



TOWN OF
BROOKLINE, NEW HAMPSHIRE

BOARD of SELECTMEN

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Minutes
Board of Selectmen
Monday, July 16, 2012

Selectmen Clarence Farwell, Darrell Philpot, Jack Flanagan, Karl Dowling and John Carr were present along with Town Administrator Tad Putney.

Also present were Ann Somers, Loring Webster, Brian Rater, Helen Ballou, Ron Pelletier, Buddy Dougherty, Carol Burgess, Bob Cudworth and Wendi Herne.

6:15 pm - Non Public Session

Clarence moved, seconded by Jack to go into non public session under RSA 91-A: 3, II (a) investigation. Voted yes 4-0; Darrell arrived during the session.

On returning to public session, *Clarence moved, seconded by Karl to seal the minutes. Voted yes 5-0.*

Mixed Use Committee

Lynne Abt asked how we can kill the Mixed Use Committee. **Jack** said the Charter for the Mixed Use Committee has expired. **Tad** noted that this discussion is not on the agenda. **Jack** proposed a change to the Charter by amending the existing Charter and changing it to: *“Amended Charter: 2011 – 2014 Town Center (Mixed Use) Committee” and adding “Upon completion, the draft work product shall be returned to the Board of Selectmen for review, input, and a decision regarding further implementation. If mixed use is approved by the Board of Selectmen, the Mixed Use Committee shall do the following:” to the present Charter.* **Darrell moved, seconded by John to accept the Charter as amended.** **Brian Rater**, a Co-Chair of the Mixed Use Committee said he was upset that the Committee wasn't notified of this possible change. He said there is a lot involved in this study and proposed ordinance. The committee has decided there is not enough time to propose an ordinance for next March Town Meeting. **Brian** said the Mixed Use Committee is advisory and it's the planning board that would put it on the ballot. There would be at least 3 public hearings as part of the grant. **Jack** said he wants the selectmen to make the decision on whether the ordinance goes to town meeting. **Ron** said the Mixed Use Committee answers to the planning board. **Darrell** said he feels the Committee is going down the right path. **Jack** said the people along Route 130 have grandfathered septic systems and sub standard lots. **Ron** said the committee has to present their plan to the planning board. *The motion passed 4-0; Karl voting no as the discussion should be an agenda item.*

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Darrell moved, seconded by John to approve the 5 sets of non public session minutes of July 9th. Voted yes 5-0.

Karl moved, seconded by Jack to approve the public session minutes of July 9th. Voted yes 5-0.

Karl moved, seconded by John to approve the public session minutes of July 11th. Voted yes 3-0; Darrell and Jack abstained.

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Warrant

The selectmen approved Warrant # 41 in the amount of \$53,915.60.

Municipal Records Committee Charter

Jack moved, seconded by Darrell to adopt the 2012 Municipal Records Committee Charter. Voted yes 5-0.

Beaver Dam – Rte. 130

Tad said he met with Clarence, Darrell, Karl, Buddy Dougherty, Carol Burgess, Bob Cudworth and Wendi Herne to view the issue of water coming from the Palmer property and damaging the Burgess property. **Tad** said the conservation commission discussed a policy on beaver dams (RSA 210:9) on May 11, 2010 but they didn't adopt a policy. **Ron** said if the town owns the property, why can't they take care of the beavers. He said he has the same problem and the state told him to shoot the beavers.

Tad asked the

selectmen if they want the conservation commission to adopt a policy. He said the problem is that each case would be different. **Buddy** said there have been other beaver dam problems, but not on town property. He said he would put in a beaver box if he got 3 selectmen to help him. **Jack** said he wouldn't. **Carol**

Said she wants the water controlled so she has use of her property. She asked for a phone number for someone to call when the water is running through her property like Niagara Falls. **Tad** asked her to call him. **Wendi** said the land has always been wet. **Buddy** said lowering the water 10" should make the Burgess land usable. **Carol and Wendi** said they would both be interested in trapping the beavers. **Wendi** said she can get the name of someone to trap beavers. **Jack** said he would also check with someone.

Town Website

Lynne Abt was present with recommendations to improve the website. She was unable to show her presentation because of a computer problem. She will come back next week.

Police

Tad said Joe Freda is leaving the police department and going to the Salem Police Department where he will have a much shorter commute. **Tad** said Joe has been a key contributor to the department during some challenging times and will be missed.

Clarence read the following statement:

On August 12, 2011 a front page article appeared in the Nashua Telegraph with the headline "Domestic Abuse Case Unreported – Brookline Police Department fails to follow procedure in chief's son's case" In response to the article the Board requested the Attorney General investigate if protocols had not been followed and committed to inform residents when the investigation was complete. Last week the Board received a letter, dated July 9, 2012, from an Assistant Attorney general, stating in part "It has been determined that in this case there was no violation of the Attorney General's Office *Law Enforcement: A Model Protocol for Police Response to Domestic Violence Cases*...this office will therefore take no further action in this matter." This finding was based on an investigation conducted by a retired police chief who has 37 years of law enforcement experience and is the prime author of the Domestic Violence Protocol as well as a member of the NH State Police Family Services Unit.

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The Board of Selectmen appreciates the assistance of the Attorney General's Office in reviewing the issues raised in this case and now views the matter as having been resolved.

Personnel Plan

Tad said the LGC and Sue Adams are reviewing the proposed changes to the Personnel Plan. He hopes to have it ready for the selectmen's review next Monday.

Police – Addition

Tad said there's a letter in the mail with an offer for a Clerk of the Works for the police addition and asked if we need it as we have a construction manager. **Ann** said the building committee discussed it before and didn't feel a Clerk of the Works was necessary.

Ann said the invitations to bid are out and they plan to break ground mid August.

Hood Rd

Tad said Jerry Farwell will be in next week to discuss the improvements to Hood Road.

Town Buildings

Tad said he contacted the LGC since the question came up on whether groups using town facilities can have closed meeting. LGC advised that groups can have closed meetings in town facilities, but recommends the town adopt a policy allowing for such meetings. The Board opted not to develop a policy at this time.

Gen. Business

Meeting adjourned at 8:15 pm.


Minutes submitted by Rena Duncklee.


Clarence L. Farwell


Darrell Philpot

Jack B. Flanagan


Karl D. Bowling


John J. Carr