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## MINUTES OF THE BOARD OF SELECTMEN

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### Regular Meeting of April 20, 2009

7 The Board of Selectmen held a meeting on Monday April 20, 2009 at Salem Town Hall, 33  
8 Geremonty Drive, Salem, NH.

9  
10 **PRESENT:** Chairman Arthur E. Barnes III, Vice-Chairman Michael J. Lyons, Secretary  
11 Elizabeth A. Roth Selectman Everett P. McBride, Selectman Patrick Hargreaves and Fire Chief  
12 Kevin Breen (acting Town Manager)

13  
14 **CALL TO ORDER**

15 Chairman Barnes began by calling the meeting to order at 7:05 p.m. He joined the Board in the  
16 Pledge of Allegiance and introduced the Board and Town staff. Chairman Barnes reported that  
17 Selectman Roth may join the meeting later.

18  
19 **1. Meeting Minutes**

20 **MOTION:** by Selectman Lyons

21 *Move to approve the minutes of the Board of Selectmen Regular meeting on April 8, 2009*

22 **SECOND:** Selectman McBride

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

24 **The motion carried unanimously.**

25  
26 **2. Bike/Ped Corridor Update**

27 Chairman Barnes introduced Mr. Bill Carter, Chairman of the Conservation Commission.

28 Mr. Carter introduced Mr. Dave Topham and Mr. Greg Bakos.

29 He reported they are working on the most northern section of the corridor, showing this on an  
30 aerial photo for the benefit of the Board. Selectman McBride pointed out that the crossing at  
31 Wal-Mart already has lights.

32  
33 Mr. Carter handed over to Mr. Greg Bakos who explained his company is involved in the  
34 preliminary planning and engineering for the corridor. He reported they are breaking the  
35 project into four segments currently and they are building a multi use path with logical  
36 connections off the corridor which will be useful for businesses as well as residents. He  
37 reported the northern section is just over a mile long, and in May/June the DOT will be  
38 accepting applications for an enhancement grant. He also reported the corridor is a natural  
39 extension to the Windham trail. He went on to point out certain features and connections  
40 along the corridor, showing the southern segment at Old Rockingham Road and pointing out  
41 that for wet areas at North Broadway they will need to obtain agreement from the DOT. Mr.  
42 Bakos also talked about minor modifications which will be necessary to the geometry and  
43 reported the estimated cost for this is between \$8-900,000. He asked for the Board's support  
44 to move forward with the TE grant.

45  
46 Selectman Roth jointed the meeting at 7:17 p.m.

1        **Discussion:** In response to a query from Selectman Hargreaves as to whether the additional  
2 south bound lane in the road on North Broadway will interfere with their plans, Mr. Bakos  
3 stated they would need to update their topography. He discussed possible solutions if the  
4 extra lane does cause a problem and stated he would take a look at the area.

5  
6 In response to a query from Selectman Roth regarding what criteria was used to say the  
7 crossing could be accomplished without a bridge, Mr. Bakos confirmed the feasibility of  
8 installing a pedestrian crossing, and Selectman McBride provided information regarding the  
9 Lexington path crossings as an example of what can be done. Mr. Bakos reported the DOT  
10 are talking about making modifications to some of the intersections and pointed out the town  
11 will need to work with them. He confirmed they are evaluating intersections to ensure they  
12 can accept a crossing and a discussion followed.

13  
14 In response to a query from Selectman Lyons regarding their plans for signage, Mr. Bakos  
15 discussed the guidelines they needed to follow. There was a discussion following a query  
16 from Chairman Barnes about technology and count down pedestrian crosswalks.

17  
18 Mr. Bill Carter provided an update on the development of Friends of Salem Bike/Ped  
19 Corridor group which will allow them to raise money through the public and to apply for  
20 grant from the Granite State Wheelmen for \$1,000 which will help develop their web site  
21 (fsbpc.org).

### 22 23 **3. Chairman Comments**

24 Chairman Barnes reported the Budget Committee would attend a joint meeting with the  
25 Board of Selectmen on June 8, 2009. He introduced Chief Breen, explaining he was standing  
26 in for Mr. Sistare

### 27 28 **4. Canobie Phase II/Availability of Federal Stimulus Funds – Schedule Special Town 29 Meeting**

30 Chairman Barnes reported that SB39 has now been signed by the Governor and the town has  
31 been advised by the LGC to move forward on scheduling the town meeting and the wording  
32 of the bond article. He explained about the process for the bond request and reported that a  
33 Town Meeting has been scheduled for May 2, 2009 in the Salem High School auditorium  
34 beginning 9:00 a.m. He also explained the warrant needs to be posted this Friday, April 24,  
35 2009, and the Board would need to craft the wording of the warrant article for the Canobie  
36 Phase II project either this evening or on Thursday April 23, 2009. He then deferred to Chief  
37 Breen to provide further information.

