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**MINUTES OF THE
BOARD OF SELECTMEN**

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**Regular Meeting of
February 8, 2010**

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The Board of Selectmen held a meeting on Monday, February 08, 2010 at Salem Town Hall, 33 Geremonty Drive, Salem, NH.

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

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CALL TO ORDER

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Chairman Barnes began by calling the meeting to order at 7:00 p.m. He began with the Pledge of Allegiance and introduced members of the Board and Town staff. He then opened the public hearing and moved to agenda item 3.

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1. Public Hearing – Accept Reimbursement Funds from State of NH for Engineering Design of Pelham Road & Cluff Crossing Road Bridge

Dr. LaBranche introduced the item, stating the town had received a check from state as reimbursement for the money which was spent on the design of Pelham Road and Cluff Crossing Road Bridge, and it is necessary to hold a public hearing to accept the funds in accordance with state statute. He stressed the check was for money the town has already spent. There was no public input.

MOTION: by Selectman McBride

Move in accordance with RSA 31:95(b) to authorize the acceptance of \$126,070.40 in reimbursement funds from the State of New Hampshire for the costs relating to the engineering design of the Pelham Road and Cluff Crossing Road Bridge.

SECOND: Selectman Hargreaves

VOTE: 4-0-0

The motion carried unanimously.

Selectman Roth joined the meeting at 7:02 p.m.

2. Chairman Comments

Chairman Barnes had no comments at this time.

3. Meeting Minutes

MOTION: by Selectman Roth

Move to accept the minutes of the Board of Selectmen Regular Meeting on January 25, 2010

SECOND: Selectman McBride

VOTE: 5-0-0

The motion carried unanimously.

1 Selectman Roth informed the Board there were two sets of minutes in the Board's mailboxes
2 for review prior to the next meeting.

3
4 **4. Public Hearing – David Demers - Request to Purchase Town-Owned Land**

5 Dr. LaBranche introduced the item, explaining this is the first of two public hearings
6 regarding the possible sale of town owned land at 13 Clay Avenue. He informed the Board
7 the second hearing is scheduled for February 22nd with a vote to be taken no earlier than
8 March 2nd. Chairman Barnes asked that the record show that Selectman Hargreaves will not
9 be participating in any discussion or voting on this matter.

10
11 ***Public Input:***

12 Mrs. M. Carver, 10 Wells Avenue stated she is not in favor of the sale of this land and urged
13 the Board not to sell it. She talked about the residents in the area not previously having an
14 understanding of what Mr. Demers' intentions were for the land. She pointed out Mr.
15 Demers now has a hardship situation regarding the septic system of his own creation, and
16 talked about the height of any building he could put on the land, and about what she
17 perceived as his deception.

18
19 Mr. T. Hargreaves, 15 Wells Avenue, stated he would like to see the town keep the land for
20 a future pump installation.

21
22 Ms. V. Manning, 11 Riverdale Avenue also spoke in support of a pump station. He
23 enquired of the Board whether the existing shed on the property would remain.

24
25 Mr. Carver, 10 Wells Avenue concurred the best use of the land was for a pump station.

26
27 Mr. D. Demers hand out a map of the area showing the lot he wished to buy to members of
28 the Board and Town Manager. He confirmed he is looking to purchase lot 2046 and pointed
29 out that the people attending the meeting were not abutters to this lot. He also referred to his
30 existing rental property (lot 2047) and talked about how he kept his properties in good
31 condition and is a good landlord. He confirmed he has offered to buy lot 2046 with a deed
32 which town counsel could prepare, stating he would be the first to sign up for town sewer if
33 it were made available. He also pointed to other land on the map owned by the town which
34 the town could use as an alternative for a pump station. Mr. Demers also talked about
35 alternatives such as an air fed sewer system on the existing lot, stressing this works on
36 electricity and would pose a problem if power was out for any length of time. He also
37 pointed out the sale of the land would be income for the town.

38
39 Chairman Barnes clarified there will be another public hearing on February 22nd. Selectman
40 Roth requested the Board be provided with the minutes of the Zoning Board meeting where
41 this matter had been discussed in time for the next public hearing.

42
43 Selectman McBride requested that Dr. LaBranche check out the matter mentioned by Mrs.
44 Carver regarding deed restrictions to ascertain whether these would be null and void if the
45 land were resold. There being no further input Chairman Barnes declared the public hearing
46 closed at 7:16 p.m.

