



**TOWN OF
BROOKLINE, NEW HAMPSHIRE
SELECTBOARD**

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

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

Selectboard@brooklinenh.us

<http://www.brooklinenh.us>

*Minutes
Selectboard
Monday, April 18, 2022*

Selectboard members present: Eddie Arnold, Brendan Denehy, Dana Ketchen, Steve Russo, and Ed Perry along with Town Administrator Tad Putney. Also present: Bob Parodi, Charlie Corey, Amy Razzaboni, Bill Quigley, Jeffrey Stewart, Michele Decoteau, Roger Skillings, Lindsay Machado, Steve Sacherski, and Peter D'Agostino.

6:30pm Eddie opened the meeting with the Pledge of Allegiance and read the ground rules for hybrid meetings.

Public Input

Brendan acknowledged the passing of longtime resident **David Kinney** last week and asked for a moment of silence. He thanked our emergency service departments for their assistance with a special tribute for the family involving a truck parade. **Tad** announced the annual "Town Clean-Up" week will take place from April 23rd through May 1st and he said interested parties can obtain more information on the town website or by contacting Kristen here at the town hall.

Approve Minutes

Dana moved, seconded by Ed, to approve the public minutes from the Monday, April 4th meeting as written; Voted Yes 5-0. Dana moved, seconded by Steve, to approve 9 sets of non-public minutes from the Monday, April 4th meeting as written; Voted Yes 5-0.

Sign Warrants for Payment

Eddie noted that a check issued to Eastern Minerals on February 22nd was lost in the mail, so the check has been voided, that warrant has been revised and a replacement check has been issued to Eastern Minerals on tonight's warrant. **Brendan moved, seconded by Dana, to approve Accounts Payable Warrant #15 in the amount of \$313,670.33 and Payroll Warrant #16 in the amount of \$65,865.46; Voted Yes 5-0.**

Appointments and Reappointments

Steve moved, seconded by Brendan, to reappoint Eric Bernstein and appoint Scott Grenier as Full Members and reappoint Dennis Bechis as an Alternate Member to the Planning Board until March 31, 2025; Voted Yes 4-1, Dana voted no.

*Minutes
Selectboard
Monday, April 18, 2022
Page 2*

Library Trustee Resignation

Eddie announced the resignation of **Betsy Solon** as a Library Trustee, effective April 30, 2022, and noting that her term ends in March of 2024. **Tad** said the replacement is to be appointed by the Selectboard and anyone interested in finishing the term can reach out to him and he added this will be posted on the town website tomorrow. **Eddie** thanked **Betsy** for her service and said he is sad to see her go.

Seeking Two At-Large Residents for Energy Committee

Eddie said the Selectboard has chartered an Energy Committee to develop a multi-year plan for energy efficient upgrades to town buildings. He said the charter is available on the town website and the Board is seeking two at-large residents to serve on the committee. Interested residents can email the Town Administrator no later than 2pm on Thursday, April 28th.

Open Bids for 2016 Police SUV

Eddie said he received an unsealed bid from Carmax. ***Brendan moved not to accept the Carmax bid as it was not sealed, the motion failed with no second.*** Bids were as follows:

Carmax - \$7,700 valid through April 22nd and subject to change based on dealer estimate. Brian Wilson - \$1,500, Mike Garcia - \$4,787, John Patrick Rogers - \$3,650, Statewide Motor Sports - \$1,075. ***Brendan moved, seconded by Dana, to sell the SUV to Carmax, if after their valuation, they are still the highest bid; if not, we will sell it to the second highest bidder; Voted Yes 5-0.***

Review Year to Date Expenses and Revenues

Tad said as of the end of March we were 25% of the way through the year and had spent 22% of the budget. He noted the Welfare budget is ahead of pace partly due to a recent payment that should have come out of the Neighbors Helping Neighbors Fund and we will correct that moving forward. **Tad** said we are in good shape through the end of March for revenues, except for “construction debris” at the Transfer Station, which is notably below estimates for the year. He said savings against the budget year to date are about \$8,000 and unplanned expenses are about \$9,000.

6:45pm - **Eddie** opened the Public Hearing for proposed building permit fee changes. There was no public input. **Eddie** closed the Public Hearing at 6:46pm. ***Dana moved, seconded by Ed, to accept the building permit fee changes as written; Voted Yes 5-0.*** **Charlie** will get approval from the Fire Wards for fire permit fee increases. **Tad** said the changes will take effect June 1, 2022.

