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**MINUTES OF THE  
BOARD OF SELECTMEN**

**INTERVIEW SESSION  
December 8, 2008**

7 The Board of Selectmen held an interview session on Monday December 8, 2008, at Salem  
8 Town Hall, 33 Geremonty Drive, Salem, NH.

9  
10 **PRESENT:** Chairman Elizabeth A. Roth, Vice-Chairman Arthur E. Barnes, Secretary Michael J.  
11 Lyons, Selectman Everett P. McBride, Selectman Patrick Hargreaves and Town Manager Mr. J.  
12 Sistare.

13  
14 **CALL TO ORDER**

15 Chairman Roth called the meeting to order at 6:34 p.m.

16  
17 The Board interviewed Mr. Fred Weismann, 40 Carriage Lane, Bedford for a vacancy on EDAC.

18  
19 Chairman Roth asked Mr. Weismann to make a statement as to why he wished to be on the  
20 Committee, and he explained how his experience, both in business and as Chairman for the  
21 Chamber of Commerce fits with the purpose and mission of the Committee.

22  
23 **Questions:**

24 Selectman Hargreaves asked Mr. Weismann how the Committee could help property owners and  
25 landlords fill their empty buildings and Mr. Weismann provided a couple of examples of how  
26 this could be achieved.

27  
28 There were no additional questions from members of the Board and Chairman Roth informed  
29 Mr. Weismann the Board would announce their decision at the beginning of their meeting and  
30 also inform him in writing.

31  
32 **MOTION:** by Selectman Hargreaves

33 *Move to appoint Fred Weismann to the Economic Development Action Committee (EDAC) as*  
34 *a full time member for a period yet to be determined.*

35 **SECOND:** Selectman McBride

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

37 **The motion carried unanimously.**

38 The next candidate to be interviewed was Mr. Richard Murray of 76 School Street, Salem who  
39 was re-applying for a position on the Recreation Advisory Committee. Chairman Roth  
40 confirmed the position was for a term ending in September 2011 and invited Mr. Murray to make  
41 a statement about why he would like to remain on the Committee.

42  
43 **Questions:**

44 Following Mr. Murray's statement Chairman Roth asked the members of the Board if they had  
45 questions for him.

1 In response to a query from Selectman Lyons, Mr. Murray stated he thought the Committee  
2 knows what their direction is now. Chairman Roth informed Mr. Murray the Board would  
3 announce their decision at the beginning of their meeting and he would also be notified by mail.  
4

5 The final candidate to be interviewed was Mr. Kevin Richard of 8 Ackerman Street who was  
6 also re-applying for a position on the Recreation Advisory Committee for a term to end in 2011.  
7 Mr. Richard made an opening statement, stating he feels the Committee is making progress now  
8 and residents are excited about the projects taking place. Chairman Roth informed Mr. Richard  
9 the Board would announce their decision at the beginning of their meeting and he would also be  
10 notified by mail.  
11

12 **MOTION:** by Selectman Hargreaves

13 *Move to reappoint Messrs. Richard Murray and Kevin Richard to the Recreation Advisory*  
14 *Committee as full time members for a term expiring in 2011.*

15 **SECOND:** Selectman McBride

16 Chairman Roth noted there have been two more resignations from members of the Committee.

17 **VOTE: 5-0-0**

18 **The motion carried unanimously.**  
19  
20

## 21 REGULAR MEETING

### 22 CALL TO ORDER

23 Chairman Roth began by calling the meeting to order at 7:00 p.m. She then joined the Board in  
24 the Pledge of Allegiance, and introduced members of the Board and the Town Manager.  
25  
26

#### 27 1. Meeting Minutes

28 **MOTION:** by Selectman Lyons

29 *Move to accept the minutes of the Board of Selectmen Regular meeting on November 10,*  
30 *2008 as written*

31 **SECOND:** Selectman McBride

32 **VOTE: 5-0-0**

33 **The motion carried unanimously**  
34

35 **MOTION:** by Selectman Lyons

36 *Move to accept the sealed minutes of the Board of Selectmen Non-Public Session on*  
37 *December 1, 2008 as written*

38 **SECOND:** Selectman McBride

39 **VOTE: 5-0-0**

40 **The motion carried unanimously.**  
41

#### 42 2. Chairman Comments

43 Chairman Roth reported to the Board that Mr. and Mrs. Glynn of the Historical Society had  
44 contacted her regarding the fact they wished to paint the office of the old Town Hall, and  
45 requested the Board's support for the project which would be at no cost to the Town. The  
46 Board gave their support for this.

