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**MINUTES OF THE
BOARD OF SELECTMEN**

**MEETING OF
January 8, 2007**

7 The Board of Selectmen held a meeting on Monday, Tuesday, May 22, 2007 at the Salem Town
8 Hall, 33 Geremonty Drive, Salem, NH.

9
10 **PRESENT:** Chairman Michael J. Lyons, Vice-Chairman Everett P. McBride, Jr., Secretary
11 Elizabeth A. Roth, Selectman Ronald J. Belanger, Selectman Arthur E. Barnes, and Town
12 Manager Dr. Henry E. LaBranche.

13
14 **CALL TO ORDER**

15 Chairman Lyons called the meeting to order at 7:08 p.m. with the Pledge of Allegiance and
16 introduced the Board members and Town Manager Dr. Henry E. LaBranche.

17
18 **1. APPROVAL OF MEETING MINUTES**

19 **MOTION:** by Selectman Roth

20 *To accept the minutes of the meeting dated December 11, 2006*

21 **SECOND:** Selectman Belanger

22 **VOTE:** 5-0-0

23 The motion carried unanimously.

24
25 **MOTION:** by Selectman Roth

26 *To accept the minutes of the meeting dated December 18, 2006*

27 **SECOND:** Selectman Belanger

28 **VOTE:** 5-0-0

29 The motion carried unanimously.

30
31 **2. CHAIRMAN'S COMMENTS**

32 Chairman Lyons announced that he had learned today that former Selectman Bob Ellis had
33 passed away. He sent the condolences of the Board to Mr. Ellis's family, stating that Mr. Ellis
34 had been one of his mentors and asked everyone to join him in a moment of silence.

35
36 **3. Certificates of Achievement – National Champions, Salem Rams Midget Cheerleading
37 Squad**

38 Dr. LaBranche announced that they would recognize the Salem RAMS cheerleading squad and
39 wished to acknowledge the contribution the young ladies have made to the community and also
40 their parents and their support group. He explained that each member of the squad should rise to
41 the floor when as Chairman Lyons called their names and there would be an opportunity for
42 photographs. He further explained that the individual certificates had been given to the coach to
43 hand out after the ceremony.

44
45 Chairman Lyons asked for a short recess after photographs had been taken and called the
46 meeting to order again at 7:22 p.m.

1 Chairman Lyons also announced the appointment of Ms. Josephine Simard to the Council for
2 Aging, and also that the Board had taken no action on the Conservation Committee at this time.

4 **4. Pedestrian/Rail Trail Policy**

5 Dr. LaBranche began by providing the background to the research for developing a policy
6 regarding development along the rail trail and explained Mr. Bill Scott's participation in this, as
7 well as some of the research which had been done. He explained that the rail bed belonged to the
8 State, and that it could require the removal of any development along it by individuals. He asked
9 Mr. Scott to go over the policy development reviewed by both Mr. Scott and himself.

10
11 Mr. Scott, Community Development Director, began by referencing his memo, dated January 5th,
12 to Dr. LaBranche (contained in the Board of Selectmen's packets) outlining what the memo
13 contained for the benefit of the public. He provided as background a synopsis of the State's
14 plans to develop the rail beds to trails. He also explained that the Town of Salem has a three part
15 plan, previously heard by the Board of Selectmen, which covers technology, transit and capacity
16 in terms of managing its traffic. He then explained what each of those three parts involved
17 which in essence is to design and develop a safe bicycle and pedestrian corridor along Route 28
18 in order that employees and townspeople can safely walk or cycle to employment destination, in
19 concert with providing a transit system for workers in the region, and use of the trail for
20 recreation along the Route 28 corridor. He explained that there is approximately \$130,000 set
21 aside in funds for the rail trail.

22
23 Mr. Scott further referred to a sample agreement attached to his memo which would be between
24 the Town and the State and which would enable the Town to design and obtain access to the rail
25 corridor for development of their plan.. This sample agreement needs review by counsel and
26 also the State.

27
28 Mr. Scott then went on to state that it would be prudent to put a policy in place which would
29 protect the interests of the Town against those with temporary use agreements along the rail
30 corridor which might impact the Town's plans, and he has outlined a policy in his memo for
31 consideration by Board of Selectmen. This policy would clarify for the Planning Board that the
32 Town's interests would not be impacted by applicants wishing to use the rail right of way and
33 that the applicants could lose the right to use the rail corridor at some point in the future.

34
35 Chairman Lyons asked Selectman Roth if she wished to add anything as representative on the
36 Planning Board and she declined, stating that what would be decided this evening would be the
37 direction the Planning Board is looking for and she looked forward to moving ahead. Chairman
38 Lyons opened the meeting to questions from the public.

