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**MINUTES OF THE
BOARD OF SELECTMEN**

February 9, 2009

6 The Board of Selectmen held a meeting on Monday February 9, 2009 at Salem Town Hall, 33
7 Geremonty Drive, Salem, NH.

8
9 **PRESENT:** Chairman Elizabeth A. Roth, Vice-Chairman Arthur E. Barnes, Secretary Michael J.
10 Lyons, Selectman Everett P. McBride, Selectman Patrick Hargreaves and Town Manager Mr. J.
11 Sistare.

12
13 **CALL TO ORDER**

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

16
17 **1. Meeting Minutes**

18 **MOTION:** by Selectman Lyons

19 *Move to accept the minutes of the Board of Selectmen meeting on January 26, 2008 as*
20 *written*

21 **SECOND:** Selectman McBride

22 **VOTE:** 5-0-0
23

24 **2. Chairman Comments**

25 Chairman Roth provided clarification regarding a comment made during the Ethics
26 Workshop at the last meeting which she said had been taken out of context. The comment
27 had been made by Selectman Hargreaves regarding the Greater Salem Chamber of
28 Commerce. She clarified that this comment had been made to Selectman Hargreaves by a
29 member of the community, and Selectman Hargreaves had been using this during the
30 workshop as an example scenario in the context of the workshop. Chairman Roth stressed
31 there was a strong spirit of co-operation between the Town and the Board of Selectmen
32 with the Greater Salem Chamber of Commerce and provided some examples of this co-
33 operation.

34
35 Chairman Roth opened the public hearings at 7:07 p.m.

36
37 **3. Public Hearing – Release/Acquire Conservation Easement**

38 Mr. Sistare explained this was the continuation of this process and the second hearing on
39 the land swap on Twin Brook Avenue, and the Board would vote on this at their next
40 meeting on February 23rd.

41
42 **Discussion:**

43 Attorney Patricia Panciocco, representing Mr. Menihane, provided an explanation as to why
44 the town was listed as having an interest in this parcel of land in response to a query from
45 Selectman Lyons.
46

1 Selectman Hargreaves made a request that the Town ensure all surrounding tenants are
2 informed of public hearings which may affect them in the future. Chairman Roth
3 responded that notice is given pursuant to the RSA, and explained the implications of going
4 beyond this in some instances would result in inconsistencies. Mr. Sistare responded that
5 going beyond what is required by the statute would set a precedent for the Town. There
6 followed a discussion regarding notice requirements which are driven by statute. Attorney
7 Panciocco clarified there is no development intended in this case.
8

9 **4. Public Hearing – Accept Grants for Police Department**

10 Captain Sean Patten of the Police department introduced himself and explained about three
11 grants which had been approved from the Highway Safety Division. In response to a
12 question from Chairman Roth relating to how the department find out about grants in
13 general, Captain Patten stated he and members of his team work together in applying for
14 grants and explained how they do this.
15

16 **MOTION:** Selectman McBride

17 *Move in accordance with RSA 31:95(b) that the Salem Board of Selectmen does hereby*
18 *accept three grants each at \$5,220.03 and totaling \$15,660.09 from the NH Highway*
19 *Safety Agency for the purposes of reimbursement for overtime associated with the*
20 *following three programs: (1) Salem DWI Patrols; (2) Salem Enforcement Patrols; and*
21 *(3) Salem Red Light Running Patrols.*

22 **SECOND:** Selectman Barnes

23 Captain Patten explained what the Salem Red Light Running Patrols are in response to a
24 query from Selectman Hargreaves.

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

26 **The motion carried unanimously.**
27

28 **5. Public Hearing – Sell Town Owned Land**

29 Mr. Sistare reported the state had approached the Town regarding the sale of two pieces of
30 land they require for the I93 widening, referring to a map in the Board's packet. He handed
31 the discussion over to Town Assessor Norm Pelletier for further information. Mr. Pelletier
32 explained what land the state requires and what they will pay for it. He clarified the Board
33 would be voting to move these on to town meeting as they are over \$10,000. Mr. Pelletier
34 confirmed there were no objections from other departments who have reviewed the
35 requests.
36

37 Selectman Barnes asked for clarification regarding the motions.
38

39 **a) Parcel Off of South Policy Street:**

40 **Authorize Town Manager to Sign Offer Agreement:**

41 **MOTION:** Selectman Barnes

42 *Move to authorize the Town Manager to sign an offer agreement between the State of*
43 *New Hampshire and the Town of Salem, NH in the amount \$15,100 for a parcel of*
44
45

1 *land located off South Policy Street, known as part of Map 107, Lot 7868 pending*
2 *approval at the 2009 Annual Town Meeting.*

