MINUTES OF THE
BOARD OF SELECTMEN

Regular Meeting of
January 6, 2020

The Board of Selectmen held a meeting on Monday, January 6, 2020 at Salem Town Hall, 33 Geremonty Drive, Salem, NH.

PRESENT: Chairman Jim Keller, Selectman Michael J. Lyons, Selectman Arthur Barnes, Selectman Robert Bryant, and Chris Dillon (Town Manager).

ABSENT: Selectwoman Lisa Withrow

CALL TO ORDER:
Chairman Keller began by calling the meeting to order at 7:15 p.m. He joined the Board in the Pledge of Allegiance.

1. Meeting Minutes:
   MOTION: by Selectman Lyons
   Move to approve the Board of Selectmen Meeting Public Session Minutes from December 9, 2019.
   SECOND: by Selectman Barnes
   VOTE: 4-0-0
   The motion passed unanimously.

   MOTION: by Selectman Lyons
   Move to approve the Board of Selectmen Meeting Public Session Minutes from December 16, 2019.
   SECOND: by Selectman Barnes
   VOTE: 4-0-0
   The motion passed unanimously.

2. Chairman Comments:
   None.

3. Public Hearing - Community Development Block Grant – Friendship Drive Cooperative
   Chairman Keller opened the Public Hearing at 7:18 PM.
   Manager Dillon stated that there would be three consecutive hearings. Donna Lane had assisted the Town with these grants in the past.
   Donna Lane read from the handout that was provided. She stated that Community Development Block Grant funds were available to municipalities through the New Hampshire Community Development Finance Authority. Up to $500,000 annually is available for economic
development projects, up to $500,000 for public facility, up to $500,000 for housing projects, 
and up to $350,000 for emergency activities. They had increased the limits so that applications 
could be filed in each area annually where previously the maximum was $500,000 total per year 
regardless of the category. Up to $25,000 was available per planning study grant which was 
double the previously available funding level. All projects must directly benefit a majority of low 
and moderate income persons. This was a proposed Implementation Community Development 
Block Grant application to the Community Development Finance Authority for up to $500,000 
in Community Block Grant funds. The Town will retain up to $25,000 for administrative 
expenses and the remainder will be used for electrical upgrades to Friendship Drive Cooperative, 
a 44 unit manufactured housing park located at Friendship Drive off South Broadway in Salem. 
The majority of the households/persons at the park are of low and moderate income. This project 
Conformed with Salem’s Housing and Community Development Plan’s Goal of: Goal: 
encourage municipal and private water and wastewater systems that are safe, sanitary and that 
meet DES regulations. Encourage electrical systems that are safe. Those are short-term and long-
term goals.

Chairman Keller asked for public comment. There was none.

Chairman Keller closed the Public Hearing at 7:20 PM.

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Ms. Lane stated that the housing plan had to be updated every three years. Salem’s had recently 
expired so it had to be re-adopted. She read the plan goals. The Town of Salem’s three-year short 
and long-term goals and objectives are as follows: Goal: Encourage a varied stock of safe, 
sanitary, decent, and affordable housing for persons of all age and income groups. Goal: 
Encourage economic development activities to increase high quality industrial and commercial 
development. (Short-term and long-term goal). Goal: Encourage the protection, enhancement, 
and renovation of significant historic and architectural resources in the community. Preserve and 
promote the town’s historically and culturally significant structures. Goal: Encourage municipal 
and private water and wastewater systems that are safe, sanitary and that meet DES regulations. 
Encourage electrical systems that are safe. Goal: Promote activities that protect the health and 
safety of residents and visitors. It was Salem’s old plan with minor updates.

Chairman Keller asked for public input. There was none.

Chairman Keller closed the Public Hearing at 7:22 PM.

Chairman Keller opened the Public Hearing at 7:22 PM.