39
40 **Mr. George Jones, Chairman of the Conservation Commission** rose to address the Board. He
41 thanked Vice Chair, Linda Harvey for initiating discussion of the rail trail, and for asking the
42 Conservation Commission to get involved. He explained that the Commission had faced
43 frustration over the last few years over the ambiguity of the NHDOT (New Hampshire
44 Department of Transportation). He further explained that the ambiguity was caused by the
45 NHDOT publicly indicating that the construction of a rail trail from the State line to Concord,
46 NH was an integral part of their plan to expand Interstate 93 and travel around the state. On the

1 other hand they have consistently allowed leasing portions of the rail bed to private entities. He
2 pointed out that the actions of the NHDOT leads to stumbling blocks for the Town. He referred
3 to the meeting in February between the Commission and the various Boards in town, pointing
4 out that the support provided at the meeting fell short of what the Commission were looking for
5 (i.e. some kind of trail from the Depot northwards). He also stated that he felt that until the
6 Town agrees to prevent any encumbrances along the entire rail bed they would be cutting
7 themselves off for further consideration by the DOT. He further stated that he felt the community
8 needs to commit to the notion that it will use the entire rail bed. Mr. Jones also reminded the
9 Board of the agreement which had been made by former Senator Chuck Morris, the Commission,
10 the community of Salem and the NHDOT for the creation of a wetlands area and central parking
11 facility at the site of the old treatment facility on Broadway with the expectation at that time that
12 the trail would begin at the Methuen line and continuing north. He strongly urged the Board of
13 Selectmen to take steps to make clear that their intent is to use the entire rail bed. He stated that
14 most of the members of the Conservation Commission were in attendance at the meeting in
15 support of the project.

16
17 **Wayne Morris, Vice President of the Windham Rail Trail Alliance**, rose to speak next. He
18 presented photos of the development of the Windham part of the rail trail, which had been taken
19 in the summer. He indicated that the photos pointed to the popularity of the trail by a wide
20 variety of people, providing examples of those who regularly use the trail. He explained that the
21 other conceptual plan that the Alliance have is for a parking lot at the old Rogers gas station and
22 that the State agrees that it is a reasonable use of the site. Mr. Morris stressed the regional nature
23 of the rail trail, stating that the question everyone is asking is when it will extend to Salem and
24 Derry. He explained that the current Windham trail is approximately 3.1 miles and they are
25 hoping to complete an additional length once the Windham Route 111 bypass has been
26 completed (in 2008). He also mentioned that the trail meets the standard to carry a train, as
27 stipulated by the NHDOT. Mr. Morris also referred to Mr. John Normington who has opened a
28 business at the Windham Depot who was present at the meeting and who could testify to what a
29 rail trail can do economically for local businesses. He indicated he had a copy of the Windham
30 feasibility study. He also stated that Governor Lynch had attended their grand opening and was
31 very supportive of the rail trail project and for it to go as far as Concord. He described the rail
32 trail as a linear park and health and wellness corridor which benefits the residents of the state.

33
34 In response to a query from Selectman McBride, Mr. Morris stated that the Windham extension
35 will go over the Route 111 bypass and would have three crossings. There followed a discussion
36 regarding snowmobiles and ATV's making use of the Rockingham trail which Selectman
37 McBride stated he personally would not want for Salem. Selectman McBride confirmed his
38 commitment to the project from the Depot north and maybe to Broadway.

39
40 In response to a query from Chairman Lyons, Mr. Morris confirmed that the extension over the
41 Route 111 bypass as far as Cycles Etc. would complete the Windham part of the trail.

42
43 He further explained that Windham had received, as a result of their development of the rail trail,
44 a federal transportation enhancement grant for the Windham Depot which they will receive in
45 2009 or 2010. They have also received a donation of a caboose to put at the depot as a result of
46 the publicity the rail trail has received.

1 In response to a query from Selectman McBride, Mr. Morris stated that the Windham trail can be
2 picked up at Cyr Lumber, Roulston Road. He explained that it would be necessary to go to
3 Windham Depot for organized parking, but that there will be parking at both ends of the trail
4 when they also have the parking at the Rogers gas station.

5
6 In response to a question from Chairman Lyons regarding what the issues were for
7 Massachusetts and Derry. Mr. Morris stated he was unsure what the problem was with
8 Massachusetts, but that he knew that Derry owned the land in that town and they have a stretch
9 of about a mile which was paved. He stated that Windham was looking to join forces with the
10 corridor towns and that this would make economical sense with regards to transportation. He
11 also mentioned that there were individuals who would like to use the trails to get from Derry to
12 Salem for work.

13
14 In response to a query from Selectman Belanger, Mr. Morris explained that until now the
15 Alliance has been responsible for upkeep etc and that it has been privately funded. He further
16 explained that the Alliance has approached the Conservation Commission to use funds on the
17 trail as it accesses several pieces of land on the conservation trail; however they were not looking
18 to burden the taxpayer. They are still in process of fundraising, and so far engineering has
19 been donated. With regards to maintenance he stated that the decision to pave was made as it
20 should last 20 – 25 years.

21
22 In response to another query from Selectman Belanger, Mr. Morris stated that Windham has not
23 experienced any problems so far with security for people riding bikes and walking the trail and
24 he referred to the benefits local businesses which are located along the trail will receive from
25 people riding by.

26
27 Selectman McBride voiced his concern again about the possibility of the State forcing Salem to
28 allow ATV's to use the trail; however Mr. Morris stated he thought the situation for Salem was
29 different.