1 **5. Receive and Vote on Petition Articles**

2 Dr. LaBranche introduced the item, explaining for the Board that the petitioners for all 16
3 petition articles to be considered by the Board were present to speak on behalf of their
4 petition and to answer any questions the Board might have prior to them voting to forward
5 each article to the next Deliberative Session with or without recommendation.
6

7 ***Article 15 – Expendable Trust Fund – Library Employee Separation (\$20,000)***

8 Ms. M. Green, 270 Main Street and Chairman of the Library Board of Trustees read the
9 article for the record and provided background information on the article. Responding to a
10 query from Selectman McBride regarding how much had been available the previous year,
11 Ms. Green stated she thought it had been around \$14,000.
12

13 **MOTION:** by Selectman McBride (with recommendation)

14 ***To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars***
15 ***(\$20,000), to be placed in the Kelley Library Employment Separation Benefits Expendable***
16 ***Trust Fund previously established for the purpose of funding the buy-out of library***
17 ***employee benefits upon separation of employment, and to authorize the transfer of the***
18 ***December 31, 2009 General Fund Unreserved Fund Balance in that amount for this***
19 ***purpose.***

20 **SECOND:** Selectman Lyons

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

22 **The motion carried unanimously.**
23

24 ***Article 43 – To Create a Library Building Capital Reserve Fund (\$40,000)***

25 In response to query from Selectman Lyons Ms. Green explained the library building is in
26 need of a new roof and the fund would be for capital projects for improvement and
27 maintenance of the library building.

28 **MOTION:** by Selectman McBride (with recommendation)

29 ***To see if the Town will vote to create a Capital Reserve Fund under the provisions of RSA***
30 ***35:1, to be known as the Kelley Library Building Capital Reserve Fund for the purpose of***
31 ***funding capital improvements to the building, to raise and appropriate the sum of Forty***
32 ***Thousand Dollars (\$40,000) from the December 31, 2009 General Fund Unreserved***
33 ***Fund Balance be placed in this fund, and to designate the Library Trustees as agents to***
34 ***expend.***

35 **SECOND:** Selectman Lyons

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

37 **The motion carried unanimously.**
38

39 ***Article 46 - Reconstruction of Sunset Road (\$66,000)***

40 Mr. J. Cook, 18 Sunset Road explained this is the only road in the area which has not been
41 reconstructed. He stated the end of the road is in poor condition, and he has repaired it
42 himself in the past. He also stated he had obtained an estimate of the cost from the Town
43 Engineering Department. Selectman McBride sought clarification of the location of the road
44 in question and explained other roads in the area were done as part of water and sewer
45 projects. He suggested Mr. Cook take the matter up at town meeting and explained the
46 process for obtaining support for his petition at Town Meeting. Selectmen McBride and

1 Roth asked Dr. LaBranche to find out when this road is due for reconstruction as part of the
2 Road Program. Dr. LaBranche explained the process further. He also confirmed for
3 Chairman Barnes that Sunset is currently not an accepted road but probably would be in
4 time for the Town Meeting. Selectman Lyons talked about the 10 year plan the Road
5 Program Committee is currently working on and stated this plan will be presented to the
6 Board after Town Meeting. Both Selectmen Lyons and McBride stated they would vote
7 against recommending this article and provided their reasons. The Board explained there
8 needs to be a methodical approach to the road program in town.

9 **MOTION:** by Selectman Lyons (without recommendation)

10 *To see if the Town will vote to raise and appropriate the sum of Sixty Six Thousand*
11 *Dollars (\$66,000) for the purpose of reconstructing Sunset Road*

12 **SECOND:** Selectman McBride

13 **VOTE:** 5-0-0

14 **The motion carried unanimously.**

15
16 **Article 47 - Historic Preservation Consultant (\$4,000)**

17 Dr. LaBranche handed over to Ms. B. Glynn of 321 North Main Street who provided
18 background information on this petition warrant. She explained she is asking for \$4,000 for
19 the remaining town buildings to be placed on the state Registry of Historic Places and that it
20 may be possible to have the Old Town Hall place on the national registry if there is
21 sufficient funds. Selectman McBride clarified with Ms. Glynn that she had under spent
22 money from last year, and Dr. LaBranche clarified the end of year closing had taken place
23 before the article came in, and therefore the Town will need to raise \$4,000 for this as the
24 money left over from last year is technically in the Unreserved Fund.

25 **MOTION:** by Selectman Roth (with recommendation)

26 *To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars*
27 *(\$4,000.00) for the purpose of hiring an historic preservation consultant to prepare*
28 *necessary documentation for listing Town-owned buildings and sites to include Hose*
29 *House #2, Cemetery, School House #5 and Alice Hall Memorial Library on the State*
30 *Register of Historic Places and any of these of these buildings and sites which qualify and*
31 *the Old Town Hall on the National Register of Historic Places*

32 **SECOND:** Selectman McBride

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

34 **The motion carried unanimously.**

35
36 Selectman Hargreaves stated he would step down for Article 48 as he is the chairman of the
37 Holiday Parade Committee.