Ms. Lane covered the relocation plan. It did not apply because this was electrical work. The Plan 
stated in general, that if the Town were to undertake a CDBG project which involved 
displacement and resulting relocation they would follow the Uniform Relocation Act 
requirements. The Residential Antidisplacement and Relocation Assistance Plan outlines the 
measures they would take to find comparable housing for persons (or businesses) displaced 
and/or relocated.
Chairman Keller asked for public input. There was none.

Chairman Keller closed the Public Hearing at 7:23 PM.

MOTION: by Selectman Bryant  
Move to adopt the Housing and Community Development Plan.  
SECONd: by Selectman Barnes  
VOTE: 4 to 0.

MOTION: by Selectman Bryant  
Move to adopt the Residential Anti-displacement and Relocation Assistance Plan.  
SECONd: by Selectman Barnes  
VOTE: 4 to 0.

MOTION: by Selectman Bryant  
Move to approve the submittal of the application and vote to authorize the Town Manager to sign and submit the CDBG application, and upon approval of the CDBG application, authorize the Town Manager to execute any documents which may be necessary to effectuate the CDBG contract, and any amendments thereto.  
SECONd: by Selectman Barnes  
VOTE: 4 to 0.

MOTION: by Selectman Bryant  
Move to authorize James S. Keller, as Chairman of the Board of Selectmen, to sign the Environmental Review for Activity/Project Form 3 on behalf of the Town for the Friendship Drive Cooperative Electrical Improvements Project.  
SECONd: by Selectman Barnes  
VOTE: 4 to 0.

Chairman Keller stated thank you.

Ms. Lane stated thank you.

4. Authorize Town Manager to Sign One-Year Extension of Franchise Agreement with Comcast  
Manager Dillon stated that the packet had a memo from the SCTV Director. This was regarding a one-year extension of the franchise agreement with Comcast. They were waiting for clarification of the rule interpretation from the FCC on proposed changes to the franchise fee calculations. Until that was clarified it was recommended by counsel to just extend the agreement for a year. They were allowed to charge up to 5% for a franchise fee. There was a recommendation to increase the rate to 4.5% this year and 5% next year.
Selectman Lyons asked if they had a fund balance policy for the cable fund.

Manager Dillon stated that the fund balance policy would be coming. The presentation at the December 9th meeting covered some of that information on the balances in the account.

Selectman Lyons asked about the policy.

Chairman Keller stated that the staff not ready to present it yet. It would be coming to a future meeting. The key from Washington was that companies would not be required to contribute to infrastructure for local communities meaning communities would need to find other funding for the local access channels and improvements. That would mean Salem would have to find means of funding the service which would include the fund balance.

Selectman Lyons asked if the franchise fee rate was independent from the agreement.

Chairman Keller answered yes.

Selectman Lyons asked if the Board could adjust it at any time.

Manager Dillon answered yes.

Selectman Lyons stated that he wanted more on the fund balance. The plan was good, but he wanted more information which showed what the fund balance would be. He would vote for the motion if he could see that.

Manager Dillon stated that how the vote went in Washington would determine what happened to the fund balance.

Selectman Lyons stated that he wanted to see what kind of wall they would be able to put up to protect the fund balance.

Manager Dillon stated that he understood.

Chairman Keller asked if the franchise fee could be rolled into the list of fees that the Board voted on every year. That way they could address all of the fees at the same time.

Manager Dillon stated that there was a reason why it had not been included in the past.

Chairman Keller suggested considering a two-tier system with one rate for seniors and one for everyone else with the increase.

Selectman Lyons stated that the contract did not allow for that.

Manager Dillon stated that they would look into that.

Chairman Keller stated that it would be good if they could look into that.
Tom Giarrosso stated that he was not sure if the billing system used by Comcast allowed for that to happen.

Chairman Keller asked if they needed to deal with both motions together.

Manager Dillon stated that he had hoped to address both motions together.

Chairman Keller suggested addressing them next week.

Manager Dillon stated that they would get that ready for next week.