30
31 Chairman Lyons asked Mr. Scott to explain what the SE-TRIP was for, and Mr. Scott explained
32 that it was for a transit system linked to pedestrian system along the length of the corridor. He
33 explained that the Town would need to move ahead with the design to create safe passage for
34 people moving up and down the corridor who would also use the transit system. He clarified for
35 Chairman Lyons that the Town has received the grant money and the Board had voted to match
36 the funds from impact fees. He also stated that the town has received a contract from the State
37 for the design work and they would be releasing proposals some time in February or March. He
38 felt they could work with adjacent property owners to enhance private and public partnerships.

39
40 Mr. Scott clarified for Selectman McBride that in committing to the design they would also be
41 committing to build something within the context of the original proposal. He then spoke about
42 the ability to leverage off site improvements, referring to the CIP. He also confirmed for
43 Selectman McBride that the town may wish to plow the corridor in key sections, and pointed out
44 that at this point they were only looking at the design phase and that some of the issues would
45 remain unknown until they had completed this phase. Mr. Scott referred to specific areas of the
46 corridor and the issues surrounding those, stating that the focus of the design work would be in

1 these areas. Selectman McBride discussed with Mr. Scott the fact that having a plan in place
2 would provide the Planning Board with the opportunity to leverage money from developers.

3
4 Mr. Scott confirmed that the town would probably recommend against the use of ATV's along
5 the trail, given the urban nature of the trail.

6
7 Selectman Barnes put forward a recommendation for providing some guidance to the Planning
8 Board and the Board of Adjustment, by recommending to the Conservation Commission that
9 they maintain a 16 foot width along the rail bed.

10
11 Chairman Lyons suggested that before making the recommendation he would like to take the rest
12 of the public input.

13
14 **Mrs. Linda Harvey of 16 Clinton Street** provided clarification on the ATV issue, stating that
15 there was no agreement between DRED () and NHDOT south of Old Rockingham Road., and
16 that ATV's have never been authorized to use anything in Salem south of Route 111 due to the
17 dangers of crossing Route 111. She also stated that it was up to individual town what they
18 wished to do regarding snowmobiles.

19
20 **William Carter, 61 Lake Street and Secretary to the Conservation Commission**, stated that
21 he was charged with keeping the town forest. He spoke about the possibility of connectivity to
22 the trails within the forest. He also suggested putting a crossing at the traffic light where the race
23 track is as it was less congested and that it might be possible to get money from the State to help.

24
25 **Mr. Dave Topham, 2 Townsend Avenue**, provided information on his background (a resident
26 of Salem since 1962; co-founder of the Granite State Recreation Bike Club; co-founder of the
27 Bike/Walk Alliance in NH; works on the advisory board for the DOT pedestrian /bike
28 /transportation). He wished to share a vision for a full length trail for all from the Massachusetts
29 border to Concord and there is a lot of support for it. He stated he felt that if there are enough
30 people behind the plan it will be possible to get over hurdles as they arise. He stated that the
31 group he is involved with has resources available and connections to obtain additional support
32 and possibly funding. He also offered his services to work with the town should there be a sub
33 committee made up.

34
35 **Mr. Walt Harvey, 16 Clinton Street**, stated that he wished to encourage the development of the
36 rail bed in Salem just as commuter link. He informed the Board that he rides his bike on the
37 Windham trail at least a couple of times a week and sees that it is being used extensively and that
38 the development of the rail trail in Salem would be a valuable asset to the community. He stated
39 he supported the project in Salem. He also spoke to the fact that he did not know of any part of
40 the rail bed which was under water.

41
42 **Mr. John Normington, owner of the Windham Junction Country Store**, stated that his
43 business has benefited since the opening of the rail trail in Windham and that approximately 50%
44 of his business comes from people traveling the rail bed. He stated that businesses would benefit
45 and recommended developing the rail bed in Salem. He also stated that he was on the Windham

1 Advisory Committee and stated that the Committee would support and advise the town in any
2 way they could.

3
4 Mr. George Jones rose to address the concerns of Selectman McBride regarding the crossings.
5 He referred to cities like Boston and Washington who have thousands of pedestrians who cross
6 roads safely every day where there is heavy traffic. He also pointed out that Salem residents
7 have been asking for cross walks to get to the mall for some time and that the town has never
8 addressed the problem. He felt that constructing crosswalks on either side of Rockingham
9 Boulevard was a good solution and stated that the Commission was asking for support of a basic
10 concept, which would provide the opportunity to work out solutions. He stressed that they were
11 not here tonight to solve all the problems; only to obtain support of a philosophical notion.

12
13 Chairman Lyons seeing no one else from public wishing to speak thanked everyone for their
14 input and closed the meeting for public input. He then declared a recess at 8:25, calling the
15 meeting to order again at 8:40 p.m.

16
17 Chairman Lyons asked for discussion from the Board.

18
19 Selectman Barnes stated he thought that the Town should maintain the rail bed as a resource but
20 did not think they should recommend any development of it.