3 **SECOND:** Selectman McBride

4 **VOTE:** 5-0-0

5 **The motion carried unanimously.**

6
7 **Sell Town Owned Land:**

8
9 **MOTION:** Selectman Barnes

10 *Move to forward the following article to the 2009 Town Meeting Warrant: To see if the*
11 *Town will vote to authorize the Board of Selectmen to sell property off South Policy*
12 *Street, known as part of Map 107, Lot 7868, at the request of the State of New*
13 *Hampshire. Property is to be sold directly to the State for a sum of \$15,100.*

14 **SECOND:** Selectman McBride

15 In response to a query from Chairman Roth, Mr. Sistare confirmed the agreement would
16 be signed after town meeting.

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

18 **The motion carried unanimously.**

19
20 **b) Parcel Off of Keewaydin Drive:**

21
22 **Authorize Town Manager to Sign Offer Agreement:**

23
24 **MOTION:** Selectman Barnes

25 *Move to authorize the Town Manager to sign an offer agreement between the State of*
26 *New Hampshire and the Town of Salem, NH in the amount \$30,000 for a parcel of*
27 *land located off Keewaydin Drive, known as part of Map 106, Lot 7875 pending*
28 *approval at the 2009 Annual Town Meeting.*

29 **SECOND:** Selectman McBride

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

31 **The motion carried unanimously.**

32
33 **Sell Town Owned Land:**

34
35 **MOTION:** Selectman Barnes

36 *Move to forward the following article to the 2009 Town Meeting Warrant: To see if the*
37 *Town will vote to authorize the Board of Selectmen to sell property off Keewaydin*
38 *Drive, known as part of Map 106, Lot 7875, at the request of the State of New*
39 *Hampshire. Property is to be sold directly to the State for a sum of \$30,000.*

40 **SECOND:** Selectman McBride

41 **VOTE:** 5-0-0

42 **The motion carried unanimously.**

43
44 Chairman Roth closed the public hearings at 7:26 p.m.

6. Property Assessment Values

Mr. Sistare introduced Mr. Pelletier to provide an update on residential property assessments. Mr. Pelletier reported the last town wide re-assessment had been done in 2006 and values are set at April each year. He explained how the ratio used by the state between re-assessments actually works, and that as at April 2008 it was 110.4%. Referring to a sheet in the Board's packets for the median ratio he stated the ratio is currently around 119–120% which is in the high range. Mr. Pelletier presented the options available to the Board as follows:

- A full review of the whole town including commercial to get the ratio back to 100%. This would cost money which has not been budgeted.
- A change to 110% could be done by Mr. Pelletier in house.

He suggested the Board could wait a few months before they need to make a decision, and spoke about dollar effect of the change on revenues from property taxes. As requested by Chairman Roth he went over the figures for the benefit of viewers and the audience.

Discussion:

In response to a query from Selectman Barnes, Mr. Pelletier confirmed the assessment changes on the land and the residence.

In response to a query from Selectman Hargreaves, Mr. Pelletier confirmed market value would still be lower than the assessed value at present and the assessment does not affect the value of the home.

Selectman McBride spoke about the possibility that income from commercial properties will drop due to abatement requests.

In response to a query from Selectman Barnes regarding how commercial property would be assessed in 2011, Mr. Pelletier explained the town relies on income data for this and spoke about the difficulties in assessing these.

Mr. Sistare spoke about the seriousness of changing assessed values mid stream, stating an alternative would be to update everything annually rather than having to deal with extremes in the economy. Selectman Barnes clarified that residents would not see any benefit in a reduction until the December tax bill. There followed a discussion regarding the option of re-assessing annually and how this could be implemented, and Mr. Pelletier explained there would be a cost involved in this as he would be unable to complete commercial properties himself. Mr. Pelletier also confirmed the Board would need to set a policy and sign an MS1 each year. In response to a query from Selectman Hargreaves he stated that rents, rather than property taxes in Salem may be higher than in surrounding towns.

Chairman Roth confirmed the Board would continue to look at this and keep their options open.

Chairman Roth recessed the meeting at 7:48 p.m., calling it to order at 7:54 p.m.

7. I-93 West Infrastructure Discussion

Mr. Sistare introduced Mr. Scott, Community Development Director, handing over to Mr. Scott to present the issues raised by the Pelham Road, Stiles Road and Manor Parkway intersection.

Mr. Scott gave a presentation to outline the issues which covered the following areas

- Opportunities and constraints to improve traffic circulation
- Area of positive growth as seen by the Planning Board
- West-side sewer plans are close to completion
- Issues associated with growth
- Funding package required
- Need for a strong relationship with the state
- Key aspects to the area, as seen on a map included in the Board's packet and potential opportunities for the areas.

