

1  
2  
3  
4  
5  
6  
7

**MINUTES OF THE  
BOARD OF SELECTMEN**

8  
9  
10

**Interview Session and Regular Meeting of  
August 24, 2009**

11  
12  
13  
14

The Board of Selectmen held a meeting on Monday, August 24, 2009 at Salem Town Hall, 33 Geremonty Drive, Salem, NH.

15  
16  
17  
18  
19  
20  
21

**PRESENT:** Chairman Arthur E. Barnes III, Vice-Chairman Michael J. Lyons, Secretary Elizabeth A. Roth, Selectman Everett P. McBride, Selectman Patrick Hargreaves and Mr. Sistare (Town Manager).

22  
23  
24  
25  
26  
27

**CALL TO ORDER**

28  
29  
30  
31  
32  
33  
34  
35  
36

**Interview Session: Municipal Solid Waste Committee**

Chairman Barnes began by calling the meeting to order at 6:30 p.m. The Board held an interview session in the Conference Room, interviewing the following three candidates for the Municipal Solid Waste Committee.

37  
38  
39  
40  
41  
42  
43

***Mr. William Arivella***

As Mr. Arivella had never applied for a position on any committee before, Chairman Barnes explained the format for the interview. Mr. Arivella provided an opening statement in which he provided some background information on himself with respect to his suitability as a candidate for the Committee. Members of the Board then asked Mr. Arivella some questions.

Chairman Barnes provided current recycling statistics in Salem are below the current average for the state, indicating the purpose of the committee would be to take look at the whole picture and ascertain the best way to institute a program to encourage residents to recycle more as there was potentially considerable savings per year to the town through better recycling. He provided some information on various programs which other towns have implemented. Mr. Arivella offered his opinion on the difficulties in getting people to recycle and he would do his best to help with this. There followed a brief discussion. Chairman Barnes explained the Board's process for announcing their decision and notifying candidates.

44  
45  
46

***Mr. Donald Freeman***

Mr. Freeman provided an opening statement in which he provided some background information on himself with respect to his suitability as a candidate for the Committee. Members of the Board then asked Mr. Freeman questions pertaining to his professional experience and why he had applied for a position on the Committee. The Board also informed Mr. Freeman about what their expectations would be regarding the Committee.

***Mr. Peter Klecan***

Chairman Barnes explained the format for the interview Mr. Klecan provided an opening statement on his commitment to recycling. He explained to the Board he thought Salem should

1 be doing better at recycling and in response to a request from members of the Board for his ideas  
2 Mr. Klecan talked about the approach of other towns in the area. Mr. Klecan then asked some  
3 questions about the Committee and Chairman Barnes provided details on the Committee and  
4 their goals. Chairman Barnes provided current recycling statistics in Salem and there followed a  
5 discussion with Mr. Klecan. Chairman Barnes explained the Board's process for announcing  
6 their decision and notifying candidates.

7  
8 **MOTION:** by Selectman Hargreaves  
9 *Move to appoint Messrs. William Arivella, Donald Freeman and Peter Klecan to the Salem*  
10 *Municipal Solid Waste Committee*

11 **SECOND:** Selectman McBride

12 **VOTE:** 5-0-0

13 **The motion carried unanimously.**

14  
15 **MOTION:** by Selectman Hargreaves

16 *Move to adjourn to the Knightly Room for the Board of Selectmen Regular Meeting*

17 **SECOND:** Selectman McBride

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

19 **The motion carried unanimously.**

20  
21 Chairman Barnes reconvened the meeting to order at 7:00 p.m. He joined the Board in the  
22 Pledge of Allegiance He then opened the public hearing, recessing it again until item 4 on the  
23 agenda. Chairman Barnes introduced the Board and Town staff.

24  
25 Selectman Hargreaves requested through the Chair a moment's silence for Mr. Paul Metcalf,  
26 who had recently passed away. Mr. Metcalf was a long time resident of Salem and a veteran  
27 who had given a lot of service to his community over the years.