21
22 Chairman Lyons sought clarification and confirmation from Mr. Scott that any design would
23 have to be approved by a future Board of Selectmen. Mr. Scott stated that there would need to
24 be regular milestone meetings with the Board to obtain approval of funds etc. Chairman Lyons
25 obtained clarification that a course correction could be made by a future Board of Selectmen and
26 Mr. Scott stated that the Board would have the opportunity during the design phase which would
27 take place over the summer to outline parameters.

28
29 Chairman Lyons stated he could see the value in preserving a corridor from the Depot north.

30
31 Selectman Roth stated that she thought that this was a win/win opportunity for the town which
32 provided an opportunity for the Conservation Commission to preserve open spaces and is a
33 recreational opportunity to bring families together to use the trail, and also bring economic
34 advantages. She stated she did not think the motion before them this evening was not strong
35 enough as she would like to see the Board preserving the whole corridor. She stated she felt the
36 motion should be amended to stop businesses using the corridor for their own use as it would be
37 more difficult to do this at a later stage. She suggested an amendment to the motion should be
38 that the applicants may be told to alter or remove improvements at any time with 30 days written
39 notice. Her rationale for suggesting this was to ensure that the town does not get tied up in
40 litigation for a long period of time. Selectman Roth suggested the board adopt a policy that
41 there would be no improvements by parties abutting the rail bed until this summer when the
42 design has been addressed.

43
44 Selectman McBride asked Selectman Roth what the status was of the Solway project and
45 Selectman Roth stated that the Planning Board had put the matter on hold pending the outcome
46 of the Board of Selectmen's deliberations; however she anticipated having to provide an answer

1 by mid January. She also stated that she did not wish to single out any one particular project and
2 that is why she suggested that the Board tables all plans until the outcome of the design meetings
3 have been completed. There was further discussion between Chairman Lyons and Selectman
4 Roth on the Solway project, with Selectman Roth explaining that it would require a contract with
5 the NHDOT but that the NHDOT wants to see what the town has in mind before entering into
6 other contracts.

7
8 Selectman McBride stated that he thought the Planning Board would be hard pressed to deny the
9 project.

10
11 Selectman Belanger stated he was in agreement with Selectman Roth regarding preserving the
12 whole corridor, and that he would be in favor of banning any type of construction from Methuen
13 to the Windham line.

14
15 Mr. Scott stated that if this was the decision, then it is a policy which should be forward to the
16 State to inform them not to accept any incursions on the property until a certain date.

17
18 **MOTION:** by Selectman Roth

19 *That the Board of Selectmen adopt a policy that the Planning Board and the Zoning Board do*
20 *not approve any development of the rail bed, pending the results of the rail design and*
21 *development meeting that will take place in the summer of 2007.*

22 **SECOND:** Selectman McBride

23
24 **MOTION:** by Selectman Belanger

25 *To amend Selectman Roth's motion to include that the Board of Selectmen send a letter to the*
26 *State stating that they do not want any encouragement of any development along the entire*
27 *rail bed from Methuen to Windham until the fall of 2007.*

28 **SECOND:** Selectman McBride

29
30 Mr. Scott suggested that the amendment say fall of 2007.

31
32 *Discussion on amendment:*

33 Selectman Roth agreed with Selectman Belanger's amendment and after further discussion the
34 Board agreed to withdraw all motions and put forward a new motion. In forming the motion
35 Selectman Roth asked for clarification on what date to include in the motion and Dr. LaBranche
36 suggested that there be a definitive date.

37
38 **MOTION:** by Selectman Roth

39 *That the Board of Selectmen adopt a policy that the Planning Board and the Zoning Board do*
40 *not approve plans that include design and development of the rail bed, pending results of the*
41 *rail design meetings due December 1, 2007 and further that the Board of Selectmen will*
42 *communicate with the State of New Hampshire Department of Transportation with notice of*
43 *our intention of using the rail bed, and ask that they not approve any designs for use of the*
44 *rail bed in line with our policy*

45 **SECOND:** Selectman McBride

1 There was further discussion, with Dr. LaBranche requesting that the Board stay with the current
2 motion to come up with a policy to protect the entire rail bed. The members of the Board further
3 discussed the Planning Board's part in the current situation and Dr. LaBranche pointed out that it
4 was a matter for the Planning Board. He clarified that the authorization comes from the State
5 and not the Town of Salem, but that by adopting a policy the Board of Selectmen were sending
6 their policy to the NHDOT asking them not to allow any incursions on the rail bed property.

7
8 Chairman Lyons stated that he is not asking the Planning Board to vote in any direction
9 tomorrow night. Further discussion took place with Chairman Lyons and Selectman McBride
10 agreeing that the Planning Board would give the Solway matter a fair hearing. Selectman
11 Belanger was vehement about writing to the DOT and about the fact that the Planning Board
12 should not make a decision the following evening. Selectman Roth stated that the Planning
13 Board just wanted to obtain guidance from the Board of Selectmen.

14 **VOTE:** 5-0-0

15 16 **5. Director of Engineering**

17 Dr. LaBranche stated he had asked Mr. Puff, Director of Engineering to join them and answer
18 questions on two requests for additional funds.

