

**TOWN MEETING MINUTES
BROOKLINE, NH
MARCH 9, 10, 2010**

The meeting was opened at 7:00am, on Tuesday, March 10 by Moderator Peter G. Webb. Inspectors of Election/Ballot clerks were sworn in. The ballot box was verified to be empty, the ballots were distributed, and the polls were opened under Article 1.

Ballot clerks were as follows: Susan Chimento
Joel Mitchell
Louise Price
Betsy Solon

Polls closed at 7:30pm.

Total names on the checklist: 3456

Total ballots cast	895
<u>Absentee voters</u>	<u>16</u>
Total votes	911

The business meeting was called to order at 7:00pm, on Wednesday, March 10 by Moderator Peter G. Webb.

Peter Webb led the Pledge of Allegiance.

A round of applause was given to the people who have served in the military and a moment of silence for the residents that have passed away in 2009.

Sarah and Ed Arnold were called up to the podium by Moderator Peter Webb, to open the Town meeting in memory of their Grandfather, Thomas I. Arnold. Moderator Peter Webb had the gavel made and engraved with the dates Mr. Arnold served as Town and School District Moderator.

Linda Saari spoke on behalf of the Selectman. I urge everyone to read the town report. It contains much information and includes thanks to many of our citizens for their dedication to the town.

On behalf of the Board of Selectmen, I would like to thank our citizens for participating and supporting us in our Town Meeting. Thank you to all the boards, committees and other volunteers to all their work this year. I would like to thank Rena Duncklee for all her invaluable effort on the budget and all that goes into this process and for all she does to keep the town running. Thank you to Vicki Pope and The Brookliner for help in mailing out the Town Report. Thank you to Boy Scout troop 260 for helping break down the voting booths for town voting as well as the people at CSDA for helping set up for the elections and town meeting. Thank you to Chris St. George, Alan Rosenberg and the cable committee for setting up and broadcasting the meetings. Thanks to Patti Howard and Peter Webb, supervisors of the checklist and the ballot clerks for their excellence in running the town elections.

Thank you all for supporting us in this meeting. The Census will be coming out within the next few weeks. There are only 10 questions. It's our way of getting our slice of **federal money** so please return it and if you have any questions you can see Judy Cook. She is our coordinator for the census.

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 Capt. Samuel Douglass Academy in said Brookline on Tuesday, the ninth (9th) day of March at 7:00 a.m. to act upon the following subjects:

1. Results of balloting as follows, with various write-ins omitted.

Selectman 3yr	Clarence Farwell	550
	Jack Flanagan	506
Town Treasurer 1 yr	Russell Heinselman	796
Board of Assessors 3yr	Peter A Cook	771
Road Agent 1yr	Gerald Farwell	524
Fire Ward 3yr	David Flannery	771
Recreation Commission 3yr	Jennifer Dvareckas	626
	Kim McClure	688
Town Trustee 3yr	Robert Grant	730
Finance Committee 1yr	Christopher Adams	655
	Betty Hall	554
	Patricia Lynch	609
Supervisor of the Checklist 6yr	Ruth Bobich	757
Library Trustee 3 yr	Edward Cook	657
	John Lindgren	643

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 and Building Code as follows?

Amendment No. 1

Section 200.00 Add a definition for "Attached" - Change definitions of "ADU" and "Family".

Yes- 507 No- 241

Amendment No. 2

Section 305.00 (general provisions) – 2) Storage tanks not in excess of 1,100 gallons.

Yes-554 No- 222

Amendment No. 3

Section 603.00 (lot requirement, R/A district) – Add new section for Building Height.

Yes-451 No-288

Amendment No. 4

Section 620.00, **Workforce Housing Option** – Amend and renumber the following sections:

- 623.00 – To read: "A multi-family building shall have no more than 5 contiguous/attached units
- 625.00-2 – Multi-family building (...) containing more than 2 and no more than 5 dwelling units
- 626.00-3 – The minimum lot size for a single family market value unit shall (...)

