



**TOWN OF
BROOKLINE, NEW HAMPSHIRE
SELECTBOARD**

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*Minutes
Selectboard
Monday September 25, 2017*

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

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

Public Input

Brendan said he wanted to acknowledge the passing of Dick Drisko, who had served as a state representative for Hollis and Brookline. He also wanted to announce the Fire Department's Annual Duck Race on October 14th 2017.

Approve Minutes

Tom moved, seconded by Eddie, to accept the minutes from the September 11th, September 13th and September 18th meetings as written; Voted Yes 5-0. Eddie moved, seconded by Brendan, to accept the non-public minutes from the September 11th, September 13th and September 18th meetings as written; Voted Yes 5-0.

Sign Warrants for Payment

The Board signed **Accounts Payable Warrant #39** in the amount of \$75,353.22, **Payroll Warrant #40** in the amount of \$53,830.77 and **Police Detail Warrant** in the amount of \$2,430.00. The Board also signed an amended **Accounts Payable Warrant #35** from August 28th in the amount of \$94,447.90.

Review Stipend Recommendations From Finance Committee

Tad said the recommendations to adjust stipends from the Finance Committee applied an inflation escalator and had added information for the Moderator and Assessor positions. He asked the Board if they would like to use the Finance Committee's recommendations for preliminary budget numbers. The Board agreed.

Discuss Melendy Pond Evaluation Committee (MPEC) Charter

Tad said at the last Board meeting Tom Solon asked if the MPEC should be contemplating extending leases or taking it off the table completely. **Brendan** noted, there have been two warrant articles that prohibited extending leases and the most recent around 2008, which was a petition warrant article. **Tad** said the committee is doing homework and then bringing the results to the Board for them to decide if they want to bring it to town meeting. **Tom** suggested all leases be extended to 2032 to get as much revenue as possible for the Town. **Brendan** said between 2002 and

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today there have been leases that have expired, so it wouldn't be fair. **Val** said all options are open, but we honor what the people have voted and the leases expire when they expire. **Tad** will convey this direction to the committee.

Discuss Economic Development Chapter of Master Plan

Val wanted to do some due diligence as economic development is an important topic for the town and needs more consideration. She said the Planning Board is updating this chapter of the Master Plan and provided some comments. In section one of the chapter, she said that revenues to the town are out of balance with expenses. In section two, she expressed concern about our town sovereignty, especially when we rely on regional efforts such as the Nashua Regional Planning Commission and Souhegan Regional Landfill District. She suggested that we need to re-open the idea of having "big box" stores in town. She also said that changes to the Master Plan should be brought to the public for input. **Tad** said he will speak with Valerie Rearick about the Planning Board holding a Public Hearing for updates to this chapter of the Master Plan.

7:00pm – Continue Public Hearing re Corey Hill Road

Tad said the last meeting approved conditions for a process to make the road a town road and there was interest in having Town Counsel modify the conditions to avoid the need for betterment assessments and town meeting approval of funds. **Attorney Drescher** walked the Board through the revised conditions (see attached). **Drew Kellner** asked what happens if at condition #10 there are insufficient funds to complete the project. It was noted the town engineer will need to include a contingency in his estimate of project costs. **Tad** noted in condition #5 the reference to "legal expenses" relates to a portion of Town Counsel's time on the project and has been estimated at \$3,500-\$5,000. **Eddie moved, seconded by Tom, to approve the revised conditions and approve the related Resolution; Voted Yes 5-0.** The Public Hearing concluded at 7:15pm.

Budget Discussion

John said what happens in the schools affects everything and he understands the schools are going to seek funds for redoing fields and a coaches room above the weight room. He said they were going to seek donations but now are going to ask the town for money. He said we have to control spending and slow down the process, we can't keep shooting for the moon. **Val** asked about the length of the budget process. **Tad** said the first phase involves four meetings over October and November. Then we jump to the Budget Hearings the third week in January. **Eddie** asked if it is common in the private sector to do pay raises across the board. **Val** said no. **Brendan** said it depends. **Drew** said the true cost of everything is not always captured in the expense lines due to volunteers.

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Review agenda items for next meeting - October 2nd

The following items were discussed for the next agenda:

- Contract for Dispatch
- Review 2016 Audit Report
- Right to Know Training
- Annual meeting dates for COOP and town
- Aerobatic practice area at the airport

Other Business

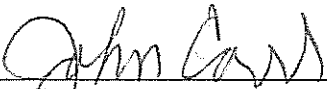
Eddie said he has received complaints about the Town Hall lawn, namely unevenness and that it wasn't raked out very well. **Tom** will be going with **Jerry** to the Souhegan Regional Landfill District meeting next week and will report back. **Eddie** said if people want to be at their home for the Avitar assessment, they can make an appointment and should contact **Kristen Austin**.

