

1
2
3
4
5
6

MINUTES OF THE BOARD OF SELECTMEN

7
8
9

MEETING OF August 27, 2007

10 The Board of Selectmen held a meeting on Monday, August 27, 2007, the Salem Town Hall, 33
11 Geremonty Drive, Salem, New Hampshire.

12 **PRESENT:** Chairman Everett P. McBride, Vice-Chairman, Elizabeth A. Roth, Secretary, Arthur
13 E. Barnes, Selectman Michael J. Lyons, Selectman Patrick Hargreaves, and Town Manager, Dr.
14 Henry E. LaBranche.

15
16

CALL TO ORDER

17 Chairman McBride called the meeting to order at 7:00PM with the Pledge of Allegiance.

18 Chairman McBride then introduced the Board members and Town Manager Dr. Henry E.

19 LaBranche, Finance Director Jane Savastano, Bill Scott Community Development Director and
20 Bob Puff Engineering Director.

21
22

1. MEETING MINUTES

23 **MOTION: by Selectman Barnes**

24 *To approve the non-public sealed minutes of August 2, 2007 as printed*

25 **SECOND: Selectman Roth**

26 **VOTE: 5-0-0**

27 The motion carried.

28
29

Discussion:

30 Selectman Hargreaves asked if the Town Manager had signed the new contract. Dr. LaBranche
31 indicated that he had. Selectman Hargreaves recommends unsealing of the minutes. Selectman
32 Lyons added that the minutes should only be unsealed once the process is complete. Dr.
33 LaBranche added that this motion should be placed on the next regular meeting agenda to unseal
34 the minutes. Selectman Barnes noted that if other issues were also on the minutes they should be
35 resolved first, noting they could not be unsealed.

36
37

MOTION: by Selectman Barnes

38 *To approve the public minutes of August 2, 2007*

39 **SECOND: Selectman Lyons**

40 **VOTE: 5-0-0**

41 The motion carried.

42
43

MOTION: by Selectman Barnes

44 *To approve the non-public sealed session minutes of August 13, 2007 as printed*

45 **SECOND: Selectman Lyons**

46 **VOTE: 5-0-0**

The motion carried

Discussion:

Selectman Hargreaves indicated his preference of the minutes being unsealed once again.

MOTION: by Selectman Barnes

To approve the public portion of non-public session minutes of August 13, 2007 as printed

SECOND: Selectman Lyons

VOTE: 5-0-0

The motion carried.

MOTION: by Selectman Barnes

To approve the regular session minutes of August 13, 2007 as printed

SECOND: Selectman Lyons

VOTE: 5-0-0

The motion carried.

2. CHAIRMAN'S COMMENTS

Chairman McBride also indicated that Lorraine Thibault had been appointed to the Housing Authority.

3. PUBLIC HEARINGS

Selectman McBride opened the Public Hearing at 7:07 PM.

a. Accept Grant from Federal Highway Administration Relief Program

Jane Savastano indicated that The Town was notified that we were eligible to receive reimbursement from the Federal Highway Administration Emergency Relief Program for damages to Route 28 at Larry's Country Store and Main Street near the former Brooks (now Rite-Aid) during the May 2006 flood. She indicated that this organization was separate from FEMA and was administered through the NH Department of Transportation. In addition, the Town was also notified that FEMA would reimburse the Town for damages incurred from the April 2007 flood.

MOTION: by Selectman Roth

Motion, in accordance with RSA 31:95(b) to authorize the acceptance of \$37,758.53 in reimbursement funds from the Federal Highway Administration Emergency Relief (ER) Program administered through the State of NH, Department of Transportation for the costs incurred during the flood of May 2006.

SECOND: Selectman Barnes

VOTE: 5-0-0

The motion carried.

b. Accept Grant from Federal Emergency Management Agency

MOTION: by Selectman Barnes

Motion in accordance with RSA 31:95(b) to authorize the acceptance of \$61,318.08 in reimbursement funds from FEMA for the costs incurred during the flood of April 2007.

