



1 **SECOND:** Selectman McBride

2 **VOTE:** 5-0-0

3 **The motion carried unanimously.**

4  
5 **2. Chairman Comments**

6 Chairman Barnes reported the first Deliberative Session would take place on February 6,  
7 2010 at 9:00 a.m. in Salem High School.

8  
9 **3. Public Hearing – Receive Reimbursement from NH Department of Safety for 2008 Ice  
10 Storm**

11 Chairman Barnes re-opened the public hearing, handing over to Dr. LaBranche to introduce  
12 the topic. Dr. LaBranche reported the Town had received a letter on December 2, 2009 from  
13 NH Department of Safety/Office of Emergency Management enclosing a check for 12.5% of  
14 the costs of the December 2008 ice storm as the FEMA reimbursement. There was no  
15 public input and Chairman Barnes closed the public hearing.

16  
17 **MOTION:** by Selectman McBride

18 *Move in accordance with RSA 31:95(b) to authorize the acceptance of \$42,632.62 in  
19 reimbursement funds from the Federal Emergency Management Agency as administered  
20 through the NH Department of Safety/Office of Emergency Management for the costs  
21 relating to the December 2008 Ice Storm.*

22 **SECOND:** Selectman Hargreaves

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

24 **The motion carried unanimously.**

25  
26 **4. 2010 Warrant Articles**

27 Dr. LaBranche reported that Ms. Savastano had been able to come up with additional  
28 savings of \$3,686.00 as a result of some recalculations relating to SPAA. Dr. LaBranche  
29 explained that as a result of this, Article 4 should be re-voted by the Board. There was a  
30 discussion between Chairman Barnes and Dr. LaBranche regarding how the SPAA Fact  
31 Finding Report will be presented to the voters at the Deliberative Session.

32 **MOTION:** by Selectman McBride

33 *The Board of Selectmen does hereby move to re-consider Article 4, Fund Salem Public  
34 Administrators Association Fact-Finding Recommendation*

35 **SECOND:** Selectman Lyons

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

37 **The motion carried unanimously.**

38  
39 **MOTION:** by Selectman McBride

40 *The Board of Selectmen does hereby move Article 4, Fund Salem Public Administrators  
41 Association Fact-Finding Recommendation in the amount Fifty Four Thousand, Two  
42 Hundred Sixteen Dollars (\$54,216.00) to the 2010 warrant without recommendation*

43 **SECOND:** Selectman Lyons

44 **VOTE:** 5-0-0

45 **The motion carried unanimously.**

1 Dr. LaBranche updated the Board on the latest information regarding the SRF Loan warrant  
 2 article, reporting that the NH DES has decided to support the Jobs for Main Street Act (as a  
 3 result of TARP funding which remains to be utilized) and this may enable the Town to  
 4 receive 50% forgiveness on the qualified principal balance of the SRF loan should the voters  
 5 decide to support the warrant article. He noted this presents a substantial opportunity for the  
 6 town, and Selectman Lyons clarified what this meant to the town for the benefit of viewers.

#### 7 8 **5. Police Outside Detail – Holiday Parade**

9 Selectman Hargreaves stepped down from the podium to speak as Chairman of the Holiday  
 10 Parade Committee on this agenda item. Dr. LaBranche reminded the Board of the status of  
 11 Selectman Hargreaves' previous questions on the police detail for the Holiday Parade. He  
 12 provided the Board with historical information on how the cost of this police detail was  
 13 usually handled, as outlined by Ms. Savastano in her memo dated December 21, 2009, and  
 14 outlined the options available to the Board at this time with regard to the check from the  
 15 Holiday Parade Committee as previously brought before the Board by Mr. Hargreaves.

#### 16 **Discussion:**

17 Mr. Hargreaves provided the Board with an explanation of how the current situation had  
 18 come about. Selectman McBride suggested the Board not accept the funds. Chairman  
 19 Barnes read a section of the report from Ms. Savastano (memo of December 21, 2009) for  
 20 the benefit of viewers. He then spoke to the Holiday Parade Committee, voicing his  
 21 consternation regarding how this matter had been handled.