28  
29 **1. Meeting Minutes**

30 **MOTION:** by Selectman Roth

31 *Move to approve the Minutes of the Board of Selectmen Regular Meeting held on August*  
32 *3, 2009 as amended*

33 **SECOND:** Selectman McBride

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

35 **The motion carried unanimously.**

36  
37 **MOTION:** by Selectman Roth

38 *Move to approve the Sealed Minutes of the Board of Selectmen Non-Public Session held*  
39 *on August 3, 2009*

40 **SECOND:** Selectman McBride

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

42 **The motion carried unanimously.**

43  
44 **MOTION:** by Selectman Roth

45 *Move to approve the Minutes of the Board of Selectmen Regular Meeting held on August*  
46 *10, 2009*

1       **SECOND:** Selectman McBride

2       **VOTE:** 5-0-0

3       **The motion carried unanimously.**

4  
5       **MOTION:** by Selectman Roth

6       *Move to approve the Sealed Minutes of the Board of Selectmen Non-Public Session held*  
7       *on August 10, 2009*

8       **SECOND:** Selectman McBride

9       **VOTE:** 5-0-0

10       **The motion carried unanimously.**

11  
12    **2. Chairman Comments**

13       Chairman Barnes announced the following appointments to the Municipal Solid Waste  
14       Committee and congratulated the successful candidates:

- 15       ○ Mr. William Arivella
- 16       ○ Mr. Donald Freeman
- 17       ○ Mr. Peter Klecan

18  
19    **3. Conservation Commission Member Vinny Drago - Community Vegetable Gardens**

20       Mr. Drago was not present therefore the Board moved on to the next agenda item.

21  
22    **4. Public Hearing # 2 – Amend SMC 302 – Regulations for Solid Waste Facility**

23       Mr. Sistare introduced the topic, explaining this was the second public hearing regarding a  
24       proposal to implement a disposal fee for video display devices (VDD) and confirmed the  
25       Board can vote on this after 10 days.

26  
27       ***Public input:***

28       Mr. Michael Flathers, 27 Cross St., Salem introduced himself stating he was in favor of the  
29       fee. He talked about the fact that it can take up to three weeks for pickup through a private  
30       company which encouraged people to participate in illegal dumping and he thought being  
31       able to dispose of VDD's at the town transfer station would help reduce this.

32  
33       Mr. William Arivella, 8 Glen Denin Drive, Salem introduced himself stating he supported a  
34       fee but would like to see residents receive their three bulky coupons plus one VDD coupon  
35       which would be free before having to pay for disposal of additional devices.

36  
37       ***Discussion:***

38       Selectman Hargreaves agreed Mr. Arivella's suggestion was a good idea and the town  
39       would make the money up from people who have more than one piece of electronic  
40       equipment for disposal. There followed input from members of the Board, with input from  
41       Mr. Russell, Director of DPW. It was pointed out the cost to the town would be  
42       approximately \$340,000 if they provided the coupons for free. Selectman Roth suggested  
43       there could be a compromise where the town could offer a free coupon in the transition year  
44       which residents would have to pick up from the town hall which would get residents used to  
45       the idea of proper disposal and the future fee. There was further discussion by the Board.  
46       Chairman Barnes clarified when the Board can vote on this.

1 **5. Request to Purchase Town Owned Land – Clay Avenue**

2 Mr. Sistare introduced the topic, stating there was additional information in the Board's  
3 packet from Mr. Puff. Selectman Hargreaves stepped down from the Board for this item.

4  
5 ***Discussion:***

6 Selectman McBride stated that based on the information received from Mr. Russell and Mr.  
7 Puff he did not think the Board should sell the land and he pointed out he wished to follow  
8 the LAIP plan regarding sewer.

9  
10 Selectman Hargreaves, 12 Ridgeview Ave., Salem introduced himself explaining he was  
11 representing family members who abutted the land. He suggested the Board should hear  
12 from the residents who wished to purchase the property.