- 626-00-5 – The development shall have a vegetated buffer of 50 feet or a value as deemed necessary by the Planning Board on all boundaries of the original parcel except for access to connecting roads.
- 626.00-6 – New section: “The minimum building setback shall be 15 feet on the back and side and 30 feet on the front of each individual lot created.
- 626-00-7 – (...) should have a maximum of 1,500 sq/ft of gross living area above ground and no more than 2 car garage (max. 600 sq/ft). There should be no limitation in square footage for market value dwellings.
- 626-00-8 – To read: “There shall be no increase in the amount of gross living area above ground”.
- 628.00, Road, Way, Access to Development (New section) – 1. Access to development containing multi-family units shall be accessed from the Route 13 corridor as described in Section 623.00 – 2. Construction, maintenance, plowing, sanding, cleaning of roads, ways, driveways and any other means of access to a workforce housing development shall be, at all times, the entire responsibility of the developer and/or the organization or property management entity.

Yes-516 No-264

Amendment No. 5

Section 800.01 (nonconforming uses) – Change (c) to read: “Except for proposal “B” (see diagram in section 800.03), any alteration, expansion or change...”

Section 800.03 (Diagram): Replace “yard” by “Setback”

Yes-470 No-240

Amendment No. 6

Section 1803.01 (Driveway Ordinance Definition) – Remove “area of access”

Yes-466 No-247

Amendment No. 7

Section 2001.00 (Purpose) – To read: “To provide expanded housing opportunities and flexibility in household arrangements of a permitted, owner or owner’s family occupied, single family dwelling, while maintaining aesthetics and residential use compatible with homes in the neighborhood. ADU shall be permitted in the R/A district by special exception granted by the ZBA and shall remain with the property.”

Yes-491 No-265

Amendment No. 8

2002.01 – To read: “ADUs shall be secondary and accessory to a principal single family dwelling unit or accessory building.

Yes-498 No-223

Amendment No. 9

2002.07 – Put back section in ordinance (was removed 03/2008): “An accessory dwelling unit shall not be considered to be an additional dwelling unit for the purpose of determining minimum lot size.

Yes-524 No-237

Amendment No. 10

2203.02(b)3 – Site Perimeter Buffer – To read: “Each development must be situated within a permanently protected site perimeter vegetated buffer, identified on the site plan, of fifty (50) feet or a value as deemed necessary by the Planning Board on the back and all boundaries of the original parcel except for access to connecting roads, which, unless (...).

Yes-579 No-197

Amendment No. 11

2500.00 – (a) To read: “Permit a non-conforming temporary use for an initial period of not more than one year. A permit may be renewed by the ZBA for a period of not more than one year at a time”.

Yes-511 No-245

Amendment No. 12

Building Code: Repeal the Town of Brookline Building Code adopted in 1971 and as subsequently amended.

Yes- 458 No- 262

The following people were elected from the floor:

Surveyor of Wood and Lumber: On a motion by Rena Duncklee 2nd Charles Corey, We elected Clarence Farwell as of Wood and Lumber.

HAND VOTE-YES

Melendy Pond Authority: A motion was made by Cindy Gorgoglione, 2nd Marcia Farwell to elect Pam Austin. On a motion by Russell Haight, 2nd Rena Duncklee to elect Peter Webb. We elected Peter Webb as a member of The Melendy Pond Authority.

HAND VOTE-YES

Sexton: On a motion by Rena Duncklee, 2nd Charles Corey, we elected Clarence Farwell as Sexton.

HAND VOTE-YES

3. To see if the Town will vote to raise and appropriate the sum of **\$447,000** to construct sidewalks on Milford Street (from Austin Road to the Safety Complex) and Main Street (from Elm Street to Pine Grove Cemetery). Said appropriation will be offset by a Federal Transportation Enhancement Grant in the amount of \$357,600 and \$89,400 from general taxation. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until December 31, 2013.

Tad Putney moved to amend Article 3 to read as follows, To see if the Town will vote to raise and appropriate the sum of \$447,000 to construct sidewalks on Milford Street (from Austin Road to the Safety Complex) and Main Street (from Elm Street to Pine Grove Cemetery). Said appropriation will be offset by and contingent upon a Federal Transportation Enhancement Grant in the amount of \$357,600 and \$89,400 from general taxation. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until December 31, 2013.

2nd Rena Duncklee. Tad Putney spoke to the article stating Brookline has been the fastest growing town in New Hampshire in the past 20 years. In fact we are the only town that has doubled in size since 1990. This high growth has increased the number of cars, bikes and pedestrians, especially in the town center. Since 1990 Brookline tax payers have spent \$261,000.00 for the construction of new sidewalks. During this time we have had 9 neighboring towns including Hollis, Milford and Amherst receive over \$8,000,000 in transportation enhancements grants to help build sidewalks. Despite our explosive growth, Brookline has received \$0.00 in financial assistance for sidewalk construction. The Board of Selectmen, last year decided to apply for their own transportation enhancement grants that could assist us in adding substantially to our sidewalk network and with substantial financial assistance. In an extremely competitive process, Brookline’s application has ranked 4th among approximately 60 entries state wide. We expect to hear in a month if we received the grant.