38
39 **Article 48 – Fund Police Details for the 2010 Holiday Parade (\$4,000)**

40 Ms. D. Paquette, 58 Pelham Road presented the petition, stressing that without a police
41 detail at the parade it cannot take place. She went on to talk about the importance of the
42 parade in the town. Selectman Lyons clarified with Selectman Hargreaves the historical
43 background behind the petition article explaining this amount will cover the complete detail
44 based on the bill from 2009. Selectman Lyons requested the Committee obtain a formal
45 estimate from the Police Department.

46 **MOTION:** by Selectman Lyons (with recommendation)

1 *To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars*
2 *(\$4,000.00) for the purpose of funding the Salem Police Detail Costs associated with the*
3 *production of the 2010 Salem Holiday Parade. The Salem Holiday parade is funded*
4 *primarily through donated funds and this cost item creates a hardship for the parade*
5 *committee to raise, yet the services it pays for provide for a safe organization and travel of*
6 *the Salem Holiday Parade and serve to further protect the spectators of the parade as well*
7 *as the participants. This line item was recently removed form the budget; however by*
8 *doing so it has put undo pressure upon the Holiday Parade committee to seek donated*
9 *funds to cover this cost. In this economic climate it is believed that seeking donations will*
10 *be difficult enough to cover the operation of the Holiday Parade and this contribution by*
11 *the voters will cause the parade to continue to be a memory filled and enjoyable*
12 *community event for all. Failure to pass this article and fund this cost for the parade*
13 *could significantly affect the ability to operate the Salem Holiday Parade which has*
14 *evolved into a well loved community event.*

15 **SECOND:** Selectman McBride

16 **Discussion:**

17 Selectman Roth voiced concerns regarding what the Board's position is on non profit
18 organizations, stating she was confused as to how the Board can choose between these
19 organizations to move some with recommendation and others without recommendation.
20 Chairman Barnes explained his personal position, stating he does not think support of non
21 profits should be paid from property taxes. Selectman McBride suggested the organizations
22 could raise money through Texas Holdems. Ms. Paquette responded, stating she was aware
23 of some difficulties in setting this up. There was further discussion with Selectman Lyons
24 stating he feels this is something which the town can provide as only the town can provide
25 the service and it is responsible for the safety of residents.

26 **VOTE:** 3-1-0 (Chairman Barnes opposed)

27 **The motion carried.**

28
29 **Article 49 – Fund Outside Human Service Agencies (\$92,250)**

30 Dr. LaBranche explained that nine outside agencies had collectively presented one large
31 petition provided through Mr. Richard O'Shaughnessy. Selectman Roth stepped down from
32 the Board as she is on the board of one of the agencies being presented in the petition.
33 Mr. M. Bryant, Treasurer of Greater Salem Caregivers (GSC) presented the petition, talking
34 about how the downturn in the economy is affecting the amount of money agencies are
35 receiving. He stated the vast majority of these agencies do preventative work and if
36 assistance is not there, it has a greater impact on the town. Selectman McBride stated he
37 would vote against recommending this petition as it is for a larger amount than was
38 previously in the budget. He again asked about money raised by Texas Holdems and
39 explained he was hard pressed to support this as the GSC has generated substantial money
40 on their own. He also talked about how the town is receiving less assistance from the state.

41
42 Chairman Barnes encouraged people to speak on behalf of their cause. Dr. LaBranche asked
43 for clarification from the Board regarding how they wanted to proceed in handling this and
44 the separate articles. Selectman Hargreaves questioned why there were organizations
45 included in this article that had not originally made a request for assistance in the budget.
46

1 Ms. E. Roth, 103 Corinthian Drive, spoke from the floor, talking about the 'clout' of the
2 Board. She suggested passing all these articles on to voters with recommendation and
3 letting the voters make their own decision. She pointed out if the Board passes articles
4 'without recommendation' it gives the impression it is not in favor of the article because the
5 town cannot afford it.

6
7 Selectman Lyons initiated a discussion on the voting options before the Board. Selectman
8 Hargreaves clarified what the Board's vote means procedurally with Dr. LaBranche.
9 Selectman Hargreaves stated he had some queries about some of the articles.

