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**MINUTES OF THE  
BOARD OF SELECTMEN**

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**Regular Meeting of  
April 8, 2009**

10 The Board of Selectmen held a meeting on Wednesday, April 8, 2009 at Salem Town Hall, 33  
11 Geremonty Drive, Salem, NH.

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13 **PRESENT:** Vice-Chairman Michael J. Lyons, Secretary Elizabeth A. Roth, Selectman Everett  
14 P. McBride, Jr., Selectman Patrick Hargreaves and Town Manager Mr. J. Sistare.

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16 **ABSENT:** Chairman Arthur E. Barnes, III

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**CALL TO ORDER**

21 Selectman Lyons, acting as Chairman in the absence of Chairman Barnes, began by calling the  
22 meeting to order at 7:02 p.m. He joined the Board in the Pledge of Allegiance and introduced  
23 the Board and Town staff. Selectman Lyons reported that Selectman Roth would join the  
24 meeting later.

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**1. Chairman Comments**

28 There were no comments from the Chairman.

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**2. Meeting Minutes**

32 There were no minutes for approval.

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**3. Public Hearing – Accept Donation of Motorcycle to Police Department**

36 Selectman Lyons declared the public hearing open. Mr. Sistare introduced Captain Shawn  
37 Patten of the Police department who explained he had come before the Board to receive their  
38 acceptance of a donation from a local business owner, and provided some background  
39 information for the Board and members of the public.

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**MOTION:** by Selectman McBride

43 *Move in accordance with RSA 31:95(b) that the Salem Board of Selectmen does hereby accept*  
44 *a donation in the amount of \$17,175.00 from an anonymous donor for the cost to purchase*  
45 *one fully-equipped police motorcycle.*

**SECOND:** Selectman Hargreaves (for discussion)

38 In response to a query from Selectman Hargreaves about outfitting and training, Captain Patten  
39 explained he would come forward with this at a later meeting. He also provided Selectman  
40 Hargreaves with an update on an injured officer, as well as providing the Board with information  
41 on changes he has made to the staff schedule.

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**VOTE:** 3-0-0

**The motion carried unanimously.**

45 Selectman Lyons closed the public hearing. Selectman Roth joined the meeting.

**4. Waiver Requests – SMC 253 – Sewer Disposal Systems & Wells**

Mr. Brian Lockard, Health Officer reported he had come before the Board to request a waiver of the required setbacks for a sewer system installation. He explained this is an existing home on a holding tank which was upgrading with a newer Clean Solution system and the owners were looking for waivers due to the small size of the lot. Mr. Lockard provided information on the waivers being requested.

**MOTION:** by Selectman Hargreaves

*Move in accordance with SMC Chapter 253-14 (Waiver) to grant the request of Kevin Murphy, 53 Millville Circle, for a waiver of the provisions of Salem Municipal Code Chapter 253, Section 6, as detailed in the attached memorandum from Health Officer Brian Lockard and further, if connection to public sewer becomes available to the property at a future date, no waivers will be given and the property owner must connect to the system.*

**SECOND:** Selectman McBride

**Discussion:**

In response to a query from Selectman Roth regarding at what point the Board should become concerned about setback distance, Mr. Lockard responded there should be a setback of no less than two feet. Selectman McBride asked whether the Board of Selectmen should be mandating that clean solution systems be installed, and there followed a discussion with Mr. Lockard who stated he felt there would be times when a regular system would be the better option.

**VOTE:** 4-0-0

**The motion carried unanimously.**

**5. Police Department - Accept Grants****a) Highway Safety Agency - NH Clique It Seat Belt Campaign**

Mr. Sistare deferred to Captain Patten who explained he was before the Board to request they accept a grant for seatbelt safety.

**MOTION:** by Selectman McBride

*Move in accordance with RSA 31:95(b) that the Salem Board of Selectmen does hereby accept a grant in the amount of \$2,478.00 from the NH Highway Safety Agency to be used by the Police Department as part of the NH Clique it Campaign*

**SECOND:** Selectman Hargreaves

**Discussion:**

In response to a query from Selectman McBride Captain Patten clarified the police are not mandated to give a ticket for not wearing a seatbelt and confirmed residents of New Hampshire are required to wear seatbelts up to the age of 18.