1 Chairman Roth congratulated Messrs. Richard Murray and Kevin Richard on their re-  
2 appointment to the Recreation Advisory Committee. She also announced the appointment of  
3 Mr. Fred Weismann to the Economic Development Advisory Committee, congratulating him  
4 on his appointment.

5  
6 Chairman Roth announced she wished to change the order of business, bringing the item  
7 under old business forward to item number 4 on the agenda.  
8

### 9 **3. Housing Authority—Accept Payment in Lieu of Taxes (PILOT) Check**

10 Mr. Sistare provided a brief introduction and handed over to Mr. George Maihos, Chairman  
11 of the Salem Housing Authority. Mr. Maihos provided an update on the Housing Authority's  
12 recent activities. He also provided a summary list of PILOT payment made to the Town  
13 since 2007, stating he was in attendance to present a check to the Town for 2008 in the  
14 amount of \$47,105.98.  
15

16 **MOTION:** by Selectman McBride

17 *Move that the Salem Board of Selectmen does hereby accept a check from the Salem*  
18 *Housing Authority in the amount of \$47,105.98 which represents their 2008 Payment in*  
19 *Lieu of Taxes.*

20 **SECOND:** Selectman Hargreaves

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

22 **The motion carried unanimously.**  
23

24 Mr. Maihos presented the check to the Town Manager, and Selectman McBride thanked him  
25 for his service and the help received from the Housing Authority.  
26

27 **MOTION:** by Selectman Lyons

28 *Move to take the matter of requests for waivers of the demand benefit assessment from*  
29 *Messrs Boutin and Hamel off the table*

30 **SECOND:** Selectman McBride

31 **VOTE:** 5-0-0

32 **The motion carried unanimously.**  
33

34 Mr. Sistare requested they move to Town Manager's Report as Mr. Puff was not yet  
35 available and the Board agreed.  
36

### 37 **4. Town Manager's Report**

#### 38 **a) Update on Tax Collections to Date**

39 Mr. Sistare provided the Board with an update from the Tax Collector on tax collection to  
40 date this year which he stated was at 94.1%. Chairman Roth thanked the tax payers for  
41 paying on time.  
42

43 Mr. Sistare suggested to the Board it would be a good time to look at the projects being done  
44 in Town and arrange to meet with their Senator and Representatives to provide them with an  
45 update on projects which are important to the Town, and where assistance would be needed  
46 from the State. Chairman Roth asked the Town Manager to schedule a meeting with the

1 Board through his office to make this happen.

2  
3 Mr. Sistare requested a non- meeting, meeting to discuss and update the Board on union  
4 matters after their regular meeting.

5  
6 **5. Requests for Waiver of Demand and Benefit Assessment**

7 **a) Michael Boutin, 19 Bridge Street**

8 **b) Richard Hamel, 21 Bridge Street**

9 Mr. Sistare provided a review of the topic and handed over to Mr. Puff. Mr. Puff, Director  
10 of Engineering introduced himself, and reviewed the background on the project. He handed  
11 out a map relating to the warrant article which had been presented at Town Meeting, and a  
12 spreadsheet of the mailing list for the project. He pointed out Mr. Hamel's name was on the  
13 mailing list and his property also appeared on the map presented at Town Meeting. He then  
14 reviewed the notifications which had been sent to residents on the mailing list, pointing out  
15 that Mr. Boutin's property was not included on the original map.

16  
17 ***Discussion:***

18 Selectman Hargreaves enquired as to whether Mr. Hamel was originally planning on hooking  
19 up to the sewer expansion, and asked who told him the connection was too short to hook up.  
20 Mr. Puff stated he could not answer those questions. Chairman Roth stated she was confused  
21 regarding Mr. Hamel's situation and there was a discussion regarding field personnel with  
22 whom Mr. Hamel may have spoken. Selectman McBride provided an interpretation of what  
23 may have happened.

24  
25 Chairman Roth sought to clarify whether Mr. Hamel had ever received a letter from the  
26 Town telling him he could not hook up, and there followed a discussion regarding meeting  
27 minutes and the Town web site and what Mr. Hamel had read on these. There was a  
28 discussion regarding how the information was put on the web site, with Mr. Puff explaining  
29 he attempted to provide a brief narrative on current projects for informational purposes, but  
30 this was not parcel specific. He read the text from the warrant article relating to the project  
31 and the background information which was presented with it at Town Meeting, for the  
32 record.

33  
34 Chairman Roth sought to clarify that the Boutin property was not included on the map. She  
35 stated the Town would have been at fault if they had not included Mr. Hamel's property as it  
36 was voted on at the Town Meeting, and that Mr. Hamel had been provided with incorrect  
37 verbal information.

