

Board of Selectmen
Minutes February 8, 2022

Meeting convened at 6:00 pm

Present: Ken Christiansen
Robert Mantegari
Andrew Artimovich
Jon Morgan

Christiansen called the meeting to order.

The Board reviewed payroll, accounts payable and signed the register.

Joyce Gallant presented the weekly Treasurer's report. Please see the report at the end of the minutes.

Karen Clement, Town Administrator, presented a memo from the planning board regarding the release of the following cash bonds.

- KG Realty Holdings LLC: The bond should have a balance of twenty-six thousand, four hundred eighty-eight dollars (\$26,488.00) plus interest. This release will close the account.
- Route 125, LLC: The bond should have a balance of twenty-two thousand dollars (\$22,000) plus interest. This release will close the account.
- Letter of Credit for Brentwood R.O.H., LLC: reducing the letter of credit from six hundred sixty three thousand, three hundred twenty eight dollars (\$663,328) by the recommended amount of two hundred seventy one thousand, nine hundred twenty five dollars (\$271,925) leaving a new LOC balance of three hundred ninety one thousand, four hundred three dollars (\$391,403).

Chris Raymond, Town Engineer, has done site inspections and recommends these releases and/or reductions. The planning board is requesting these be signed by the board. The motion to accept was made by Mantegari and 2nd by Morgan. The motion carried.

Mantegari made a motion, 2nd by Artimovich, to approve the public minutes of 2/1/2022 as written. Christiansen abstained from the vote; all others were in favor.

Kip Kaiser, Building Inspector, had the following building permits to be approved this week:

- Daniel St. Hilaire, 207 North Road Electrical – Upgrade from 100 amp to 200-amp service: signed by Board
- Michael & Kimberly Esters, 20 Lyford Lane, Building - Remodel of kitchen and bathroom: signed by Board
- 3 Ponds LLC, 48 Three Ponds Drive, new dwelling: signed by Board
- 3 Ponds LLC, 27 Three Ponds Drive, new dwelling: signed by Board

Jon Morgan, Selectmen, presented 2022 proposed zoning amendments on behalf of the of the Planning Board. There are 4 being proposed. According to Morgan, the proposed changes of #1 and #2 are technicality changes regarding the buffer area. Morgan went onto explain #3 was due to about 14%-15% of new housing being dedicated to senior housing. The Planning Board is concerned about the availability of workforce housing, bringing in families and recruiting of employees for businesses along with other factors. Suggestion of planning board is to follow suit of many other communities and remove the language of senior housing completely from the ordinance. The last ordinance is regarding the size of the dwelling that will be allowed to be placed on land in Brentwood. The lot size, egress requirements, and electrical requirements remain the same and will align with state codes.

#1 Cluster Ordinance:

300.002.007.005 External and Internal Design Standards.

A. Requirements applicable to the external boundaries of the development:

2) A perimeter buffer zone having a minimum depth of one hundred (100) feet shall be provided between any structure, septic system or service road, and the perimeter lot line of the tract. Said buffer zone shall be comprised of vegetation, either natural or planted. ~~If internal lot lines exist, these lot lines shall not infringe upon the buffer area.~~ **If internal lot lines are utilized these lot lines may**

Board of Selectmen
Minutes February 8, 2022

be extended into the buffer area. If they extend into the buffer area deed restrictions shall be developed that ensures that the area of lots within the buffer remain in a natural or planted vegetative state. (3/2006, 3/2022)

- #2 Cluster Ordinance:
300.002.007.005 External and Internal Design Standards.
A. Requirements applicable to the external boundaries of the development:
- 3) No construction shall be permitted within the buffer zone, other than a primary access road which shall be allowed to cross the buffer zone at the point of access to the pre-existing class V or better road servicing the development. Along both sides of this primary access road reserve strips of twenty-five (25) feet must be maintained for the first one hundred (100) feet of said primary access road. **These reserve strips are necessary and required only to allow for the construction of the roadway thru the buffer area. In instances where the proposed cluster residential development incorporates a design that includes several access points to the abutting Class V road these may be approved by the planning board if the board determines that the neighborhood and proposal are best served by this alternate plan for access. Related drainage and storm water management treatment devices may be constructed within the mandatory buffer area. (3/2020, 3/2022)**
- #3 Remove Senior Housing Article 300.002.008 in its entirety. **(3/2022)**
- #4 900.002.002.002 Every dwelling shall have a minimum ground floor area of ~~seven hundred twenty (720)~~ **three hundred and twenty (320)** square feet, outside measurement, to be used by one family unit. Dwelling, for purposes of this provision, shall be defined as any structure, mobile home, trailer of any type or other vehicle, or building being used as a permanent living space or temporarily being used for purposes of establishing a residence in the Town of Brentwood. **(3/2022)**

Bob Stephens, Northrup Drive, asked for clarification on the international building code that has been adopted by Brentwood. Christiansen replied that any housing in this category would still have to fit with the codes established by the state.