If you support the warrant article tonight the grant will enable Brookline to build almost 5000 ft of sidewalk in 1 year. If left to continue adding sidewalks on our own, sidewalks on Main and Milford Street will take 15 years or more to construct based on our current pace. This grant program requires the town to fund 20% of this project or \$89,400.00 if and only if we receive the grant.

If this article passes the Board of Selectman will reduce the operating budget by \$25,000 from the Road agents sidewalk line item.

Hand vote –Yes

4. To see if the Town will vote to authorize the Board of Selectmen to enter into a two (2) year lease for the planning board to update the Brookline Master Plan at a cost of \$62,000 and to raise and appropriate the sum of **\$31,000** for the first year's payment for that purpose, or take any action relative thereto. Said contract contains a fiscal funding clause which permits the termination of the contract on an annual basis should the funds necessary to make the required payments not be appropriated by town meeting. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until December 31, 2011.

Alan Rosenberg made a motion. 2nd Peter Bennett

Alan Rosenberg spoke to the Article.

Jon Maurer made an amendment to change the wording from lease to contract.

Linda Saari stated if the Article passed they plan on taking \$5000 out of the main budget.

Hand Vote-Yes-121 No-112

5. To see if the town will raise and appropriate the sum of **\$3,760,460** to defray town charges for the ensuing year and make appropriations of the same.

This will involve changes to the line items noted below in the column under Proposed 2010:

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Executive	\$144,300 (down \$550 town report)
General Government Buildings	\$146,485 (down \$1,000 custodial chapel)
Highways Streets and Bridges sanding)	\$618,150 (down \$50,000)(20,000 plowing, 30,000 sanding)
Pest Control	\$5,432 (down \$1,253)

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Highways Streets and Bridges	\$601,151(down \$24,999) due to passage of Article 3
Planning and Zoning	\$60,201 (down \$5,000) due to passage of Article 4 offset by cable revenue)

A motion was made by Linda Saari, 2nd Rena Duncklee.

Linda Saari did a presentation on Article 5.

Ernie Pistor did a presentation on the budget on behalf of the Finance Committee.

Dennis Skey asked as we move forward that the Town set a policy for closed bidding.

Kevin Gorgolione said there was a study committee 3 yrs ago that indicated that our Town roads were maintained at a lower cost. Mr. Skey said if you don't try closed bidding how do you know it won't get better. With the economic situation the way it is there are a lot of people unemployed that could be doing this work much cheaper.

Robert Parodi asked if the sidewalk project was required to be by sealed bid.

Tad Putney stated that there are very stringent federal regulations as to how we not just select a construction firm to build the sidewalks, but also the engineering firm to do the engineering work, the materials testing firm to do all the materials testing and a construction

oversight firm. There is very clear as someone called it, "red tape" demand to make sure it is done fairly. Mr. Parodi asked if it will go out to bid. Tad Putney said when your talking about a \$447,000 project it will very clearly be done by the bidding process. Mr. Parodi stated it was his understanding we could build sidewalks for less than what the Federal Government requires because of their specifications. But because the grant is so much greater, it makes sense to do it this way. Mr. Putney stated we could not build 4800 ft of sidewalk for \$89,400. Mr. Parodi stated that by law in New Hampshire the Road Agent decides who does the work. He also asked if there is a schedule of fees on file with the Selectman. Linda Saari said they get a schedule of fees every year and they follow that with the billing and so on. Mr. Parodi asked if that was available for any ones inspection. Linda Saari stated that was correct.

Hand Vote- Yes

6. To see if the Town will vote to authorize the Board of Selectmen to enter into a two (2) year lease/purchase agreement for \$187,725 for the purpose of leasing and equipping a new/demo Rescue Truck to be used by the Brookline Fire Department and to raise and appropriate the sum of \$91,350 for the first year's payment for that purpose, or take any action relative thereto. The purchase of this vehicle would replace the existing utility vehicle which is a 1994 GMC van. Said Lease/Purchase Agreement contains a fiscal funding clause which permits the termination of the lease on an annual basis should the funds necessary to make the required payments not be appropriated by town meeting.

Charles Corey made a motion to amend the lease/purchase agreement to \$187,151.