**MOTION:** by Selectman Bryant

*Move to table discussion on the one-year extension of the Comcast Franchise Agreement.*

**SECOND:** by Selectman Lyons

**VOTE:** 4 to 0.

Chairman Keller stated that they would come back to this next week.

5. **Municipal Services – Update on Route 28 Infrastructure Project**

Roy Sorenson, Municipal Services Director, stated that during the last two weeks the project had been on hiatus because of the holidays so there was not much change since the last report. Things were tracking with the contract. He stated that the first section was done. They were working on getting the fiber lines demoed and exposed. The lines would be over the culvert once they were adjusted. They got two lanes opened. Base pavement was done to get one lane in each direction. The current work was on the west side and it would be that way for the next three months.

Chairman Keller asked about paving and which areas would be done.

Mr. Sorenson stated that the contract required rebuilding the section around the culvert. The larger paving project was part of the development agreement with Tuscan.

Chairman Keller stated thank you.

6. **Continued Review/Approval of Proposed 2020 Warrant Articles**

Manager Dillon stated that they went through Warrant Articles at the December 9th Meeting. Some Articles were sent to the Warrant and some were removed. For this evening he had responses on the ones that had questions. Manager Dillon went over the timelines for petitions to be submitted (December 14th), the Budget Committee Meeting (December 15th), and the Public Hearings on the 16th and the 21st. The first proposed article for discussion was for drainage improvements which they were still proceeding with. The question was asked if other funds could be used to be able to pay for the improvements. Impact fees were not able to be used because it was not a capacity issue. It was not recommended to use Fund Balance to cover the Article because that would bring them under the policy guideline. The only other option to pay for the project was through bonding. His recommendation was to pull this article from the Warrant and see where the Road Program bids came in at. They could look at doing some of
these items as part of that and the remaining items down the road. It was up to the Board on how they wanted to proceed.

Selectman Bryant asked for the specifics on the culverts.

Manager Dillon listed the culverts in the proposal which were on Hooker Farm Road and on the west side of South Broadway between Rockingham Park Boulevard and Cluff Crossing Road.

Mr. Sorenson stated that the third one was the drainage failure on Artemis Road. They were having issues with corrugated pipe failing. The pipe was deteriorating faster than expected and breaking down.

Selectman Lyons stated that the one thing they did not want to do was to let them go. They did that before and citizens were coming in with petitions. He said go with the tax rate for funding these items.

Chairman Keller asked if the Hooker Farm culvert was the one in dire need of repair.

Mr. Sorenson answered yes. They did a temporary repair to it.

Chairman Keller asked to confirm that the amount in the Article was not a bid amount.

Mr. Sorenson stated yes. It was an estimate from the Engineering Division.

Chairman Keller asked for the price of the Hooker Farm Road culvert.

Mr. Sorenson answered $125,000.

Chairman Keller asked about using Roadway Capital Reserve Funds for this.

Mr. Sorenson stated that it would qualify.

Nicole McGee, Finance Director, stated that they were below the threshold for the policy.

Chairman Keller asked about increasing the Operating Budget to include this project.

Manager Dillon stated it would be need to be an Article.

Chairman Keller stated that he had asked about adding it to the Budget through an amendment.

Manager Dillon stated that they could amend the Operating Budget at the First Deliberative Session.

Selectman Bryant asked what they were replacing the culvert with.

Mr. Sorenson stated that the new culvert would be concrete.
Selectman Bryant asked if that would affect the elevation of the road.

Mr. Sorenson answered no.

Chairman Keller asked about closing out the 2019 Road Program.

Mr. Sorenson stated that he did not have the number but he could have the ballpark figure for Board.

Chairman Keller stated that they wanted to know because he did not want to add to the length of the Warrant. He asked when they would know the estimate.

Mr. Sorenson stated that he could get that by the next meeting.

Chairman Keller asked when they would have to decide on that.

