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**MINUTES OF THE
BOARD OF SELECTMEN**

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**MEETING OF
November 5, 2007**

10 The Board of Selectmen held a meeting on Monday November 5, 2007, at Salem Town Hall, 33
11 Geremonty Drive, Salem, NH.

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PRESENT: Chairman Everett P. McBride, Vice-Chairman, Elizabeth A. Roth, Secretary Arthur
19 E. Barnes, Selectman Michael J. Lyons, Selectman Patrick Hargreaves, and Town Manager Mr.
20 Sistare.

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22

CALL TO ORDER

23 Chairman McBride began by opening the public hearings and recessed them until later in the
24 meeting. He then called the meeting to order at 7:00 p.m. with the Pledge of Allegiance, and
25 introduced members of the Board.

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Selectman Hargreaves introduced a Scout from Troop 267, Jonathan Rheau who was present to
30 receive a merit badge.

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1. Meeting Minutes

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MOTION: by Selectman Barnes

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*Move to accept the minutes of the Board of Selectmen Regular Meeting on October 15,
2007 as written*

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SECOND: Selectman Hargreaves

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VOTE: 5-0-0

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The motion carried unanimously.

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MOTION: by Selectman Barnes

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*Move to accept the minutes of the Board of Selectmen Interview Session on October 22,
2007 as written*

SECOND: Selectman Lyons

VOTE: 5-0-0

The motion carried unanimously.

MOTION: by Selectman Barnes

*Move to accept the minutes of the Board of Selectmen Regular Meeting on October 22,
2007 as written*

SECOND: Selectman Lyons

VOTE: 5-0-0

The motion carried unanimously.

MOTION: by Selectman Barnes

*Move to accept the minutes of the Board of Selectmen Special Meeting on October 24,
2007 as written*

1 **SECOND:** Selectman Lyons

2 Selectman Hargreaves pointed out that the meeting had taken place at 5:00 p.m.

3 **VOTE:** 5-0-0

4 The motion carried unanimously.

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6 **2. Chairman Comments**

7 Chairman McBride stated he had met with the Town Manager and various staff regarding the
8 T1 line to the Selectmen office, stating he would look into what it will take to get the office
9 line for Board of Selectmen in place. He stated he would keep the public apprised of the
10 status.

11
12 **3. Public Hearing – Sale of Town Owned Land**

13 Chairman McBride re-opened the public hearing at 7:03 p.m., handing over to Mr. Sistare.
14 Mr. Sistare introduced the Assessor, Mr. Pelletier. Mr. Pelletier explained this would be the
15 first of two public hearings on the sale of two Town owned lots which the State is petitioning
16 as follows:

17
18 *Off Raymond Avenue, Map 106, Lot 7876*
19 *25 Lowell Road, Map 115, Lot 8762*

20
21 He explained that both lots had been petitioned by the State in the widening of I93 and were
22 of little interest to the Town as they are non build able lots. He provided the size of the lots,
23 stating the Town was looking to sell the first for \$1,100. He stated the second lot is
24 surrounded by State land and the Town would sell it for \$3,100.

25
26 Mr. Pelletier explained there was a third lot which will be coming before Board of Selectmen
27 in January 2008, but as it is over \$10,000 it will need to go to Town meeting.

28
29 In response to a query from Selectman Hargreaves, Mr. Pelletier explained the State had
30 appraised the lots and he was satisfied with the results. He pointed out the first lot is land
31 locked and the second lot is too small to build on, and confirmed the Town would not get any
32 more for these parcels.

33
34 Referring to page 106 of the Selectmen's packet, Selectman Roth asked Mr. Pelletier who
35 owns lot 7874. Mr. Pelletier agreed to check this.

36
37 There being no further questions from the Board or members of the public, Chairman
38 McBride closed the hearing at 7:08 p.m., confirming that the second hearing would take
39 place on November 19th, 2007.

40
41 **4. Public Hearing – Draft Stream Dumping Ordinance**

42 Chairman McBride declared that the public hearing on this matter was no longer required.
43 Mr. Sistare explained why it was not necessary, stating there was a State law covering
44 littering already in existence which the police enforce and which also covers stream
45 dumping. No action is therefore necessary by the Board.

5. 2007 Warrant Articles

Mr. Sistare explained choices would have to be made to keep within the 3% budget increase as set down by the Board, explaining the Finance Director and the Community Development Director would present options to the Board which they had put together.

Ms. Savastano explained the information on a spreadsheet she had prepared (attached) which showed the warrant articles and the options for cuts and their impact on the tax rate, pointing out the profile sheets on the warrant articles which provide more detailed information. Ms. Savastano explained what cuts were being proposed in each scenario, and that the estimated overlay and the war service credits were included. She also provided the remaining term for the union agreements. She explained for Selectman Hargreaves that the sidewalk tractor for DPW would be a five year lease. Other things she highlighted about each warrant were:

- Foss school siding was reduced based on estimates.
- 2nd phase of SAFER grant to hire firefighters
- catch basin cleaning would be outsourced
- option to buy or lease the fire engine

There was a discussion on the articles for the Expendable Trust Fund and the IT Expendable Trust Fund.