2nd-George Foley

Peter Bretschneider did a presentation on Article 6.

Webb Scales made a motion to allow Scott Knowles, a non-resident employed by the Brookline Fire Department to speak to the article. 2nd Jack Flanagan

Cindy Gorgoglione moved the question.

2nd Rena Duncklee.

Secret ballot- Yes- 118 **No-177**

7. To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 to be named the Fire Equipment Capital Fund, for the purpose of purchasing fire department apparatus and to raise and appropriate the sum of **\$100,000** to be placed in this fund, or take any action relative thereto. This amount is intended to be the first amount raised toward the purchase of a replacement in 2011.

Charles Corey moved the question. 2nd Webb Scales

Hand Vote-yes

8. To see if the Town will vote to raise and appropriate the sum of \$60,000 for the purpose of road/bridge improvements, or take any action relative thereto. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until December 31, 2013.

Gerald Farwell made a motion. 2nd Rena Duncklee.

Gerald Farwell spoke to the article. He stated the article was to continue improvements to North Mason Road. That they have been working on it for the past 4 years. They have completed almost 4000 ft of pavement.

Hand vote Yes-121 No-125

9. To see if the Town will vote to raise and appropriate the sum of \$29,625 to treat Lake Potanipo in an effort to reduce the invasive Milfoil infestation. Funds for this project will be raised as follows: \$14,813 (50%) from private donations or Conservation Funds (directed by the Conservation Commission), and \$14,812 from general taxation.

Jay Chrystal made a motion 2nd Kim McClure.

Jay Chrystal spoke to the Article. He stated that they had been treating Lake Potanipo and Melendy Pond off and on since 2004. Originally they have been treating with an herbicide called Diquat. It was designed to kill the plant but did not do much for the root system. The reason they were utilizing that particular herbicide is because it was the only herbicide the state would allow them to through the Pesticide control Board. Two years ago they treated with a preferred chemical called 2,4-D which is supposed to be a systemic killer which kills the root and not just the plant. It was achieved at Melendy Pond because it is a shallower pond.

Unfortunately at Lake Potanipo they have many things working against them with the milfoil problem. The first problem is education. There are grant funds available through the lake association for a Lake Host program. It would pay for a person to be posted at the boat launch. To educate boaters and individuals on how to spot milfoil. To keep it off their boats and how to not reinfest other ponds. We have not been able to participate in that program because they have not had the ability to find a volunteer that would be a manager for that program.

The other thing that works to their disadvantage is that Camp Tevya as campers come in at the end of June. It limits their ability to treat anytime after the 23rd-24th of May. The State requires there to be a 30-45 day cooling off period prior to campers arriving. They constantly have to treat at the high water stage of spring runoff when the plant is still fairly dormant. At the north stream end there is a significant amount of milfoil that has re-grown, The last time it was retreated was in 2008 in hopes that they wouldn't have to treat for 5 years. At the end of last year which is less than 1 year they are back to substantial milfoil infestation at north stream and all along the northern banks where it's the sunniest and where the current seems to be keeping the 2,4-D from being treated properly. This year they applied for a grant to get 50% funding to treat again in hopes that a treatment this soon would have a more significant effect because we would not have as much milfoil to kill and therefore the 2,4-D would work better and we could treat later into the year or when Camp Tevya closes to make things more effective. Because of the money they asked for, they were turned down for the grant so we have no matching funds this year to offset the cost of the milfoil treatment. The state recommended we treat 2 times this year in the price range of \$40,000. After speaking with the person they have a contract with from Aquatic Control, he stated that they didn't find it necessary to treat at the level the state was recommending. The state was suggesting they treat with 150lbs per acre. Aquatic control suggested they treat with 100 lbs per acre.

Jay Chrystal made an amendment to Article 9 to read as follows:

To see if the Town will vote to raise and appropriate the sum of \$21,625 to treat Lake Potanipo in an effort to reduce the invasive Milfoil infestation. Funds for this project. will be raised as follows: \$10,812.50 (50%) from private donations or Conservation Funds (directed by the Conservation Commission), and \$10,812.50 from general taxation.

This includes one treatment during 2010.

Therry Neilson-Steinhardt made a motion. Rena Duncklee 2nd.

Motion to amend passes with a hand vote.