19 20 **a) Use of Water Unreserved Fund Balance – 2006 Neighborhood Road Program**

21 Mr. Puff referred to his memo of January 2nd to Dr. LaBranche, a copy of which is in the Board
22 of Selectmen's packets, which deals with an additional request of \$3,200 from the Water
23 Unreserved Fund Balance to cover a small overrun in appropriation made earlier this year to
24 replace a section of piping on Pattee Road and Senter Street. He explained that he had outlined
25 in his memo where the overages were.

26
27 **MOTION:** by Selectman McBride

28 *To authorize an expenditure of a not to exceed amount of \$3,200 from the Water Unreserved*
29 *Fund Balance for additional costs incurred during the reconstruction of water mains on*
30 *Pattee Road, Rosewood Avenue, and Senter Street, as performed in conjunction with the 2006*
31 *Neighborhood Road Program.*

32 **SECOND:** Selectman Belanger

33
34 Selectman McBride congratulated the Budget Committee on a job well done as the overage was
35 equivalent to 1.5%.

36 **VOTE:** 5-0-0

37 The motion carried unanimously.

38 39 **b) Use of Water Unreserved Fund Balance – Engineering North Main Street Water** 40 **Improvements**

41 Mr. Puff referred to his memo to Dr. LaBranche dated 2nd January, and explained that this was as
42 a result of the Board requesting that he look into designing and preparing plans for the extension
43 of the water main along North Main Street and East Broadway, from Evergreen Road to Henry
44 Taylor. He explained that he had spoken to two different engineering firms on the issue (SEA
45 Consultants and SFC Consultants) who have both provided estimates for the work required.
46 SEA is estimating 8 weeks to get the work done and SFC would require 3 weeks.

1 **MOTION:** by Selectman McBride

2 *To authorize an expenditure of an amount not to exceed \$16,000 from the Water Unreserved*
3 *Fund Balance for engineering services associated with the design of a water main extension*
4 *along North Main Street and East Broadway*

5 **SECOND:** Selectman Belanger

6 **VOTE:** 5-0-0

7 The motion carried unanimously.

8

9 **6. Ratify Union Contracts**

10 Dr. LaBranche reviewed the latest agreements between the Firefighters union and the Public
11 Administrators union and highlighted the changes which had been made. A copy of the
12 summary on the changes is included in the packets of the Board of Selectmen. He stated that the
13 mediation had been concluded over the holidays and had gone well. He asked the Board to take
14 action to endorse the agreements.

15

16 **MOTION:** by Selectman Barnes

17 *To approve the tentative agreement as outlined by the Town Manager between the Town of*
18 *Salem and the Professional Firefighters of Salem which includes a 3% cost of living increase*
19 *and cost share on health insurance as outlined.*

20 **SECOND:** Selectman McBride

21 **VOTE:** 5-0-0

22 The motion carried unanimously.

23

24 Dr. LaBranche drew the attention of the Board to the discipline clause and that other clauses are
25 subject to the vote of the Town of Salem.

26

27 **MOTION:** by Selectman Belanger

28 *To approve the tentative agreement as outlined by the Town Manager between the Town of*
29 *Salem and the Salem Public Administrators Association which includes a 3% cost of living*
30 *increase and cost share on health insurance as outlined.*

31 **SECOND:** Selectman McBride

32 Selectman McBride thanked all unions for addressing the healthcare issue and SPAA for
33 agreeing to take out the department heads.

34 Dr. LaBranche thanked Chief Breen, HR Director Lynn Rapa and the union representatives on
35 the teams.

36 **VOTE:** 5-0-0

37 The motion carried unanimously.

38

39 Dr. LaBranche requested a two minute recess and Chairman Lyons called the meeting to order
40 again at 9:25 p.m.

41

42 **7. 2007 Warrant Articles**

43 Dr. LaBranche explained that the first two articles were articles which had previously been
44 approved; however he was now recommending they be deleted in an effort to control the budget.

1 ***Town Wide Traffic Plan and Impact Fee – DELETED \$90,000.00***

2 Dr. LaBranche explained that Mr. Scott had indicated that this could be delayed for a year and he
3 has adjusted the CIP Plan accordingly. Selectman McBride sought clarification that based on the
4 work load of the staff that this could be delayed until next year and Dr. LaBranche confirmed
5 this, adding that it was also due to the increase it would add to the budget.

6
7 **MOTION:** by Selectman Barnes

8 ***To delete the Town Wide Traffic Plan and Impact Fee warrant article***

9 **SECOND:** Selectman McBride

10 **VOTE:** 5-0-0

11 The motion carried unanimously.

12
13 ***Exit Two / West I-93 Improvement Plan - DELETED \$300,000.00***

14 Dr. LaBranche explained that there had been \$100,000 to be raised by taxes and the rest to be
15 funded by Impact Fees. The projects will be done entirely by Impact Fees as it will probably only
16 cost a little over \$100,000 and this article is no longer be required.

