

**TOWN WARRANT
THE STATE OF NEW HAMPSHIRE**

**The Polls will be open from 7:00am to 7:30pm
Tuesday, March 12, 2024**

**Business meeting starts at 7:00pm on
Wednesday, March 13, 2024
(and possibly Thursday, March 14, 2024)**

**At Captain Samuel Douglass Academy
24 Townsend Hill Road**

To the inhabitants of the Town of Brookline in the County of Hillsborough in said State, qualified to vote in Town Affairs:

You are hereby notified to meet at the Captain Samuel Douglass Academy in said Brookline on Tuesday, the twelfth (12th) day of March at 7:00am to act upon the following subjects:

- 1.) To choose all necessary Town Officers for the ensuing year.
- 2.) **(By Ballot)** Are you in favor of the adoption of the following amendments as proposed by the Planning Board for the Town of Brookline Zoning Ordinance:

Amendment 1

Amend Section 400 DISTRICTS to delete the Zoning District Map dated 4-8-97 and replace it with a Zoning District Map dated 2023.

Amendment 2

Amend Section 800 NONCONFORMING USES, LOTS, AND STRUCTURES to add a new section to define how vacant Nonconforming Lots of Record that do not meet dimensional requirements may still be developed and if the lot cannot be developed without going into setbacks, then a new Special Exception process is outlined. Delete Section 900 LOTS OF RECORD as that is now contained in Section 800.

Amendment 3

Amend Section 1000 EARTH REMOVAL delete the Earth Removal Ordinance and insert a new Excavation Ordinance that makes clear when an Excavation Permit is required and the process for applying for an Excavation Permit.

Amendment 4

Amend Section 1200 FLOODPLAIN ORDINANCE to update references to new FEMA maps, update definitions, and clarify record keeping responsibilities.

Amendment 5

Amend Section 1600 SIGN ORDINANCE to remove the Sign Permit Application and the Conditional Use Permit and move both to the Regulations.

Amendment 6

Amend Section 1800 DRIVEWAY ORDINANCE to remove the Driveway Permit Application and move it to the Regulations.

Amendment 7

Amend Section 2100 IMPACT FEES to make the units in the Impact Fee Schedule consistently dwelling units and clarify when impact fees are assessed.

Amendment 8

Add Section 2450 SHORT TERM RENTAL ORDINANCE which creates a permit process for Short Term Rentals, a required life safety inspection, and outlines an enforcement procedure.

- 3.) **(By Ballot at Meeting)** To see if the Town will vote to raise and appropriate \$4,350,000 (Gross Budget) to acquire full ownership interest in two parcels of approximately 254.2 +/- acres jointly owned by George Deneault and Leonard Deneault of Nashua NH and shown on the town's tax maps as Map A, Lot 2 and Map B Lot 72 therein, for conservation purposes to be managed and controlled by the Conservation Commission pursuant to RSA 36-A ("the Project"). To authorize the Selectmen to apply for, accept, expend any federal, state, or private funds that may become available in respect of the Project to be expended on the Project, to reduce the amount that must be bonded, or to pay debt service on such bonds or notes. \$375,000 of the Project costs are intended to come from the Conservation Fund. Further, to authorize the issuance of not more than \$3,975,000 of bonds or notes, in accordance with the provisions of the Municipal Finance Act, (RSA 33:1 et seq., as amended), and, further, to authorize the Selectmen to issue, negotiate, sell and deliver said bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof, and to take any other action they deem appropriate to effectuate the sale and/or issuance of said bonds or notes, subject, however, to the following limitations:

- No such bonds or notes shall be issued earlier than July 1, 2024; and,
- Any of such bonds or notes shall have appropriate terms and maturities such that no principal or interest payments shall become due and payable prior to January 1, 2025; and,
- No such bonds or notes shall be issued with a term of maturity of less than ten (10) years

This is a special warrant article and is not intended to lapse at the conclusion of calendar year 2024, but is intended to lapse at the conclusion of calendar year 2025, if no bonds or notes have been issued in that time frame. (60% ballot vote required). 2-3 not recommended by the Selectboard; 3-0 recommended by the Finance Committee

- 4.) **(By Ballot at Meeting)** To see if the town will vote to raise and appropriate the sum of \$1,200,000 (gross budget) for the purpose of designing, permitting, and reconstructing the Bond Street Bridge, to include construction and any items incidental to and/or necessary for said construction, engineering fees, professional service fees, and cost of sale of the bonds ("the Project"), and to authorize the issuance of not more than \$1,100,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Selectboard to issue and negotiate such bonds or notes and to determine the rate of interest thereon; further to authorize the withdrawal on an additional \$100,000 from the Bond Street Bridge Engineering and Reconstruction Capital Reserve Fund. To authorize the Selectboard to apply for, accept, expend any federal, state, or private funds that may become available in respect of the Project to be expended on the Project, to reduce the amount that must be bonded, or to pay debt service on such bonds or notes. Said appropriation will be offset by 80% reimbursement of the gross budget from the State of New Hampshire Bridge Aid Program. The sum to be bonded will be repaid over 2 years. (60% ballot vote required). 5-0 recommended by the Selectboard; 3-0 recommended by the Finance Committee