13  
14 Messrs David Demers and Michael Mazalewski of 12 Wells Ave., Salem distributed a map  
15 of the area to the Board. Mr. Demers explained they were looking to add land to help them  
16 replace their septic system as there is currently nowhere to put a septic system on their  
17 existing lot due to the fact they do not meet the various required setbacks.

18  
19 Selectman McBride explained the Board approves variances all the time for septic  
20 installation and provided some information on the procedures and process. He stated that  
21 installation of one of the new efficient septic systems would probably cost less.

22  
23 Selectman Roth asked Mr. Puff for a more detailed explanation as to why this lot may be  
24 more suitable for a pumping station than other lots owned by the town. Mr. Puff explained  
25 there is a schematic concept of how they would run sewer in the area and until there is a  
26 definitive plan showing the optimal position for a pumping station he would not advocate  
27 selling any land in the area. There followed a discussion regarding how long it might be  
28 before there is a definitive plan and Mr. Puff stated he was suggesting the Board be most  
29 conservative until they understand what the needs are.

30  
31 Selectman McBride again talked about the option of variances, pointing out he will continue  
32 to push water and sewer in this area. He also pointed out to Messrs. Demers and  
33 Mazalewski they could take a petitioned warrant article to Town Meeting. There was a  
34 discussion between the Board, Mr. Puff and Mr. Demers regarding the other options which  
35 were available and Mr. Sistare weighed in on whether a citizen's petition was appropriate  
36 when the Board can make the decision. Mr. Sistare stated he would investigate whether this  
37 would be possible.

38  
39 There was a suggestion that there could be a condition of sale that if sewer were to be put in  
40 by the town then the property would revert back to the town and the homeowners would  
41 abandon their septic system. Mr. Sistare stated he thought this would be easy to do but  
42 would check with counsel. Mr. Sistare clarified what the Board was recommending.  
43 Selectman Roth suggested drafting a lease instead and Mr. Sistare pointed out that a lease of  
44 more than one year required approval at Town Meeting.

1 Selectman Hargreaves stressed that any agreement should pass on to any new owners of the  
2 property. Selectman Hargreaves provided information on the difficulties of installing a  
3 septic system on this lot. Mr. Puff pointed out there would be a transitional period if town  
4 sewer were to be put in whereby the leach field would be non functional and the homeowner  
5 would need their septic system pumped out on a routine basis and that there would be a cost  
6 involved in that. He suggested any agreement should have a clause covering this.

7  
8 **MOTION:** by Selectman Lyons

9 *Move to table any decision on the sale of town land until Town Manager Sistare could*  
10 *investigate the options discussed further*

11 **SECOND:** Selectman McBride

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

13 Selectman Hargreaves again joined the Board and made a request on behalf of the  
14 homeowners that they are informed of the date of the meeting at which a decision will be  
15 taken. Chairman Barnes pointed out this was not a requirement and noted for the record that  
16 the owners of the property are a real estate investment company.

17  
18 **6. Salem Fest – Request to Place Signs in Town’s Right-of-Way**

19 Mr. Sistare introduced the topic, stating there was a letter in the Board’s packet regarding a  
20 request to put up signs advertising Salemfest around town.

21  
22 **MOTION:** by Selectman McBride

23 *Move to authorize Salemfest to place signs in the Town’s rights-of-way to announce the*  
24 *event on September 19 and 20, 2009, at various intersections and locations conditional*  
25 *upon the signs being removed within 5 days after the event.*

26 **SECOND:** Selectman Roth

27 **Discussion:**

28 Selectman Roth clarified with Selectman McBride that he was agreeable with the  
29 participants posting signs immediately.

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

31 **The motion carried unanimously.**

32  
33 Selectman McBride clarified with Mr. Puff that the road work on the Pelham Road Bridge  
34 would not interfere with the event scheduled for the 19<sup>th</sup>.

35  
36 Chairman Barnes suggested rescheduling item 3, Community Vegetable Gardens as Mr. Drago  
37 was not in attendance.