1 **SECOND: Selectman Lyons**

2 **VOTE: 5-0-0**

3 The motion carried.

4

5 Chairman McBride asked for public comment. There were no public comments. Selectman
6 McBride closed the Public Hearing at 7:10 PM

7

8 **4. COMMUNITY DEVELOPMENT DIRECTOR – PROJECTS UPDATE**

9 Dr. LaBranche indicated that Community Development Director Bill Scott was in attendance to
10 provide the Board with a status update of projects he is managing which will include all relevant
11 projects that the Board has seen or acted upon in the past six months. He further commented that
12 the report detail would include project descriptions, funding, deadlines, role of Community
13 Development, and a prioritization based on regulatory or contractual obligations.

14

15 Mr. Bill Scott introduced himself and referenced the Projects update manual he handed out, (see
16 attached), and proceeded to work his way through the manual.

17

18 **Discussion:**

19 Selectman Lyons commented that a lot of hard work had been done, and noted that the number
20 one complaints were traffic and the improvement to response time.

21

22 Selectman Roth referenced Exit 2 and voiced her concerns regarding the safety of the alternate
23 traffic flow that had been established. Bill Scott noted there needed to be more communication
24 between the DOT and the community and added he could talk to Rick Russell of DPW.

25

26 Selectman McBride referenced ITS, and asked if the Planning Board was going to expand impact
27 fees and asked how that process would begin. Mr. Scott indicated that would require meetings
28 with the Planning Board to determine the structure to be used, and the area to be addressed and
29 then it would have to be put on the agenda.

30

31 **Public Comments:**

32 Beverly Glynn stated that she hoped the rehab of the Depot building was going forward, and
33 indicated the eagerness of the staff to get it going and become involved.

34

35 **Discussion:**

36 Bill Scott indicated that there was an intricate permitting process associated with this project, and
37 noted he wanted to keep this project moving once it was started.

38

39 **Public Comments:**

40 Diane Paquette commented that she had many individuals who were ready and able to donate
41 their services to help in the rehab of this building, most notably an architect who was becoming
42 impatient because the project had been taking so long to get off the ground. She also commented
43 that she felt she had not been kept in the loop of what was happening.

Discussion:

1 Chairman McBride suggested that Bill Scott alert the appropriate individuals when the RFP went
2 out.
3

4
5 Selectman Roth suggested that all volunteers and communication should be going through
6 Beverly Glynn regarding this issue.
7

8 Selectman Hargreaves questioned the line item referring to the furnishings and equipment in the
9 Police Station cost estimate and asked if these were all items that were needed.
10

11 Bill Scott responded that the \$300,000.00 was estimation, partially based on the fact that our
12 current facilities do not have proper storage.
13

14 Selectman Barnes added that the Police Department builder included an escalator of 3%, and
15 noted the board was working to reduce that number.
16

17 Selectman Lyons added that we would have a not to exceed number on site and cost.
18

19 Selectman Roth asked Bill Scott to notify Beverly Glynn when he filed fro registration on the
20 Old Town Hall.
21

22 Selectman Lyons complemented the hiring of Bill Scott and noted the work he was doing was
23 exceptional.
24

Public Comments:

25
26 Beverly Glynn commented that the Old Schoolhouse #5 tour that was held last month was a great
27 success, adding that they had 22 volunteers and a great turnout.
28

29 Selectman McBride calls for a 10-minute recess at 9:10PM
30

31 Selectman McBride called the meeting back to order at 9:20 PM.
32

5. DIRECTOR OF ENGINEERING – PROJECTS UPDATE

33
34 Director of Engineering Mr. Bob Puff introduced himself and commented that he had included a
35 memo to provide an update on the capital projects he was managing, and a timeframe for
36 completion.
37

38 Mr. Bob Puff commented that the Linwood project should be completed in the fall of 2007.
39

40 Mr. Bob Puff noted that the Mary Ann/Elsie Avenue Road Improvement Project was in the
41 design process, and noted the permits were with NH DES.
42

Discussion:

43
44 Selectman Roth stated that the delay was disappointing and asked if it was due to coordination
45 efforts. Bob Puff responded that the delay was not due to one factor, there were many (i.e. right

1 of entry issue, and third party involvement due to the moving of the utility poles that was require
2 by National Grid).

