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**MINUTES OF THE
BOARD OF SELECTMEN**

**Regular Meeting of
August 3, 2009**

7 The Board of Selectmen held a meeting on Monday August 3, 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, and Mr. P. Donovan (Acting Town Manager),
12 Selectman Hargreaves joined the meeting at 7:00 p.m.

13
14 **CALL TO ORDER**

15 Chairman Barnes called the meeting to order in the upper level conference room beginning at 6:30 p.m.

16 **MOTION:** by Selectman McBride

17 *Move to enter into a Non-Public Session pursuant to RSA 91-A:3, II (c)*

18 **SECOND:** Selectman Lyons

19
20 **Chairman Barnes polled the Board**

21 **McBride – Yes**

22 **Roth – Yes**

23 **Lyons – Yes**

24 **Barnes – Yes**

25
26 **VOTE:** 4-0-0

27 The motion carried unanimously.

28
29 The Board held a non-public session authorized under RSA 91-A:3,II(c).

30
31 **MOTION:** by Selectman Lyons

32 *Move to seal the minutes of this meeting*

33 **SECOND:** Selectman McBride

34
35 **Chairman Barnes polled the Board.**

36 **McBride – Yes**

37 **Roth – Yes**

38 **Lyons – Yes**

39 **Barnes – Yes**

40
41 **VOTE:** 4-0-0

42 **The motion carried unanimously.**

43
44 Following the non-public session, the Board proceeding to the Knightly Meeting Room for their
45 regular meeting scheduled to begin at 7:00 p.m.

1 Chairman Barnes began by calling the meeting to order at 7:00 p.m. and joined the Board in the
2 Pledge of Allegiance. He introduced the Board and town staff, explaining Mr. Paul Donovan is
3 Acting Town Manager while Mr. Sistare is on vacation.
4

5 **1. Meeting Minutes**

6 **MOTION:** by Selectman Roth

7 *Move to approve the minutes of the Board of Selectmen Regular Meeting on July 13, 2009*

8 **SECOND:** Selectman McBride

9 **Discussion:**

10 Selectman Hargreaves stated he thought the minutes ought to have more detail and requested
11 that approval of them be tabled until more detail had been included. There followed a brief
12 discussion about what should be included in minutes and it was suggested that the DVD of
13 the meeting could be attached to the minutes for the record in case more detail of the
14 proceedings was required at a later point in time.
15

16 **MOTION to amend the motion on the floor:** by Selectman McBride

17 *Move to approve the minutes of the Board of Selectmen Regular Meeting on July 13, 2009*
18 *and further that the DVD's of both the June 22nd and July 13th meetings be attached to*
19 *these minutes.*

20 **SECOND:** Selectman Hargreaves

21 **VOTE:** 5-0-0

22 **The motion carried unanimously.**

23
24 **VOTE on the main motion:** 5-0-0

25 **The motion carried unanimously.**
26

27 **2. Chairman Comments**

28 Chairman Barnes made no comments at this time.
29

30 **MOTION by:** Selectman McBride

31 *Move that items 5 and 6 on the agenda be moved to the top of the agenda*

32 **SECOND:** Selectman Hargreaves

33 **VOTE:** 5-0-0

34 **The motion carried unanimously.**
35

36 **3. Authorize Hiring of Clerk in Town Clerk's Office**

37 Mr. Donovan provided background information and handed over to Ms. Rapa, HR Director
38 for further information. She explained the Town Clerk had lost her deputy on July 21 and
39 she has discussed posting this opening with Mr. Sistare as it is such a pivotal position in
40 town. She provided the reasons they need to fill this position and stating there is a
41 requirement that the candidate be someone who is a resident of Salem. She handed over to
42 Ms. Wall, Town Clerk, who further explained the job requirements.

43 **MOTION:** by Selectman McBride

44 *Move to authorize the Town Manager to move forward with the hiring of the position*
45 *within the Town Clerk's office*

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

1 ***Discussion:***

2 In response to a query from Selectman Hargreaves, Ms. Rapa provided salary details of the
3 job. She explained it would be difficult to estimate benefits. She also stressed the salary
4 savings from a part-time position which has not been filled in the department.
5

6 In response to Selectman Lyon's query about the possibility of placing someone in house in
7 the position, Ms. Rapa explained Ms. Wall is working with skeleton staff currently.
8 Selectman McBride pointed out that residents are paying for the Town Clerk's services and
9 would have to go to other communities to obtain those services which would provide other
10 communities with that revenue. Ms. Wall clarified what is in the statutes regarding a deputy
11 town clerk position, and in response to a query from Selectman Hargreaves, Ms. Wall stated
12 that keeping vital records up to date was the most important part of the job shared
13 responsibilities.
14