10 **MOTION:** by Selectman McBride (without recommendation)

11 *To see if the Town will vote to raise and appropriate the sum of Ninety Two Thousand*
12 *Two Hundred Fifty Dollars (\$92,250.00) for the purpose of funding the following Outside*
13 *Human Service Agencies:*

14 *Meals on Wheels (\$9,250), Rockingham VNA/Hospice (\$4,000), Rockingham Community*
15 *Action (\$22,000), A Safe Place (\$2,000), Big Brother/Big Sister of Nashua (\$15,000),*
16 *Bridges (\$1,000), Community Health services (\$16,000), Salem Family Resources*
17 *(\$4,000), Greater Salem Caregivers (\$15,000).*

18 **SECOND:** Selectman Lyons

19 Selectman Hargreaves pointed out that the agencies and amounts within the large article are
20 not consistent with what had previously been in the operating budget.

21 **VOTE:** 3-1-0 (Selectman Hargreaves opposed)

22 **The motion carried.**

23
24 Chairman Barnes recessed the meeting at 8:17 p.m., calling the meeting to order at 8:24 p.m.
25 He explained the Board would like to hear from Rockingham VNA and Hospice as this
26 organization had not presented a separate petition article.

27
28 Ms. K. Garrett, Community Relations for Rockingham VNA and Hospice explained they
29 were requesting \$4,000 to help cover costs not reimbursed by Medicare for Medicare
30 mandated volunteers. She further explained her organization is working for more challenges
31 than before and more people are without health insurance.

32
33 **Article 50 – Fund Big Brothers Big Sisters of Greater Salem (\$15,000)**

34 Mr. R. Prunier, President of the Board of Big Brothers Big Sisters of Greater Salem
35 presented the petition, explaining his organization does not participate in Texas Holdems.
36 He explained it provides early preventative action to keep children off drugs. Dr.
37 LaBranche clarified that this organization has also presented a separate article. Responding
38 to a query from Selectman Hargreaves, Mr. Prunier stated his organization has matched 17
39 children in Salem and there are currently ten in the queue as they are looking for mentors.
40 He also clarified the amount being requested. Selectman Hargreaves queried what would
41 happen to this article if the group article passed at Town Meeting, and Mr. Prunier
42 responded that he would adhere to the will of Town Meeting. He also provided the total
43 operating costs of the organization in response to a query from Selectman McBride.

1 **Article 51 - Fund Disaster Relief (\$5,000)**

2 Ms. R. Justice presented the petition for the American Red Cross, and explained what the
3 organization has done in the community in the last year. Selectman Lyons confirmed the
4 Red Cross Disaster Relief is part of the first responders in an emergency.

5 **MOTION:** by Selectman Lyons (with recommendation)

6 ***To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars***
7 ***(\$5,000.00) for the purpose of funding the Disaster Relief***

8 **SECOND:** Selectman McBride

9 Responding to a suggestion by Selectman Hargreaves, Dr. LaBranche confirmed he would
10 arrange for the Red Cross's name to be included in the title of the article for clarification
11 purposes.

12 **VOTE:** 4-1-0 (Chairman Barnes opposed the motion)

13 **The motion carried.**

14
15 Selectman Roth requested the Board go back to Article 50 to dispense with this item:

16 **MOTION:** by Selectman Hargreaves (with recommendation)

17 ***To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars***
18 ***(\$15,000.00) for the purpose of providing funding to the Big Brothers Big Sisters of***
19 ***Greater Salem one-to-one mentoring for children.***

20 **SECOND:** Selectman Roth

21 **VOTE:** 2-3-0 (Selectmen Roth and Hargreaves voted for the motion)

22 **The motion carried.**

23
24 **Article 52 - Fund A Safe Place (\$7,000)**

25 Ms. M. Silvestro of Seacoast Task Force on Family Violence (A Safe Place) explained what
26 the organization does, stating that their services are free and has served 52 residents in
27 Salem in 2009. She introduced Ms. E. Clarke who provided information about the services
28 the organization provides to residents such as assistance with court appearances, teen
29 violence, material assistance and emotional support. Responding to a query from Selectman
30 Hargreaves Ms. Sevestro explained there has been an increase of 42% in domestic violence
31 and an increase in requests for assistance in general which accounts for part of the difference
32 in the amount being requested between the two petitions. There was further discussion
33 regarding the organization's area of service and that the salaries are direct program costs.

34 **MOTION:** by Selectman Hargreaves (with recommendation)

35 ***To see if the Town will vote to raise and appropriate the sum of Seven Thousand Dollars***
36 ***(\$7,000.00) for the purpose of providing continued support for the Local Domestic***
37 ***Violence Crisis Center - A Safe Place***

38 **SECOND:** Selectman Roth

39 **VOTE:** 2-3-0 (Selectmen Hargreaves and Roth voted for the motion)

40 **The motion failed.**

41
42 **Article 53 - Funding Greater Derry Community Health Services Inc. (\$20,000)**

43 Ms. D. Tighe, Executive Director talked about the amount of services provided to Salem
44 which cover pharmaceutical supplies. She explained salary expenses are funded by
45 Parkland Medical Center. Responding to a query from Selectman McBride relating to the
46 different amounts being requested in the two petition articles, it was explained the group

1 article was for level funding. There followed a brief discussion between Selectman
2 Hargreaves and Dr. LaBranche regarding what would happen if both the group and
3 individual articles were passed at Town Meeting.