Police Department – Periodic Update

Chief Quigley reviewed the first quarter police activity for 2022. He said our number of domestic violence cases continues to be elevated and the number of drug arrests are down due to changes in the law. He said they have been reviewing and rewriting policies due to law changes coming from Concord. **Brendan** asked how the lieutenant search is going. **Bill** said it’s going very well and we have two candidates recommended by the oral board, which consisted of a captain from the NH state police,

*Minutes
Selectboard
Monday, April 18, 2022
Page 3*

a lieutenant from the Manchester police department, and a lieutenant from the Goffstown police department. **Bill** said he has an administrative interview with one candidate tomorrow and another one on Wednesday, with the hope of making the appointment by the middle of May.

Ambulance Department – First Quarter Update

Chief Stewart reviewed the first quarter ambulance activity for 2022. He said calls are up 19%, but when you take out repetitive incidents (same address, multiple occurrences), we are closer to 13%. He said we are closely monitoring for sustained trends as it impacts our operational budget. **Dana** said, for the record since she is mentioned in the report, when budget talks began there was a potential warrant article for \$18,263 proposed for an additional BAS employee, which was then removed before town meeting. **Dana** said she didn't have an opportunity to vote as a Selectboard member on the proposed new employee and that salary amount was then shifted over to the budget to increase coverage for the volunteers. She said she wanted to make it clear that she is not against increases in the ambulance budget, but she was not in favor of that much for that particular reason. **Jeffrey** said he welcomes any feedback from the Board, however, at town meeting we can't reduce a line-item of the budget, so he felt like only part of the story was told and the part that was missed was rescinding the warrant article for \$18,263 and compromising with the lower \$15,500 added to the budget, as was discussed in the public hearings. **Jeffrey** said he doesn't have the authority to bill and if there is interest to bill for ambulance services, then we need to put forward a warrant article for the residents to approve a move in that direction. He said **Dana** made a public statement that she wouldn't support any increases in the budget until we were billing for our services. He said he will create whatever system the Board dictates, but it also needs to come from the public. He noted there are two components here, one is the billing, and the other is all revenue generated by the ambulance service has to go into the ambulance revolving fund and that fund is currently established for the purchase of a new ambulance or associated ambulance equipment, so we can't use that revenue to offset the operating budget. **Dana** said her position simply was that she was not in support of the staffing increase. **Jeffrey** said it's important to note that the man hours associated with running an ambulance 24/7 with two people is 17,520 hours annually and our current schedule provides coverage for 12,896 hours, so there is a gap of 4,624 hours. He said in New Hampshire there is no legal "duty to act", unless you are on a schedule. It's important for the Selectboard and the public to know from an operational standpoint there is a gap. He said the ambulance service has always met that gap; they do an outstanding job. **Dana** said she appreciates everything the ambulance service does and thinks that billing is an important discussion to keep having. **Jeffrey** said National EMS week is May 15th through May 21st and he is hoping to have an open house.

Discuss Draft of Well and Water Ordinance

Peter D'Agostino – School & Town Services Study Committee (STSSC).

Peter said the STSSC was appointed by the Planning Board last year. He said the committee took the work completed by the Well and Water Committee (WWC) and turned it into an ordinance. **Peter** reviewed the origins of the data that makes up the draft ordinance and noted it comes from the WWC report, NH RSAs, NH Well &

*Minutes
Selectboard
Monday, April 18, 2022
Page 4*

Water Association, NH Dept of Environmental Services, and public comments during the drafting of the ordinance.

Lindsay Machado – Well and Water Committee (WWC)

Lindsay said her home was built on Russell Hill Road in 2018 and had no issues until 2019 when they lost water. She said simultaneously her surrounding neighbors also lost water and it was discovered that their wells were interacting with each other.

Lindsay said through further investigation they learned that seven years earlier, when their subdivision was proposed, abutters came to the Planning Board meeting and said there was *'no water there, that they had to drill quite a few wells, and it's not a good idea to build there'*. She said without regulations or ordinances in place, you can't really say no, and now five houses out of ten in the subdivision have water issues.

Lindsay said she has spoken with homeowners in other subdivisions in Brookline that are also having water issues. She said she feels, in some cases, it is overdevelopment that is causing the water problems and an ordinance will help to ensure that everyone who lives here has water and sustainable lots.

