has reviewed the report with the auditors and stated that this is the first set of information used in the process of setting the tax rate.

6:45pm Public Hearing to Accept Unanticipated Revenues

At 6:50pm **John** opened the Public Hearing to discuss the acceptance of \$321,209.84 of unanticipated revenue. The amount is comprised of: Special Highway Block Grant for \$121,255.95, Fire Fighter Assistance Program grant for \$134,400 and Additional Funds for the TAP-1 Sidewalk Grant for \$65,552.89. **Tom Solon** advised that the Board accept the money. **John** closed the meeting at 6:52. *Tom moved, seconded by Eddie to accept the aforementioned unanticipated revenues totaling \$321,209.84; Voted Yes 5-0.*

Review Estimate For Repairs to Playground

Tad advised the Board that we have received an estimate for repairs to the playground equipment at the Ball Park and Grove totaling over \$10,000. It was agreed that **Tad** will work with the Recreation Commission to address this in their 2018 budget and also monitor private efforts that are underway on a potential new playground.

Review and Discuss TAP-2 Engineering Contract

Tad said NHDOT has accepted and approved the contract that was prepared for the Town by DuBois & King for engineering services on the TAP-2 sidewalk and bridges project. **John** asked if safeguards were in the contract. **Tad** said the Town had asked that some items be added to the contract and all suggestions were accepted by DuBois & King, but it does not guarantee that there will not be any surprises. **Tad** explained that the grant had sought \$80,000 for engineering, so the contract amount, at \$89,472, exceeds that amount for this step, which is the first of four project components. *Brendan moved, seconded by Eddie, for John to sign the contract with DuBois & King for \$89,472; Voted Yes 4-1, Val Voted No.*

7:00pm Continue Public Hearing re Corey Hill Road Town Counsel **Drescher** arrived.

Tad said he gave the **Board** a document prepared by himself and town counsel laying out potential motions for the Board to make tonight. He explained the first step requires the Board to determine if there is sufficient "public good" served by the road's upgrade to justify the future maintenance costs. If so, then in the second step 2 the Board would move to conditionally approve the resident's petition subject to the conditions specified, failing any of which, the conditional approval will terminate. **Drescher** said if the **Town** approves the

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petition, the next step is the Planning Board and if approved, then Town Meeting. **Jesse Mendenhall** said that Corey Hill Rd residents will pay the \$13,000 for the engineering and surveying up front, then \$106,765 for construction and paving. He asked if the Town has denied accepting any roads from recently completed subdivisions. The response was no. He feels this situation is similar and the Board should accept the road if the residents are willing to pay the up-front costs. **Tad** said the cost to the Town for annual maintenance had been estimated at \$2,500-\$3,000, resulting in a tax increase of approximately \$1.50 annually for a \$250,000 home and \$3.50 for a \$400,000 home. **Brendan moved, seconded by Tom, to grant the petition on the grounds that the public good occasioned by the layout outweighs the burden which future maintenance costs will impose on the Town's taxpayers, and the following are determined to be specific examples which we considered as the "public good": additional taxes that the town will realize as a result of the higher assessments, improved emergency vehicle access to the properties, improved access for school buses, and improved stormwater management, which improves that which reaches the existing town road; Voted Yes 3-1, John Voted No, Val abstained and asked to excuse the public for a non-meeting to speak with Town Counsel.**