4 **MOTION:** by Selectman Hargreaves (with recommendation)

5 *To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars*
6 *(\$20,000.00) for the purpose of funding for Greater Derry Community Health Service ,*
7 *Inc. (CHS)*

8 **SECOND:** Selectman Roth

9 **VOTE:** 2-3-0 (Selectmen Hargreaves and Roth voted for the motion)

10 **The motion failed.**

11
12 **Article 54 - Funding for the Greater Salem Caregivers (\$15,000)**

13 Mr. M. Bryant presented the petition, explaining that the organization ran as insolvent for
14 the previous two years, and that Texas Holdem keeps them afloat. There was discussion
15 following queries from Selectmen McBride and Hargreaves.

16 **MOTION:** by Selectman Hargreaves (with recommendation)

17 *To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand Dollars*
18 *(\$15,000.00) for the purpose of restoring funding for the Greater Salem Caregivers at the*
19 *same level as 2008 in the budget of the Human Services Department.*

20 **SECOND:** Selectman Roth

21 **VOTE:** 2-3-0 (Selectmen Hargreaves and Roth voted for the motion)

22 **The motion failed.**

23
24 **Article 55 – Rockingham Nutrition & Meals on Wheels Program (\$10,175)**

25 Ms. J. Chagnon presented the petition, stating 402 residents of Salem are being serviced by
26 the program. She also explained the program obtains 70% from the federal government but
27 this is a match program and does not cover everything they have to raise. Selectman
28 McBride pointed out most money received goes to the program. Ms. Chagnon confirmed
29 for Selectman Lyons that 30% of matching funds has to be raised locally but it is not
30 specified where the money should come from. She also explained they are not allowed to
31 charge but they can receive donations.

32 **MOTION:** by Selectman Hargreaves (with recommendation)

33 *To see if the Town will vote to raise and appropriate the sum of Ten Thousand One*
34 *Hundred Seventy Five Dollars (\$10,175) to support Rockingham Nutrition & Meals on*
35 *Wheels Program's service providing meals for older, homebound and disabled Salem*
36 *residents in the Town's 2010 Budget.*

37 **SECOND:** Selectman McBride

38 **VOTE:** 4-1-0 (Chairman Barnes opposed the motion)

39 **The motion carried.**

40
41 **Article 56 – Salem Family Resources (\$3,500)**

42 Ms. C. Jury, 6 Meadow Lane presented the petition. She provided figures on the
43 organization's current budget, and talked about services it provides. She stated it charges
44 minimal fees and services are preventative, providing help for special education students.
45 Selectman Roth stated she would be abstaining from voting as she is on the board of the
46 organization.

1 **MOTION:** by Selectman Hargreaves (with recommendation)

2 *To see if the Town will vote to raise and appropriate the sum of Three Thousand Five*
3 *Hundred Dollars (\$3,500.00) for the purpose of operating support for Salem Family*
4 *Resources to continue programming such as: Parenting & Play Groups, Grandparents as*
5 *Parents support group, Parenting Resource Library and other parenting education events.*

6 **SECOND:** Selectman McBride

7 **VOTE:** 1-3-1 (Selectman Hargreaves for and Selectman Roth abstained)

8 **The motion failed.**

9
10 **Article 57 – Rockingham Community Action Inc. (\$22,390)**

11 Ms. D. Jarrell presented the petition, explaining the services the organization provides,
12 stating it works hand in hand with the town's welfare office and they have reduced their
13 budget.

14 **MOTION:** by Selectman Hargreaves (with recommendation)

15 *To see if the Town will vote to raise and appropriate the sum of Twenty Two Thousand*
16 *Three Hundred Ninety Dollars (\$22,390.00) for the purpose of providing financial*
17 *assistance, budgeting, education and support to the residents of Salem who are in Crisis,*
18 *move toward self sufficiency.*

19 **SECOND:** Selectman Roth

20 **VOTE:** 3-2-0 (Chairman Barnes and Selectman Lyons opposed the motion)

21 **The motion carried.**

22
23 **Article 58 – Request to forward a resolution to the State (\$0)**

24 Dr. LaBranche explained this petition does not require an official vote of the Board.

25 **MOTION:** by Selectman Hargreaves

26 *The Board of Selectmen does hereby move to receive the following warrant by petition as*
27 *written:*