38  
39 Selectman McBride pointed out that the statement made to Mr. Hamel at the time was in fact  
40 correct as he would have been unable to tie in until May 2008.

41  
42 In response to a query about the location of the tie in stub for Mr. Hamel, Mr. Boutin  
43 attempted to explain where it is located. Selectman Lyons clarified with Mr. Sistare that all  
44 seven homes on the street are subject to demand and benefit assessment.

45  
46 In response to a query from Selectman McBride, Mr. Puff explained when Mr. Fritsch had

1 applied for an extension, the stub had been relocated.

2  
3 In response to a query from Selectman McBride, Mr. Boutin reported when he had built his  
4 house and that his septic had been installed in the spring of 2006. Selectman McBride  
5 confirmed Mr. Boutin could not have known the sewer extension would have been passed at  
6 the time he built his house, and therefore the Board should give him relief until his system  
7 fails.

8  
9 Chairman Roth referred to a memo dated December 11, 2007 to Jane Savastano from Town  
10 Manager Jon Sistare regarding the acceptance of \$22,290.60 from Udo Fritsch as  
11 unanticipated revenue. The memo referred to the Board of Selectmen's meeting of  
12 December 11, 2007 where the Board held a public hearing to accept the funds. Chairman  
13 Roth stated this motion is not authorizing the extension of the sewer, just the acceptance of  
14 the money. Chairman Roth stated that based on this motion, she would not have thought to  
15 ask the impact of this project on other properties.

16  
17 There was a discussion regarding section 310 of the Municipal Code and Chairman Roth read  
18 from section 310 for the record. Selectman Barnes referred to RSA 147:8 which states that  
19 once sewer goes past a property the owner is obliged to tie in and pay the fees. He also  
20 explained it allows the Board of Selectmen to grant a waiver, but the onus of responsibility is  
21 on the property owner to show that the DES approved the septic design after 1985. He  
22 provided clarification regarding section 310 and the waiver.

23 Chairman Roth commented that she felt Mr. Hamel's property was always meant to be  
24 included in the project.

25  
26 **MOTION:** by Selectman Hargreaves

27 *Move to grant Mr. Boutin at 19 Bridge Street a waiver on the demand and benefit*  
28 *assessment fee until his septic system fails at which time he will then have to pay the fee*

29 **SECOND:** Selectman McBride

30 Selectman Barnes pointed out they would need to waive the order to connect to the system.

31 **The Motion and second were withdrawn.**

32  
33 **MOTION:** by Selectman Barnes

34 *Move to waive the order to connect the property at 19 Bridge Street to the Salem municipal*  
35 *sewer system until such time as it is determined that the private septic is in failure, as*  
36 *determined by the Health Officer. The demand and benefit assessment will be due and*  
37 *payable at the time of connection.*

38 **SECOND:** Selectman McBride

39 Selectman Lyons asked Mr. Sistare whether there were any potential legal implications and  
40 Mr. Sistare responded there were none.

41  
42 Selectman McBride explained to the residents these fees were used maintain and expand the  
43 sewer system and likened it to other town fees.

44  
45 Selectman Hargreaves spoke about the option of entering into an agreement to pay over 20  
46 years now, and when Mr. Boutin's system fails he would already have paid and locked in at

1 the current rate. He also stated the Town needs to have better communication with residents.

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

4 **The motion carried unanimously.**

5  
6 **MOTION:** Selectman McBride

7 *Move to deny a waiver of demand and benefit assessment for 21 Bridge Street*

8 **SECOND:** Selectman Lyons

9 **VOTE:** 5-0-0

10 **The motion carried unanimously.**

11  
12 Mr. Boutin requested a detailed list of what Mr. Fritsch paid for, and obtained a copy of the  
13 map Mr. Puff had distributed to the Board.

14 Chairman Roth announced a recess at 8:39 p.m., calling the meeting to order again at 8:50  
15 p.m.

## 16 17 **6. Water/Sewer Rate Models**

### 18 **a) Water**

19 Mr. Sistare referred to the water rate projections (4<sup>th</sup> page of the spreadsheet in the  
20 Board's packets) outlining what the tiered structure would be and the recommended rates  
21 for 2009. He pointed out there would be a significant increase from 2010 onwards and  
22 there needs to be a change in the CIP to spread items out to avoid this. He clarified staff  
23 were looking for direction but not asking the Board to vote on anything tonight.

#### 24 25 **Discussion:**

26 Selectman McBride stated it was his opinion they should leave the rate at \$3.00 for tier  
27 one and Ms. Savastano explained the types of tax payers who would fall into each tier.