38  
39 **7. Town Manager’s Report**

40 Mr. Sistare asked whether the Board would move ahead with the Solid Waste Committee as  
41 there had not been many applicants. The Board discussed what additional members should  
42 be on the Committee and Selectman Hargreaves volunteered as Selectmen’s representative.  
43 Chairman Barnes stated he would ask the Budget Committee for a representative at their  
44 next meeting and Mr. Sistare confirmed Mr. Russell, Director of DPW would sit on the  
45 committee in an advisory capacity.

1 In response to Mr. Sistare's request to seek approval from the Board to fill a firefighter  
2 position which has arisen due to retirement, Selectman McBride put forward the following  
3 motion.

4  
5 **MOTION:** by Selectman McBride

6 *Move to fill the firefighter vacancy in the Fire Department*

7 **SECOND:** Selectman Roth

8 **VOTE:** 5-0-0

9 **The motion carried unanimously.**

10  
11 Mr. Sistare informed the Board that his staff is completing their work on the 2010 budget  
12 which has a 6% tax impact and the Board should receive their copy of this on Friday.

13  
14 **8. Selectmen Reports/Correspondence**

15 Selectman Roth requested a change to the budget timetable for discussion of the Senior  
16 Service budget as she will be unable to attend on September 3<sup>rd</sup> and the Council on Aging  
17 has requested she be there for the discussion.

18  
19 In response to a query from Selectman McBride, Selectman Lyons stated he would ask the  
20 Housing Authority if they will be including within their budget the cost of installing  
21 generators in all their buildings.

22  
23 Selectman Hargreaves announced there will be a Barber Jam Fest at the Field Of Dreams on  
24 August 26<sup>th</sup> with a rain date of August 27<sup>th</sup>. He requested that a notice be put up in the town  
25 hall. He also announced the details of the Salem Fest 5K walk on September 19, 2009,  
26 requesting that information be displayed at town hall.

27  
28 Selectman Hargreaves raised his concern over the length of time taken to receive responses  
29 to his queries from Mr. Sistare. There followed a discussion with Mr. Sistare regarding the  
30 specific queries which are outstanding.

31  
32 Selectman Hargreaves then asked Mr. Sistare for the following information:

- 33 1. How many people had applied for the prosecutor position?
- 34 2. Why is the town paying for the successful applicant to get up to speed on New  
35 Hampshire law if there were applicants who already had this knowledge and were  
36 more qualified?
- 37 3. What is the salary for the prosecutor? He asked to see their contract of employment.

38  
39 There followed a discussion on Selectman Hargreaves' previous query pertaining to the  
40 outside police detail. Mr. Sistare offered to provide him with a copy of PD contract for  
41 information.

42  
43 In response to Selectman Hargreaves' question about where the Board is in the chain of  
44 command when a member of the Board has passed on a citizen complaint about a town  
45 employee, Chairman Barnes clarified that the Board is not entitled to feedback in these

1 instances as town employees work for the Town Manager. Selectman McBride explained  
2 the process for a citizen filing a formal complaint with the police department.  
3

4 **9. 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 There were none.  
9

10 • **Upcoming Meetings**

- 11 ○ August 31, 2009 – Budget Presentation
- 12 ○ September 3, 2009 – Budget Review
- 13 ○ September 9, 2009 – Budget Review
- 14 ○ September 10, 2009 – Budget Review
- 15 ○ September 14, 2009 – Budget Review
- 16 ○ September 21, 2009
- 17 ○ September 28, 2009

18  
19 • **Upcoming Events**

- 20 ○ September 19 – 20, 2009 Salemfest

21  
22 **MOTION:** by Selectman McBride

23 *Move to adjourn*

24 **SECOND:** Selectman Hargreaves

25 **VOTE:** 5-0-0

26 **The motion carried unanimously.**

27 Without further business, the meeting adjourned at 8:02 p.m.  
28

29 Notes/minutes taken by: Sandra Maxwell

30  
31 Approved: Board of Selectmen

32  
33 Date: September 21, 2009