John moved, seconded by Tom, to go into Non-Public Session per RSA 91-A:3 II (d) (land acquisition); Roll call vote Yes 5-0.


Upon returning from non-public session, John moved, seconded by Tom, to seal the minutes; Voted Yes 5-0. Brendan moved, seconded by Tom, to adjourn; Voted Yes 5-0.

8:18pm meeting adjourned.

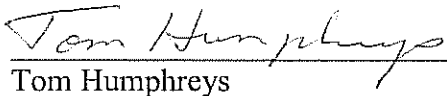
Minutes submitted by Sharon Sturtevant.



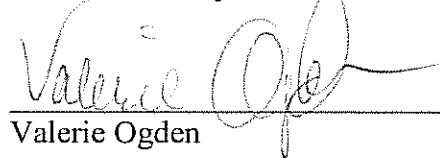
John Carr



Brendan Denehy



Tom Humphreys



Valerie Ogden



Eddie Arnold

*THE STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH
TOWN OF BROOKLINE*

BOARD OF SELECTMEN

RESOLUTION

*Resolution Approving Petition for Conditional Layout of Corey Hill Road
Pursuant to RSA 231:28*

KNOW ALL MEN BY THESE PRESENTS, that the duly elected Board of Selectmen of the Town of Brookline on the 25th day of September, 2017 :

Recitals

- A. Presently Corey Hill Road is a private road, having been approved as such in 1973 when the Planning Board approved a subdivision of land of Hal Taylor, Inc., into eight (8) single family house lots which, as a result of several lot line changes over the years, have now been reduced to six (6) lots.
- B. The bed of the road is shown on the Town tax records as a separate parcel of land, purportedly owned by Clarence Farwell, but it is believed that all the deeds to the individual lots also conveyed perpetual easements over the road for the benefit of the lot owners.
- C. Currently, the Board has before it a petition to lay Corey Hill Road out as a public Class V road which, if approved, will result in:
 - The road being upgraded to the extent and in the manner required by the Selectboard; and,
 - The road, thereafter, being maintained by the Town as part of its highway maintenance program, at general taxpayer expense.
- D. The Selectboard has considered this petition at several prior meetings, the most recent of which was *September 11, 2017*, at which time the following motions were made and approved:

First Motion

Motion 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.*

- *Improved stormwater management which improves that which reaches the existing town road.*

Second Motion

- *In light of our determination that there is 'occasion' to grant the petition, motion to conditionally approve the petition subject to the following conditions, failing any of which, the conditional approval will terminate:*

The Board then accepted, verbatim, the list of ten conditions supplied in the handout for the meeting of September 11, 2017, a copy of which was incorporated into the minutes.

- E. Following the vote, the Board continued to consider suggestions by the petitioners to the effect that allowing them to raise the funds themselves, thereby relieving the Town of the necessity to appropriate the funds to construct the road and, further, allowing them to pay for the construction directly, would simplify the process by avoiding the steps in the ten conditions which addressed betterment assessments and the passage of a town meeting warrant article.
- F. Accordingly, the Board voted further to consider proposed language to modify the conditions to implement the petitioners' request, at its next meeting on *Monday, September 25, 2017, @ 7:00 p.m.*
- G. At the Board meeting on *Monday, September 25, 2017, @ 7:00 p.m.*, following a motion duly made and seconded, the Board voted as follows:
- H. *The Board hereby modifies the above referenced vote taken at the meeting of September 11, 2017 by deleting the ten (10) conditions adopted at that time and replacing them with the following ten (10) 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 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

- 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 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 related 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.

7. Final Conditional Layout Vote by Selectboard

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 petitioners secure the funding necessary to pay the full cost of the construction of the road as approved by the Town Engineer, Planning Board and Selectboard.
- (ii) The petitioners secure to the Town, either by provision of an acceptable bond, letter of credit or other instrument, the necessary cost to build the road in the event of a default by the petitioners. The above security requirement may be satisfied by an agreement (acceptable to the Selectboard), with the funding bank or other party acting as escrow agent providing for the disbursement of funds only upon joint approval of the petitioners and the Town Engineer, as progress of the road construction warrants.
- (iii) 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.¹

¹ *Actual conveyances of the highway easements are not necessary since the 'Return' constitutes the 'taking' of the property interests necessary to constitute the road and will contain its legal description. However, specific easements such as drainage easements should be actually conveyed to the Town by recordable conveyancing document(s). - (see Step 7, (iii)).*

8. Following the completion of the conditions in Step 7, above, 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.²
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.³
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.