**VOTE:** 4-0-0

**The motion carried unanimously.**

**b) DWI Patrol Grant:**

Captain Patten explained he had come before the Board to request they accept a separate grant from NH Highway Safety Agency for the DWI patrol program.

1 **MOTION:** by Selectman Hargreaves

2 *Move in accordance with RSA 31:95(b) that the Salem Board of Selectmen does hereby accept*  
3 *a grant from the NH Highway Safety Agency in the amount of \$2,336.40 for reimbursement of*  
4 *overtime in conjunction with the Alcohol Traffic Safety & Drunk Driving Prevention*  
5 *Program.*

6 **SECOND:** Selectman McBride

7 **VOTE:** 4-0-0

8 **The motion carried unanimously.**

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10 **c) *Bicycle Helmets and Other Bike Safety Items***

11 Captain Patten explained he was before the Board to request they accept an additional grant for  
12 safety helmets and other safety equipment, stating the department gives this equipment out at  
13 Open Night and when individuals who do not have a helmet request one.

14 **MOTION:** by Selectman Hargreaves

15 *Move in accordance with RSA 31:95(e) that the Salem Board of Selectmen does hereby accept*  
16 *a donation of 25 bicycle helmets and other various bike safety items valued at approximately*  
17 *\$1,500.00 from the New Hampshire Highway Safety Agency.*

18 **SECOND:** Selectman McBride

19 **VOTE:** 4-0-0

20 **The motion carried unanimously.**

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22 **d) *Andover Corporation - Summer Youth Program Donations***

23 Captain Patten explained he was before the Board to request they accept two separate donations  
24 for the summer youth program. He reported the first for \$500.00 was from the Andover  
25 Corporation, and the second for \$250.00 from the MAG Mortgage Corporation. These would  
26 help fund summer field trips for youth.

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28 Selectman McBride pointed out that the Andover Corporation was in fact a company operating  
29 out of Salem. A motion was made by Selectman Roth, seconded by Selectman McBride.

30 Following a discussion Selectman Roth and Selectman McBride rescinded the motion as the  
31 wording was incorrect. The following new motion was made.

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33 **MOTION:** by Selectman Roth

34 *Move in accordance with RSA 31:95(b) that the Salem Board of Selectmen does hereby accept*  
35 *a donation from the Andover Corporation in the amount of \$500.00 and a donation from the*  
36 *MAG Mortgage Corporation in the amount of \$250.00 for the costs associated with the*  
37 *Summer Youth Program conducted by the Salem Police Department*

38 **SECOND:** Selectman McBride

39 **VOTE:** 4-0-0

40 **The motion carried unanimously.**

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42 **6. Discussion on Upcoming COPS Grant**

43 Mr. Sistare reported the COPS grant is part of the stimulus package and handed over to Captain  
44 Patten to explain the details of the program. Referring to the information in the Board's packet,  
45 Captain Patten provided information on the cost of funding two officers under the grant and what  
46 the cost to the town would be after the grant expires, from 2013 onwards. He stated this would

1 bring the department to 62 full time sworn officers and would be the first time in a decade the  
2 town would be adding officers to the department. He also provided justification for the need for  
3 additional officers, and explained where the officers would be employed within the department.  
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5 **Discussion:**

6 Selectman Lyons clarified with Mr. Sistare the only action required at this point from the Board  
7 is permission to apply for the grant. In response to a query from Selectman Roth, Captain Patten  
8 reported it could be stated there is a correlation between the increase in crime and the current  
9 economy. He went on to provide specific information on the increase in crime which has  
10 occurred recently within the town. Selectman Roth stated she strongly recommended supporting  
11 the grant application.  
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13 In response to a query from Selectman Hargreaves, Captain Patten informed the Board he had  
14 only been provided with 30 days notice of the grant application. Selectman Hargreaves quoted  
15 from RSA 31:95(b) and queried the process for taking on additional staff in this way. Mr.  
16 Sistare provided clarification on the statute mentioned by Selectman Hargreaves and what its  
17 requirements are in relation to the COPS grant. Selectman Roth spoke in support of applying for  
18 the grant.  
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20 Selectman McBride spoke in support of applying for the grant and about his reasons for not  
21 supporting the additional firefighters.  
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23 Captain Patten clarified for Selectman Lyons that there is not a total staffing level requirement as  
24 part of the grant.  
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26 **MOTION:** by Selectman Roth