3
4 Chairman McBride stated his concern that if this project could not get started this year he fully
5 expected a bid to be put out in January and the work to start in April 2008

6
7 Selectman Roth added that construction prices most likely would go up, and she urged that the
8 bid be put out, and that we try to get this project moving.

9
10 Selectman Lyons indicated that his preference would be this project starts this year.

11
12 Selectman Hargreaves also indicates that we should push this project ahead, and asked that the
13 Board be notified when the permits from DES were received.

14
15 Mr. Bob Puff indicated that the Dawn Street Sewer Project was expected to be completed on
16 schedule, and noted the topcoat would be done in the spring of 2008, and added that residents
17 would be notified when they could hook into the sewer.

18
19 Mr. Bob Puff indicated that Wheeler and Millville would be completed on schedule in November
20 2007.

21
22 **Discussion:**

23 Selectman Hargreaves asked if there were any unforeseen items with this project.

24 Mr. Bob Puff said that there were concrete issues, which slowed the project, but he expected the
25 project to be completed this year. He also noted there was an issue with the gate commenting on
26 the recent rise and fall of the water level.

27
28 Selectman Roth asked if we could accelerate the fixing of the gate as this affected the residents
29 enjoyment and would possibly affect there ability to close their boats for the season depending
30 on the water levels.

31
32 **Public Comments:**

33 Howie Glynn, 321 North Main Street, commented that we had a dry month in August; however
34 he could not explain the rise and fall of the water levels either.

35
36 Mr. Bob Puff indicated that the Taylor Damn project would be completed in October 2007, and
37 that bids went out fro the Marsh Elmwood Sewer Project in June 2007. He also added that an
38 expected reimbursement would be coming back to the Town in 2009 for approximately
39 \$120,000-150,000.00 and going back into the Sewer Fund.

40
41 **Discussion:**

42 Selectman Hargreaves brought up the issue that a dead-end sign be put at Nathan's Way.

43
44 Selectman Roth stated that this intersection has changed so much, that it in her opinion it is
45 unsafe.

1 Selectman McBride commented that we should put a temporary sign there noting it is a dead
2 end.

3
4 **Public Comments:**

5 Howie Glynn, 321 North Main Street, commented that we should put additional signage there.
6

7 **Discussion:**

8 Dr. LaBranche stated that he brought the Police Chief out to the site and he had made
9 recommendations, he stated however these would be brought up to the NHDOT.

10
11 Selectman Roth stated she wanted to bring attention to this intersection, and stated the signage
12 should be clear as well as the enforcement.

13
14 **6. STOP SIGN – CLUFF ROAD**

15 Dr. LaBranche stated that in April he reported to you that Ross Moldoff had contacted Steve
16 Pernaw regarding the possible removal of the stop sign on Cluff Road. Mr. Pernaw had
17 determined that in order to determine if this intersection is a candidate for traffic signal control
18 (aka stop sign), additional traffic studies would be required at a cost of approximately \$2,500. At
19 that time, BJ's on Cluff Road had submitted preliminary plans for an expansion of their facility,
20 which would have required a traffic study. The Board decided to wait until BJ's did their traffic
21 study rather than spend an additional \$2,500.

22
23 Mr. Moldoff recently informed me that BJ's has not submitted any additional plans in the past
24 several months. Accordingly, I bring this matter before the Board of Selectmen for discussion
25 on whether or not you want to consider funding a traffic study to determine the future of the stop
26 sign on Cluff Road at Kensington Place.

27
28 With regard to the Board of Selectmen's authority in this matter, Attorney Diane Gorrow has
29 indicated that although there is nothing wrong or illegal with the way in which the Planning
30 Board handles private road improvements (with no formal signoff from the Board of Selectmen),
31 ultimately, the Board of Selectmen have the final authority. However, Diane also cautioned the
32 Board that there could be liability implications if the Town were to make revisions to
33 improvements that have already been approved and installed per recommendations of our
34 consultants.