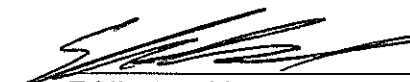
- 5.) To see if the town will vote to raise and appropriate the sum of \$610,000 for the purpose of settling a lawsuit with Brookline Properties, LLC. Said funds to come from the Unassigned Fund Balance with no monies to be raised from taxation. If approved, the 2024 town budget will be reduced by this amount. ***5-0 recommended by the Selectboard; 0-3 not recommended by the Finance Committee***
- 6.) To see if the Town will approve the use of \$74,000 from the Fire Department Capital Reserve Fund towards the 2024 lease payment of the fire truck approved at the 2023 Town meeting. If approved, the 2024 town budget will be reduced by this amount. ***5-0 recommended by the Selectboard; 3-0 recommended by the Finance Committee***
- 7.) To see if the Town will vote to raise and appropriate the sum of **\$8,040,473** to defray town charges for the ensuing year and make appropriation of the same. ***5-0 recommended by the Selectboard; 2-1 recommended by the Finance Committee***
- 8.) To see if the Town will vote to raise and appropriate \$50,000 to be deposited into the previously established Fire Truck Capital Reserve Fund for the purchase of a fire truck, or take any action relative thereto. ***2-3 not recommended by the Selectboard; 3-0 recommended by the Finance Committee***
- 9.) To see if the Town will vote to raise and appropriate the sum of \$106,578 for the purpose of hiring two full-time Public Works employees for the Town of Brookline, or take any action relative thereto. Said sum includes \$66,733 in pay and \$39,845 in benefits for seven (7) months of 2024 (the 12-month annualized cost is \$181,299) If approved, the amount raised will be incorporated into the highway department salary and personnel administration budgets for accounting purposes). ***5-0 recommended by the Selectboard; 2-1 recommended by the Finance Committee***
- 10.) To see if the Town will vote to raise and appropriate the sum of \$68,376 for the purpose of hiring a full-time Assistant Town Administrator for the Town of Brookline, or take any action relative thereto. Said sum includes \$46,669 in pay and \$21,707 in benefits for seven (7) months of 2024 (the 12-month annualized cost is \$117,213). If approved, the amount raised will be incorporated into the Executive salary and personnel administration budgets for accounting purposes). ***5-0 recommended by the Selectboard; 0-1-2 not recommended by the Finance Committee***
- 11.) To see is the Town will vote to raise and appropriate the sum of \$31,244 for the purpose of expanding the Fire Dept. Administrative Assistant hours from 33 hours per week to 40 hours per week, or take any action relative thereto. Said sum includes \$6,519 in pay and \$24,725 in benefits and retirement for nine (9) months of 2024 (the 12-month total annualized cost is \$81,389). ***3-2 recommended by the Selectboard; 0-2-1 not recommended by the Finance Committee***
- 12.) To see if the Town will vote to approve the cost items included in the collective bargaining agreement reached between the Brookline Selectboard and Local 3657 of the American Federation of State, County, and the Municipal Employees, AFL-CIO Brookline Police Officer's Union which calls for the following increases in costs at current staffing levels and with 2024 pay increases effective April 1, 2024: ***5-0 recommended by the Selectboard; 2-0-1 recommended by the Finance Committee***

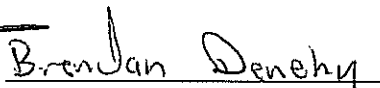
<u>Year</u>	<u>Cost Increase</u>
2024	\$22,729.20
2025	\$29,723.20
2026	\$11,752.00
2027	\$2,938.00