In response to a query from Chairman Roth, Mr. Scott explained involvement of the Planning Board and Conservation Commission would help ensure development does not encroach on wetlands. Chairman Roth clarified they would still be going through the normal process for development of these areas.

- Opportunity for improved traffic flow. Mr. Scott stated there could be a policy decision that the town does the design and the state does the construction on either side of the intersection.
- Open a dialog with the state agencies to join the town in the creation of a sub-area plan to include zoning and CIP in the west-side
- Develop funding for sources of improvements

Mr. Scott spoke about how to prioritize and what the town's immediate and longer term actions should be.

Mr. Jim Keller, Chairman of the Planning Board, introduced himself and spoke about what the Planning Board is currently able to do. He compared the area to the Depot, stating the Planning Board were faced with denying plans as they cannot accept any more. He stated the Planning Board has invited DOT to appear before them to make them aware of the situation. He stressed the town will be unable to fund infrastructure improvements and will need external help.

In response to a query from Selectman McBride, Mr. Keller stated a sub-area plan will enable them to look at the big picture and any department looking at that plan will be able to see what work will be necessary. He provided an example of engineering requirements. There followed a discussion with Selectman McBride regarding the extension.

In response to a query from Selectman Barnes on the Keewaydin connection, Mr. Scott spoke about the best approach regarding the connection to the highway.

There was a discussion regarding what projects the Board might discuss at their meeting

1 with state representatives in relation to the stimulus package.

2
3 In response to a query from Selectman Lyons relating to a TIF, Mr. Scott explained where
4 this would fall in the process.

5
6 There followed a discussion regarding the possibility of approaching the DOT to pay for the
7 other side of the intersection, and Mr. Sistare stated he would attempt to schedule a meeting
8 in March or early April with them to discuss this.

9
10 Selectman McBride clarified the town is spending money for the design at present, and Mr.
11 Scott spoke about the advantages to the town of doing the design themselves.

12 13 **8. Petition Articles**

14 Mr. Sistare reported the Board will need to take a position on petitioned warrant articles and
15 asked that they vote whether to recommend the articles to the voters.

16 17 **1. Fund Kelley Library Employment Separate Trust Fund**

18 Martha Breen, Chairman of the Library Trustees, introduced the trustees, reading the
19 warrant article and background information for the record.

20 21 ***WITH RECOMMENDATION:***

22 **MOTION:** Selectman McBride

23 ***Motion to receive and move the following petition to the 2009 Town Meeting Warrant***
24 ***with recommendation: To see if the Town will vote to raise and appropriate the sum of***
25 ***Thirty Thousand Seven Hundred Eighty-Three Dollars (\$30,783.00), to be placed in***
26 ***the Kelley Library Employment Separation Benefits Expendable Trust Fund previously***
27 ***established for the purpose of funding the buy-out of library employee benefits upon***
28 ***separation of employment, and to authorize the transfer of the December 31, 2008***
29 ***General Fund Unreserved Fund Balance in that amount for this purpose.***

30 **SECOND:** Selectman Hargreaves

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

32 **The motion carried unanimously.**

33 Ms. Breen pointed out the trustees may be asking for a reduction in the amount at town
34 meeting.

35 36 **2. Big Brothers/Big Sisters of Greater Nashua**

37 Joy Barrett, representing Big Brothers/Big Sisters, spoke in support of the article.

38
39 Selectman McBride suggested her organization should bring this information to the town
40 meeting to present to the voters. He stated he would vote against these articles tonight.
41 Chairman Roth clarified what the Board was voting on at this meeting. Ms. Barrett
42 clarified her agency is serving Big Brothers/Big Sisters in the Salem area.

43
44 There followed discussion between the Board about what they perceived their role to be
45 in relation to charitable agencies. Clarification was provided regarding the process the

1 agencies go through with their articles prior to town meeting and why they come before
2 the Board at this point.

3
4 **WITHOUT RECOMMENDATION:**

5 **MOTION:** Selectman Barnes

6 *Motion to receive and move the following petition to the 2009 Town Meeting Warrant*
7 *without recommendation: To see if the town will vote to raise and appropriate the sum*
8 *of Fifteen Thousand Dollars (\$15,000)*

9 *to support the Big Brothers Big Sisters of Greater Nashua - One to One Mentoring for*
10 *Children in the Town of Salem.*

11 **SECOND:** Selectman McBride

12 Selectman Barnes provided the reason why he did not recommend this.

13 **VOTE:** 4-1-0 (Chairman Roth voted with recommendation)

14 **The motion carried.**

15
16 **3. Disaster Relief, American Red Cross**

17 The representative for the Red Cross spoke in support of the article. Selectman Lyons
18 stated he viewed the work of this agency as a first line defense in disaster situations and
19 there followed comments from the other Board members who explained their positions.

