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**MINUTES OF THE
BOARD OF SELECTMEN**

**MEETING OF
October 6, 2008**

7 The Board of Selectmen held a meeting on Monday October 6, 2008, at Salem Town Hall, 33
8 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 began by calling the meeting to order at 7:02 p.m. She then joined the Board in
16 the Pledge of Allegiance, and introduced members of the Board and the Town Manager.

17
18 **1. Meeting Minutes**

19 **MOTION:** by Selectman Lyons

20 *Move to accept the minutes of the Budget/Warrant 2009 meeting on September 15, 2008 as*
21 *written*

22 **SECOND:** Selectman McBride

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

24 The motion carried unanimously.

25
26 **MOTION:** by Selectman Lyons

27 *Move to accept the minutes of the Budget/Warrant 2009 meeting on September 17, 2008 as*
28 *written*

29 **SECOND:** Selectman McBride

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

31 The motion carried unanimously.

32
33 **MOTION:** by Selectman Lyons

34 *Move to accept the sealed minutes of the Budget/Warrant 2009 meeting on September 18,*
35 *2008 as written*

36 **SECOND:** Selectman McBride

37 **VOTE:** 5-0-0

38 The motion carried unanimously.

39 **MOTION:** by Selectman Lyons

40 *Move to accept the minutes of the Regular meeting on September 22, 2008 as written*

41 **SECOND:** Selectman McBride

42 **VOTE:** 5-0-0

43 The motion carried unanimously.

44
45 **MOTION:** by Selectman Lyons

46 *Move to accept the minutes of the Public Portion of the Non Public Session on September*

1 **22, 2008 as written**

2 **SECOND:** Selectman McBride

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

4 The motion carried unanimously.

5
6 **MOTION:** by Selectman Lyons

7 **Move to accept the sealed minutes of the Non Public Session on September 22, 2008 as**
8 **written**

9 **SECOND:** Selectman McBride

10 **VOTE:** 5-0-0

11 The motion carried unanimously.

12
13 **2. Chairman Comments**

14 Chairman Roth stated she would reserve her comments until item 4 (Depot Train Station
15 Update).

16
17 **3. Public Hearing – Accept Donation of New Locks for Palmer School**

18 Chairman Roth declared the public hearing open at 7:06 p.m. She thanked Selectman
19 Hargreaves for his donation on behalf of the Board of Selectmen.

20 **MOTION:** by Selectman McBride

21 **Motion in accordance with RSA 31:95(e) to accept a donation valued at \$220.00 from**
22 **Pat's Key & Lock for new locks, including installation, at the Palmer School.**

23 **SECOND:** Selectman Barnes

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

25 The motion carried unanimously.

26
27 There being no input from the public Chairman Roth closed the public hearing.

28
29 **4. Depot Train Station Project Update**

30 Mr. Sistare introduced Dr. LaBranche and Mrs. Glynn to provide a presentation on the Depot
31 Train Station Project. Dr. LaBranche began by providing some background information on
32 the reasons behind the project. He then called upon Mrs. Glynn of the Historic District
33 Commission who provided information about the miniature train station which had been built
34 and donated by Mr. A. Mosher and his partner Mr. Jonathan Smith. In response to Selectman
35 McBride, Mr. Mosher stated the model had taken two weeks to build. Mrs. Glynn reported
36 the model will be put into the museum area at the station when the building is complete.

37
38 Dr. LaBranche explained the three phases of the project, providing a status report. He also
39 reported that approximately \$60,000 had been raised, most of which has been used, and the
40 next phase of the project will require additional fundraising. Dr. LaBranche reported that
41 there was a major letter campaign going out to members of the community looking for
42 pledges and donations, and the estimated budget is \$210,000. Dr. LaBranche pointed out that
43 the basement is not in the plan, and this would be something for the Board of Selectmen to
44 discuss in relation to the future use of the building. He further reported that the Committee is
45 involved with Rockingham Park through the Texas Hold'em events to raise funds, and that a
46 calendar will be put together featuring the best of the student artwork of the facility. Dr.

1 LaBranche then provided a report on the outstanding work and the scheduling of this work.
2 He recognized Ms. Dianne Paquette for her work on the project, and Chairman Roth
3 recognized the members of the Committee and their efforts.
4

5 **5. 11 Alta Avenue – Water/Sewer Abatement Request**

6 Mr. Sistare provided background information on a request for abatement of water and sewer
7 from James McDonough of 11 Alta Avenue. Mr. McDonough introduced himself explaining
8 the time line and outlining what had transpired to bring about the current situation.
9

10 Selectman Hargreaves questioned Mr. McDonough and proposed a motion to split the
11 outstanding amount owed 50/50 between the Town and Mr. McDonough.
12

13 **MOTION:** by Selectman Hargreaves

14 *Move that the Board of Selectmen grant abatement of \$1,625.13 to Mr. & Mrs.*
15 *McDonough of 11 Alta Avenue in consideration of outstanding water and sewer charges.*