38  
39 Chief Breen handed out a packet containing information and guidance from counsel on  
40 language for the warrant article which would authorize the project, stating that staff is  
41 available to answer questions.

42  
43 **Discussion:** Chairman Barnes talked on the issue of the dry pipe and the possibility of  
44 removing this from the warrant, and Selectman McBride asked how much this would affect  
45 the cost total. In response, Mr. Puff referred to the information he had provided for the  
46 Board at their last meeting for information on cost, confirming that removal of the dry pipe

1 will reduce the water item by 60%, reducing the overall cost by \$750,000 for water. He also  
2 pointed out the figure in the draft warrant includes an amount for costs associated with  
3 bonding.

4  
5 Selectman McBride spoke in support of the project, pointing out the opportunity to receive  
6 the stimulus funding would provide the town with the best price they were likely to obtain for  
7 the project. He also pointed out they will probably know by the time the bond is taken out  
8 just how much funding they will get. Additionally, he spoke about the overall cost and  
9 interest rate to the town.

10  
11 Selectman Lyons stated he would support Chairman Barnes' suggestion to remove the dry  
12 pipe and costs from the warrant. Speaking about the time line he stated they could  
13 theoretically revisit the issue of the dry pipe at the Town Meeting in March 2010.  
14 Mr. Puff confirmed the new total for the warrant without the dry pipe costs would be  
15 \$4,143,000.

16  
17 **MOTION:** Selectman Lyons

18 *Move that the Salem Board of Selectmen bring the following warrant article before the*  
19 *voters at the special town meeting on Saturday, May 2, 2009:*

20  
21 *To see if the Town will vote to raise and appropriate the sum of Four Million One*  
22 *Hundred Forty-Three Thousand Dollars (\$4,143,000) for the Canobie Phase II water and*  
23 *sewer project and to authorize the issuance of not more than Four Million One Hundred*  
24 *Forty-Three Thousand Dollars (\$4,143,000) of bonds, notes or SRF loans in accordance*  
25 *with the provisions of the Municipal Finance Act (RSA 33) and to authorize the Town to*  
26 *issue and negotiate such bonds, notes or SRF loans and to determine the rate of interest*  
27 *thereon; furthermore, to authorize the acceptance of grants under the American Recovery*  
28 *and Reinvestment Act of 2009 in the amount of Fifty Percent (50%) of the eligible project*  
29 *costs with the balance to be raised by general taxation, water user rates and sewer user*  
30 *rates. This appropriation is contingent upon receipt of American Recovery and*  
31 *Reinvestment Act of 2009 Federal Stimulus Funding. (2/3 ballot vote required)*

32 **SECOND:** Selectman McBride

33  
34 **Discussion:** In response to a query from Selectman Hargreaves Ms. Savastano explained  
35 there would be no impact on the sewer or water rates if they stay with the current rate  
36 structure. There was also a discussion on the correct wording of the first sentence of the  
37 motion which clarified that the Board was agreeing to the language of the warrant article and  
38 moving it forward to the special town meeting.

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

40 **The motion carried unanimously.**

41  
42 Selectman McBride stressed the Board needs to undertake adequate publicity regarding the  
43 town meeting and the items which will be on the agenda for the meeting.

44  
45 **MOTION:** by Selectman Hargreaves

46 *Move that the Salem Board of Selectmen does hereby schedule a special town meeting on*

1 *Saturday, May 2, 2009, to be held at Salem High School Auditorium to consider funding*  
2 *for the construction and completion of water and/or sewer for the Canobie Lake area,*  
3 *known as Canobie Phase II.*

4 **SECOND:** Selectman McBride

5 Chairman Barnes handed over the chair to Selectman Lyons.

6  
7 **MOTION:** by Chairman Barnes

8 *Move to table the motion currently on the table until after the Town Manager's report*

9 **SECOND:** Selectman McBride

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

11 **The motion carried unanimously.**

12 Chairman Barnes again took the chair of the meeting.

13  
14 **5. Town Manager's Report**

15 *a) Accept Donation of Tree*

16 Chief Breen reported that the Town Manager's Executive Assistant had received a call  
17 from Mrs. Beverly Glynn that she has received a donation of a tree which will be planted  
18 at the museum on Arbor Day, Friday April 24, 2009 at 10:00 a.m. He explained the  
19 Board needed to accept the donation in accordance with the statutes.