17 **MOTION:** by Selectman McBride

18 ***To delete the Exit Two/West I-93 Improvement Plan warrant article***

19 **SECOND:** Selectman Belanger

20 **VOTE:** 5-0-0

21 The motion carried unanimously.

22
23 ***Article 18 - North Main Street Water Line \$1,410,000.00***

24 Dr. LaBranche explained that this article sets up the bond issue for discussion (as per Ms. J.
25 Savastano's back up document). Dr. LaBranche explained the options available; pointing out
26 that the 20 year bond would have the least impact to the taxpayers.

27
28 **MOTION:** by Selectman Barnes

29 ***To see if the Town will vote to raise and appropriate the sum of One Million Four Hundred***
30 ***Ten Thousand Dollars (\$1,410,000) for the purpose of extending the town water lines and to***
31 ***make ancillary and related improvements thereto to North Main Street generally from***
32 ***Evergreen Road to Mill Pond Road, Mill Pond Road, and East Broadway generally from Mill***
33 ***Pond Road to Henry Taylor, and to authorize the land acquisition necessary for this***
34 ***construction; and to authorize the issuance of not more than \$1,410,000 of bonds or notes for***
35 ***the purpose of extending water lines in accordance with the provisions of the Municipal***
36 ***Finance Act (RSA 33); and authorize the Selectmen to issue, negotiate, and regulate such***
37 ***bonds and/or notes and to determine the rate of interest thereon and to authorize the Board of***
38 ***Selectmen to accept any and all State Aid or other revenue source that may be or may become***
39 ***available and take any and all action necessary to carry out any vote hereunder or take any***
40 ***other action relative thereto. (Requires 2/3 vote)***

41 **SECOND:** Selectman McBride

42
43 Selectman Barnes stated that the Budget Committee in their workshop with the Board of
44 Selectmen had stated they would prefer 20 year bonds, and Dr. LaBranche stated that this would
45 keep it in line with the DBA payments.

1 **VOTE:** 5-0-0

2 The motion carried unanimously.

3
4 **Article 3 - Fund Fire Employees Union Contract \$121,510.00**

5 Dr. LaBranche explained that this article incorporates a change in the Uniform Allowance.

6
7 **MOTION:** Selectman Barnes

8 *To see if the Town will vote to raise and appropriate the sum of One Hundred Twenty One*
9 *Thousand Five Hundred Ten Dollars (\$121,510) such sums representing the cost of those*
10 *increased economic benefits for members of the International Association of Fire Fighters,*
11 *(I.A.F.F.), Local 2892, to which they are entitled under the terms of the latest Collective*
12 *Bargaining Agreement entered into by the Board of Selectmen and the Union.*

13 **SECOND:** Selectman Belanger

14 **VOTE:** 5-0-0

15 The motion carried unanimously.

16
17 Dr. LaBranche explained that the next few warrant articles needed to be voted upon due to
18 changes in the collective bargaining agreements which had resulted in decreases in the funding
19 amounts.

20
21 **Article 4 - Fund Police Employees Union Contract \$99,998.00**

22
23 **MOTION:** Selectman Belanger

24 *To see if the Town will vote to raise and appropriate the sum of Ninety Nine Thousand Nine*
25 *Hundred Ninety Eight Dollars (\$99,998), such sum representing the cost of those increased*
26 *economic benefits for members of the Salem Police Relief, Teamsters, Local 633 of New*
27 *Hampshire, to which they are entitled under the terms of the latest Collective Bargaining*
28 *Agreement entered into by the Board of Selectmen and the Union.*

29 **SECOND:** Selectman McBride

30 **VOTE:** 5-0-0

31 The motion carried unanimously.

32
33 **Article 5 - Fund Clerical/Admin. Employees Union Contract \$42,703.00**

34
35 **MOTION:** Selectman Barnes

36 *To see if the Town will vote to raise and appropriate the sum of Forty Two Thousand Seven*
37 *Hundred Three Dollars (\$42,703) such sum representing the cost of those increased Economic*
38 *benefits for members of the State Employees Association of New Hampshire, (S.E.A), Local*
39 *1984, to which they are entitled under the terms of the latest Collective Bargaining Agreement*
40 *entered into by the Board of Selectmen and the Union.*

41 **SECOND:** Selectman McBride

42 **VOTE:** 5-0-0

43 The motion carried unanimously.

1 **Article 6 - Fund Professional Employees Union Contract \$72,533.00**

2
3 **MOTION:** Selectman McBride

4 *To see if the Town will vote to raise and appropriate the sum of Seventy Two Thousand Five*
5 *Hundred Thirty Three Dollars (\$72,533.00) such sum representing the cost of those increased*
6 *economic benefits for members of the Town of Salem Public Administrators Association,*
7 *(S.P.A.A), to which they are entitled under the terms of the latest Collective Bargaining*
8 *Agreement entered into by the Board of Selectmen and the Union.*

9 **SECOND:** Selectman Belanger

10
11 Selectman McBride thanked all the unions for addressing health care and for taking out the
12 department heads, and urged the voters to support this.