Upon returning from the Non-Meeting, Brendan moved, seconded by Eddie, to reconsider the vote to approve Corey Hill Road; Voted Yes 5-0. The Board had more questions for Corey Hill Road residents. **Brendan** said as a matter of fairness, he can't see denying this petition. **Eddie** said he agrees with **Brendan's** point. **Brendan moved, seconded by Eddie, to grant the petition on the grounds that the public good occasioned by the layout outweighs the burden which future maintenance costs will impose on the Town's taxpayers, and the following are determined to be specific examples which we considered as the "public good": additional taxes that the town will realize as a result of the higher assessments, improved emergency vehicle access to the properties, improved access for school buses, and improved stormwater management, which improves that which reaches the existing town road; Voted Yes 4-1, John Voted No.** **Jim Treacy** asked if they would pay the road construction company or the Town. **Tad** asked Town Counsel if there is a way for the residents to have the work done themselves, then come to the Selectboard for approval and skip Town Meeting all together. **Drescher** said yes, we would just need to edit the conditional language. He added, when the Board approves the final plan, with the description of the new road, and files it with the Town Clerk, there is a 60-day appeal period for anyone to challenge the decision. **Brendan moved, seconded by Eddie, to conditionally approve the petition subject to the following conditions, failing any of which, the conditional approval will terminate, with the option to modify items 7-10 at a continuation of this Public Hearing on Monday, September 25, 2017 at 7:00pm; Voted Yes 5-0.**

Conditions:

Survey/Engineering Cost

1. The petitioners pay to the Town no sooner than ten (10) days from the date of this vote, the sum of \$13,000 as an advance against the surveying and engineering costs necessary to identify the legal description of the road as well as the town engineer's proposed specifications for the construction of a paved road. It is understood that this payment is non-refundable, irrespective of whether the approval is rendered invalid by failure to comply with conditions, a court challenge, or any other reason. It is

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understood that the payment herein shall be applied to the engineering/surveying costs which have been estimated at \$13,000 and if those costs are eventually determined to exceed that amount, the petitioners shall be responsible for paying any excess, as well.

Preparation of Layout Plan

2. Once the payment specified in the above paragraph is received, these proceedings will be in recess until the engineer and surveyor conclude the layout plan which will show the legal description of the location of the road as proposed to be laid out and that plan must include, at a minimum, a cul-de-sac or other feature (such as a 'hammerhead'), to allow for reversal of direction. The plan shall also identify the ownership of any additional 'easements' or other interests which will be required to be included in the layout in order to describe the entire road as proposed to be laid out as well as addressing the matter of stormwater management and identification of the location and specifications of any drainage infrastructure.

Subdivision Application to Planning Board

[Note: The alteration of the road from private (as shown on the approved Plan), to public constitutes an amendment to the original subdivision Plan, the change would have to be approved by the Planning Board even if it did not involve the reconfiguration of the road. Since it appears clear that the requirement for a turnaround or cul-de-sac will, necessarily, require property interests to be conveyed from property owners other than merely the owner of the road, the newly configured road as shown on the layout plan will need to be approved by the Planning Board. The first step of that process will involve an informal meeting with the Planning Board in the nature of a 'conceptual or 'design review' meeting.]

-Conceptual Meeting with the Planning Board

3. Once the layout plan is concluded, the engineer and surveyor shall then proceed to meet with the Planning Board on a conceptual or design review basis for the purpose of establishing that the Planning Board is generally favorably disposed to the layout plan, subject to and not conceding any right(s), the Planning Board has to exercise its jurisdiction in the event of the full review.

-Conceptual Meeting with the Selectboard

4. Following the conceptual meeting with the Planning Board, the engineer and surveyor shall meet with the Selectboard to allow the Selectboard to determine whether the road as shown on the layout Plan is sufficiently satisfactory to allow the matter to continue.

-Completion of Final Construction Documents

5. Assuming that the layout Plan is favorably received by the Selectboard, the engineer and surveyor shall then proceed to complete the construction documents necessary to identify the specifications to which the road shall be built, which specifications, at a

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minimum, shall require that the roadway be paved. The engineer and surveyor, at this point, will also prepare more detailed and accurate estimates of the total costs of construction, which costs will also include, at a minimum, any administrative and legal expenses.

-Formal Meeting(s) with the Planning Board

6. The engineer and surveyor shall then present the final plans to the Planning Board with such applications and other documentation required by the Planning Board so that the Planning Board can consider and review the application at a properly noticed public hearing.