- The Expendable Trust Fund for the Library will be a citizens petition

Chairman McBride asked Ms. Savastano to follow up on the amount for the Conservation Commission land acquisition warrant and the IT Expendable Trust Fund.

Mr. Scott, Community Development Director presented the warrant articles relating to the CIP, providing an update and status report on each item with the following being highlighted.

- Police station project – 9 proposals were received; the building size is 26,000 sq ft. There will be a presentation on the status at the next Board meeting on November 19th.
Chairman McBride clarified for viewers that the remediation of the site regarding contamination is something the Town was already aware of and has been monitoring. There followed a discussion on this with Chairman McBride providing further clarification.
- Salt Mitigation Project – this is for design money and provides the Town with an opportunity for dialog with the EPA and DES.
- Traffic study – Mr. Scott pointed out that Impact Fees from R28 cannot be used for the rest of the community, but this will enable the Town to do a study for the rest of the community concurrently with R28.
- Repetitive Flood Claims – it is intended to compile an inventory of repeated claims, to create a profile for FEMA which will enable the Town to apply for grants ahead of when floods occur
- Drainage Capital Program – this will enable the creation of a Drainage Impact Fee
- Catch Basin Cleanup – this will be necessary prior to the Drainage Program
- Sewer Master Plan – this will augment the Water Master Plan
- Veterans Memorial Drainage Project – this will be necessary to enable access to the new

1 police station site

- 2 • Manor Parkway Booster Station – this is the best alternative to provide fire protection to
3 industries located at the top of the hill.
4

5 ***Discussion:***

6 Selectman Lyons commended the Town Manager and Ms. Savastano for the work they had
7 done. He suggested the Board reach a consensus on what they wish to move forward on.
8

9 In response to a query on the Road Program from Selectman Hargreaves and Chairman
10 McBride, Mr. Puff, Director of Engineering clarified that the \$175,000 mentioned was
11 intended to complete the balance of Haverhill Road and included design work for 2010.
12

13 In response to a query from Selectman Hargreaves about the Fire Engine, Ms. Savastano
14 provided details of the difference between buying the vehicle outright and the lease amount.
15

16 Mr. Sistare suggested he ask Chief Breen and Mr. Russell to attend the meeting scheduled for
17 the 19th to provide more information and to answer questions for the Board.
18

19 Selectman Barnes stated he supported 3%, due to lack of support from the voters for anything
20 over 3%, and also because the Budget Committee suggested this amount was appropriate;
21

22 Selectman Lyons agreed with Chairman McBride that staff should be given direction from
23 the Board, ensuring they do not waste valuable time with items which will be taken off the
24 table, and suggested making a column selection from the spreadsheet.
25

26 Selectman Roth agreed with Selectman Lyons and Selectman Barnes, but was concerned
27 about the Expendable Trust Funds due to retirements on the horizon, stating she thought a
28 higher figure would be more realistic. She also stated she did not wish to make conclusive
29 decisions before hearing from Chief Breen.
30

31 Selectman Hargreaves suggested the Board go along with the suggested Budget Committee
32 cuts and Chairman McBride commented he did not think they would get a bond passed.
33

34 In response to a query from Chairman McBride regarding whether the Drainage Program or
35 the Flood Mitigation would provide better value for money, Mr. Scott explained they need to
36 do the catch basins and related projects first. He explained the purpose of the two drainage
37 programs and what the financial advantages of doing them would be to the Town. There
38 followed a discussion of what could be done for the least amount of money.
39

40 Selectman Lyons stated they need to strike a balance regarding the roads and flooding and
41 provide what is best for the community as a whole.
42

43 Mr. Puff provided some information on Shore Drive and the status, explaining it would have
44 a knock on effect down the line with other road projects if it were not done. He provided
45 information regarding the effects of doing things piecemeal including the financial effects.
46 There followed a discussion regarding the problems with the bridges and the flooding. Mr.

1 Scott explained they would like to create a model for drainage which would leverage impact
2 fees, which would then generate revenue by enabling application for grants.
3

4 Selectman Hargreaves obtained clarification from Ms. Savastano that overlay and war
5 service credits will always be in the budget for future years.
6

7 In response to a query from Selectman Hargreaves relation to available State funding, Mr.
8 Scott explained the State does not fund planning apart from hazard mitigation at a high level.
9 Mr. Scott also stated the Town is having discussions with the State regarding a sound barrier
10 and spoke about the costs and requirements of this. He also spoke about flood mitigation
11 Selectman Lyons spoke about the necessity of maintaining the catch basins in order to obtain

12 **MOTION:** by Selectman Lyons

13 *Move to say it is the finding of the Board of Selectmen, and to further direct Town staff to*
14 *pursue column five (otherwise known as Half of Shore Drive /Lease Fire Truck) plans for*
15 *final deliberation on November 26th.*