16 **SECOND:** Selectman McBride for discussion.
17

18 **Discussion:**

19 Ms. Savastano reported that the remote reader on outside the residence was broken and she
20 did not support the abatement due to the notes in the file regarding attempts to contact the
21 residents. In response to questions from Chairman Roth regarding the attempts at contact,
22 Ms. Savastano provided further background information on this case stating they had
23 discovered the inside and outside meter readers were out of sync. Selectman McBride
24 suggested the Water Department in circumstances such as these should include written
25 notification by certified letter.
26

27 Chairman Roth remarked that she was only seeing evidence of 3 or 4 contact attempts and
28 there needed to be a better policy set up within the Water Department, and the Town is not
29 doing their due diligence in this instance to notify the customer. Selectman Lyons clarified
30 the policy for granting 50/50 sharing of the outstanding charges, and further clarification of
31 why Ms. Savastano was not recommending this course of action in this instance. There was
32 further discussion between the members of the Board.
33

34 **MOTION:** by Selectman McBride

35 *Move to table the motion on the floor until October 13, 2008 pending receipt of*
36 *information from Ms. Savastano on the average consumption over the last three years.*

37 **SECOND:** Selectman Barnes

38 **VOTE:** 4-1-0 (Selectman Hargreaves voted against the motion)
39

40 Chairman Roth declared a recess at 7:55 p.m., and called the meeting to order again at 8:03
41 p.m.
42

43 **6. Stanwood Road – DBA Abatement Request**

44 Mr. Sistare provided a brief introduction with some background information on this agenda
45 item. He reported he had obtained legal advice and explained the three options before the
46 Board.

1 **MOTION:** by Selectman Barnes (for discussion)

2 *Under the provisions of Section 310:4, paragraph 5 of the Salem Municipal Code, move*
3 *that the Board of Selectmen waives any Demand and Betterment assessment for*
4 *connection to the Town' sewer system which would be assessed to the following properties:*
5 *9, 10, 11, 12, 13, 14, 15, 18, 19, 20 and 22 Stanwood Road. The waiver is the result of an*
6 *implied agreement made between the Board of Selectmen and the residents/property*
7 *owners of Stanwood Road at the September 23, 2003 Board of Selectmen meeting, whereby*
8 *it was clearly understood by the Board and the residents that no fee would be assessed to*
9 *these properties. However it should be made clear to the residents that the physical*
10 *connection between their homes at these addresses and a sewer service stub is the sole*
11 *responsibility of the property owner, and that the Town of Salem bears no responsibility*
12 *for any portion of that expense.*

13 **SECOND:** Selectman McBride

14
15 **Discussion:** Selectman Barnes stated it was clear from watching the tape that it was agreed
16 at the time there would be no charge to residents. He then explained about changes in the
17 RSA's which had resulted in a loophole. He stated the Board should allow residents to
18 benefit from the loophole and then put forward a motion to close the loophole. The other
19 Board members spoke in support of the waiver and provided additional comments.

20
21 Selectman Hargreaves called the question and Chairman Roth re-read the motion for the
22 record.

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

24 **The motion carried unanimously.**

25
26 A resident thanked the Board on behalf of her father for agreeing to look at the tape and for
27 their decision.

28 29 7. Water & Sewer Rate Model Discussion

30 Mr. Sistare introduced this item, stating there is a need for keeping rates current and that the
31 State has spoken in support of a tiered rate structure. He then handed over to Ms. Jane
32 Savastano, Finance Director who provided an explanation of the options she proposed for
33 both residential and commercial customers for both Water and Sewer, citing examples for
34 each one.

35
36 A discussion took place in which Selectman McBride stated he was not sure he would
37 support a tiered rate for both water and sewer.

38
39 Ms. Savastano provided some background information relating to a consultant who had been
40 employed by the Town some years ago. She pointed out that her options are simpler and
41 encourage water conservation.

42
43 In response to Chairman Roth's request for his opinion, Mr. Sistare stated Finance
44 department preferred the middle option. Selectman Lyons stated he supported a tiered
45 structure and provided reasons for conserving water.

46 Selectman Hargreaves stated he would like to see what other towns are charging for

1 commercial water rates. He stated he liked the tiered option but felt there has to be a way for
2 large households to get some consideration. There followed a discussion. Ms. Savastano
3 provided a justification for her figures and there was more discussion, with Selectman Lyons
4 suggesting they not apply changes to residential and commercial customers in the same year.
5 Selectman McBride suggested a flat rate for commercial customers. There was discussion
6 regarding the implementation date for setting new rates and Ms. Savastano provided some
7 clarification about utilities and the ability of the Munismart software's ability to handle
8 implementing a change. Mr. Sistare suggested keeping current rate until the Town is ready
9 to adopt a new rate. Chairman Roth clarified that more information is required for the next
10 meeting to enable the Board to make a decision. Ms. Savastano explained about the software
11 customization for the Town by its supplier.
12