28 *To see if the Town will vote to approve the following resolution to be forwarded to our*
29 *State Representatives, our State Senator, the Speaker of the House, and the Senate*
30 *President. Resolved: The citizens of New Hampshire should be allowed to vote on an*
31 *amendment to New Hampshire Constitution that defines "marriage"*

32 **SECOND:** Selectman McBride

33 **VOTE:** 4-1-0 (Selectman Roth voted against the motion)

34 **The motion carried.**

35
36 Dr. LaBranche brought the Board's attention to the fact that The Friends Retired Senior and
37 Volunteer Program (RSVP) did not provide a separate petition article.

38
39 **Article 59 – Salem Youth Baseball – Lights at Michele Park (\$7,000)**

40 Mr. S. Stewart, 14 Ballard Lane, and Chairman of Salem Youth Baseball handed out a list of
41 projects completed to date. He requested funding be reinstated, and explained the funding in
42 the past 25 years which had been used to improve facilities. Responding to a query from
43 Selectman McBride, he explained maintenance is done through a combination of the town
44 and the league's normal budget. He also provided specific information on what fields they
45 maintain and confirmed the project at Michele Park is complete. Mr. Stewart talked about

1 fund raising attempts but stated there will be a shortfall. He also talked about what children
2 and families are charged to participate in the program.

3 **MOTION:** by Selectman Hargreaves (with recommendation)

4 *To see if the Town will raise and appropriate the sum of \$7,000.00 for the purpose of*
5 *installing lights on the Michele Park 90' diamond. Salem Youth Baseball has committed*
6 *\$123,000 to this \$130,000 project and was relying on the Town's usual support of \$7,000*
7 *annually to fully fund the project's cost. The Town cancelled the annual support after the*
8 *project was started.*

9 **SECOND:** Selectman McBride

10 Selectman Lyons spoke

11 **VOTE:** 3-2-0 (Selectman Lyons and Chairman Barnes voted against the motion)

12 **The motion carried.**

13
14 Chairman Barnes recessed the meeting at 9:24 p.m., calling it to order again at 9:35 p.m.

15
16 **6. Review/Amend Board of Selectmen Second Session Warrant Articles**

17 Ms. Savastano explained she wished to offer an amendment to Article 19 for the DPW
18 trucks. She reported she had obtained a more recent proposal. She also stated that DPW ran
19 into difficulty this year with buying the accessories for their trucks and she proposed some
20 of the smaller items be moved to the tax rate, and therefore can offer a decrease of \$1,063.

21
22 **Article #19 – Four DPW Trucks – 5-Year Lease Purchase Option**

23 **MOTION:** by Selectman McBride (with recommendation)

24 *Move to decrease the appropriation of Article 19, Four DPW Trucks, 5-year lease option,*
25 *by \$1,063 for a new amount of \$42,594 with recommendation, to now read:*

26
27 *To see if the town will vote to authorize the Board of Selectmen to enter into a five-year*
28 *lease agreement for \$151,595.00 for the purpose of purchasing four new Trucks for the*
29 *Department of Public Works and to raise and appropriate the sum of Thirty-Two*
30 *Thousand Eight Hundred Ninety - Four Dollars (\$32,894) for the first year's payment for*
31 *that purpose and further to raise and appropriate an additional amount of Nine Thousand*
32 *Seven Hundred Dollars (\$9,700.00) for the purchase of additional equipment for a total*
33 *appropriation of \$42,594.00. This lease agreement contains an "escape clause".*

34 **SECOND:** Selectman Hargreaves

35 **VOTE:** 5-0-0

36 **The motion carried unanimously.**

37
38 **Article 22 – 2010 Roadway Improvement Program**

39 Mr. Puff explained the cost of this article has increased by \$92,300, which is reflective of
40 the final design and engineering estimate. He confirmed they currently are out to bid on this
41 work, and clarified that approximately \$105,000 of the money is for new additions to the
42 project such as the stipulation that the majority of the work be done at night, additional
43 police detail and the solar blinking red beacon. Selectman McBride queried the \$92,300,
44 stating he would move the article and not the amendment as the amount was incorrect.
45 Selectman Hargreaves clarified the solar blinking light would work. The correct amount of
46 the increase was provided.