Roger Skillings – Skillings & Sons

Roger made points while reviewing portions of the draft ordinance. He said a hydrogeological study is going to be a big burden to people and he doesn't see how it will help. He said 30 houses in a neighborhood is not a lot of water usage until people start watering their lawns. **Roger** said Skillings gets zero calls from November 1st to May 1st for well water issues. He said if you water your lawn and there are no water issues then it's not a big deal, but if your neighbor is having water problems, then it is a big deal. He said he agrees with the water flow testing and recovery portions of the draft ordinance and the State of NH already has sufficient water quality regulations.

Roger said he thinks allowing discretion to issue waivers puts the Building Inspector in a tough spot.

Abigail Reville – Brookline Health Officer

Abbey said she had the opportunity to speak to a lot of people and hear different sides of this situation. She said she respects all the work everyone has done to get to this point, but she still has questions and feels there is missing data. **Abbey** said she is not comfortable putting a town-wide ordinance in place because she doesn't know any other areas in town, other than Russell Hill Road, that are having this problem. She said an option would be to adopt the ordinance for the Russell Hill Road area, but she doesn't have the data at this point to support a town-wide ordinance.

Steve Sacherski – Building Inspector & Code Enforcement Officer

Steve said Brookline has 1,894 single family, multi-family, and manufactured homes, but only five homes have been identified with this problem, which is .25 % of homes. He asked what percentage of homes need to experience well water problems for this to be a town-wide issue. **Steve** said the Building Inspector's office is only aware of less than a handful of wells in the past nine years that had to be replaced. He said the WWC report only discusses Russell Hill Road and no other areas are mentioned. **Steve** said in the WWC report concerns were raised that the West Hill development may negatively

*Minutes
Selectboard
Monday, April 18, 2022
Page 5*

influence well water supplies, but asked where the data is to support it. **Dana moved, seconded by Ed, to give Steve more time to speak; Voted No 3-2.**

Lindsay said there is no accurate number of other areas with well water problems at this time. She said her reach extends to social media and the town website which can't guarantee responses to gather data. She said out of the five homes on Russell Hill Road with water issues only one has lawn irrigation and it is not being used. She said she still has no adequate recovery in her well. **Bob Parodi** said the hydrogeological study has nothing to do with health or safety and it is a planning regulation. He said this ordinance does not look like any he has seen and pointed out that it calls for one house per well, when other ordinances allow for up to four houses. **Peter** said you could boil this ordinance down to two requirements: a water flow test before a building permit and a water quality test before a certificate of occupancy. **Tad** said if we are going to require testing for water quality should we include PFOAs and VOCs as it adds \$350-\$430 just for the PFOA test. **Roger** suggested contacting NHDES to see if they have found issues with PFOAs and VOCs in the Brookline area.

Eddie said the previous Building Inspector wanted to test for radon. **Roger** said that costs about \$40. **Tad** asked **Roger** when he drills a well in Massachusetts before the building permit, as is required, does he ever have to re-drill the well because the leach field had to be moved due to ledge or something of that sort. **Roger** said no. **Amy Razzaboni**, 2 Bedders Way, said we need to educate people about buying a house with a well and that usage varies from house to house. **Lindsay** said this ordinance will not change her or her neighbors' circumstances, but will help others in the future. **Bob Parodi** said banks already require a water test, so why do we need to regulate that.

Eddie said the Board now needs to discuss the three primary components in the draft ordinance - the hydrogeological study, well yield (quantity) and water testing (quality). **Dana** said out of 24 towns with water testing in New Hampshire, the only one the size and population of Brookline is Chester whose well water ordinance simply requires a water quality test meet the standards of NHDES before a certificate of occupancy can be issued. She also said our draft ordinance states, "The Town of Brookline NH has to provide for safe and sustainable wells" and she said the town should not be responsible for providing this. **Ed** said if his neighbor decides to drill a well that damages his well, does the state have any recourse. **Steve Sacherski** said he doesn't have an answer for that. **Peter** said you can *dig* your own well, but not *drill*. **Ed** said in your experience who is responsible for the problems with the well after the fact, is it all on the homeowner. **Lindsay** said when they first lost water, she immediately contacted the builder who said to call Skillings. She said it's hard to know if the original well certificate readings were accurate, but once you sign off on it, it's your problem. **Steve Russo** said he has attended Planning Board meetings for the past two years and whenever there is a development proposed, the abutters come and say they are worried about their well water. He said everyone in town is concerned, it's not just one area. **Steve Russo** said people don't have to report issues with their well, so there is no way to find out what the problem is unless you do a survey. **Brendan** said the Well Water Committee has done a lot of work in the past two years and he would like to see the