13 **VOTE:** 5-0-0

14 The motion carried unanimously.

15
16 **Article 7 - Fund Public Works Employees Union Contract \$48,340.00**

17
18 **MOTION:** Selectman Barnes

19 *To see if the Town will vote to raise and appropriate the sum of Forty Eight Thousand Three*
20 *Hundred Forty Dollars (\$48,340) such sum representing the cost of those increased economic*
21 *benefits for members of the Association of Federal, State, County, & Municipal Employees,*
22 *(A.F.S.C.M.E.), Local 1801, to which they are entitled under the terms of the latest Collective*
23 *Bargaining Agreement entered into by the Board of Selectmen and the Union.*

24 **SECOND:** Selectman Belanger

25 **VOTE:** 5-0-0

26 The motion carried unanimously.

27
28 **Article 9 - Fund Unaffiliated Employees Compensation Changes \$8,574.00**

29
30 **MOTION:** by Selectman Belanger

31 *To see if the Town will vote to raise and appropriate the sum of Eight Thousand Five Hundred*
32 *Seventy Four Dollars (\$8,574), such sum representing the cost of scheduled increases in rate*
33 *of pay and other economic benefits for employees not affiliated with a union*

34 **SECOND:** Selectman McBride

35 **VOTE:** 5-0-0

36 The motion carried unanimously.

37
38 Dr. LaBranche stated that he wished to talk about articles 15 and 23 together. He explained that
39 in conjunction with his staff he had regrouped previous articles to keep the road program and the
40 sewer work in separate articles to make it easier for the voters to understand what the intention of
41 the articles.

42
43 **Article 15 - Roadway Improvements Program - Linwood - Mary Anne and Elsie areas**
44 **\$2,280,000.00**

45
46 **MOTION:** Selectman McBride

1 *To see if the Town will vote to raise and appropriate the sum of Two Million Two Hundred*
2 *and Eighty Thousand Dollars (\$2,280,000), of which the amount of \$2,085,000 shall be placed*
3 *in the Roadway Improvement Capital Reserve Fund previously established for the purpose of*
4 *reconstructing/ resurfacing neighborhood roads and applying preventive measures to roads in*
5 *accordance with a plan adopted by the Board of Selectmen and as listed in the 2007-2017*
6 *Capital Improvements Program, and to further construct ancillary water improvements as*
7 *cited in the above referenced plan of which \$195,000 shall result from the Water Capital*
8 *Reserve Fund, and to authorize the Selectmen to apply for, accept and expend Federal, State*
9 *or other aid which may be available for the project and to comply with all laws applicable to*
10 *the project and to take all other action necessary in connection therewith.*

11 **SECOND:** Selectman Belanger

12 **VOTE:** 5-0-0

13 The motion carried unanimously.

14
15 **Article 23 - Elmwood Marsh Sewer and Road Project \$1,500,000.00**

16
17 **MOTION:** Selectman McBride

18 *To see if the Town will vote to raise and appropriate the sum of One Million Five Hundred*
19 *Thousand Dollars (\$1,500,000), of which the amount of \$490,000 shall be placed in the Road*
20 *Improvement Capital Reserve Fund previously established for the purpose of reconstructing/*
21 *resurfacing the neighborhood roads and applying preventive measures to roads in accordance*
22 *with a plan adopted by the Board of Selectmen and as listed in the 2007-2017 Capital*
23 *Improvements Program, and to further construct sewer and water improvements as cited in*
24 *the above referenced plan of which \$980,000 shall result from the Sewer Capital Reserve and*
25 *\$30,000 shall result from the Water Capital Reserve, and to authorize the Selectmen to apply*
26 *for, accept and expend Federal, State or other aid which may be available for the project and*
27 *to comply with all laws applicable to the project and to take all other action necessary in*
28 *connection therewith.*

29 **SECOND:** Selectman Belanger

30 **VOTE:** 5-0-0

31 The motion carried unanimously.

32
33 **Article 16 - Winter Weather Operations \$575,515.00**

34 Dr. LaBranche explained that the five year average for this has decreased and that he has
35 lowered the figure further to take account of other funds which would be available. He also
36 stated that if it were necessary to change the figure at Town meeting this could be done.

37
38 **MOTION:** by Selectman Belanger

39 *To see if the Town will vote to raise and appropriate the sum of Five Hundred Seventy Five*
40 *Thousand Five Hundred Fifteen Dollars (\$575,515), for the purpose of winter weather*
41 *operations, including, but not limited to, plowing and removing snow, sanding and chemically*
42 *treating streets, and otherwise responding to hazardous road conditions related to winter*
43 *weather.*

44 **SECOND:** Selectman McBride

45 **VOTE:** 5-0-0

46 The motion carried unanimously.

1 **Article 21 - Create Expendable Trust Fund - Senior Center \$14,171.00**

2 Dr. LaBranche stated that they now had the final figures for the membership fees.

3
4 **MOTION:** Selectman Belanger

5 *To see if the Town will vote to create an Expendable General Fund Trust Fund under the*
6 *provisions of RSA 31:19-a, to be known as the Senior Center Expendable Trust Fund, for the*
7 *purpose of funding programs not supported by the Town of Salem's Budget and further*
8 *authorize the transfer of Fourteen Thousand One Hundred Seventy One Dollars (\$14,171)*
9 *from the December 31, 2006 General Fund Unreserved Fund Balance to be placed in this*
10 *fund and to authorize the transfer of all future revenues to be placed in this trust fund for this*
11 *purpose, and to designate the Board of Selectman as agents to expend.*

12 **SECOND:** Selectman McBride

13 **VOTE:** 5-0-0

14 The motion carried unanimously.

15
16 **Article 1 - Town Wide Bridge - Crossing and Hydrology Program \$3,856,000.00**

17 Dr. LaBranche stated that this had initially been approved for \$5 million. He explained that the
18 Board may wish to limit the amount of roadwork beyond the bridges and keep it for a later time.
19 He also explained about the reimbursement for the sake of the voters.

