

Board of Selectmen
Minutes March 22, 2022

Meeting convened at 6:00 pm

Present: Andrew Artimovich
Jennifer Jones
Robert Mantegari
Russ Kelly
Jon Morgan (via phone)

Artimovich called the meeting to order.

The Board reviewed payroll, accounts payable and signed the register. The Board also reviewed accounts payable and signed registers for recreation.

Jones motioned, seconded by Mantegari, to allow Karen Clement, Town Administrator and Jon Morgan, Board Member to join remotely. All were in favor. Clement and Morgan were connected to following the vote.

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

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

- Jon Lariviere, 31 Three Ponds Drive, Building – new dwelling: signed by Board
- Jon Lariviere, 48 Three Ponds Drive, Building – new dwelling: signed by Board
- Jon Lariviere, 50 Three Ponds Drive, Building – new dwelling: signed by Board
- Mike O'Connell, 11 Idyllwood Drive, Pool Permit: signed by Board
- Steven & Tracy Boucher, 32 Prescott Road, Electrical: signed by Board
- James Grammas, 11 Tanya Lane, Building – new dwelling: signed by Board
- Narayana Swamy, 4 Veazey Circle, Solar Permit: signed by Board
- Robert & Monica Spezzafero, 50 Dudley Road, Electrical: signed by Board
- William Beauchesne, 31 Mohawk Lane, Building – Master bedroom and bathroom remodel: signed by Board
- Marjorie Battles-Pierce, 25 Lake Road, Building – new shed: signed by Board
- David & Joyce Lapointe, 34 Shannon Way, Building – attached garage: signed by Board

Mantegari made a motion, seconded by Jones, to approve the public minutes of 3/15/2022 as written. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

Mantegari made a motion, seconded by Jones, to approve the non-public minutes of 3/15/2022 as written. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

Mantegari made a motion, seconded by Kelly, to have Jones represent the select board on the Joint Loss Committee. Clement explained typically meetings are held on Thursdays at 10:30am one time per quarter. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

In response to a question from the previous meeting, Artimovich read information on allowable 91A exemptions. Contracts are not automatically exempt and draft documents are only exempt until they are distributed to a quorum of the board. Since the contract was distributed to a quorum of the board and does not contain other information that would be considered an invasion of privacy, it is subject to disclosure. 91-A:5 exemptions preliminary drafts, notes, and memoranda and other documents not in their final form and not disclosed, circulated, or available to a quorum or a majority of the members of a public body.

Artimovich shared MS 232 Report of Appropriations voted on at Town Meeting. Mantegari made a motion, seconded by Kelly, to sign the MS 232. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

Clement read appointment slips for Jim Clark as an alternate library trustee for 1 year term, Susan Lunn as an alternate library trustee for 1 year term and Kristen Goodrich as an alternate library trustee for a 1-year term. Mantegari made a motion, seconded by Jones, to accept the appointments for the library trustees. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

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Clement read the appointment slips for Wayne Almon as alternate cemetery trustee for 1 year term and James Hajjar as alternate cemetery trustee for 1 year term. Mantegari made a motion, seconded by Jones, to accept the appointments for the cemetery trustees. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

Clement read the appointment slip for Mark Young as an alternate member of the conservation commission for a 3-year term. Mantegari made a motion, seconded by Jones, to accept the appointment for the conservation commission. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

Clement read the appointment slip for Russ Kelly as Board of Adjustment representative for a 1-year term. Mantegari made a motion, seconded by Jones, to accept the appointment for the ZBA representative. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – abstain; Morgan – aye.

Artimovich asked Clement about the DRA 2019 Assessment Review that was received. Clement responded that Jim Michaud, Town's Contracted Assessor, will be drafting a response.

Mantegari asked Clement if the February check issued to the Brentwood Newsletter was returned. Clement responded it had not yet returned to the town office. Mantegari asked Robin Wrighton, Brentwood Newsletter editor, if the check had made it to her yet. Wrighton responded that it had not. Mantegari made a motion, seconded by Jones, to stop payment on the check in question. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

Artimovich explained that he and Kelly met with the newsletter team on Saturday. As a result, the board would be going into non-public to discuss what happened at that meeting. Following non-public, the meeting will return to public.

Letty Bedard, Middle Road, asked where she could get statistics on housing percentages between age restricted and non-age restricted, as well as fire department calls to different types of housing. Artimovich responded the Fire Department would have information on the calls and the planning board would have housing statistics.

At 6:30pm, Mantegari made a motion to enter non-public meeting for legal. The motion was seconded by Jones. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

At 8:18pm Mantegari motioned to come out of nonpublic and seal the minutes from the non-public meeting. Jones seconded the motion. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

Artimovich explained the board and newsletter are going to continue to negotiate. Artimovich made a motion to reissue the check for the February issue. The motion was seconded by Mantegari. Morgan stated he did not think it was appropriate at this time. Jones asked if it was to provide funds for an upcoming edition. Artimovich responded yes. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – nay. Motion carries 4-1. Artimovich asked Clement to reach out to the Treasurer to have her sign this specific check ahead of the typical AP run.