20
21 **WITH RECOMMENDATION:**

22 **MOTION:** Selectman Hargreaves

23 *Motion to receive and move the following petition to the 2009 Town Meeting Warrant*
24 *with recommendation: To see if the town will vote to raise and appropriate the sum of*
25 *Five Thousand Dollars (\$5,000) for the purpose of Disaster Relief, American Red*
26 *Cross.*

27 **SECOND:** Selectman Lyons

28 **VOTE:** 3-2-0 (Selectman Barnes and Selectman McBride voted against)

29 **The motion carried.**

30
31 **4. Center for Life Management**

32 Chairman Roth excused herself due to her involvement with this agency and handed over
33 to Selectman Barnes to chair the meeting for this item.

34
35 Mr. Victor Topo, President and CEO of the Center for Life Management spoke in support
36 of the article.

37
38 **WITHOUT RECOMMENDATION:**

39 **MOTION:** Selectman McBride

40 *Motion to receive and move the following petition to the 2009 Town Meeting Warrant*
41 *without recommendation: To see if the town will vote to raise and appropriate the sum*
42 *of Ten Thousand Dollars (\$10,000) for the purpose of providing behavioral health*
43 *services to the residents of Salem at the Center of Life Management. CLM currently*
44 *serves 512 Salem residents. The office is located at 44 Stiles in Salem.*

45 **SECOND:** Selectman Lyons

1 Selectman McBride recommended a town resident speak on behalf of the center at town
2 meeting.

3 **VOTE:** 3-0-1 (Selectman Hargreaves abstained)

4 **The motion carried.**

5
6 Chairman Roth resumed as chairman, and Selectman Hargreaves gave the reason why he
7 abstained from the vote.

8
9 **5. Historic Preservation Consultant**

10 Mrs. Beverly Glynn, Chairman of the Salem Historic District Commission spoke in
11 support of the article.

12
13 **WITH RECOMMENDATION:**

14 **MOTION:** Selectman Hargreaves

15 *Motion to receive and move the following petition to the 2009 Town Meeting Warrant*
16 *with recommendation: To see if the town will vote to raise and appropriate the sum of*
17 *Five Thousand Dollars (\$5,000) for the purpose of hiring an Historic Preservation*
18 *Consultant to prepare the necessary documentation for listing the Old Town Hall on*
19 *the State Register of Historic Places.*

20 **SECOND:** Chairman Roth

21 There followed a discussion regarding the importance of the Board's recommendation,
22 which Mrs. Glynn felt was central to the perception of the petition within the community.

23 **VOTE:** 3-2-0 (Selectman McBride, Selectman Barnes voted against the motion)

24 **The motion carried.**

25
26 **6. To Cap the Increase the Town of Salem's Operating Budget**

27 Mr. Sistare spoke about this article, stating it would have no binding authority on the
28 town as it did not have the required number of signatures and is worded incorrectly.
29 There followed a discussion between Chairman Roth and Mr. Sistare as to why legal
30 counsel had recommended the article be put on the warrant. Mr. Sistare pointed out the
31 town needed to provide the citizens with the opportunity to be heard. He also stated he
32 wished to ensure the Board of Selectmen accepted the Selectmen's note to be added at
33 the end of the article for town meeting. Following discussion on this Chairman Roth
34 requested there be a statement prepared for town meeting to clarify the article for the
35 citizens, in addition to the note at the end of the article.

36
37 *Motion to receive and move the following petition to the 2009 Town Meeting Warrant:*
38 *To see if the town will vote to direct the Board of Selectmen to cap any increase of their*
39 *Annual Budget to any projected increase in revenue above the last Annual Budget and*
40 *in no case to increase the Annual Budget more than the rate of inflation, as defined by*
41 *the "National Consumer Price Index - (Urban/Rural)" (CPI-UIR) as averaged over*
42 *the twelve months preceding the vote on the new Annual Budget.*

43
44 **9. Finalize 2nd Session Warrant Articles**

45 Mr. Sistare provided an update on a number of warrant articles which have changed. Ms.
46 Savastano handed out a sheet summarizing the list of changes, and Mr. Sistare provided

1 details of a decrease in the estimated tax rate due to the effect of the union contracts. There
2 followed a discussion with the Board on how they would proceed.