Cindy Gorgoglione made a motion to amend this article to read as follows. To see if the Town will vote to raise and appropriate the sum of \$40,450 in an effort to reduce the invasive Milfoil

infestation. Funds for this project. Will be raised as follows: \$40,450 (100%) from the Brookline Conservation Fund. This includes one spring treatment and one late season treatment. 2nd Lisa Wilson. Cindy Gorgoglione spoke to this article. She stated that the Conservation Commission closed 2009 with over \$805,000. The last four years they have closed with over \$300,000. I think if the Conservation Commission wants is to keep the natural beauty and the town owns Max Cohen Memorial Grove with these hard times I don't understand why the town can't use some of the conservation money to take care of some of this.

Hand vote-NO

Went back to the original motion

Fred Hubert made a motion to kill Article 9

Forrest Milkowski 2nd

John Liska moved the question

2nd Kim McClure

Moderator Peter Webb asked if this was going to be determined by simple majority 50% vote or a 2/3 majority vote. A hand vote determined we would go with a simple majority vote.

Brendan Denehy asked if we would be using a simple majority vote for all other Articles for the evening and Moderator Peter Webb said agreed.

Hand Vote- Article 9 was Killed

10. To see if the Town will vote to raise and appropriate the sum of \$33,010 to purchase and equip a new Ford LTD Police Cruiser for use by the Brookline Police Department, or take any action relative thereto.

Gary Jacobson made a motion to amend the article to read as follows: To see if the Town will vote to raise and appropriate the sum of \$18,338 to purchase and equip a 2010 Chevy Impala Model 9C1 for use by the Brookline Police Department, or take any action relative thereto. 2nd Keith Dunton.

Alan Rice made motion for the Chief to speak to this Article since he is not a Town resident. 2nd Judy Cook. Chief Goulden spoke to this article. The Chief stated that we currently have Ford LTDs and Dodge Chargers. The Chevy Impala wasn't something that they had looked at. He stated that he's not sure if this is a police package and if the cost even included the equipment. The Chief stated that the Chevy Impala is a front wheel vehicle and that the Ford LTD is rear wheel vehicle. The Chief stated he would like to stick with the original article.

Mr. Jacobson said that model 9C1 is right out of the General Motors Police package set up. That he went down to Conway Chevrolet and had them pull it up on the computer. It comes with a complete standard package. The black and white paint, all of the amenities, The standard Chevrolet engine comes with a 4.3 engine. This comes with a bigger 4.9 engine, 6 cylinders, front wheel drive. Hollis and Nashua are using them. It is a significant reduction in cost and it has a larger 6 cylinder so it will also get better gas mileage.

Hand vote- Yes- 107 No-89

Judy Cook asked the Chief if there is a state bid package we use to determine what we are going to buy/purchase a new cruiser. Did you look into the Chevy as part of the bid package from the State? The Chief is concerned with the price Mr. Jacobson is presenting is the stated base price of the car. It does not include light bars, cages and everything else you put into the car. The Chief stated that Hollis does use the Chevy Impala for the Chief and Lieutenant. They are not used as front line cars. They use Ford Crown Vics for their front line cars. He said that the Hillsborough County Sherriff's department uses the Impalas to serve paper work.

Judy Cook made a motion to amend the original article to **\$33,012 and asked for** Ford LTD to be removed from the article and to replace the wording with police cruiser.

2nd Jeanne Schultz.

Robert Parodi told the Chief that the cruisers are blinding especially at night. He asked if we need that many lights on the cruisers. The Chief stated the reason we have so many lights on the cruiser is for Officer safety. Robert Parodi asked the Chief to entertain reducing the amount of lighting on the cruisers.

Forrest Milkowski moved the question.

2nd Cindy Gorgoglione.

Secret ballot Yes- 168 No-96

11. To see if the Town will vote to raise and appropriate the sum of **\$19,000** for the purchase and installation of a camera-based surveillance system in the Police Department and Town Hall and exterior parking areas, to be monitored at the Brookline Police Department and the Dispatch Center in Hollis, or take any action relative thereto

Jack Flanagan made a motion. 2nd Therry Neilson-Steinhardt.

Ken Lambert asked what the recurring cost would be for the surveillance cameras. Jack Flanagan stated he felt the only recurring cost would be storage of the videos..