20  
21 **MOTION:** by Selectman McBride

22 *Move under RSA 31:95 (b) that the Salem Board of Selectmen does hereby accept the*  
23 *donation of approximately \$150 for the tree to be planted at the Old Town museum on*  
24 *April 24, 2009*

25 **SECOND:** Selectman Hargreaves

26 **VOTE:** 5-0-0

27 **The motion carried unanimously.**

28  
29 Chairman Barnes requested that a letter of thanks be sent to the donor of the tree.

30  
31 *b) COPS Grant Warrant Article*

32 Chief Breen reported that Mr. Sistare had arranged for a legal review of RSA 31:95. He  
33 reported that a warrant article had been drafted to take account of the grant to hire two  
34 police officers, and the town's commitment to fund the officers for a year after the grant  
35 ended. He handed out a copy of the draft warrant article together with a financial  
36 spreadsheet which explained the total costs over the life of the grant and the year the  
37 town would be required to retain the officers. He asked the Board to review this and  
38 move it to the special town meeting on May 2, 2009.

39  
40 **MOTION:** by Selectman Hargreaves

41 *Move that the Salem Board of Selectmen bring the following warrant article before the*  
42 *voters at the special town meeting on Saturday, May 2, 2009:*

43 *To see if the Town will vote to raise and appropriate the sum of Six Hundred Forty Six*  
44 *Thousand Fifty Dollars (\$646,050) and accept from the Office of Community Oriented*  
45 *Policing Services Four Hundred Forty Thousand Three Hundred Seventy Two Dollars*  
46 *(\$440,372) under the Community Oriented Policing Services Hiring Recovery*

1            ***Program, said funds to be received from the American Recovery and Reinvestment Act***  
2            ***of 2009, for the purpose of hiring two (2) police officers beginning October 2009***  
3            ***through December 2013, which calls for the following expenditures:***  
4

5            ***This warrant article is conditional upon receiving the COPS grant.***

6            **SECOND:** Selectman McBride  
7

8            ***Discussion:*** Chairman Barnes queried the wording with regard to the backup  
9            information on the finances. Chief Breen stated the spreadsheet was included as a form  
10           of backup information to explain it clearly to the citizens. Selectman McBride suggested  
11           adding the sentence that appeared at the end of the Canobie Phase II warrant article and  
12           removing “which calls for the following expenditures”. There was further discussion on  
13           the wording.  
14

15           Chief Breen explained the information on the spreadsheet attached to the draft warrant,  
16           pointing out the information was prepared with some assumptions which he then outlined  
17           as follows:

- 18           • Timing of the announcement of the award and the first opportunity to hire.
- 19           • The grant covers two already certified police officers. Other hiring costs will be  
20           borne within the normal Operating budget.
- 21           • Maximum health care benefits have been assumed.  
22

23           Selectman Lyons clarified that the town would need to guarantee to keep the officers for  
24           12 months at the end of the grant funding, and that they would need to maintain the staff  
25           numbers within the department if attrition occurs during the overall period stipulated by  
26           the grant (through 2013), and there followed a discussion. Selectman Lyons stated he  
27           supported putting this before the residents, and asked that the Board put together a  
28           paragraph at the end of the article explaining the funding and restrictions.  
29

30           **MOTION:** by Selectman McBride

31           ***Move that the motion on the table be amended as follows:***

32           ***Strike the words “which calls for the following expenditures.... This warrant article is***  
33           ***conditional upon receiving the COPS grant. ” and add the words “This appropriation***  
34           ***is contingent upon receipt of American Recovery and Reinvestment Act of 2009***  
35           ***Federal Stimulus Funding.”***

36           **SECOND:** Selectman Lyons

37           **VOTE:** 5-0-0  
38

39           **Vote on main motion as amended:** 5-0-0

40           **The motion carried unanimously.**  
41

42           ***c) Continuation of discussion to Set Special Town Meeting***

43           Chairman Barnes handed over the chair to Selectman Lyons.

44           **MOTION:** by Chairman Barnes

45           ***Move to take from the table the motion previously made by Selectman Hargreaves as***  
46           ***follows:***

1 *Move that the Salem Board of Selectmen does hereby schedule a special town meeting*  
2 *on Saturday, May 2, 2009, to be held at Salem High School Auditorium to consider*  
3 *funding for the construction and completion of water and/or sewer for the Canobie*  
4 *Lake area, known as Canobie Phase II.*