Jim Johnson, Shannon Way, stated that a warrant article was voted on. He pointed out that it was not a contract that was voted on. Artimovich responded that according to legal opinion, the board has discretion on how to spend the money to the newsletter and how it gets issued. This legal advice is what is being used to base the continued negotiations on. Johnson went on to question if the board realizes they can be removed from office for violating their oath. Jones responded municipal regulations is that the only binding warrant article is that if you reduce the finding of something down to zero. That would bind the selectboard's hands. Jones went on to state that legal counsel has explained that any warrant article that passes, that it is up to the selectboard on when/how/how much is used.

Kim Leo, Lebreux Street, stated there are no vendors that have a contract with the town.

Ward Byrne, Rowell Road, asked if the town has any contracts with vendors. Artimovich responded the town has contracts with many vendors. Mantegari replied there are services contracted with the town including lawn services, Block5 (IT), internet.

Melissa Litchfield, Eleanor's Way, asked for clarification on operating budget and warrant article. Mantegari responded they are separate. He went on to explain funding of a warrant article can only be spent for what it was voted on. The money voted on for the "Brentwood

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Newsletter” can only be spent on the newsletter. Mantegari also stated that according to legal counsel, it is up to the board on how they disperse funds. He explained it could be released all at once or in stages. It is up to the board’s discretion. Jones added it cannot be used for another use. Litchfield asked if the money must be used. Artimovich responded according to legal, it does not have to be used. If the full amount is not spent, it would return to the general fund.

Rebecca Dunham, Block Drive, asked if there is a particular point of contention as to why the board does not want to disperse the full amount. Mantegari responded the board is still in the process of working out a memo of understanding with the newsletter. It is his hope that the payment being issued will allow the Newsletter to move forward with an April issue and over the next week work through the issues. Artimovich responded most of the answer to that question was discussed in non-public session. He continued by restating that the financial frugality of the newsletter is not in question. Personally speaking, Artimovich stated he would like to see an agreement between the newsletter and the town. He feels that the majority of people who spoke in May voiced that same idea. Artimovich went on to say the town is divided and the board hopes to bridge the divide by coming to an agreement with a memorandum of understanding. Dunham asked permission to read two (2) excerpts from past Brentwood newsletters. The first passage was from April 1977 and the other being from a 1978 edition.

Bill Dunham, Block Drive, stated his thoughts on a divided community.

Jim Johnson, Shannon Way, requested the citations of warrant article appropriations. Clement responded it was RSA 32. Artimovich responded it was also legal counsel opinion.

Lois DeYoung, Crawley Falls, stated the newsletter has been around for 45 years and she believes the town needs it.

Ward Byrne, Rowell Road, requested the board remove Jon Morgan from any decision making on the newsletter. Artimovich responded the board cannot do that. Morgan has no financial gain or loss from the decisions around the newsletter and he is only 1/5 of the voting party. Mantegari responded Morgan has no conflict of interest.

Michelle Siudet, Middle Road, shared her thoughts on the division in the town.

Artimovich asked the board if anyone else had anything else to say before going into non-public again. Jones stated she wanted to say one thing in defense of Jon Morgan. She stated that in the last meeting Morgan explained he wanted to see a good faith effort to come to an agreement. Jones shared that is how the whole board wants to move forward.

At 8:36 pm Mantegari made a motion, 2nd by Kelly to go in to non-public for legal. Mantegari - aye, Morgan – aye, Kelly -aye, Jones - aye, and Artimovich – aye. The motion carries.

At 8:49 pm a motion was made by Mantegari, 2nd by Morgan to come out of nonpublic session and seal the minutes. Mantegari - aye, Morgan – aye, Kelly -aye, Jones -aye, and Artimovich – aye. The motion carries.

At 8:49 pm Mantegari made a motion to adjourn. Kelly seconded the motion. Artimovich – aye; Jones – aye; Mantegari – aye; Kelly – aye; Morgan – aye.

Respectfully submitted,

Tamera Peek

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WEEKLY TREASURER'S REPORT			
DATE:		3/22/2022	
General Fund:		TD BANK	
Previous Balance:		4,500,360.44	
Deposits:		67,256.92	
Payroll:		27,982.54	DDP: \$25,222.15
			CHK: 2,760.39
FICA:		6345.85	
to Impact Fees		9,386.00	Reg A/P Cks \$32,088.22
A/P: Regular		32,088.22	Swasey : \$
Transfer to Rec void checks			NH Retirement CO-OP: \$
Account Balance:		4,491,814.75	
Interest Earned YTD:		1,642.54	
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Joyce A. Gallant, Treasurer			