16 **SECOND:** Selectman Barnes

17 **Discussion:**

18 Selectman Hargreaves sought clarification on the expectations of the Board for November
19 26th and it was explained the purpose of the motion is to provide direction to the staff and the
20 Board can then make a final decision.
21

22 **Action:** Mr. Sistare agreed with Chairman McBride he would arrange to have the Fire Chief
23 and the Director of DPW attend the next meeting.
24

25 Selectman Lyons confirmed with Mr. Sistare that the Fire Department will not know until
26 March whether they will get the SAFER grant this year.
27

28 Selectman Roth stated she will support the motion with direction not to go higher than the
29 amount stated, and directed the Community Development Department and Engineering to
30 pay particular attention to shaving off some money from some line items and still accomplish
31 their directive. Selectman Barnes pointed out that \$100,000 has been reduced from the
32 Unreserved Fund Balance.
33

34 **VOTE:** 5-0-0

35 The motion carried unanimously.
36

37 Chairman McBride declared a five minute recess, reconvening the meeting at 8:37 p.m.
38

39 6. Town Manager's Report

40 Mr. Sistare provided a status report of the improvements to Michele Memorial Park. He also
41 announced a dedication ceremony would take place on Saturday at the park at 3:00 p.m. for
42 which invitations will be issued.
43

44 Mr. Sistare requested a non public session to discuss employee contracts. After discussion,
45 the consensus of the Board was that the meeting should be posted for the following week.
46

7. Selectmen Reports/Correspondence**a) Depot Train Station Update**

Selectman Roth provided a status report, referring to a letter from Ms. Glynn in the Board of Selectmen's packet. She commended Ms. Glynn and the Commission for offering the guidance they had provided and recognized Mr. Scott for his efforts in co-coordinating information. She confirmed an offer had been accepted from a local contractor, Mr. Tom Giuseppe, to oversee work done at the station, stating he would act as general contractor and clerk of works to co-ordinate the efforts of volunteers.

Selectman Roth also stated they will need to address the structural integrity of the building and its historical footprint. She stated there would be meetings to accept funds which are raised and that they are working on the legal aspects of setting up as non profit organization.

She invited Mr. Scott to address the Board, and he stated they have received bids on asbestos removal and the overall cost will be \$57,000. He also stated demolition and abatement would begin shortly. Selectman Roth stated things are moving forward and they are looking to have the project self funded.

Selectman Hargreaves informed the Board that a new volunteer, Mr. Dave Topham, had joined the Committee to provide assistance.

Selectman Hargreaves referred to a paper distributed to the Board of Selectmen regarding the wording of the Zoning ordinance for commercial vehicles in a residential area, explaining the purpose behind bringing in this ordinance. Selectman Roth asked if another part of ordinance and Mr. Scott stated the land use ordinance addresses this matter. There followed a discussion on the need for variances and Mr. Sistare stated he thought there was something on State statutes which addresses Selectman Roth's concern and he would obtain details for the Board.

Selectman Hargreaves provided an update regarding the Holiday Parade, stating they are \$5,000 short of their goal and he provided information on how to make donations. He also stated they were asking the public to bring books for donations, and canned goods for the food pantry.

Chairman McBride raised the matter of the sign ordinance for clarification with Mr. Scott, who explained that RSA's deal with rights of way and with elections and political signs, and the ordinance ties everything together to define what violations are and to enforce them. He pointed out that the Town would still do enforcements without the ordinance. There followed a discussion of what constitutes a violation on a right of way.

Mr. Alfred Parnell, 10 Barbara Avenue introduced himself, explaining that his truck has political signs and was located on R28. He asked why his truck was being picked upon after so many years and why the Town is asking him to remove his truck. He stated his truck is on State property.

1 Mr. Scott attempted to explain what the issues were and the enforcement rules. Selectman
2 Roth said she had done legal research following contact from Mr. Parnell, and voiced her
3 concern regarding Section 47 of the RSA. She stated she felt the Town needs to check
4 the ordinances and RSA's. There followed discussion and it was confirmed that Mr.
5 Parnell could keep his truck at it's location until further clarification had been obtained.
6 Mr. Scott stated he would look into the matter further.
7

8 **7. Old Business Tabled/Pending**

9 There were no items for discussion.
10

11 • **Upcoming Meetings**

- 12 ○ November 19, 2007
- 13 ○ November 26, 2007
- 14

15 • **Upcoming Events**

- 16 ○ Veterans Day Services – November
- 17

18 **MOTION:** by Selectman Lyons

19 *Motion to adjourn the meeting*

20 **SECOND:** Selectman Hargreaves

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

23 Without further business, Chairman McBride adjourned the meeting at 9:40 p. m.
24

25 Notes/Minutes Taken by: Sandra Maxwell

26
27 Approved: Board of Selectmen

28
29 Date: November 19, 2007 as amended