20
21 Selectman McBride asked for clarification of the reason for the decrease and Dr. LaBranche
22 explained that it was due to the amount of roadwork having been reduced. Mr. Puff rose to
23 explain for Selectman McBride that the amount which would be 80% reimbursable is projected
24 to be \$1.6 million, and that this amount may increase to \$2 million eligible for 80%
25 reimbursable.

26
27 In response to Selectman Barnes' query relating to the drainage on the approach to the bridges,
28 Mr. Puff stated that the drainage work would remain in place. Selectman Barnes commented
29 that he thought that the article should stand as it had originally passed.

30
31 Selectman Belanger obtained clarification that the extended work on the roads could be done at a
32 later stage and stated he felt this would be acceptable.

33
34 Chairman Lyons asked what the advantage would be to reducing the work and Mr. Puff
35 responded that the real impact would be in the amount of time the roads would be closed.
36 Selectman Belanger stated he agreed with Mr. Puff and that the most important thing would be to
37 get the bridges and drainage done. Chairman Lyons obtained clarification that the study was still
38 included in the article.

39
40 Dr. LaBranche pointed out that the largest part of the work would be the road improvements and
41 not the bridge work.

42
43 In response to Selectman Barnes asking about a change in the language used within the warrant
44 article, Dr. LaBranche pointed out that legal counsel would always recommend this to account
45 for the fact that unforeseen problems may arise when the work begins. He also pointed out that
46 counsel has not completed working on the wording of the articles. Dr. LaBranche also pointed

1 out that if the Board of Selectmen wished to stay with the original warrant article of \$5 million
2 the article would need to be renamed.

3
4 Selectman McBride stated he would support the article as amended.

5
6 **MOTION:** by Selectman McBride

7 *To see if the Town will vote to raise and appropriate the sum of Three Million Eight Hundred*
8 *and Fifty Six Thousand Dollars (\$3,856,000) for the purpose of reconstruction and repairing*
9 *bridges including, but not limited to, Haverhill Street Bridge at Spicket, Pelham at Porcupine*
10 *Brook, North Main at Widow Harris, Emerson Way at Widow Harris, and to make*
11 *improvements to the adjacent roadways, and further to conduct the necessary Town wide*
12 *engineering studies to implement such a program, and conduct a hydrology analysis of*
13 *repetitive flood properties, and to authorize the issuance of not more than \$3,856,000 of bonds*
14 *or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and*
15 *authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate*
16 *of interest thereon and to authorize the Selectmen to apply for, accept and expend Federal,*
17 *State or other aid which may be available for the project and to comply with all laws*
18 *applicable to the project and to take all other action necessary in connection therewith.*
19 *(Requires 2/3 vote).*

20 **SECOND:** Selectman Belanger

21 Chairman Lyons asked the members of the Board for their comments before the vote.

22 **VOTE:** 5-0-0

23 The motion carried unanimously.

24 25 **8. TOWN MANAGER'S REPORT**

26 Dr. LaBranche stated he had nothing further to report.

27 28 **9. SELECTMEN REPORTS/CORRESPONDENCE**

29 Selectman McBride raised the issue of the water levels in Arlington Pond stating his concern that
30 there was a potential for flooding if there was no run off. Dr. LaBranche stated that his staff was
31 keeping an eye on this.

32
33 Selectman Belanger spoke about a problem he had been made aware of relating to residents not
34 being permitted to use the town dump because their car (which had the town sticker on it) had
35 broken down and they needed to use a different vehicle. Selectman Belanger felt that an
36 exception should be made for residents in circumstances where they have paid for their road
37 taxes if they are able to show their license indicating town of residency, and that the Board
38 should make this a policy.

39 40 **10. OLD BUSINESS TABLED/PENDING**

41 None

42 43 **11. ADDITIONS AND/OR REQUESTS OF BOARD BY VOTE**

44 None

45 46 **• UPCOMING MEETING**

1 January 15, 2007

2 January 22, 2007

3

4 Chairman Lyons asked for a motion to adjourn the meeting and move to non public session.

5

6 **ADJOURN**

7 **MOTION:** by Selectman McBride

8 *That the Board of Selectmen moves to non public session RSA 91-A:3,II(d)*

9 **SECOND:** Selectman Belanger

10 **VOTE:** 5-0-0

11 Without further business, Chairman Lyons adjourned the meeting at 10:10 p.m.

12

13 Notes/Minutes Taken by: Sandra Maxwell

14

15 Approved: Board of Selectmen

16

17 Date: January 22, 2007