1 **MOTION:** by Selectman McBride (with recommendation)

2 *Move to increase the appropriation of Article 22, 2010 Roadway Improvement Program,*
3 *by \$107,000 for a new amount of \$2,307,000 with recommendation, to now read:*

4
5 *To see if the Town will vote to raise and appropriate the sum of Two Million Three*
6 *Hundred Seven Thousand Dollars (\$2,307,000.00) for the purpose of repair and/or*
7 *reconstruction of existing roads and associated drainage improvements and water main*
8 *relocation on Cluff Road, and to authorize \$2,200,000 be placed in the Roadway Capital*
9 *Reserve Fund previously established for reconstructing/resurfacing roads and further to*
10 *authorize the use of \$107,000 from the Water Unreserved Fund Balance and to authorize*
11 *the Board of Selectmen to take all other action necessary in connection therewith.*

12 **SECOND:** Selectman Lyons

13 Selectman Hargreaves clarified with Mr. Puff that there should be no problem with traffic
14 due to multiple road projects being done at the same time. Mr. Puff stated he would expect
15 an amendment on floor of Town Meeting to reflect the bid number which will be known
16 prior to that time.

17 **VOTE:** 5-0-0

18 **The motion carried unanimously.**

19
20 *Article 41 – Create Recreation Revolving Fund*

21 Ms. Savastano explained this article was being amended to reflect the actual year end fund
22 balance.

23
24 **MOTION:** by Selectman McBride (with recommendation)

25 *Move to decrease the amount of Article 4, Create Recreation Revolving Fund, by for*
26 *\$8,905 for a new amount of \$9,062 with recommendation, to now read:*

27
28 *To see if the town will vote to establish a Recreation Revolving Fund pursuant to RSA 35-*
29 *B: 2 II and, further, to raise and appropriate the sum of Nine Thousand Sixty-Two*
30 *Dollars (\$9,062.00) to be placed in this fund. This sum has been transferred to the*
31 *General Fund Unreserved Fund Balance upon the discontinuance of the Recreation*
32 *Special Revenue Fund. The money received from fees and charges for recreation park*
33 *services and facilities shall be allowed to accumulate from year to year, and shall not be*
34 *considered to be part of the town's General Fund Unreserved Fund Balance. The town*
35 *Treasurer shall have custody of all monies in the fund, and shall pay out the same only*
36 *upon order of the Recreation Director (no further town meeting approval required).*
37 *These funds may be expended only for recreation purposes as stated in RSA 35-B, and no*
38 *expenditure shall be made in such a way as to require the expenditure of other town funds*
39 *that have not been appropriated for that purpose. The article is contingent upon article*
40 *40 passing.*

41 **SECOND:** Selectman Hargreaves

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

43 **The motion carried unanimously.**

Article 44: Authorize the Board of Selectmen to Enter Into Multi-Year Agreements

Dr. LaBranche reported this article was an enabling piece of legislation for housekeeping purposes to enable the Board to enter into multi year lease agreements (up to five years) instead of having to bring forward a warrant article annually. He reported RSA 41:11 allows the Board of Selectmen to adopt such an article.

MOTION: by Selectman Roth (with recommendation)

Move to forward the following article to the 2010 town meeting warrant:

Article 44 - Authorize the Board of Selectmen to Enter into Multi-Year Agreements

To see if the Town will vote to authorize the Board of Selectmen to enter into rent or lease agreements of Town property for a period of up to five (5) years without further vote or ratification of the Town; said authority to remain in effect until rescinded by the town meeting.

SECOND: Selectman McBride

VOTE: 5-0-0

The motion carried unanimously.

Article 45 – Acceptance of Conservation Land – Braemoor Woods

Mr. B. Carter, 61 Lake Street and Chairman of the Conservation Commission explained this article was to modify previous warrant article and would provide a substantial savings in legal fees by removing an easement on a parcel of land donated by Braemoor Woods to the Town. He referred to an e-mail within the Board’s packet from Mr.Moldoff, Planning Director for further explanation.

MOTION: by Selectman McBride (with recommendation)

Move to forward the following article to the 2010 town meeting warrant:

Article 45 – Acceptance of Conservation Land – Braemoor Woods

To see if the Town will vote to authorize the Board of Selectmen and Conservation Commission to accept a donation of a 31.9 acre parcel of land designated on the Braemoor, LLC Subdivision Plan for Map 109, Lot 7900, as conservation land.

SECOND: Selectman Hargreaves

Selectman McBride expressed his support of this change. Mr. Carter confirmed that no tax dollars are being used for this. Responding to Selectman Roth Mr. Carter confirmed that Mr. Lewis, the developer of Braemoor Woods is in agreement with the change.

VOTE: 5-0-0

The motion carried unanimously.