Ken Christiansen, Chairperson, will be attending the drill on 2/9/2022.

Bob Stephens, SA Engineering, was present to respond to the bid that was presented the previous week. Stephens reviewed the bid from W.P. Davis Excavation LLC and believes it to be a reasonable sum to perform this project. Stephens explained a few minor discrepancies which have since been cleared up. The itemization of lines did not total the amount the sum displayed. It has been addressed and worked out. Some of the job will require a lump sum payment to the company while other aspects of the job are done on a quantity basis. The amount of the bid is an approximate amount of the project. If the job exceeds the amount of the bid, they will need to submit a change order for the excess amount. There was another issue where the company did not submit a letter stating that they had not failed to complete any jobs in the last 10 years. W.P. Davis Excavation LLC has since submitted email correspondence stating they have not failed to complete a job in their 18-year existence. Stephens recommends the town engage the contract for the stated amount.

Mantegari asked Stephens to address the outstanding proposal of \$43,000 that was submitted early last year. Stephens responded that the proposal has expired, but he is willing to honor it. He will submit an updated proposal with a current date without increasing the expected amount due. Christiansen recommends the board approve the money to Stephens and recognizes he has been waiting "long enough" for the money.

Carol Belliveau, Mill Road, asked where the company who will be performing the bridge work is from. Stephens responded their mailing address is Hampton, NH.

Mantegari made a motion to accept the bid for \$424,550 for the bridge as proposed. Artimovich 2nd the motion. There was further discussion before the motion was accepted.

Board of Selectmen
Minutes February 8, 2022

Artimovich asked Stephens how long W.P. Davis Excavation LLC is allotted to complete the project. Stephens responded that he believes it was 8 weeks and it was mapped out in their schedule.

Morgan asked if the town should consider requesting Mr. Falzone to pay some portion of the costs if his very large project moves forward since his project will directly benefit from the bridge. He wonders if it is a missed opportunity for the town to reduce the burden to the taxpayers for some of the expenses related to the bridge project. Artimovich suggested the planning board request money toward the project and those funds could go into the general fund. He also pointed out that the town has been trying to get this project off the ground for two years. Mantegari suggested that if money is recouped it could lessen the money taken out of the capital reserve fund. The board agrees the bridge needs to be done and should not be held up for the attempted procurement of funds from Mr. Falzone.

Stephens suggested the town try to recover some of the cost from the developer. He also spoke on the use of the possibility of AMP funds for “shovel ready” projects. He stated that some of the projects now being covered include design costs. His firm is currently investigating the possibility of using funds such as these. He suggests the town should immediately look into it with the state to find out about the money from the federal government. Stephens strongly recommends that be done, if not for this project, for future ones.

Christiansen asked when the bridge project is slated to start. Stephens responded he believes the plan is for the first or second week of July. The timing of the project is aimed to avoid impedance to the school.

Mantegari made a motion to accept the bid for four hundred twenty-four thousand, five hundred fifty dollars (\$424,550) for the bridge as proposed. Artimovich 2nd the motion. All were in favor.

Mantegari made a motion to accept the proposal from Stephens for four two thousand, five hundred dollars (\$42,500) for the clerking, engineering, and research for the bridge project contingent on the date change of the contract. Artimovich 2nd the motion. All were in favor.

Notice of the award was signed and will be sent to the contractor by Karen Clement, Town Administrator.

Kip Kaiser, Building Inspector, presented info on a new highway shed. He proposed a building that is approximately 50' x 100' with 17-foot ceilings. The plan also includes a 10' x 16' office, 10' x 10' breakroom, utility room, 2 accessible showers with lockers and a full bathroom. The equipment space would be about 4200 square feet. That area would have 4 bay doors – some out the side and some out the back. The plan includes a wood structure with 2 x 6 frame walls, basic electrical, few lines of lights, heated portion for the front office - possibly a waste oil furnace, and a truss roof. It will require a pump station and possibly a new line out to the septic.

Wayne Robinson, Road Agent, stated Stratham has a waste oil furnace which has worked well for them. Mantegari stated they can be very cost-efficient.

Kaiser went onto explain there would be metal roofing. Mantegari expressed concern about slide off and asked about the planned pitch of the roof. Kaiser responded it would be based on what the engineer recommends is acceptable and it would be the least pitch available.

Bill Faria, South Road, asked if a steel structure has been considered rather than a wood structure. Kaiser replied that both avenues have been explored and could be going forward as well. Kaiser explained there was little response from the steel companies he has reached out for pricing and lead times.

Mantegari asked if there would be a split for the heated section of the building. Kaiser responded that there are options, and they would be explored further down into the bid process. Kaiser explained he has an RFP started and will work on completing that with the feedback from the meeting.