Chief Goulden said that his understanding is that there would be no additional cost for dispatch to monitors the surveillance systems at the Town Hall and Police Department because dispatch already has the monitors set up for their Police Department and it's just a matter of having us on line there. Mark Lutton asked why we wanted to go with a surveillance system installed. Jack Flanagan stated that for \$19,000 it was very inexpensive insurance in case there was a claim within the Police station. There will be 7 cameras within the station so if someone is being booked, if someone said they had been abused or that something had happened we would have that on tape. There are also cameras upstairs for the Town Clerk and the Selectman's office so if someone makes a claim later and there's some legal action taken, \$19,000 is awful inexpensive insurance when you think of any kind of legal fees that would be incurred. .

Hand vote-Yes 128 No-94

12. To see if the Town will vote to raise and appropriate the sum of \$17,946 to construct new sidewalks in front of Richard Maghakian Memorial School and Captain Samuel Douglass Academy under the Safe Routes to School program (SRTS Project #15552 & 15552A). Said appropriation will be offset one hundred percent (100%) coming from Federal Highway Funds Tad Putney made a motion to amend Article 12 to read as follows:

To see if the Town will vote to raise and appropriate the sum of **\$35,835** to construct new sidewalks in front of Richard Maghakian Memorial School and Captain Samuel Douglass Academy under the Safe Routes to School program (SRTS Project #15552 & 15552A). Said appropriation will be offset one hundred percent (100%) coming from Federal Highway Funds 2nd- Rena Duncklee.

Hand vote- Yes

13. To see if the Town will vote to raise and appropriate the sum of **\$10,000** to purchase and equip a Used Replacement Town Vehicle to be used by the Brookline Ambulance Service and Emergency Management, or take any action relative thereto.

Linda Saari made a motion 2nd Therry Neilson-Steinhardt

Linda Sarri spoke to the Article.

Betty Hall moved the question. 2nd Rena Duncklee

Hand vote -Yes

14. To see if the Town will vote to establish a Capital Reserve Fund for the purpose of purchasing Lot H-42 on Main Street and to raise and appropriate the sum of \$100,000 to be placed in this fund, or take any action relative thereto.

Motion made by Clarence Farwell. 2nd Ann Webb

Clarence Farwell spoke to Article 14.

Robert Parodi asked when this option agreement expires. Clarence Farwell stated 12/31/2012. David Partridge asked to get a sense of the meeting.

Peter cook asked when this contract was signed.

Clarence Farwell stated it was signed and appraised for \$800000+ in 2007.

Judy Cook would like to amend the article to read that we do not raise and appropriate anything. We accept the sense of the meeting to satisfy the questions the Selectmen had.

Forest Milkowski Motion to Table- 2nd Judy Cook

Tabled

15. To see if the Town will vote to raise and appropriate the sum of \$2,250 to hire a part time Recreation Director to assist the Recreation Commission in planning and administering activities and events, or take any action relative thereto.

Motion- Jennifer Dvarkeas 2nd Kim McClure

Richard Vertullo spoke to Article 15.

Betty Hall asked the finance committee if this will set the precedent to pay other future volunteers that have done so much in the community.

Beth Lukovits stated in no way to diminish the work the recreation commission does because we all benefit from it, I really think that it's not a good idea. Every board in this town works for little or no money. We all have jobs. We all put in hundreds or more hours doing what we do. I think if you can't steps up to that or know that's what involved when you join the board then don't join it. They are all a ton of work.

Cindy Gorgoglione moved the question. 2nd Charles Corey

Hand Vote- No

16. To see if the town will vote to raise and appropriate the sum of **\$1,450** from the unreserved fund balance to be deposited into the Ambulance Service Expendable Trust Fund and to authorize the Selectmen and Ambulance Director as agents to expend as needed.

Fred Hubert made a motion. 2nd Dave Partridge.

Kevin Gorgoglione spoke briefly to this article.

Hand vote- YES

17. To see if the Town will vote to accept Lot F-16 (totaling 30.184 acres) as open space land per subdivision plan, case # 2003-18:F-15,F-16 (Gilson Road – Burge Drive Subdivision) as approved by the Planning Board on December 3rd, 2003. This open space was set aside as part of an open space development subdivision.

Clarence Farwell made a motion. 2nd Stephen Murray

Hand Vote- Yes

18. To see if the Town will vote to cease putting the amount received for Cable Franchise Fees into the Cable Access Fund and to have future Cable Franchise Fees (as of 2010) placed in the Unreserved Fund Balance to offset taxes, or take any action relative thereto. Motion made by Linda Saari. 2nd Rena Duncklee

David Partridge asked if the necessary funds for the cable committee then come out of the main line budget from now on once whatever is there is spent out or what impact would that have where are you going to fund the purchasing of the equipment we use to do this right now

Linda Saari said she thinks the fund is quite large right now and it would do well for many years. It's upwards of \$150,000 on a budget of \$5000-\$6000.

