



**TOWN OF
BROOKLINE, NEW HAMPSHIRE**

**P.O. BOX 360 – 1 Main Street
BROOKLINE, NH 03033-0360**

Telephone (603) 673-8855, ext. 213
Fax (603) 673-8136

<http://www.brookline.nh.us>

*Minutes
Melendy Pond Planning Committee
Tuesday, November 13, 2018*

Members present: Tom Solon, Webb Scales, Chris Adams, Peter Webb, Eddie Arnold, Tad Putney and Kevin Visnaskas. Absent: Eric DiVirgilio.

Tom called the meeting to order at 6:33pm.

Minutes

Eddie moved, seconded by Webb Scales, to approve the October 30th minutes as written; Voted Yes 7-0.

Agenda Adjustments

None.

Public Input

None.

Chris Duncan joined at 6:37pm.

Non-Public Session

Tom moved, seconded by Tad, to go into non-public session per RSA 91-A:3 II (l) (legal) at 6:37pm; Roll call vote, Yes 8-0. Tom referenced an email **Tad** had forwarded to committee members from **Attorney Drescher** that responded to three legal questions. **Kevin** said his research of licenses suggested they cannot be beyond one year of time and they may not allow for subleasing. **Peter** said he would like to make sure that the MPA meets with **Attorney Drescher** when it is time to draft the lease/licensing agreements. **Chris Adams** suggested that if extension of leases/licenses passes town meeting in March, there should be a subcommittee formed with members from this committee, the MPA, Attorney Drescher, and the Selectboard to work on lease/license wording. *Chris Duncan moved, seconded by Eddie, to come out of non-public session at 6:52pm; Roll call vote, Yes 8-0.*

Finalization of Lease Elements

Tom reviewed the previously discussed lease elements from the October 16th minutes. The committee discussed potential additional elements, including:

- Default “may” lead to the termination of the agreement at the sole discretion of the overseeing body OR no choice and default results in automatic termination.

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- **Tom** suggested including a fixed escalation factor rather than the consumer price index, or similarly published index, for adjusting annual rental rates at prescribed increments.
- **Peter** suggested language along the following lines: “upon expiration, the occupant shall remove the structure, and all other non-natural improvements and if the occupant fails to do so within 30 days, the Town is free to remove the structure(s) by demolition or otherwise at its discretion and the Town may seek recovery for those costs from the Licensee.”

Review Warrant Articles

Article #1 (reversing prior limitation on the extension of leases beyond 2020) – several minor wording changes were suggested, including the need for more details on the window that would exist for tenants to extend. **Tom** expressed the desire to add more details to the end of the warrant article and will draft wording.

Article #2 (regarding dissolving the MPA) - it was agreed that the article should: instruct that the MPA deed the land back to the Town, upon which time the Town will accept ownership, at which time the MPA will be dissolved and authorize the Selectboard to serve as the Town’s agents to manage the property, current leases and any future leases/licenses. **Peter** suggested that a real estate attorney be consulted to ensure something is not missed in the transfer of the land back to the Town. It was also agreed that the “two-thirds” affirmative vote requirement be removed and left for the Selectboard to decide if a simple majority would suffice.

Article #3 (establishing a revolving fund) – **Webb** suggested adding text to clarify that “revenues” exclude property taxes and add sunset provision language so that if funds are left after all structures have been demolished, the remaining funds go to the Town’s general fund.

Review Draft Report

Tom circulated the beginning of a draft report to committee members. **Webb** asked about the “forestry management” term and if it was sufficiently descriptive. It was agreed that “revenue generating forestry management over the long-term” was the preference. Several other suggestions were made and **Tom** will continue to work on the draft for the next meeting.

Next Meeting

The next meeting will be Tuesday, November 27th at 6:30pm. As it may be a lengthy meeting, **Tad** will arrange for some pizzas to be on hand.

Eddie moved, seconded by Chris Duncan, to adjourn; Voted Yes 8-0.

Meeting adjourned at 8:44pm.