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

16 **The motion carried unanimously.**
17

18 **4. Authorize Hiring of Two Firefighters and the Promotion of One Paramedic in Fire**
19 **Department**

20 Mr. Donovan provided some background information on the request and handed over to
21 Chief Breen who provided more detail on the two firefighters who were required as part of
22 the SAFER grant. He also clarified he was seeking permission to fill an open paramedic
23 position.
24

25 **MOTION:** by Selectman McBride

26 ***To authorize the filling of two vacant firefighter positions and the promotion of one***
27 ***paramedic within the Fire Department***

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

29 ***Discussion:***

30 In response to a query from Selectman Hargreaves regarding salary information for the
31 firefighters, Chief Breen explained all firefighters begin at the entry level regardless of
32 experience. He reported they are currently backfilling vacancies with overtime.
33

34 **VOTE:** 5-0-0

35 **The motion carried unanimously.**
36

37 **5. Director of Engineering – Future Road Program Discussion**

38 Mr. Donovan introduced Mr. Bob Puff, Director of Engineering. Referring to his memo to
39 the Board of June 19, 2009 he explained it had been his intent to ask the Board for guidance,
40 but would now like to look at things more long term. He stated from an engineering
41 standpoint it was a good opportunity to explain how things are done in Salem with regard to
42 how roads are chosen for repair and re-surfacing. He went on to suggest that the PCI is a
43 good component on which to base the road program but feels that basing things on road
44 condition alone would be shortchanging the town. He went on to say he would like to come
45 up with a mission statement for the road program which defines the goals and objectives of
46 the program, and discuss various methods on how to get there and obtain the Board's
 approach.

Discussion:

1
2 Selectman Lyons gave a historical overview, stating he had obtained a list of roads for the
3 whole town which are awaiting maintenance and offered to distribute it to the rest of the
4 Board. He stated he understood why Mr. Puff is looking for direction and he supports a re-
5 tool.

6
7 Selectman McBride provided additional historical information, talking about the amount the
8 town has spent in the last four years. He also talked about specific roads requiring
9 maintenance and the amount which has been spent on roads in north Salem. He then talked
10 about the amount which would be required to complete road maintenance, stating he thought
11 they should begin with at least \$800,000 for maintenance and increase the construction
12 money amount over the next few years.

13
14 In response to a query from Selectman Lyons regarding roads that have been engineered,
15 Mr. Puff stated the engineering is in process but he had put together a budget estimate for
16 three streets of \$4.5 million. He also talked about engineering costs.

17
18 Chairman Barnes talked about the difficulties under the current organization, stating he saw
19 the importance of one agency being in charge of both departments but currently had no
20 answer regarding strategy. He stressed the need to decide how they will organize
21 maintenance and construction of roads.

22
23 Mr. Puff clarified he was not looking for guidance this evening but wanted to initiate
24 conversation on what the long term goals are as regards fiscal and road conditions.

25
26 Selectman Hargreaves stated there needs to be a point of contact for everyone in town to call
27 regarding their road problems. He asked who is responsible for sections of road which have
28 previously been cut up by contractors, pointing out there appears to be no follow up after
29 completion. He stated they need to figure out their priorities i.e. maintenance versus
30 reconstruction and where the money would come from for maintenance. He provided
31 examples where the state maintains their roads in town.

32
33 Selectman McBride stated that any issue with contractors should be addressed. He then
34 talked about the need for changing the materials used for catch basin structures to a concrete
35 mix so that they last longer which would save money in the long run, and Mr. Puff agreed
36 with him when asked for his opinion.

37
38 Referring to Mr. Puff's memo, Selectman Roth stated she was interested in his suggestion
39 regarding a sub-committee as she thought a committee to have ongoing dialog would be
40 helpful. She recommended the Board give serious consideration to a sub committee and
41 suggested DPW representation be included, stating they should report back to the Board
42 with recommendations and there should be dialog between Engineering, DPW and the
43 Board. Selectman Lyons agreed, offering to volunteer for such a sub committee. He
44 suggested they lay down a fiscal parameter now and work at how this would be achieved.

45
46 **MOTION:** by Selectman Lyons

1 *Move that the Board of Selectmen set up a sub committee as recommended by Selectman*
2 *Roth to consist of the DPW Director, the Engineering Director and one member of the*
3 *Board of Selectmen to be appointed by the Chairman, and further that it is the finding of*
4 *the Board of Selectmen that it set as a policy goal to spend \$3.3 million in 2010, \$4 million*
5 *in 2011, \$4.7 million in 2012 and \$5.25 million in 2013 on roads reconstruction and*
6 *maintenance*

7 **SECOND:** Selectman Roth

8
9 **Discussion:**

10 Selectman Lyons suggested allowing Mr. Puff to develop a plan to be reviewed by the
11 Board before discussing how they will find the money for the plan. Selectman McBride
12 stated he could support \$3.3 million for 2010 but could not say he would support \$5.25
13 million in 2013. Selectman Lyons clarified he was not committing anyone to spend the
14 money, but was suggesting a plan be developed as a base from which to start.