27 *Move that the Salem Board of Selectmen support the COPS grant application as presented by  
28 Captain Patten of the Salem Police Department*

29 **SECOND:** Selectman McBride

30 **VOTE:** 4-0-0

31 **The motion carried**  
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33 **7. Town Manager's Report**

34 Mr. Sistare reported that the collective bargaining agreements have been finalized and provided  
35 details of things which had been added to the agreements.

36 **MOTION:** Selectman McBride

37 *Move to approve the proposed one-year agreement with the SEA Union, Local 1984, for a  
38 period from April 1, 2009 to March 31, 2010.*

39 **SECOND:** Selectman Hargreaves

40 Selectman McBride pointed out these changes to the contract will save the town and employees  
41 money.

42 **VOTE:** 4-0-0

43 **The motion carried unanimously.**  
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45 **MOTION:** Selectman McBride

1 ***Move to approve the proposed one-year agreement with the Salem Police Relief Union,***  
2 ***NEPBA, Local 22, for a period from April 1, 2009 to March 31, 2010.***

3 **SECOND:** Selectman Hargreaves

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

5 **The motion carried unanimously.**

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7 Mr. Sistare confirmed the Board of Selectmen meetings scheduled for May 4<sup>th</sup> and 11<sup>th</sup>. He  
8 asked whether the Board wished to reschedule the meeting on May 18<sup>th</sup> as this was the Monday  
9 before the special Charter Commission election. Selectman Lyons suggested Mr. Sistare discuss  
10 this with Chairman Barnes on his return.

## 11 12 **8. Selectmen Reports/Correspondence**

13 Selectman Roth provided the Board with an update of the latest EDAC meeting with the Salem  
14 Chamber of Commerce Economic Development Committee at which the focus was  
15 regionalization. She also spoke about an event the Committee is planning for mid May to obtain  
16 more information on funding for economic development.

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18 Selectman McBride offered to fill in for Selectman Hargreaves as Board of Selectmen  
19 representative to the Conservation Commission at their next meeting as Selectman Hargreaves  
20 has a scheduling conflict.

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22 Selectman McBride spoke about HB 141 authorizing the use of electronic payments for  
23 municipalities, stating he felt the Board should support the legislation.

24 **MOTION:** Selectman McBride

25 ***Move that Salem Board of Selectmen authorize the Town Manager to send a letter on their***  
26 ***behalf in support of HB 141 to the State Representatives and Senator for Salem***

27 Mr. Sistare clarified what the legislation contains.

28 **SECOND:** Selectman Roth

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

30 **The motion carried.**

## 31 32 **9. Old Business/Table Pending**

33 There was none.

### 34 35 • **Additions and/or Requests by Public or Board by Vote**

36 There were none.

### 37 38 • **Upcoming Meetings**

- 39 ○ April 13, 2009 – Board of Selectmen Meeting
- 40 ○ April 20, 2009 – Board of Selectmen Meeting

### 41 42 • **Upcoming Events**

- 43 ○ April 28, 2009 - Special Election
- 44 ○ Field of Dreams cleanup
- 45 ○ Fishing Derby

1 **MOTION:** by Selectman Hargreaves  
2 *Move to adjourn and move to a Non-Public session under 91-A, 3 II(a) & (e)*

3 **SECOND:** Selectman McBride  
4 Selectman Lyons polled the Board

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

6 **The motion carried unanimously.**

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8 Without further business, the meeting adjourned at 7:47 p.m. and the Board moved to Non-  
9 Public session as mentioned above.

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11 Notes/Minutes Taken by: Sandra Maxwell

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13 Approved: Board of Selectmen

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15 Date: April 20, 2009