28  
29 Selectman Lyons suggested adding what the effect would be if there was a one tier  
30 system as there is currently to the spreadsheet. Ms. Savastano provided the figures under  
31 the current system.

32  
33 Ms. Savastano clarified that her figures showed what is required to cover the budget costs  
34 and that she would like to run some real examples through a billing cycle using the new  
35 Munismart software.

36  
37 Selectman Lyons suggested redistributing capital but supported three tiers. There  
38 followed a discussion about the effect of moving between tiers based upon consumption  
39 at different points in the year.

40  
41 Selectman Barnes requested clarification from the Town Manager regarding his  
42 suggestion to re-order the CIP projects, and there followed a discussion with Mr. Sistare  
43 which included the 2010 Organics project for \$6 million.

44  
45 Selectman Lyons put forward some suggestions of how the Board could give direction  
46 and there was a discussion by Board members about what the best option would be for

1 setting up a structure, during which Selectman McBride pointed out that doing the re-  
2 metering program would free the man hours spent reading meters for other things.  
3 Chairman Roth clarified they were in agreement at starting the rate for tier 1 at \$3.00.  
4

5 Selectman Barnes pointed out that due to State mandates, the State is expecting the Town  
6 to commit resources to drive certain changes. The Board weighed in on the pros and  
7 cons of the various options being considered, and it was the consensus that they would  
8 like to start at \$3.00. There was a sense of urgency regarding the mandates coming down  
9 from the State.

10  
11 Mr. Sistare asked whether the structure should be designed to enable them to purchase  
12 new meters in 2010.

13  
14 The Board asked to hear from Mr. Russell, DPW Director, and he stated he would  
15 forward a chart showing the age of the meters to the Board and confirmed approximately  
16 one third of the meters are over 10 years old.

17  
18 Chairman Roth requested Ms. Savastano revisit the break points between the three tiers.  
19 Selectman Hargreaves also requested figures for a two tier system, and Selectman Lyons  
20 requested a comparable rate under the current system after the CIP adjustments.

21  
22 **b) Sewer**

23 Ms. Savastano stated it was her opinion that the sewer rate should continue to be a flat  
24 rate.

25  
26 There followed a discussion between Selectman Lyons and Selectman McBride regarding  
27 how sewer rates are paid.

28  
29 **7. Review/Adopt Water Service Fees Pursuant to Salem Municipal Code Chapter 304**

30 Mr. Sistare explained the Board had amended the Municipal Code, Chapter 304 to allow  
31 them to adjust the water service fees without having to amend the SMC, and referred the  
32 Board to fee schedule in their packets which he asked the Board to adopt.

33  
34 **MOTION:** by Selectman Barnes

35 *Move that the Salem Board of Selectmen does hereby adopt the proposed water service fees*  
36 *as outlined in the fee schedule attached hereto and further that the new fees shall be*  
37 *effective immediately.*

38 **SECOND:** Selectman McBride

39  
40 **Discussion:**

41 Selectman Hargreaves pointed out that bad check fees should be higher than what the bank  
42 charges. Ms. Savastano stated she would check this as she thought this fee was driven by  
43 statute.

44 **VOTE:** 5-0-0

45 **The motion carried unanimously.**

46 **Chairman Roth requested that a copy of the fee schedule be permanently attached to**

1 **the minutes for the record.**

2  
3 **8. Selectmen Reports/Correspondence**

4 In response to a query from Selectman Hargreaves, Mr. Russell, Director of DPW confirmed  
5 the Town pays for street lights whether they are lit or not. He stated residents discovering a  
6 light which is out can call National Grid at the telephone number on the Town website, or  
7 call DPW and it would be helpful to have a street address and pole number if possible.  
8

9 Selectman Hargreaves announced the details of the Holiday Parade award ceremony.  
10

11 **• Old Business Tabled/Pending**

12 There were no items to be discussed.  
13

14 **• Additions/Requests by the Public**

15 There were no items under this topic.  
16

17 **Upcoming Meetings**

- 18 o December 15, 2008
- 19 o January 5, 2009
- 20 o January 12, 2009
- 21 o January 26, 2009

22  
23 **• Upcoming Events**

- 24 o None.

25  
26 **MOTION:** by Selectman Hargreaves

27 *Move to adjourn the meeting*

28 **SECOND:** Selectman Barnes

29 **VOTE:** 5-0-0

30 **The motion carried unanimously.**

31 **Without further business, the Board moved to a non meeting meeting at 10:15 p.m.**  
32  
33

34 Notes/Minutes Taken by: Sandra Maxwell

35  
36 Approved: Board of Selectmen

37  
38 Date: January 5, 2009