3
4 ***Article 17 – Expendable Trust Fund Employee Separation (\$350,000.00)***

5 Mr. Sistare reported it is proposed that this be funded out of taxes to minimize the impact on
6 the surplus.

7 **MOTION:** Selectman McBride with recommendation

8 ***To see if the Town will vote to raise and appropriate the sum of Three Hundred Fifty***
9 ***Thousand Dollars (\$350,000), to be placed in the Employee Separation Benefits***
10 ***Expendable Trust Fund previously established for the purpose of funding the buy-out of***
11 ***employee benefits upon separation of employment.***

12 **SECOND:** Selectman Hargreaves

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

14 **The motion carried unanimously.**

15
16 ***Article 19 – Winter Weather Operations (\$500,000.00)***

17 Mr. Sistare explained he was recommending an increase of \$500,000, for a total of \$1
18 million, to be changed at this meeting.

19 **MOTION:** Selectman McBride with recommendation

20 ***To see if the Town will vote to raise and appropriate the sum of Five Hundred Thousand***
21 ***Dollars (\$500,000), for the purpose of winter weather operations, including, but not***
22 ***limited to, plowing and removing snow, sanding and chemically treating streets, and***
23 ***otherwise responding to hazardous road conditions related to winter weather.***

24 **SECOND:** Selectman Barnes

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

26 **The motion carried unanimously.**

27 This will increase the tax rate by 22 cents overall. Selectman McBride clarified they are
28 currently spending unappropriated money.

29
30 ***Article 20 – To Reimburse the Roadway Capital Reserve for Bridge Aid Funds***
31 ***(\$249,701.00)***

32 Mr. Sistare explained the purpose of this article.

33 **MOTION:** Selectman McBride with recommendation

34 ***To see if the town will vote to authorize the transfer of Two Hundred Forty Nine Thousand***
35 ***Seven Hundred One Dollars (\$249,701) into the Roadway Capital Reserve Fund from the***
36 ***December 31, 2008 General Fund Unreserved Fund Balance such sum representing the***
37 ***amount received from the New Hampshire Department of Transportation for Bridge Aid***
38 ***for the town's Haverhill Road Bridge Project***

39 **SECOND:** Selectman Hargreaves

40 Zero impact on the tax rate.

41 **VOTE:** 5-0-0

42 **The motion carried unanimously.**

43
44 ***Article 21 – Replacement Engine 5 Year Lease Purchase Option (\$112,438)***

45 Mr. Sistare pointed out the amount has been reduced.

46 **MOTION:** Selectman Barnes with recommendation

1 *To see if the town will vote to authorize the Board of Selectmen to enter into a five year*
2 *lease agreement for \$508,845 for the purpose of leasing a new fire engine for the Fire*
3 *Department, and to raise and appropriate the sum of One Hundred Twelve Thousand Nine*
4 *Hundred Thirty-Eight Dollars (\$110,938) for the first year's payment and further to raise*
5 *and appropriate an additional amount of One Thousand Five Hundred Dollars (\$1,500)*
6 *for the purchase of additional equipment for a total appropriation of One Hundred Twelve*
7 *Thousand Four Hundred Thirty-Eight Dollars (\$112,438). This lease agreement contains*
8 *an "escape clause". (Majority vote required).*

9 **SECOND:** Selectman McBride

10 This has a 2 cent impact on the tax rate. Mr. Sistare clarified the \$1,500 needed to be added
11 to the total amount to be appropriated and the Board agreed to amend the amount article to
12 show this as follows:

13 *for a total appropriation of One Hundred Twelve Thousand Four Hundred Thirty-Eight*
14 *Dollars (\$112,438)*

15 **VOTE:** 5-0-0

16 **The motion carried unanimously.**

17
18 *Article 22 – Medium Duty Rescue Ambulance – 5 Year Lease Purchase Option*
19 *\$60,066.00)*

20 **MOTION:** Selectman Barnes with recommendation

21 *To see if the town will vote to authorize the Board of Selectmen to enter into a five year*
22 *lease agreement for \$212,000 for the purpose of purchasing a new Ambulance for the Fire*
23 *Department and to appropriate the sum of Forty Six Thousand Two Hundred Twenty*
24 *Dollars (\$46,220) for the first year's payment and further to raise and appropriate an*
25 *additional amount of Thirteen Thousand Eight Hundred Forty Six Dollars (\$13,846) for*
26 *the purchase of additional equipment. This lease agreement contains an "escape clause".*
27 *(Majority vote required).*

28 **SECOND:** Selectman Hargreaves

29 This will have a tax impact of 1 cent.

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

31 **The motion carried unanimously.**

32
33 *Article 23 – DPW Sweeper – 5 Year Lease Purchase Option (\$42,841.00)*

34 **MOTION:** Selectman Hargreaves with recommendation

35 *To see if the town will vote to authorize the Board of Selectmen to enter into a five year*
36 *lease agreement for \$196,500 for the purpose of purchasing a new Sweeper for the*
37 *Department of Public Works Department and to appropriate the sum of Forty Two*
38 *Thousand Eight Hundred Forty-One Dollars (\$42,841) for the first year's payment for that*
39 *purpose. This lease agreement contains an "escape clause". (Majority vote required).*