*Minutes
Selectboard
Monday, April 18, 2022
Page 6*

town move in this direction and requested the committee, on behalf of the Planning Board, take this information and come back with some more concrete answers. **Eddie** said the Board will take direction from the Health Officer and the Building Inspector when they receive more information and data and act in the interest of the public's health. **Bob Parodi** said this ordinance cites RSA 674:51 and RSA 155-A:3, which require a vote at town meeting, so the authority here is wrong. He said the authority you are discussing is under RSA 147:1, which reads *"The health officers of towns may make regulations for the prevention and removal of nuisances, and such other regulations relating to the public health as in their judgement the health and safety of the people require, which shall take effect when approved by the selectmen"*. **Bob** said so it's **Abbey** who writes the ordinance and gets approval from this Board, not the WWC, not the Planning Board, the Health Officer. **Tad** said this is a draft ordinance from back in October 2021 and we knew if this came forward the RSA reference would have to be changed among other things. **Tad** asked **Roger** if the water yield test is a good indicator for the future. **Roger** said it is at the time, but it is a snapshot because nobody knows what Mother Nature is going to do in the future.

Discuss Rail Trail Crossing at South Main St. – TAP Project Scope/Design

Tad said this goes back six or seven years when the rail trail that crosses South Main Street was reclaimed and the 70-foot white pines were cut down, so that it could become a rail trail. He said there were concerns raised about the crossing of South Main Street. He said he met with NHDOT, given it is a state road, and they said because of the poor line of sight, it was going to be a very costly endeavor to meet all the safety requirements to make it a crossing. **Tad** said as we pursue the TAP project and the construction of a sidewalk leading up to that location, it will only bring more people there. He said the Project Manager from NHDOT asked whether we wanted to add a street crossing at that rail trail into the project. He said it would require two solar powered, pedestrian-activated flashing lights and a streetlight on both sides of the street, a crosswalk, and some additional static signs warning motorists of the upcoming crosswalk. **Tad** said the estimate is about \$25,000 and he is meeting Eversource on Thursday to get a refined estimate on the streetlights. **Tad** said it's important for us to consider this now because folding it into the TAP project would allow federal funding to cover 80% of the costs. **Steve** asked if ARPA funds could be used for the town's 20% portion. **Tad** said it is possible. **Brendan moved, seconded by Steve, to incorporate a crosswalk at the South Main Street rail trail within the TAP sidewalk project, not to exceed \$25,000, with 80% to be covered by the State; Voted Yes 5-0.**

Sign Energy Committee Charter

The Board signed the Energy Committee Charter.

Sign Street Naming and Numbering Ordinance

The Board signed the Street Naming and Numbering Ordinance.

Review Iron Works Lane Maintenance Agreement with Hollis for Approval

Dana moved, seconded by Brendan, to approve the three-year Annual Maintenance Agreement with the Town of Hollis for Iron Works Lane in the amount of \$1,000; Voted Yes 5-0.

*Minutes
Selectboard
Monday, April 18, 2022
Page 7*

Approve Payment of Fire Truck Lease from Fire Truck Capital Reserve Fund
Dana moved, seconded by Steve, to approve payment of \$100,000.09 for the Fire Truck Lease from the Fire Truck Capital Reserve Fund; Voted Yes 5-0.

Review Items for Next Meeting's Agenda

It was agreed the following items will be on the next meeting agenda:

- Public Works periodic update
- Hood Road discussion
- Review paving bids
- Review Selectboard task list
- Melendy Pond Management Committee – forestry discussion
- Well Water Committee questions for follow-up
- Ten-year vision discussion

Stipend Review

It was agreed that **Brendan** will ask the Finance Committee to conduct another review of annual stipends, including whether elected Planning Board members should receive a stipend.

Review Mail Folder

The Board reviewed the mail folder

8:38pm *Eddie moved, seconded by Brendan, to go into non-public session per RSA 91-A:3 II (a) personnel, (c) reputation and potentially others; Roll Call Vote Yes 5-0.*

9:11pm *Eddie moved, second by Brendan, to come out of non-public session and seal the minutes; Roll Call Vote Yes 5-0.*

9:11pm meeting adjourned.

Minutes submitted by Sharon Sturtevant.

Eddie Arnold

Brendan Denehy

Dana Ketchen

Steve Russo

Ed Perry