Final Conditional Layout Vote by Selectboard

-Betterment Assessments

7. Assuming approval of the subdivision application by the Planning Board, the matter will proceed back to the Selectboard for a final vote on the layout of the road, which vote shall NOT proceed until the following occur:
 - (i) The Board of Assessors or Selectboard (as the case may be), determines the amount of and takes the necessary steps to impose the betterment assessments applicable to the several properties of the petitioners and any other properties benefitted from the layout. The betterment assessments shall be the actual amount which each of the properties is expected to contribute to the project costs, which shall be proportional to the increase in value attributable to each of the properties as a consequence of the anticipated approval of the layout and construction of the road.
 - (ii) The petitioners pay to the Town of Brookline the full amount of the total costs of the project as determined by the engineer and surveyor (see step # 5, above), less the amount of the betterment assessments.
 - (iii) The Town Meeting of the Town of Brookline approves a warrant article appropriating the amount of the full project cost by the Selectboard, which warrant article shall be contingent on the entire funding for such appropriation being raised through the betterment assessments and direct contributions of the petitioners no portion of which appropriation shall be raised by general taxation.
 - (iv) The petitioners have provided to the Town deeds in recordable form for any required drainage or other property rights necessary for the town to maintain the infrastructure associated with the road. The actual deed of the highway easement is not necessary.
8. Following the approval of the above referenced warrant article (see step 7, (iii), above),

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and the completion of the other conditions in Step 7, the Selectboard shall convene to finally approve the layout, which final approval shall identify the legal description of the road as it has been approved. In this regard, the Selectboard shall adopt a formal resolution (prepared by counsel), containing the legal description, certified copies of which will then be recorded with the town clerk as well as in the Registry of Deeds, which document is intended to constitute the 'Return' required by ***RSA 231:16***. This is the point at which the 'title' to the public highway easement becomes the property of the Town.

9. No construction of the roadway shall be commenced until at least sixty (60) days following the recording of the Return with the town clerk. The purpose of this provision is to allow for any appeals to the layout decision.
10. Construction of the road can commence any time after the expiration of the 60 day period. The petitioners shall be responsible for the payment of any amounts that exceed the original cost estimates.

Next Agenda Items

It was agreed that items on the next agenda would include: discuss the update to the Economic Development chapter of the Master Plan, review of stipend recommendations from the Finance Committee, continuation of the Corey Hill Public Hearing, and an update on the Public Works Study Committee.


John moved, seconded by Tom, to go into Non-Public Session per RSA 91-A:3 11 (c) reputation; Voted Yes 5-0. Upon coming out of Non-Public Session, John moved, seconded by Brendan, to seal the minutes; Voted Yes 5-0. Brendan moved, seconded by Eddie, to adjourn; Voted Yes 5-0.

Adjourned 9:38pm

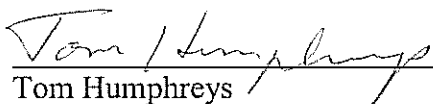
Minutes submitted by Sharon Sturtevant.