13 **8. Set Halloween Hours**

14 Mr. Sistare explained the Board should set the hours for Salem Trick or Treat.

15 **MOTION:** by Selectman Lyons

16 *Motion to hold Halloween Trick or Treat Hours from 6:00 p.m. to 8:00 p.m., Friday,*
17 *October 31, 2008*

18 **SECOND:** Selectman Hargreaves

19 **VOTE:** 5-0-0

20 The motion carried unanimously.
21

22 **9. Town Manager's Report**

23 Mr. Sistare had nothing additional to report.
24

25 **10. Selectmen Reports/Correspondence**

26 Mr. Sistare reported to the Board that the street light for Wheeler Avenue has been ordered.
27 Selectman Hargreaves reported he had taken a look at the road work on Shore Drive, stating
28 it was his opinion that the contractor should be approached regarding improving the design in
29 relation to the guard rails and apron.
30

31 Selectman Hargreaves put out a call for donations to the Salem Holiday Parade, stating the
32 theme this year is 'Christmas for the Troops'. He provided information on items they hope
33 to have donated, and reported that 15 second increments are being sold for \$50 each on a
34 DVD of the parade. He confirmed the parade will take place on November 30, 2008 between
35 1:00 and 4:00 p.m.
36

37 Selectman Barnes reported he had attended a recent meeting regarding the salt conservation
38 program relating to Policy Brook, confirming that he thought the Town should be able to
39 meet the requirements. He then spoke about encouraging the owners of private parking lots
40 to hire plow operators who have been certified by the state and the DOT certification
41 program for plow operators.
42

43 Selectman Hargreaves asked that approving erecting a temporary sign in North Salem for
44 advertising the Toys for Tots program be added to the agenda for the next meeting.
45

46 Selectman Hargreaves also put out a call for volunteers to restore the old fire station, stating

1 that a Committee addressing this matter will begin to meet in January 2009.

2
3 **11. Old Business Tabled/Pending**

4 There was none.

5
6 • **Additions/Requests by the Public**

7 John Wilkalis, 379 Shore Drive, Salem introduced himself. Mr. Wilkalis explained he had
8 more questions regarding the improvements to Shore Drive, asking the Board of Selectmen
9 why the road is now two feet narrower than previously. He explained he had experienced
10 damage to his mail box and lawn as vehicles were having difficulty passing one another.
11 Selectman McBride suggested having someone take a look at the road. Chairman Roth asked
12 Mr. Sistare whether the road was of poor design or not being constructed to specification,
13 and Mr. Sistare responded that he would ask Mr. Bob Puff, Director of Engineering to attend
14 when he came back off vacation to answer these questions. There followed a discussion
15 about the timescale for any changes, and the Board agreed to table this matter until
16 November 3rd, when Mr. Puff would be available.

17
18 Bill Carter, Chairman of the Conservation Commission introduced himself, explaining he
19 wished to inform residents that the 2008 hunting season in the Town of Salem forest has been
20 set at November 12 until December 15 for archery, and at November 12 until December 7 for
21 muzzle loaders as the. He spoke about the necessity of posting of signs and the importance
22 of wearing orange when in the forest until the signs have been posted. He also pointed out
23 that the State hunting season has already begun. He reported that the Commission has
24 walked the entire area of the forest and provided a brief report of their findings. There was a
25 discussion regarding posting signs along the perimeter of private property.

26
27 **Upcoming Meetings**

- 28 ○ October 13, 2008
29 ○ November 3, 2008
30 ○ November 10, 2008
31 ○ November 17, 2008

32
33 • **Upcoming Events**

- 34 ○ As mentioned above.

35
36 **MOTION:** by Selectman Barnes

37 *Move to adjourn the meeting and move to non public session under RSA 91-A:3, II(a) and*
38 *RSA 91-A:3,II (e)*

39 **SECOND:** Selectman Lyons

40 **VOTE:** 5-0-0 Chairman Roth polled members of the Board as follows:

41 Selectman Hargreaves – yes

42 Selectman McBride – yes

43 Selectman Barnes – yes

44 Selectman Lyons – yes

45 Chairman Roth - yes

46 The motion carried unanimously.

1 Without further business, the meeting adjourned at 9:33 p.m.

2

3 *Following the non-public session, the Board reconvened the meeting in public session and*
4 *voted to seal the minutes of October 6th as follows:*

5

6 **Motion by Selectman McBride to seal the minutes.**

7 **The motion was SECONDED by Selectman Hargreaves.**

8

9 Chairman Roth polled the Board.

10

11 **POLL:**

12 **Lyons – Yes**

13 **Barnes – Yes**

14 **Roth – Yes**

15 **Hargreaves – Yes**

16 **McBride – Yes**

17

18 **VOTE: 5-0-0**

19 **Motion passed by unanimous vote.**

20

21

22 Notes/Minutes Taken by: Sandra Maxwell

23

24 Approved: Board of Selectmen

25

26 Date: November 3, 2008