#### 22 **MOTION:** by

23 *Move that the Board of Selectmen does hereby instruct the Town Manager to return funds*  
 24 *in the amount of \$1,500 to the Holiday Parade Committee.*

25 **SECOND:** Selectman Roth

#### 26 **Discussion:**

27 Selectman McBride suggested the Committee might wish to put these funds towards the  
 28 2010 Holiday Parade. There followed a discussion between Mr. Hargreaves and Selectman  
 29 Lyons for clarification purposes. Selectman Lyons also clarified with Ms. Savastano the  
 30 current situation regarding the 2010 budget and policy relating to Town funding of outside  
 31 agencies (including the Holiday Parade). Mr. Hargreaves raised the point about receiving  
 32 advance notice regarding the number of officers to be allocated to the Parade, which had  
 33 increased in 2009, and Selectman Lyons suggested he request this information via the Police  
 34 Department as soon as possible to enable the Committee to budget appropriately for 2010.  
 35 Selectman Roth stated she was concerned about the consistency of the Board in deciding  
 36 which non-profit organizations they choose to support, but stated she would vote in favor of  
 37 the motion on the floor. Chairman Barnes clarified that that the action of the Board was  
 38 consistent for 2009. Dr. LaBranche stated he would inform the relevant department heads  
 39 that the Committee would be approaching the Police and Finance departments with a request  
 40 for an estimate for the 2010 Holiday Parade police detail.

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

42 **The motion carried unanimously.**

#### 43 44 **6. Accept Streets**

45 Dr. LaBranche introduced the item, outlining the streets being recommended for acceptance  
 46 of the Board. He pointed out there would be an additional portion of Gulliver Avenue which

1 will remain unaccepted. He also indicated those streets which were not being recommended  
2 at this time.

3  
4 **Gulliver Avenue:**

5 **MOTION:** by Selectman Hargreaves

6 *I move that the Salem Board of Selectmen does hereby accept a portion of Gulliver*  
7 *Avenue. Gulliver Avenue is located off Hunt Street and Shore Drive. Sections to be*  
8 *accept are from Shore Drive to #5 Reid Street with a roadway being approximately 329'*  
9 *(feet) in length and 24' (feet) in width, and another section from Hunt Street to #22*  
10 *Gulliver Avenue with a roadway being approximately 557' (feet) in length and 13' (feet)*  
11 *in with, said portion to be accepted based upon the implied acceptance rule due to*  
12 *sufficient historical evidence of town maintenance having been provided on this road*  
13 *since at least 1995, and further not to accept portion of Gulliver Avenue from #11 - #22.*  
14 *No damages are due to abutting property owners based upon a previous dedication of the*  
15 *way, as such abutters' property has always been subject to public use, and accordingly, no*  
16 *damages would be recoverable in connection with the acceptance.*

17 **SECOND:** Selectman McBride

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

19 **The motion carried unanimously.**

20  
21 **Hoyt Street:**

22 **MOTION:** by Selectman McBride

23 *I move that the Salem Board of Selectmen does hereby accept Hoyt Street based upon the*  
24 *implied acceptance rule due to sufficient historical evidence of town maintenance having*  
25 *been provided on this road since at least 1995. Hoyt Street is located off Shore*  
26 *Drive/Rolfe Street with a right of way being approximately 384' (feet) in length and 18'*  
27 *(feet) in width. No damages are due to abutting property owners based upon a previous*  
28 *dedication of the way, as such abutters' property has always been subject to public use,*  
29 *and accordingly, no damages would be recoverable in connection with the acceptance.*

30 **SECOND:** Selectman Lyons

31 **VOTE:** 5-0-0

32 **The motion carried unanimously.**

33  
34 Chairman Barnes handed over the chair of the meeting to Selectman Lyons temporarily.

35  
36 **Hurney Avenue:**

37 **MOTION:** by Chairman Barnes

38 *I move that the Salem Board of Selectmen does hereby accept Hurney Avenue based upon*  
39 *the implied acceptance rule due to sufficient historical evidence of town maintenance*  
40 *having been provided on this road since at least 1995. Hurney Avenue is located off*  
41 *Cushing Avenue/Rolfe Street with a right of way being approximately 150' (feet) in length*  
42 *and 12' (feet) in width. No damages are due to abutting property owners based upon a*  
43 *previous dedication of the way, as such abutters' property has always been subject to*  
44 *public use, and accordingly, no damages would be recoverable in connection with the*  
45 *acceptance.*

46 **SECOND:** Selectman McBride

1 **Discussion:**

2 Selectman Roth queried the wording of the motion and it was agreed the wording of the  
3 motion should be amended.

4  
5 **MOTION:** by Selectman Roth

6 *Move to amend the motion for Hurney Avenue to add that this acceptance will only apply  
7 to Hurney Avenue from Banks Avenue to the end of 10 Hurney Avenue*

8 **SECOND:** Selectman McBride

9 **VOTE:** 5-0-0

10 **The motion carried unanimously.**

11  
12 Selectman Lyons handed back the chair to Chairman Barnes.