7. Director of Engineering - Request Funding from Water Unreserved Fund Balance for Brookdale Road Water System Feasibility Study

Dr. LaBranche introduced the item and handed over to Mr. Puff who referred to his memo of February 4, 2010, stating this was an opportunity to resolve two problems at once. He explained his proposal would establish alternatives for the Town and he has asked the consultant to figure in solutions to address the goals outlined in his memo, and asked whether the Board would consider putting water into this area of town (Brookdale Road). Selectman McBride supported investigating the water issue. Mr. Puff further clarified the intent of the feasibility study.

1 **MOTION:** by Selectman Lyons

2 *Move to authorize the expenditure of a sum not to exceed \$19,000 from the Water*
3 *Unreserved Fund Balance to cover the cost associated with performing a Water System*
4 *Feasibility Study and Alternatives Evaluation in the Brookdale Road area, and generally*
5 *bounded by North Policy Street, Canobie Lake, and Pelham Road.*

6 **SECOND:** Selectman McBride

7 **VOTE:** 5-0-0

8 **The motion carried unanimously.**

9
10 Chairman Barnes asked Mr. Puff to research when Canobie Phase One took place,
11 specifically when grinder pumps were installed for residents, and Mr. Puff agreed he would
12 report back on this to Chairman Barnes.

13
14 Referring to Article 22, Roadway Improvement Program for Cluff Road, Dr. LaBranche
15 pointed out the amendment figure was incorrect and handed over to Ms. Savastano who
16 explained the correct figure was \$146,000.

17
18 **MOTION:** by Selectman Lyons

19 *Move to reconsider Article 22*

20 **SECOND:** Selectman McBride

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

22 **The motion carried unanimously.**

23
24 **MOTION:** by Selectman McBride (with recommendation)

25 *Move to increase the appropriation of Article 22, 2010 Roadway Improvement Program,*
26 *by \$146,000 for a new amount of \$2,307,000 with recommendation, to now read:*
27 *To see if the Town will vote to raise and appropriate the sum of Two Million Three*
28 *Hundred Seven Thousand Dollars (\$2,307,000.00) for the purpose of repair and/or*
29 *reconstruction of existing roads and associated drainage improvements and water main*
30 *relocation on Cluff Road, and to authorize \$2,200,000 be placed in the Roadway Capital*
31 *Reserve Fund previously established for reconstructing/resurfacing roads and further to*
32 *authorize the use of \$107,000 from the Water Unreserved Fund Balance and to authorize*
33 *the Board of Selectmen to take all other action necessary in connection therewith.*

34 **SECOND:** Selectman McBride

35 **VOTE:** 5-0-0

36 **The motion carried unanimously.**

37
38 **8. Town Manager's Report**

39 Dr. LaBranche reported he had received a request from the Town Administrator for
40 Windham for the Board of Selectmen of both towns to meet and discuss the feasibility of
41 Windham providing sewer by connecting to Salem's system. Dr. LaBranche suggested
42 March 29, 2010 as a date. The Board agreed to this and Dr. LaBranche stated he would try
43 to set the meeting up. He confirmed the meeting would be hosted by Windham.

44
45 Dr. LaBranche reported on a problem with the replacement of windows within the Town
46 Hall.

9. Old Business Tabled/Pending

There was none.

10. Selectmen Reports/Correspondence

Selectman Roth encouraged people to attend the second Deliberative Session.

Selectman Hargreaves reminded viewers about the meeting of the Solid Waste Committee on Tuesday, February 9, 2010 at 7:00 p.m. when a state representative would talk about recycling.

Responding to a query from Selectman Hargreaves as to the increase in the tax rate if everything passes, Ms. Savastano explained the increase would be 11.3%, to \$5.33. She stated she was unsure what the effect would be on the water rate.

Selectman Hargreaves thanked state representatives for voting down legislation regarding motorcycle noise and helmets.

Selectman Lyons asked Dr. LaBranche to ensure information on the warrant articles goes on to the Town web site as well as information on the second Deliberative Session.

Selectman McBride reported he had copies of the GLSD agreements which he would distribute to the Board.

Selectman McBride suggested to Dr. LaBranche that presentations by staff on warrant articles at Town Meeting should be restricted to 15 minutes.

- **Additions and/or Requests by Public or Board by Vote**

There were none.

- **Upcoming Meetings**

- February 22, 2010 – Board of Selectmen Meeting
- March 2, 2010 – Board of Selectmen Meeting
- March 15, 2010 – Board of Selectmen Meeting
- March 22, 2010 – Board of Selectmen Meeting

ADJOURN

MOTION: by Selectman Lyons

Move to adjourn

SECOND: Selectman McBride

VOTE: 5-0-0

The motion carried unanimously.

There being no further business the meeting adjourned at 10:16 p.m. until February 22, 2010.

Notes/minutes taken by: Sandra Maxwell

Approved: Board of Selectmen

Date: February 22, 2010