15
16 Selectman McBride clarified with Mr. Puff that his figures did not include bridges.

17
18 Selectman Hargreaves expressed his concern that sub committees reporting back to the
19 Board does not take place currently and he could therefore not agree to setting up an
20 additional sub committee. He suggested they hold televised workshops instead and stressed
21 he would not vote on an amount which would commit a future Board to it. In response
22 Selectman Roth stated there is no indication that the motion locks any Board in to these
23 figures. In addition she stated that if the sub committee were to move forward it should
24 ensure that the figures should include money for unforeseeable events. In responding to
25 Selectman Hargreaves' comments regarding reports from sub committees, Selectman Roth
26 suggested that the selectman representative must come back to the Board with a report.
27 Selectman Roth stated it was a step in the right direction. Chairman Barnes stressed any
28 motion taken would not bind this Board or any future Board. Selectman Lyons stated he
29 wanted to provide guidance for Mr. Puff.

30 **VOTE:** 3-2-0 (Selectman Hargreaves and Selectman McBride voted against the motion)

31 **The motion carried.**

32
33 **6. Community Development Director – Depot Project Update**

34 Mr. Donovan provided an introduction and handed over to Mr. Bill Scott, Community
35 Development Director, for further information. Mr. Scott stated he was reporting back to
36 the Board with a status report from the Depot Redevelopment Committee. He then gave a
37 presentation (attached for information) on how the committee would determine a traffic
38 circulation plan, including the phases of the project plan and the schedule. His presentation
39 included a mission statement for the Committee and he covered the scenarios which had
40 been excluded by the Committee as well as the selected conceptual option of a 4-way
41 intersection. Mr. Scott explained this option would open up land for redevelopment and
42 talked about the advantages of this option. He also stated it would be flexible according to
43 needs. He explained the next steps, outlining a schedule of meetings and their purpose, and
44 confirmed he will be sending out information on financing by mid August.

1 Selectman McBride stated he agreed with the concept, but wanted to be on record as being
2 opposed to a 4-way intersection. He stated he was in agreement with the concept of a
3 bypass but he does not agree with this specific one. The Board thanked Mr. Scott for his
4 report.
5

6 **7. Request from LGC to Support Lawsuit Against State on Proposed Article 28-a**

7 Chairman Barnes handed over the chair to Selectman Lyons, stating for the record that he is
8 a retired town employee receiving a pension from the state, therefore would not participate
9 in this discussion. Mr. Donovan provided background on the request, reporting that the
10 Town Manager recommends the Board support it.
11

12 **MOTION:** by Selectman McBride

13 *Move to authorize the Town Manager to continue moving forward in support of the LGC*
14 *in their lawsuit against the state with respect to retirement benefits*

15 **SECOND:** Selectman Roth
16

17 **Discussion:**

18 In response to a query from Selectman Hargreaves, Mr. Donovan reported he was unaware
19 of how many other towns would be joining in support of the LGC's lawsuit against the state.
20 Selectman Hargreaves stated he would not support the request, feeling the town should
21 retain the money set aside for future use.
22

23 **VOTE:** 3-1-0 (Selectman Hargreaves voted against the motion)

24 **The motion carried.**
25

26 **8. Town Manager's Report**

27 Mr. Donovan reported there was a request from the Town Manager looking for guidance
28 from the Board as to whether they would support layoffs. Mr. Donovan clarified the Town
29 Manager's definition of a lay off. Selectman McBride suggested continuing to budget for
30 positions and the Board would decide during the budget process to eliminate or leave
31 positions vacant on a case by case basis.
32

33 Selectman Hargreaves reported he had looked at last year's budget and he will make
34 motions to eliminate two positions but that he would recommend coming up with alternative
35 ways to save money rather than layoffs.
36

37 Selectman Roth attempted to clarify the Town Manager's request, confirming with Mr.
38 Donovan that Town Manager Sistare was asking the Board if they would support him in
39 allowing for layoffs. Chairman Barnes clarified the Board had previously given no specific
40 guidance on this.
41

42 Selectman Hargreaves confirmed he will not support layoffs but will support eliminating
43 positions. Chairman Barnes stressed the positions Selectman Hargreaves wished to eliminate
44 are currently filled, and there followed further discussion to clarify the intent of both
45 Selectman Hargreaves and Mr. Sistare.
46