40 **SECOND:** Selectman McBride

41 **VOTE:** 5-0-0

42 **The motion carried unanimously.**

43 This will have a tax impact of 1 cent.

1 **Article 24 – Dump Truck – 5 Year Lease Purchase Option (\$25,836.00)**

2 **MOTION:** Selectman Barnes with recommendation

3 *To see if the town will vote to authorize the Board of Selectmen to enter into a five year*
4 *lease agreement for \$118,500 for the purpose of purchasing a Cab and Chassis Dump*
5 *Truck for the Department of Public Works Department and appropriate the sum of Twenty*
6 *Five Thousand Eight Hundred Thirty-Six Dollars (\$25,836) for the first year's payment*
7 *for that purpose. This lease agreement contains an "escape clause". (Majority vote*
8 *required).*

9 **SECOND:** Selectman McBride

10 **The motion carried unanimously.**

11 **VOTE:** 5-0-0

12 This will have a tax impact of 1 cent.

13
14 **Article 25 – Two Trucks – 5 Year Lease Purchase Option (\$38,372.00)**

15 Mr. Sistare stated the wording of the article should be amended to remove the words “dump”
16 and “Salter and Plow” for accuracy of the description of the equipment.

17 **MOTION:** Selectman Hargreaves with recommendation

18 *To see if the town will vote to authorize the Board of Selectmen to enter into a five year*
19 *lease agreement for \$176,000 for the purpose of purchasing two Cab and Chassis Trucks*
20 *for the Department of Public Works Department and appropriate the sum of Thirty Eight*
21 *Thousand Three Hundred Seventy-Two Dollars (\$38,372) for the first year's payment for*
22 *that purpose. This lease agreement contains an "escape clause". (Majority vote required).*

23 **SECOND:** Selectman McBride

24 This will have a tax impact of 1 cent.

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

26 **The motion carried unanimously.**

27
28 **Article 26 – Bridge Construction (\$468,000.00)**

29 **MOTION:** Selectman McBride

30 *To see if the Town will vote to raise and appropriate the sum of Four Hundred Sixty Eight*
31 *Thousand Dollars for the replacement of bridges including but not limited to the bridge at*
32 *Pelham Road over Porcupine Brook*

33 **SECOND:** Selectman Hargreaves

34 This will have a tax impact of 10 cents.

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

36 **The motion carried unanimously.**

37
38 **Article 27 – Roadway Stabilization Program (\$400,000.00)**

39 **MOTION:** Selectman Barnes

40 *To see if the Town will vote to raise and appropriate the sum of Four Hundred Thousand*
41 *Dollars (\$400,000), for the purpose of re-constructing/resurfacing roads to include but not*
42 *be limited to Rte 28 Kelly Road to Pattee Road, Rte 28 near Denny's, Rte 28 from Main*
43 *Street to the Post Office and Rte 28 from Main Street to Old Rockingham Road and to*
44 *further authorize that this amount be placed in the Roadway Improvement Capital Reserve*
45 *Fund previously established for reconstructing/resurfacing roads and to authorize the*
46 *Board of Selectmen to take all other action necessary in connection therewith*

1 **SECOND:** Selectman McBride
2 This will have a tax impact of 9 cents.
3 **VOTE:** 5-0-0
4 **The motion carried unanimously.**

5
6 *Article 28 – Roadway Improvements Program (\$523,000.00)*

7 **MOTION:** Selectman McBride
8 *To see if the Town will vote to raise and appropriate the sum of Five Hundred Twenty*
9 *Three Thousand Dollars (\$523,000) for the purpose of repair and/or reconstruction of*
10 *existing roads and associated drainage improvements on Ball Avenue, Matthew Drive and*
11 *Tudor Drive and to further authorize that this amount be placed in the Roadway*
12 *Improvement Capital Reserve Fund previously established for reconstructing /resurfacing*
13 *roads and to authorize the Board of Selectmen to take all other action necessary in*
14 *connection therewith.*

15 **SECOND:** Selectman Barnes
16 This will have a tax impact of 11 cents.
17 **VOTE:** 5-0-0
18 **The motion carried unanimously.**

19
20 *Article 29 – Police AS-400 Replacement (\$288,565.00)*

21 **MOTION:** Selectman Hargreaves
22 *To see if the Town will vote to raise and appropriate the sum of Two Hundred Eighty Eight*
23 *Thousand Five Hundred Sixty-Five Dollars (\$288,565) for the purchase of technology*
24 *equipment, software and related services*