Hand Vote-Yes

19. To see whether the Town will vote to raise and appropriate the amount of **\$37,158** for the purpose of paying for the cost of implementing identified measures to make the Town's buildings and infrastructure more energy efficient and, further, to authorize the Board of Selectmen to enter into an agreement or agreements with any and/or all of the municipal entities in SAU 41, (the Hollis School District, the Brookline School District, the Hollis-Brookline Cooperative School District), as well as the Town of Hollis, for the purpose of coordinating this effort to make the same as cost effective as possible, and to take any action necessary to implement the purpose of this article, said appropriation to be entirely raised, in part, from a grant from the ***American Recovery and Reinvestment Act Energy Efficiency and Conservation Block Grant Program***, which is administered by the NH Office of Energy and Planning, and the balance to be raised by a corresponding grant from a collaborative third party such as the ***Public Service Company of NH or other entity providing such grants***, it being understood that this appropriation and the corresponding authority to expend are contingent on the same being entirely funded from said grants and that no amount thereof shall be raised by taxation.

Webb Scales made a motion. 2nd Pat Cambray

Dennis Skey spoke to the article.

Hand Vote-Yes

20. (By Petition-Secret Ballot) To see if the Town will vote to approve the following resolution to be forwarded to our State Representative(s), our State Senator, the Speaker of the House, and the Senate President.

Resolved: The citizens of New Hampshire should be allowed to vote on an amendment to the New Hampshire Constitution that defines "marriage".

Peter Webb noted that he had received a written ballot request from five voters to vote under that Article by secret ballot, and that state statute therefore required a secret ballot on a motion under the Article. Before a Motion was made under the Article, Peter Cook moved to pass over the Article. Judy Cook 2nd. Peter Webb proposed that that subsidiary vote also had to be taken by secret ballot. Mark Lutton noted that a Motion to pass over is to take no action on a specific Article and to pass it over. The motion requires a 2nd, is non debatable and requires a 2/3 majority. Robert Parodi noted that the motion to pass over is procedural rather than substantive, and posed whether the secret ballot applied only to a substantive issue moved under the Article. Webb Scales challenged the Moderator and made a motion to overrule the Moderator and to vote the Motion to Pass over by a show of cards. The Moderator stated he was not comfortable with the motion, but agreed to defer to a vote to

overrule the Moderator. The voters overruled the Moderator by a show of cards. Therefore, the vote to pass over the Article was done by a show of cards.

Hand vote- Yes

Article 20- Passed over

21. (By Petition) To see if the town will vote to direct the MPA (Melendy Pond Authority) to continue all leases, subleases or options on properties for 30 years with an option of an additional 30 years to present and future Cottage owners "tenants", of Melendy Pond. Whereas, the Melendy Pond cottage owners, "tenants" will exceed an annual estimated GROSS tax revenue of over \$100,000.

Moderator Peter Webb swore in Peter Bennett to act as Assistant Moderator for this article.

Moderator Peter Webb recused himself as he felt compelled to speak to this article.

Marcia Farwell made a motion. 2nd Gerald Farwell.

Peter Cook spoke on behalf of the Melendy Pond Authority. He stated that the next Melendy pond lease is up in 2012. Mr.Cook stated that the money that is taken in for the leases do not go to the town it stays with Melendy Pond Authority. The properties are leased for recreational properties. The leases state absence from the property for 10 days per year. The people who live there sign an affidavit that states they have a permanent residence elsewhere.

Peggy Bradshaw thinks we should look at the master plan to see what their thoughts are for the future of Melendy Pond.

James Rezzarday stated that there is a child that lives on Melendy Pond that is attending school in Brookline and is wondering if the town will be reimbursed for the tuition.

Peter Cook stated that a child is supposed to go to school where they claim residency. He said people who live there sign an affidavit that states they have a permanent residence elsewhere. Jim Rezzarday asked where the money from the leases go. Peter Cook stated it goes towards rolling the roads, treating the pond, etc. The information is published in the town report every year. Carol Anderson- Farwell said she feels Melendy Pond should be enforcing the contracts. Properties up at the pond are depreciating because the leases are coming to an end. Which means the houses are not being taxed on the full assessed value which means the town is collecting less tax money for no real reason because there are no plans for the properties at this point in time.