5 **SECOND:** Selectman Hargreaves

6 **VOTE:** 5-0-0

7 **The motion carried unanimously.**

8  
9 **MOTION:** by Chairman Barnes

10 *Move to amend the motion on the floor by adding the following wording at the end of*  
11 *the motion “and consideration of the (COPS) Grant under the Community Oriented*  
12 *Policing Services Hiring Recovery Program”*

13 **SECOND:** Selectman Hargreaves

14 **VOTE:** 5-0-0

15 **VOTE on the main motion as amended:** 5-0-0

16  
17 **d) Update on Lawrence Road Bridge**

18 Chief Breen reported there had been additional information received on Lawrence Road  
19 Bridge. Mr. Puff explained he had received a review from the state and that other  
20 departmental reviews need to be completed. He pointed out that these unanticipated  
21 requirements are causing delays on going to bid and these jeopardize their ability to get  
22 the bridge open for winter.

23  
24 **Discussion:** Selectman Lyons summarized his understanding of the situation and the  
25 options available. Mr. Puff pointed out that the additional examinations are causing  
26 delay and there was further discussion on the effects of a delay. Chief Breen stressed that  
27 under the state Bridge Aid Program they cannot guarantee the bridge would be open for  
28 the winter season. After further discussion, Selectman Lyons clarified that Mr. Puff was  
29 seeking direction from the Board as to what option they should pursue. Selectman Lyons  
30 suggested proceeding with application for the federal stimulus funding. He also  
31 suggested they contact their state and federal representatives and highlight the irony that  
32 the stimulus process is delaying the town in this matter. Selectman McBride suggested  
33 letters be written to senators and congressmen that the town is ready to move forward on  
34 this and stress that there is a safety issue and it is a ‘red listed’ bridge.

35  
36 **MOTION:** by Selectman Lyons

37 *Move to direct the Town Manager and the Engineering Manager to continue the*  
38 *Lawrence Road Bridge Project with the Federal Stimulus track and to further notify*  
39 *our appropriate state and federal legislators of this situation and to keep the Board*  
40 *updated as necessary and further to notify the School District of this decision*

41 **SECOND:** Selectman McBride

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

43 **The motion carried unanimously.**

44  
45 **6. Selectmen Reports/Correspondence**

46 Selectman McBride requested that the Town Manager speak with the representative to the

1 Housing Authority to find out if they plan to put generators on their facilities.

2  
3 Selectman McBride requested an update on the Route 28 paving project, urging that the work  
4 be done at night.

5  
6 Selectman Hargreaves spoke about hazardous road conditions on North Main Street, and  
7 Chairman Barnes asked that Chief Breen ask Mr. Russell, DPW Director, for a price for  
8 overlaying a section of North Main Street. There followed a discussion to clarify which  
9 section of the road was being referred to. It was agreed that Mr. Russell should come to the  
10 next meeting of the Board to update them and provide cost estimates.

11  
12 Selectman Hargreaves provided feedback to the Board about a recent Friends of Scouting  
13 event he had attended.

14  
15 **7. Old Business/Table Pending**

16 There was none.

17  
18 • **Additions and/or Requests by Public or Board by Vote**

19 There were none.

20  
21 • **Upcoming Meetings**

- 22 ○ May 2, 2009 – Special Town Meeting
- 23 ○ May 4, 2009 – Board of Selectmen Meeting
- 24 ○ May 11, 2009 – Board of Selectmen Meeting

25  
26 • **Upcoming Events**

- 27 ○ April 28, 2009 - Special Election for State Representative
- 28 ○ May 19, 2009 Special Election – Charter Commission, and Ballot Vote on Canobie Phase  
29 II/Stimulus Funds
- 30 ○ April 21, 2009 Greater Salem Chamber of Commerce Business Expo – 7:30 a.m.

31  
32 **MOTION:** by Selectman Hargreaves

33 *Move to adjourn and move to a Non-Public session under 91-A:3, II(a & e), Personnel*

34 **SECOND:** Selectman McBride

35 Chairman Barnes polled the Board

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

37 **The motion carried unanimously.**

38  
39 Without further business, the meeting adjourned at 8:30 p.m. and the Board moved to Non-  
40 Public session as mentioned above.

41  
42 Notes/Minutes Taken by: Sandra Maxwell

43  
44 Approved: Board of Selectmen

45  
46 Date: May 4, 2009