Manager Dillon stated that it depended on what the Board wanted to do.

Selectman Lyons stated that they could discuss the information when they had the bids at their meeting before the Deliberative Session and prepare a motion for the Deliberative Session.

Manager Dillon stated that all of these improvements were road improvements.

Chairman Keller stated that they should see what they have left to decide on for Articles and come back to this one next week. They should look at the Hooker Farm culvert as the first priority.

Manager Dillon stated that the next one was the Snow Fund. The discussion from the last meeting included that the intent was to have the balance at $500,000. It was discussed about pulling the Article. There was a $26,000 balance from 2019 before the last snow storm so they would draw from the balance in the fund. That would not bring it below the threshold that the Board had set.

Chairman Keller asked if they had $1.5 million between the Operating Budget and the Trust Fund.

Manager Dillon answered yes.

Chairman Keller asked if that would cover Winter Operations.

Mr. Sorenson answered yes.

Chairman Keller stated that they could remove this Article and keep the other one for drainage.
MOTION: by Selectman Lyons
Move to drop the Snow Expendable Trust Fund Warrant Article from the 2020 annual Town Meeting Warrant.
SECOND: by Selectman Bryant

VOTE: 4 to 0.

Chairman Keller stated that that move saved $100,000 that could go towards the drainage improvements instead.

Manager Dillon stated that the Elderly and Disabled Exemptions were the last item for discussion. He had confirmed that they could not join the two exemptions. The Board had also asked if there was a way to grant the authority to update the exemptions to the Board. The RSA that created the exemptions did not allow for the Board to have the power to modify the exemptions. Manager Dillon stated that it would be about a $.01 tax impact for each exemption change.

MOTION: by Selectman Bryant
Move to forward the Change Elderly Exemption Threshold Warrant Article as presented to the 2020 annual Town Meeting Warrant with recommendation.
SECOND: by Selectman Lyons

VOTE: 4 to 0.

MOTION: by Selectman Bryant
Move to forward the Change Disabled Exemption Threshold Warrant Article as presented to the 2020 annual Town Meeting Warrant with recommendation.
SECOND: by Selectman Lyons

VOTE: 4 to 0.

Chairman Keller suggested a ballot reduction act.

Selectman Lyons stated that the Legislature should have a conference for the towns to provide input on things that needed to be changed.

Selectman Barnes said that he would suggest that idea at the Legislature and see what happened.

Manager Dillon stated that was all of the Articles for discussion.

7. Town Manager’s Report/Questions from Board of Selectmen
Manager Dillon stated that the boiler died for the Town Hall. There were space heaters around the building. It was three to four weeks to get the replacement. He wished a Happy New Year to all residents of Salem.

Selectman Bryant stated that he saw trucks dropping salt off and asked how it was purchased.
Mr. Sorenson stated that it was a separate part of the Budget instead of being part of the Winter Operations line.

Selectman Bryant asked if it was bid out.

Mr. Sorenson answered that they used the State bid.

Selectman Bryant asked if they had used it up and that was why more salt was being delivered.

Mr. Sorenson stated that they ordered it as needed but they try to keep the salt area at least half full.

Selectman Bryant stated that they had been doing a good job. He was getting compliments at the job Salem was doing from residents of other towns.

Mr. Sorenson stated thank you.

8. Old Business/Tabled and Pending

9. Additions and/or Requests by Public or Board by Vote:

10. Upcoming Meetings
- January 13, 2020
- January 16, 2020
- January 27, 2020

Chairman Keller stated that he did not plan on having a meeting on the 27th unless it was needed.

ADJOURNMENT AT 8:02 P.M.
MOTION: by Selectman Bryant
Move to adjourn at 8:02 PM.
SECOND: by Selectman Barnes
VOTE: 4-0-0
The motion passed unanimously.

Notes/minutes taken by: Jeremiah Lamson
Approved: Board of Selectmen
Date Approved: February 16, 2020