Christiansen asked Robinson if he agreed with the proposed plan. Robinson responded that he does. Morgan questioned whether this facility would 100% meet all future needs. He referenced the previous plan where the facility was slated to be larger. Kaiser explained the proposed building at that time was going to have multi-purpose space as well. Artimovich explained the existing garage, which is about 40' x 80', would be used as a maintenance building. Mantegari noted currently there are safety issues when the trucks are parked in the garage. Robinson stated with this new design, the trucks could be parked inside the garage even with the plows attached and employees

Board of Selectmen
Minutes February 8, 2022

would be able to safely maneuver around the vehicles. Christiansen stated there may be a need to reexamine the facility in 30-40 years, but for the immediate current need this plan would be sufficient.

Mantegari motioned Kaiser move ahead with sending out an RFP with a four-foot concrete wall. Artimovich stated he did not feel a motion was needed. Christiansen explained he believes it would give Kaiser confidence to proceed. No motion was made, but agreement for Kaiser to move ahead with the RFP was expressed.

Christiansen reviewed a letter of trash disposal rates. Waste Management has requested a 5% increase for tipping fees of the contract and an additional 5% increase will come in July. The current contract has an escalation clause, and they are within the bounds of requesting the increase. Clement stated it would be about \$7200 increase. Christiansen explained part of the reason for the increase is higher costs. He also explained there are few options for trash removal services. Mantegari motioned to accept the increase. It was 2nd by Artimovich. All were in favor.

Christiansen asked if everyone had the opportunity to read the BOS annual report. It was not read out loud at the meeting. Mantegari motioned to accept the annual report. It was 2nd by Artimovich. All were in favor.

The election warrant for the town meeting was presented. Mantegari motioned to sign the election warrant. It was 2nd by Artimovich. All were in favor.

The town meeting warrant was presented. Mantegari motioned to sign the town meeting warrant. It was 2nd by Artimovich. All were in favor.

Clement explained the last date for a public hearing for a bond is Monday, February 21, 2022. That would allow Clement to get the public notice out for the required 7-day notice. Artimovich asked if it was possible to hold the board meeting on that same night. Artimovich motioned to hold the meeting on February 21, 2022. It was 2nd by Mantegari. All were in favor. The meeting and public hearing will be held February 21, 2022, starting at 6pm.

Bill Faria, South Road, asked if there was a public hearing on Wednesday. Christiansen responded the budget meeting is at 6pm, the hearing begins at 7pm. They will be held at Brentwood Rec Center.

Clement presented a "housekeeping" item for Jessica Balukas as an alternate member of the conservation commission expiring in March. Mantegari motioned to accept her continuation on the commission. It was 2nd by Artimovich. All in favor.

Clement presented a list of scheduled events that Lydia Perry from New England Dragway has submitted. They were additions not originally listed on the list which was presented in a previous meeting. Mantegari motioned to accept the race schedule additions. It was 2nd by Artimovich. All in favor.

At the February 3rd planning board meeting, Kristin Aldred Cheek expressed interest in being the representative of the town to the Rockingham Planning Commission (RPC). She would attend the monthly meetings. It is a 4-year term. She needs a letter from the board recommending her to that position. Artimovich motioned to accept her as a representative to the commission. It was 2nd by Mantegari. All in favor.

Artimovich asked if the board wanted to discuss the newsletter before closing the meeting. Christiansen explained the board is waiting for the contract to be reviewed by the editor of the newsletter and their attorney.

At 6:55pm Mantegari made a motion, 2nd by Artimovich to go in to non-public for hiring. Artimovich – aye, Morgan – aye, Mantegari - aye, and Christiansen - aye. The motion carries.

At 6:59 pm a motion was made by Mantegari, 2nd by Artimovich to come out of nonpublic session and seal the minutes. Artimovich – aye, Morgan – aye, Mantegari - aye, and Christiansen - aye. The motion carries.

Artimovich asked about the 91A updates. Clement said minutes related to a discussion shall be made available as soon as practicable after the transaction has closed so in short if the reason no longer exists to protect that information, it should be made available. Clement said the other change is that a list needs to be maintained with the dates and times of nonpublic sessions, the reason, if the minutes are

Board of Selectmen
Minutes February 8, 2022

sealed or not, and the date they become unsealed.

Morgan asked for an update on GraniteGrok. Clement said she has not received any funds for him and informed him she would need until 2/28 to compile more information. She said the issue is staff time. She does not have the staff hours to devote to reading the boards emails. Morgan said the information will be passed along as she can make time, if it is a few at a time then so be it.

Respectfully submitted,

Tamera Peek

		WEEKLY TREASURER'S REPORT	
DATE:		2/8/2022	
General Fund:		TD BANK	
	Previous Balance:	5,931,035.21	
	Deposits:	33,238.44	
	Payroll:	31,473.96	DDP: \$29,711.15 CHK: \$1,762.81
	FICA:	7906.53	
	to Impact Fees		Reg A/P Cks \$
	A/P: Regular	18,905.21	Swasey : \$
	Transfer to Rec		
	void checks		
	Account Balance:	5,905,987.95	
	Interest Earned YTD:	654.39	
Former MMA	Interest Earned YTD:		