John Carr




Brendan Denehy



Tom Humphreys

Val Ogden



Eddie Arnold

Town of Brookline, NH

W#37-2017

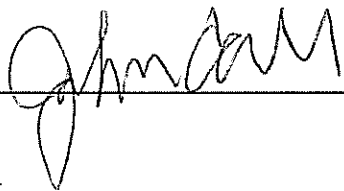
09/11/17

Date	Num	Name	Memo	Amount
1010 · General Checking Acc't				
09/11/201	50758	Arcomm Communications	W#37-2017	-2,057.86
09/11/201	50759	AT & T	W#37-2017	-41.00
09/11/201	50760	Beth Lukovits	W#37-2017	-450.00
09/11/201	50761	Brookline Library Trustees	W#37-2017	-21,265.25
09/11/201	50762	Brookline School District	W#37-2017	-600,000.00
09/11/201	50763	Bulldog Fire Apparatus Inc	W#37-2017	-53.01
09/11/201	50764	C L Farwell Construction L...	W#37-2017	-16,048.00
09/11/201	50765	Clean Harbors Env. Services	W#37-2017	-165.00
09/11/201	50766	D.C. Slocumb Co	W#37-2017	-729.80
09/11/201	50767	Daryl Pelletier	W#37-2017	-3,770.00
09/11/201	50768	David Cook	W#37-2017	-545.00
09/11/201	50769	DNG Auto	W#37-2017	-1,443.50
09/11/201	50770	Drescher & Dokmo	W#37-2017	-850.75
09/11/201	50771	Eversource	W#37-2017	-885.70
09/11/201	50772	FireMed LLC	W#37-2017	-945.00
09/11/201	50773	Gall's Inc	W#37-2017	-233.92
09/11/201	50774	Granite State Concrete Co...	W#37-2017	-597.02
09/11/201	50775	Great America Financial S...	W#37-2017	-156.65
09/11/201	50776	Hallmark Copier Co Inc	W#37-2017	-186.00
09/11/201	50777	Health Trust Inc	W#37-2017	-57.69
09/11/201	50778	Hillsborough County Treas...	W#37-2017	-2.46
09/11/201	50779	Hollis/Brookline Co-op Sch...	W#37-2017	-600,000.00
09/11/201	50780	MD's Trash Removal Inc	W#37-2017	-230.00
09/11/201	50781	Metropolitan Life	W#37-2017	-370.00
09/11/201	50782	Monadnock Mtn Spring W...	W#37-2017	-84.50
09/11/201	50783	Neptune Uniforms & Eqpt,...	W#37-2017	-136.00
09/11/201	50784	NH Dept. of Health & Hum...	W#37-2017	-444.00
09/11/201	50785	NH Fish & Game Departm...	W#37-2017	-137.00
09/11/201	50786	NH Retirement System	W#37-2017	-43,448.19
09/11/201	50787	NH Superior Repair	W#37-2017	-575.00
09/11/201	50788	Patricia Howard-Barnett	W#37-2017	-25.00
09/11/201	50789	Pepperell Community Medi...	W#37-2017	-376.00
09/11/201	50790	Roberts Co., Inc.	W#37-2017	-347.30
09/11/201	50791	Schwaab Inc	W#37-2017	-36.25
09/11/201	50792	Sharon Sturtevant	W#37-2017	-23.21
09/11/201	50793	Souhegan Valley Tree Ser...	W#37-2017	-3,900.00
09/11/201	50794	Staples Credit Plan	W#37-2017	-699.74
09/11/201	50795	Staples Credit Plan - Amb	W#37-2017	-139.67
09/11/201	50796	Tad Putney	W#37-2017	-46.77
09/11/201	50797	The Telegraph	W#37-2017	-36.80
09/11/201	50798	Town Hall Streams	W#37-2017	-250.00
09/11/201	50799	Town of Hollis	W#37-2017	-1,000.00
09/11/201	50800	Treas,St. of NH, COAF	W#37-2017	-284.00
09/11/201	50801	Valerie Rearick	W#37-2017	-131.22
09/11/201	50802	Verizon Wireless	W#37-2017	-160.04

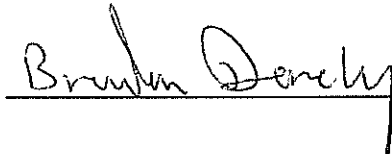
Town of Brookline, NH
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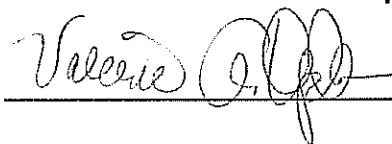
Date	Num	Name	Memo	Amount
09/11/201	50803	WEX Bank - Sunoco Sun ...	W#37-2017	-1,251.85
09/11/201	50804	William N Lamarre Concre...	W#37-2017	-1,710.00
09/11/201	50805	Wilson's Ground Maintena...	W#37-2017	-4,115.38
Total 1010 · General Checking Acc't				-1,310,441.53
TOTAL				-1,310,441.53



Thomas Dwyer



Brandon Denehy



Valerie J. Galt