13  
14 **Island Road:**

15 **MOTION:** by Selectman Lyons

16 *I move that the Salem Board of Selectmen does hereby accept Island Road based upon the  
17 implied acceptance rule due to sufficient historical evidence of town maintenance having  
18 been provided on this road since at least 1995. Island Road is located off Shore  
19 Drive/Rolfe Street with a right of way being approximately 780' (feet) in length and 16'  
20 (feet) in width. No damages are due to abutting property owners based upon a previous  
21 dedication of the way, as such abutters' property has always been subject to public use,  
22 and accordingly, no damages would be recoverable in connection with the acceptance.*

23 **SECOND:** Selectman McBride

24 **VOTE:** 5-0-0

25 **The motion carried unanimously.**

26  
27 **James Street:**

28 **MOTION:** by Selectman Roth

29 *I move that the Salem Board of Selectmen does hereby accept a portion of James Street  
30 from Chase Street to Shore Drive, based upon the implied acceptance rule due to  
31 sufficient historical evidence of town maintenance having been provided on this road  
32 since at least 1995. James Street is located off Rolfe Street/Chase Street with a right of  
33 way being approximately 1,926' (feet) in length and 14' (feet) in width. No damages are  
34 due to abutting property owners based upon a previous dedication of the way, as such  
35 abutters' property has always been subject to public use, and accordingly, no damages  
36 would be recoverable in connection with the acceptance.*

37 **SECOND:** Selectman McBride

38 **VOTE:** 5-0-0

39 **The motion carried unanimously.**

40  
41 **Discussion:**

42 Selectman Hargreaves suggested increasing the number of streets being accepted each week  
43 and following a brief discussion the Board agreed to leave the schedule of acceptance  
44 unchanged.

1 **7. Town Manager's Report**

2 **a) LGC**

3 Dr. LaBranche provided a status report on a matter relating to LGC and their possible  
4 misuse of health insurance trust fund operations as previously raised by Selectman  
5 Hargreaves.

6  
7 **b) Town Generators**

8 Dr. LaBranche provided the Board with an update on the bids and contract for the  
9 generators for the Senior Center and Wheeler Dam. As requested by Selectman  
10 McBride, Dr. LaBranche agreed to check on the fuel type to be used for the generators  
11 and report back to the Board.

12  
13 **c) Beede Site**

14 Dr. LaBranche provided the Board with an update on the settlement payment date, stating  
15 payment by the town will be due on or before February 22, 2010.

16  
17 **d) Stimulus Money**

18 Dr. LaBranche reported DOT officials have requested a meeting with staff to discuss  
19 expansion on both the north and south bound I-93 projects which he stated would present  
20 an opportunity to include work on Brookdale Road.

21  
22 **e) Public Announcement**

23 Dr. LaBranche announced an H1N1 vaccination clinic will take place on Saturday,  
24 January 9, 2010 from 11:00 a.m. to 2:00 p.m. at Salem High School and noted they were  
25 looking for volunteers to assist.

26  
27 Dr. LaBranche requested a Non-Public Session after the meeting to deal with a matter which  
28 had arisen pertaining to a resident.

29  
30 **8. Selectmen Reports/Correspondence**

31 Selectman Roth challenged the citizens to become proactive on the matter of tolls on I-93  
32 near Salem. She stated this was a matter of great concern to Salem and asked members of  
33 the Press to keep the topic at the forefront of the local news. She also encouraged citizens to  
34 review the tape of the meeting organized by Transportation Commissioner Campbell. She  
35 talked about the impact the tolls would have on the Salem community and options available  
36 to the state instead of toll booths.