35
36 **Discussion:**

37 Chairman McBride stated that the Town should do a traffic study.
38

39 **MOTION: by Selectman Hargreaves**

40 *Motion not to exceed \$2,500.00 to authorize the Town to invest in a traffic study to remove the*
41 *stop sign at Kensington Place.*

42 **SECOND: Selectman Roth**

43
44 **Discussion:**

45 Selectman Barnes asked what was the impetus. Chairman McBride asked if he thought the study
46 was necessary. Selectman Lyons asked where the funding would come from. DR. LaBranche

1 will ask Steve Pernaw if anything has changed at this intersection that would warrant a new
2 study to be completed and report back to the board.

3
4 **Motion Withdrawn**

5
6 **7. REINSTATE TOWN MANAGER POSITION INTO THE NH RETIREMENT**
7 **SYSTEM**

8 Dr. LaBranche commented that in October 2004, the Board of Selectmen voted to exempt the
9 Town Manager's position from the NH Retirement System pursuant to RSA 100-A: 22. As you
10 may know, this was done to accommodate my situation to not jeopardize my group one-
11 retirement eligibility. The results of this vote would exempt any Town Manager from
12 participating in the program. Jonathan Sistare is eligible and wishes to participate in the
13 retirement system. Accordingly, the Board needs to reverse their decision of October 25, 2004 to
14 exempt the Town Manager position from the NH Retirement System.

15
16 **Questions:**

17 Selectman Hargreaves asked if Jonathan Sistare was already in the MH retirement system.
18 Dr. LaBranche indicated he was, however the motion was to reinstate the Town Manager
19 position as per his employment this benefit had been removed.

20
21 **MOTION: by Selectman Barnes**

22 *Move to reinstate the Town Manager position to the compulsory membership in the NH*
23 *Retirement System effective October 1, 2007 pursuant to RSA 100-A: 22.*

24
25 **SECOND: Selectman Lyons**

26 **VOTE: 5-0-0**

27 The motion carried.

28
29 **8. TOWN MANAGER'S REPORT**

30 Dr. LaBranche noted that the 2008 Budget Books were in the mailboxes and stated the first
31 meeting would be at the Media Center on Thursday at 7:00 PM.

32
33 Chairman McBride asked for confirmation of the meeting place as two different sites were noted.

34
35 **9. SELECTMEN REPORTS/CORRESPONDENCE**

36 Selectman Hargreaves asked that the intersection at Oakridge and Buddridge be looked at and
37 suggested a stop sign.

38
39 Selectman Lyons wished all the kids good luck in the upcoming school year.

40
41 Selectman Barnes commented that he attended the hearing on gaming in Concord, NH and
42 listened as he was not called to testify until the very end.

43
44 **8. OLD BUSINESS TABLED/PENDING**

- 45
46 **• Additions And/Or Requests By Public Or Board By Vote**

1 • **UPCOMING MEETINGS**

- 2 ○ August 30, 2007 (Budget Review)
- 3 ○ September 4, 2007 (Budget Review) – **At Media Center**
- 4 ○ September 5, 2007 (Budget Review) – **At Media Center**
- 5 ○ September 6, 2007 (Budget Review – If Necessary)
- 6 ○ September 10, 2007 (Budget Review)
- 7 ○ September 13, 2007 (Budget Review/Votes) – **At Media Center**
- 8 ○ September 17, 2007 (Regular Meeting)
- 9 ○ September 24, 2007 (Regular Meeting)

10
11 **MOTION: Selectman Hargreaves**

12 *To move to adjourn the meeting*

13 **SECOND: Selectman Roth**

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

15 The motion carried unanimously, and without further business, Chairman McBride adjourned the
16 meeting at 10:48 PM.

17
18 Notes/Minutes Taken by: Catherine Kupa, Recording Secretary

19
20 Approved: Board of Selectmen

21
22 Date: September 17, 2007