Robert Parodi stated that he has been on every Melendy Pond study committee since 2000 and that he is opposed to this article. He feels that a study committee has to look at the potential disposition of this. For those of you that don't know the Melendy Pond authority is considered to be the Town of Brookline. The Melendy Pond Authority and the Town of Brookline own the land. The owners of the cottages do not pay any taxes on land because the Town cannot tax itself. If the Town of Brookline is going to convey an interest in Real estate the State law mandates that you have to do it by public bid. You can't enter into an agreement with an individual in perpetuity for a particular piece of real estate owned by the town. Mr.Parodi suggests another study committee be continued.

Peter Webb spoke to the article. He stated in 1950 the Town created these lots. It is the 2nd largest body of water in town. The Town owns 80% of that perimeter it's an extraordinary thing for the town to have. 27 lots were created. The leases were created for seasonal recreational use and that is really not the case anymore. These people knew this was a rental property and knew what the deal was when they were struck. We are told we have children from Melody pond going to our school. At the Brookline school district meeting we were told the cost is \$11000 per student. Our problem with enforcement is if you go into a court and

say we have a lease and we have people trying to collect welfare and educate their children we get to evict them. A judge will say your Town needs to help people in need and educate children.

I think there are very few properties that are up soon. There are 23 leases that expire in 2018 and 2032. There is no driving need to extend these leases forever and a day.

Mr. Webb stated he does not feel extending the leases are the remedy.

Forrest Murkowski made an amendment to read as follows:

To see if the Town will vote to direct the Melendy Pond Association to continue any expired lease on an annual basis and the cost of the lease will be increased to \$100 per month and upon the expiration of any annual lease the Town at its sole discretion has the right to not renew the lease. 2nd Robert Parodi.

Hand vote- Amendent Failed

Carol Anderson-Farwell said she doesn't recall Melendy Pond having to go to court for a child attending the Brookline school system. When an application to attend Brookline school system is handed in, the school knows that Melendy Pond addresses are under a contract and applications were denied.

Ann Webb moved the question

Judy Cook-2nd

Hand vote-No

Greg McHale made a motion to reconsider. 2nd Forrest Milkowski

Motion to reconsideration is denied

22. To receive the reports of agents, auditors, committees, and all other officers heretofore chosen, and pass any vote relative thereto.

Judy Cook moved the question, 2nd Rena

23. To see if the Town will vote to accept the following legacies:

1. The sum of \$300 for the perpetual care of the Jacob Lewis Lot #341 in Pine Grove Cemetery;

Webb Scales moved the question. 2nd Keith Thompson

24. To transact any other business that may legally come before said meeting.

Cindy Gorgoglione moved to have a committee established to study the feasibility of the ambulance service to charge for trips made. The committee is to be made up of 5 members. 3 members from community at large, a member from the Finance committee and a Member from the Ambulance department appointed by the Moderator. Reporting back no later than January 1, 2011 for printing in the town report. Cindy stated that she thought the last committee looked into this in 2001.

2nd Marcia Farwell.

Judy Cook made a motion to pass over this article. She feels it's been studied repeatedly and it always comes out the same exact way.

2nd Richard Gribble

Marcia Farwell said there was a committee in 2001 that looked into this and the committee recommended the Town should charge and the Town meeting decided not to charge.

She stated she feels we need to reconsider it again. We need to consider all these sources of revenue we can find. 90% of the people have insurance. Their insurance carrier covers the

insurance. The Town of Merrimack gets \$500,000 out of their Ambulance. The Town of Hollis now charges. For people that don't have insurance you can waive costs and she feels it's time the town studies this again and that it could be a very substantial revenue stream. Richard Gribble said he was on the study committee and they were not in favor of the Ambulance charging. The significance of the revenue stream was nil. You cannot not bill someone just because they don't have insurance. If Medicare found out that you don't bill everyone, they refuse to pay you for anyone. The ambulance service is made up of volunteers.

You can't expect the volunteers to give their time and in turn have the Town charge for an ambulance call, have the Town collect money and in exchange have the volunteers work for nothing. We already discussed not turning a volunteer position into a paid position.

Cindy Gorgoglione feels the Town is taxing us to death and a committee would cost nothing to look into it.

Motion was defeated

Eric Pauer made a motion to Adjourn on March 11, 2010 at 1am.

TOTAL MONIES RAISED- \$4,474,915

A true Attest:

Patricia Howard-Barnett
Brookline Town Clerk