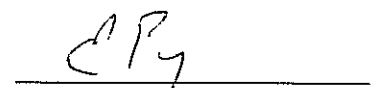
- 13.) To see if the Town will vote to raise and appropriate the sum of \$30,000 to be deposited in the previously established Town Facilities Capital Reserve fund to defray the cost of repairs to town buildings or take any action relative thereto. *5-0 recommended by the Selectboard; 3-0 recommended by the Finance Committee*
- 14.) To see if the Town will vote to establish a Town Celebrations Revolving Fund pursuant to RSA 31:95-h, for the purpose of funding celebration events. All revenues received for this purpose from fees, charges, or donations will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund balance. And, further to transfer the sum of \$5,000 from Brookline 250th Anniversary Fund to be added to the Town Celebrations Revolving Fund. The treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. *5-0 recommended by the Selectboard; 2-1 recommended by the Finance Committee*
- 15.) To see if the Town will vote to raise and appropriate \$20,154 to be deposited into the previously established Reappraisal Capital Reserve fund for the costs of conducting the required town-wide revaluation every five (5) years or take any action relative thereto. It is anticipated that a revaluation will take place in 2028. *5-0 recommended by the Selectboard; 3-0 recommended by the Finance Committee*
- 16.) Shall the Town vote to adopt the provisions of RSA 72:80 through 72:83, commercial industrial construction exemption, to allow a new construction property tax exempt for commercial uses as the term is defined in RSA 72:80. The exemption shall apply only to the municipal and local school property taxes assessed by the municipality and shall exclude state education property taxes and county taxes. The exemption shall be as follows; 50% for the first year, 40% for the second year, 30% for the third year, 20% for the fourth year and 10% for the fifth year. Subsequent years will be assessed at the full rate. The schedule will be applied to all projects submitting a proper application during the exemption. And will remain in effect for a period of five (5) years from adoption. *5-0 recommended by the Selectboard; 2-1 recommended by the Finance Committee*
- 17.) Shall the Town vote to modify the income criteria for the Elderly Exemption (according to the provisions of RSA 72:37B) so the total annual income from all sources including retirement and social security cannot exceed \$47,500 for single persons and cannot exceed \$83,000 for a married couple. *5-0 recommended by the Selectboard; 3-0 recommended by the Finance Committee*
- 18.) To see if the Town will vote to accept sales of Rights to Inter in the town cemeteries and direct that such funds shall be deposited in the Cemetery Trust Funds for the maintenance of cemeteries. *5-0 recommended by the Selectboard*
- 19.) To see if the Town will vote to authorize the Selectboard, acting as the town's agents, to renew existing leases for Melendy Pond – Lot B-55 for a period of not more than 5-years ending on December 31, 2029; or take any action relative thereto. *5-0 recommended by the Selectboard*
- 20.) To see if the Town will vote to raise and appropriate the sum of \$2,200 to be deposited into the Ambulance Service Expendable Trust Fund with said funds to come from the unassigned fund balance. The Selectboard and Ambulance Chief have already been voted agents to expend from this fund (1998 - Warrant Article #6). *5-0 recommended by the Selectboard; 2-0-1 recommended by the Finance Committee*
- 21.) To see if the Town will vote to discontinue the Radio Capital Reserve Fund. Said funds, with accumulated interest to date of withdrawal, are to be transferred into the general fund. *5-0 recommended by the Selectboard; 3-0 recommended by the Finance Committee*

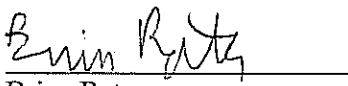
- 22.) To see if the Town will authorize the Tax Collector to accept the prepayment of taxes pursuant to RSA 80:52-a. Taxpayers shall be allowed to prepay taxes no more than two years in advance of the due date of the taxes. No interest shall accrue to the taxpayer on any prepayment, nor shall any interest be paid to the taxpayer on any prepayment which is later subject to rebate or refund.
- 23.) **(By Ballot at Meeting)** Shall we adopt the provisions of RSA 40:13 (known as SB 2) to allow official ballot voting on all issues before the town of Brookline on the second Tuesday of March? (submitted by petition) *0-5 not recommended by the Selectboard*
- 24.) To see if the town shall adopt the provisions of RSA 32:14 to establish a municipal budget committee. (submitted by petition) *0-5 not recommended by the Selectboard; 0-1-2 not recommended by the Finance Committee*
- 25.) To see if the municipal budget committee shall consist of 5 members-at-large per RSA 32:15 I(a), shall be elected per RSA 32:15III, and initial members shall be elected to one-year terms by means other than official ballot per RSA 32:15 III (submitted by petition) *0-5 not recommended by the Selectboard*
- 26.) To see if the town shall adopt a partisan official ballot system for the election of town officers pursuant to RSA 669:12 (submitted by petition) *0-5 not recommended by the Selectboard*
- 27.) Shall we adopt the provisions of RSA 32:5-b, And implement a tax cap whereby the governing body (or budget committee) shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year's actual amount of local taxes raised, by more than 2.5%? (submitted by petition) *0-5 not recommended by the Selectboard; 0-2-1 not recommended by the Finance Committee*
- 28.) Shall we adopt the provisions of RSA 32:5 V-b, requiring that the annual budget and all special warrant articles having a tax impact, as determined by the selectboard, shall contain a notation stating the estimated tax impact of the article? The determination of the estimated tax impact shall be subject to approval by the governing body. (submitted by petition) *3-2 recommended by the Selectboard*
- 29.) Shall the following provisions pertaining to elections be adopted? All voting shall be by paper ballot and all ballots shall be hand counted only, rather than by use of optical scanning or any other types of programmable electronic counting devices. This shall constitute a return to hand counting ballots and the immediate discontinuance of all electronic voting machines and electronic devices authorized for use by trial in RSA 656:40. (submitted by petition)
- 30.) To transact any other business that may legally come before said meeting.

Given under our hands and seal 12th day of February 2024.


Eddie Arnold


Brendan Denehy


Ed Perry


Brian Rater

Steve Russo

Selectboard of Brookline

It is our practice to recess at 11:00pm; however, we will continue if it appears that the meeting will not extend beyond 12:00.