25 **SECOND:** Selectman McBride
26 This will have a tax impact of 6 cents.
27 **VOTE:** 5-0-0
28 **The motion carried unanimously.**

29
30 *Article 30 – Engineering Cluff & Cluff Crossing, So. Policy (\$130,000.00)*

31 **MOTION:** Selectman Hargreaves
32 *To see if the Town will vote to raise and appropriate the sum of One Hundred Thirty*
33 *Thousand Dollars (\$130,000) for the purpose of engineering, plans, specifications, costs*
34 *estimates, permits, and bid specifications for the reconstruction of Cluff Road, Cluff*
35 *Crossing and a portion of South Policy Street.*

36 **SECOND:** Selectman McBride
37 This will have a tax impact of 3 cents.
38 Selectman Lyons clarified which section of So Policy this would cover. There followed a
39 discussion between the Board and Mr. Puff, Director of Engineering regarding the other side
40 of So. Policy, the work required there and what the plans are for this area. Selectman
41 Hargreaves pointed out that a guard rail at the small bridge at the overpass needs repair and it
42 is near a gas line. He requested through Mr. Sistare that Mr. Russell take a look at the guard
43 rail.

44 **VOTE:** 5-0-0
45 **The motion carried unanimously.**
46

1 **Article 31 - Drainage Program Capacity Plan (\$225,000.00)**

2 **MOTION:** Selectman Hargreaves

3 *To see if the Town will vote to raise and appropriate the sum of Two Hundred Twenty Five*
4 *Thousand Dollars (\$225,000) for the purpose of cleaning culverts and appurtenant*
5 *drainage systems, funding engineering to support the maintenance program, and*
6 *providing funds for analysis to support an impact fee system for drainage*

7 **SECOND:** Selectman McBride

8 This will have a tax impact of 5 cents.

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

10 **The motion carried unanimously.**

11
12 **Article 32 – Create Public Educational and Governmental Programming Revolving Fund**

13 **MOTION:** Selectman Barnes

14 *Shall the Town of Salem vote to establish a revolving fund under RSA 31:95-h, for the*
15 *purpose of providing public, educational and governmental programming (PEG) and to*
16 *further designate 100% of the revenue from cable franchise fees and other income derived*
17 *from the services supported by the fund be placed in the fund.*

18 **SECOND:** Selectman McBride

19 There was a brief discussion regarding the wording of this article.

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

21 **The motion carried unanimously.**

22
23 **Article 33 – Salem Cable Television Public Access Channel (\$273,375.00)**

24 **MOTION:** Selectman Lyons

25 *To see if the Town will vote, if article 32 fails t pas to raise and appropriate the sum of Two*
26 *Hundred Seventy Three Thousand Three Hundred Seventy Five Dollars (273,375) for the*
27 *operational expenses related to the Salem Cable Television (SCTV).*

28 **SECOND:** Selectman McBride

29 Mr. Sistare clarified the purpose of this article for the Board.

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

31 **The motion carried unanimously.**

32
33 **Article 34 – To close out The Salem Cable Television Public Access Channel Trust Fund**

34 **MOTION:** Selectman Hargreaves

35 *To see if the Town will vote, if article 32 passes, to close out the Salem Cable Television*
36 *Access Channel Trust Fund and to place the remaining balance and accumulated interest*
37 *into the new Public, Educational and Governmental Programming Revolving Fund.*

38 **SECOND:** Selectman McBride

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

40 **The motion carried unanimously.**

41
42 **Article 35 –Demolition of the Kinsler Building (\$27,500.00)**

43 **MOTION:** Selectman McBride

44 *To see if the town will vote to appropriate the sum of Twenty Seven Thousand Five*
45 *Hundred Dollars (\$27,500) for the purpose of removing asbestos and demolition to a*
46 *building also known as the Kinsler Building, located at 21 Cross Street adjacent to the*

1 ***Department of Public Works Garage.***

2 **SECOND:** Selectman Hargreaves

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

4 **The motion carried unanimously.**

5 This will have a tax impact of 1 cent.

6

7 ***Article 36 – Purchase of Generators (\$370,765.00)***

8 Mr. Sistare explained the Wheeler Dam generator would be funded by the Water
9 Department. Selectman McBride spoke about the need for a generator at the Wheeler Dam
10 Pumping Station. Selectman Barnes stated he would like to amend the motion as follows:

11 **MOTION:** Selectman Barnes

12 ***To see if the town will vote to raise and appropriate the sum of One Hundred Ninety Three
13 Thousand, Eight Hundred and Ninety Dollars (\$193,890) for the purpose of purchasing
14 two generators for the Wheeler Dam pumping station and the Salem Senior Center for
15 emergency operation purposes and to authorize that the generator for Wheeler Dam
16 pumping station at a cost of One Hundred Three Thousand, One Hundred and Fifty Two
17 Dollars (\$103,152) be funded by the Water Fund and the remaining balance of Ninety
18 Thousand Seven Hundred and Thirty Eight Dollars (\$90,738) be funded by taxation.***