37  
38 Selectman Roth also announced for the attention of the citizens a public hearing scheduled  
39 for January 14, 2010 on HB1246 (property tax exemptions for certain Windham and Salem  
40 residents). She stated she felt the bill needed to be crafted differently. She encouraged  
41 citizens to make the Board aware of any concerns they might have on the topics she had  
42 brought up.

43  
44 Selectman McBride provided input on HB1246, suggesting it needs to be defeated.  
45

1 Selectman Hargreaves provided an update on the results of the recycling checks at the  
2 transfer station. He announced the Solid Waste Committee would be meeting on Tuesday,  
3 January 5, 2010 and stated recycling has increased and the town is saving money.  
4

5 At the request of Selectman Hargreaves, Dr. LaBranche agreed to obtain a status report on  
6 CART/transit program.  
7

8 Selectman Hargreaves announced details of the next meeting of the Holiday Parade  
9 Committee and put out a call for help and donations.  
10

11 Chairman Barnes clarified what his comments had been to the Press regarding the tolls on  
12 I-93.  
13

14 Dr. LaBranche reported back to the Board on a previous question raised by Selectman  
15 Hargreaves on multi year contracts for Fire and Police.  
16

## 17 **9. Old Business Tables/Pending**

18 There was none.  
19

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

21 Representative Bettencourt, 12 Peggy Lane, Salem introduced himself and responded to  
22 Selectman Roth's comments, and an article in the Union Leader, regarding the meeting  
23 called by the Transportation Commissioner on tolls for I-93. He explained the state  
24 representatives had never received an invitation to the meeting. He went on to talk about the  
25 work done in support of Salem by the House Delegation in the legislature, providing  
26 examples. Referring to the I-93 tolls he suggested the Board draft a letter to Governor  
27 Lynch strongly outlining their opposition to these. He also urged business leaders and  
28 citizens to do the same, and to inform the Governor how tolls on I-93 would negatively  
29 affect their life. Representative Bettencourt indicated that the Representatives had not yet  
30 begun to fight on this issue, but assured the Board they would, stating he looked forward to  
31 working with them to come up with a plan to ensure the tolls do not happen.  
32

33 Members of the Board responded, indicating their intent to respond on this issue to the  
34 Governor and other members of the legislature.  
35

36 Ms. Carver, 10 Wells Avenue introduced herself and raised the matter of a town lot abutting  
37 her property which D & M Demers Real Estate Investments LLC had come before the Board  
38 with a request to purchase. Chairman Barnes provided her with a status report, stating the  
39 Board had not yet taken a decision on the matter and that further public hearings would take  
40 place. In response to her query about being informed on future hearings on this issue,  
41 Chairman Barnes suggested she approach the Town Manager to obtain this information.  
42 Ms. Carver informed the Board of the impact development of this site would have on her  
43 own property and expressed her concern regarding this. There followed a discussion with  
44 members of the Board providing input.

1 Selectman Hargreaves acknowledged Boy Scouts who were attending the meeting as part of  
2 their Citizens of the Community badge, who introduced themselves as Messrs. Burnham and  
3 LaBranche of Troup 249.

4  
5 • **Upcoming Meetings**

- 6 ○ January 11, 2010 (Public Hearing – 2010 Bond Article)
- 7 ○ January 25, 2010
- 8 ○ February 1, 2010
- 9 ○ February 6, 2010 (First Deliberative Session)
- 10 ○ February 8, 2010
- 11 ○ February 22, 2010

12  
13 • **Upcoming Events**

14 As mentioned above.

15  
16 **ADJOURN**

17 **MOTION:** by

18 *Move to adjourn to Non-Public Session under RSA 91-A:3,II(c)*

19 **SECOND:** Selectman Hargreaves

20 Chairman Barnes polled the Board:

21 Selectman Hargreaves – yes

22 Selectman McBride – yes

23 Selectman Lyons – yes

24 Selectman Roth – yes

25 Chairman Barnes - yes

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

27 **The motion carried unanimously.**

28  
29 There being no further business the meeting adjourned and the Board moved to Non-Public  
30 Session at 8:29 p.m.

31  
32  
33  
34  
35 Minutes transcribed by: *Sandra Maxwell*

36  
37 Approved: *Board of Selectmen*

38  
39 Date: January 25, 2010