1 Selectman Lyons gave his support for looking at proposals which will help the town run
2 more efficiently.

3
4 **MOTION:** by Selectman Hargreaves

5 *Move that the Board of Selectmen inform the Town Manager they will support him in*
6 *terminations and layoffs of any position as he feels fit.*

7 **SECOND:** Chairman Barnes

8 Following discussion regarding the wording of the motion, the Board agreed to restate the
9 motion.

10 **Restated MOTION:** by Selectman Lyons

11 *Move that it is the finding of the Board of Selectmen that they are willing to entertain*
12 *ideas from the Town Manager relative to cost savings and more efficient ways that would*
13 *result in a reduction of current head count.*

14 **SECONDED:** Selectman McBride

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

16 **The motion carried unanimously.**

17
18 Mr. Donovan announced the details of National Night Out at the police station. He also
19 announced that Cluff Crossing Bridge has been closed for repairs and DPW has reported
20 that milling work has been completed on the four areas of Rt. 28 which were scheduled for
21 work. He also provided details of the repaving schedule.

22 23 **9. Selectmen Reports/Correspondence**

24 Selectman Roth brought up the Cluff Crossing Road closure signage for discussion, stating
25 her experience of this over the weekend is that it could be dangerous. Selectman McBride
26 agreed that signage should be up prior to a bridge or road being closed to provide prior
27 warning to residents and non residents. He also pointed out it is not clear that businesses are
28 still open and there needs to be detail on the signage regarding what the detour is, for the
29 benefit of both non residents and residents. He asked Chairman Barnes if he would take this
30 matter up as the issue needs to be raised. There followed a discussion on what would be
31 required, with Selectman Hargreaves suggesting signage should be in two languages.

32
33 Selectman Hargreaves reported the first Field Of Dreams concerts had been cancelled due to
34 rain and announced they will continue every Thursday until August 27th.

35
36 Selectman Hargreaves stated he had received a query from a citizen regarding the COPS
37 grants and having checked on line he believed the town had not received the grant. In
38 response, Mr. Donovan clarified the town would be eligible for future rounds of the grant as
39 they come up. Selectman Hargreaves suggested the matter needs to be brought up at a
40 future meeting.

41
42 Selectman Hargreaves confirmed he is waiting for a response to his query on the regulation
43 of police details.

44
45 Referring to his earlier comments, Selectman McBride stated he felt strongly about
46 strengthening the catch basins and he believed utility and sewer manholes should be

1 encircled in cement and the Board should make it a policy. Following a brief discussion the
2 Board agreed this should be added to the agenda of the next meeting.
3

4 **10. Old Business/Table Pending**

5 There was no old business tabled or pending for discussion.
6

7 • **Additions and/or Requests by Public or Board by Vote**

8 Mr. Peter Dingle, 6 Community Street, Salem introduced himself, stating he wished to
9 discuss a letter he had received from the water treatment plant. He expressed his confusion
10 regarding the request in the letter, reading it for the record. There followed a discussion with
11 members of the Board in which Selectman McBride attempted to clarify the intent of the
12 letter. Mr. Dingle raised the issue of provision of water and sewer for the area and there was
13 a discussion in which Selectman McBride explained the Board has supported this in the past
14 but it had been voted down. The Board confirmed that Mr. Dingle need not worry about the
15 letter from the water treatment plan as it was a generic letter and intended for those who
16 polluted the water system.
17

18 **MOTION:** by Selectman Lyons

19 *Move that the Board of Selectmen reaffirm their commitment to bringing water and sewer*
20 *before the second Special Town Meeting if the town receives funding from the Federal*
21 *Stimulus package*

22 **SECOND:** Selectman McBride

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

24 **The motion carried unanimously.**
25

26 • **Upcoming Meetings**

- 27 ○ August 10, 2009
- 28 ○ August 24, 2009
- 29 ○ August 31, 2009
30

31 • **Upcoming Events**

- 32 ○ August 4, 5:00 p.m. – 9:00 p.m., National Night Out, Salem Police Station
- 33 ○ Thursdays until August 27, 2009 at 7:00 p.m., Field of Dreams concerts
34

34 **MOTION:** by Selectman Lyons

35 *Move to adjourn and go into Non-Public Session under RSA 91-A: 3, II (a) personnel*

36 **SECOND:** Selectman McBride

37 Chairman Barnes polled the Board
38

39 **Roth – Yes**

40 **Hargreaves – Yes**

41 **Lyons – Yes**

42 **McBride – Yes**

43 **Barnes – Yes**
44

45 **VOTE:** 5-0-0

46 **The motion carried unanimously.**

1
2 Without further business, the meeting adjourned at 8:51 p.m. and the Board went into Non-
3 Public Session.

4
5 Notes/Minutes Taken by: Sandra Maxwell

6
7 Approved: Board of Selectmen

8
9 Date: August 24, 2009