19 This will have a tax impact of 2 cents.

20 **SECOND:** Selectman McBride

21 There was a brief discussion as to why it was not felt it necessary to purchase a generator for
22 the fire station.

23 **VOTE:** 5-0-0

24 **The motion carried unanimously.**

25

26 **10. Accept Donation from Pat's Key & Lock**

27 Mr. Sistare provided a brief explanation of this item.

28 **MOTION:** Selectman McBride

29 ***Motion in accordance with RSA 31:95(e) to accept a donation of 8 GPS Systems for the
30 Fire Department valued at \$205.00 each for a total of \$1,640, and further to accept a
31 donation of a safety kit for the Salem Joint Loss Management Committee valued at
32 \$350.00.***

33 **SECOND:** Selectman Lyons

34 Selectman Hargreaves explained the reasons behind his donation.

35 **VOTE:** 4-0-1 (Selectman Hargreaves abstained)

36 Chairman Roth thanked Selectman Hargreaves for his kind donation.

37

38 **11. Town Manager's Report**

39 Mr. Sistare reported he had e-mailed newspaper articles to the Board regarding the stimulus
40 package. He stated it would appear money would be coming through for waste water
41 projects and he was hopeful the town could obtain some money for Canobie Phase 2 or the
42 west-side interceptor. He also reported the state senate is proposing to make it easier for
43 towns to accept the stimulus money without having to go to Superior Court.

44

45 Mr. Sistare also reported to the Board on the time requirements for special elections, as they
46 relate to the vacant representative seat. The Board decided they would rather leave the

1 election times as they are as voters often take advantage of voting on their way to work.
2 The Board also discussed the merits of an option to use one polling station for the special
3 election or alternatively to cut staff at each of the polling stations in an effort to save money.
4

5 Mr. Sistare provided the Board with an update regarding the meeting to discuss money for
6 the ice storm.
7

8 Mr. Sistare reported he had sent out invitations to all the representatives regarding the
9 meeting scheduled for Wednesday, February 18, 2009 at 7:00 p.m. in the Knightly Room, but
10 he has not received responses as yet.
11

12 **12. Selectmen Reports/Correspondence**

13 Selectman Hargreaves read an apology regarding the comment he had made during the
14 Ethics Workshop at last week's meeting (see copy attached). Chairman Roth reiterated some
15 of the comments she had made at the beginning of the meeting.
16

17 **13. Old Business Tabled/Pending**

18 There were no items to be discussed.
19

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

21 There were no items received.
22

23 • **Upcoming Meetings**

- 24 ○ February 18, 2009 – Board of Selectmen meeting with state representatives
- 25 ○ February 23, 2009 – Board of Selectmen Meeting
- 26 ○ March 2, 2009 – Board of Selectmen Meeting
- 27 ○ March 16, 2009 – Board of Selectmen Organizational Meeting
- 28 ○ March 23, 2009 – Board of Selectmen Meeting
29

30 Mr. Sistare clarified his comments at the previous meeting had been made to provide a historical
31 perspective on why the Town Manager form of government came along and apologized for any
32 misunderstanding.
33

34 • **Upcoming Events**

35 None
36

37 **MOTION:** by Selectman Barnes

38 *Move to adjourn the meeting to non public session under RSA 91-A:3 II (a) - Personnel*

39 **SECOND:** Selectman McBride

40 **VOTE: Chairman Roth polled the Board:**

41 Selectman Hargreaves – yes

42 Selectman McBride – yes

43 Selectman Lyons – yes

44 Selectman Barnes – yes

45 Chairman Roth - yes

46 **The motion carried unanimously.**

1 Without further business, the meeting adjourned at 10:30 p.m. and the Board moved to a non-
2 public session.

3
4 *Following the non-public session, the Board reconvened the meeting in public session and*
5 *voted to seal the minutes of February 9, 2009 meeting as follows:*

6
7 **Motion by Selectman Barnes to seal the minutes.**
8 **The motion was SECONDED by Selectman Hargreaves.**

9
10 Chairman Roth polled the Board.

11
12 **POLL:**
13 **Lyons – Yes**
14 **Barnes – Yes**
15 **Roth – Yes**
16 **Hargreaves – Yes**
17 **McBride – Yes**

18
19 **VOTE: 5-0-0**
20 **Motion passed by unanimous vote.**

21
22 Notes/Minutes Taken by: Sandra Maxwell

23
24 Approved: Board of Selectmen

25
26 Date: _____