*Town of Brookline
SelectBoard*

John J. Carr
Brian Denely
Tom Humphreys
Valerie O'Neil
[Signature]

I, the undersigned, the duly elected town clerk of the Town of Brookline, hereby certify that the foregoing is a true copy of a resolution adopted by the SelectBoard at their meeting on September 25, 2017

[Signature]
Town Clerk

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September 25, 2017

² See footnote 1, above.

³ See RSA 231:34.

Town of Brookline, NH

W#39-2017

09/25/17

Date	Num	Name	Memo	Amount
1010 - General Checking Acc't				
09/25/201	50806	Absolute Mechanical Syste...	W#39-2017	-100.00
09/25/201	50807	Aflac	W#39-2017	-605.42
09/25/201	50808	AFSCME Council 93	W#39-2017	-251.46
09/25/201	50809	Alert-All Corp	W#39-2017	-552.00
09/25/201	50810	Beltronics Inc	W#39-2017	-279.60
09/25/201	50811	BK Systems Inc	W#39-2017	-450.00
09/25/201	50812	Business Card	W#39-2017	-446.33
09/25/201	50813	C L Farwell Construction L...	W#39-2017	-27,317.50
09/25/201	50814	Charter Communications	W#39-2017	-327.57
09/25/201	50815	Christine Drum	W#39-2017	-200.00
09/25/201	50816	Coast to Coast Solutions	W#39-2017	-74.93
09/25/201	50817	Cook, Little, Rosenblatt & ...	W#39-2017	-2,500.00
09/25/201	50818	Creative Product Source Inc	W#39-2017	-215.80
09/25/201	50819	D.C. Slocomb Co	W#39-2017	-1,299.60
09/25/201	50820	DeMoulas Supermarkets Inc	W#39-2017	-179.08
09/25/201	50821	Devine Millimet & Branch	W#39-2017	-27.50
09/25/201	50822	EMSAR New England	W#39-2017	-396.32
09/25/201	50823	Eversource	W#39-2017	-2,316.87
09/25/201	50824	Fire Tech & Safety of NE	W#39-2017	-581.00
09/25/201	50825	Granite State Concrete Co...	W#39-2017	-601.26
09/25/201	50826	Hallmark Copier Co Inc	W#39-2017	-430.00
09/25/201	50827	Health Trust	W#39-2017	-24,672.22
09/25/201	50828	Health Trust Inc	W#39-2017	-57.69
09/25/201	50829	Industrial Traffic Lines Inc	W#39-2017	-3,245.00
09/25/201	50830	Interstate Fire Protection	W#39-2017	-139.50
09/25/201	50831	JP Pest Services	W#39-2017	-369.00
09/25/201	50832	Lee Duval	W#39-2017	-10.49
09/25/201	50833	Maillet's Water Works	W#39-2017	-312.50
09/25/201	50834	Maynard & Lessieur Inc	W#39-2017	-544.08
09/25/201	50835	Metropolitan Life	W#39-2017	-370.00
09/25/201	50836	Myron Corp.	W#39-2017	-145.60
09/25/201	50837	Nashua Reg Plan Commis...	W#39-2017	-579.46
09/25/201	50838	NH Dept. of Health & Hum...	W#39-2017	-444.00
09/25/201	50839	NH Superior Repair	W#39-2017	-793.11
09/25/201	50840	Pitney Bowes Global Finan...	W#39-2017	-133.20
09/25/201	50841	Purchase Power	W#39-2017	-48.00
09/25/201	50842	Sanel Auto Parts	W#39-2017	-43.58
09/25/201	50843	Source 4	W#39-2017	-9.00
09/25/201	50844	Spaulding Hill Networks, L...	W#39-2017	-1,884.99
09/25/201	50845	St Joseph Business & Hea...	W#39-2017	-82.00
09/25/201	50846	Staples Credit Plan	W#39-2017	-255.68
09/25/201	50847	Syncb/Amazon	W#39-2017	-193.09
09/25/201	50848	Tad Putney	W#39-2017	-355.77
09/25/201	50849	TDS Telecom	W#39-2017	-157.02
09/25/201	50850	The County Stores Inc	W#39-2017	-119.75

Town of Brookline, NH
W#39-2017

09/25/17

Date	Num	Name	Memo	Amount
09/25/201	50851	U.S. Cellular	W#39-2017	-643.60
09/25/201	50852	United Site Services	W#39-2017	-72.50
09/25/201	50853	WEX Bank-WEX Fleet Uni...	W#39-2017	-520.15
Total 1010 · General Checking Acc't				-75,353.22
TOTAL				<u>-75,353.22</u>

John G. Carr

Brian Donnelly

Thomas Humphrey

[Signature]

Valerie Goff