

1
2
3
4
5
6

**MINUTES OF THE
BOARD OF SELECTMEN**

**MEETING OF
May 14, 2007**

7 The Board of Selectmen held a meeting on Monday May 14, 2007, the Salem Town Hall, 33
8 Geremonty Drive, Salem, NH.

9
10 **PRESENT:** Chairman Everett P. McBride, Vice-Chairman, Elizabeth A. Roth, Secretary Arthur
11 E. Barnes, Selectman Michael J. Lyons, Selectman Patrick Hargreaves, and Town Manager Dr.
12 Henry E. LaBranche.

13
14 **CALL TO ORDER**

15 Chairman McBride called the meeting to order at 7:00 p.m. with the Pledge of Allegiance and
16 introduced the Board members, Town Manager Dr. Henry E. LaBranche and Ms. J Savastano,
17 Finance Director.

18
19 Chairman McBride announced the following appointments to the Conservation Commission:

20
21 Mr. William Dumont, regular member
22 Kate McDermott, reappointment as alternate member

23
24 Both appointments expire in April 2009. Chairman McBride thanked all of the candidates who
25 had submitted applications and had come in for interviews.

26
27 **1. Meeting Minutes**

28 There were no minutes available for approval.

29
30 **2. Chairman Comments**

31 There were no Chairman's comments this evening.

32
33 **3. Finance Director – Financial Report**

34 Dr. LaBranche handed over to Ms. Savastano, stating she would highlight areas of concern in
35 the financial summary for this last quarter.

36
37 Ms. Savastano, Finance Director, introduced herself, stating she would highlight in the
38 financial reports areas which are going over budget already this year. Ms. Savastano
39 reported the following:

- 40 o General Fund - 29% expended
41 o Sewer Fund – 17% expended
42 o Water Fund – 20% expended

43
44 These figures are average at this point in the year. Most of the other departments are
45 between 25% and 35% expended which is consistent with usual expenditure. Departments
46 which are over budget at this time are:

- 1 ○ Elections – due to ballot costs, printing voter checklists to meet the new State wide
2 requirements, and supervisor hours. Ms. Savastano estimated an approximate \$6,000
3 overage for this department overall.
- 4 ○ Employee Benefits (service credits for retirements) – due to receipt of approximately 17
5 separation worksheets from individuals who wish to take advantage of the service credits.
6 Ms. Savastano explained that this represents approximately \$578,000 to date which does
7 not include benefits, versus \$378,000 available for this purpose. She stated that she
8 hoped the Town will be able to offset this with savings in the regular pay account due to
9 people leaving and new people coming on.
- 10 ○ Sick leave buy back also has an overage of \$36,000. This will not increase any further
11 this year.

12
13 Chairman McBride clarified that the State would be eliminating the five year buy back.

14
15 Dr. LaBranche stated that 14 of 17 separation worksheets will be definite retirements and all
16 did take advantage of the opportunity to buy into the buy back. He stated that the Town is
17 now seeing the fiscal impact of the legislation. He pointed out that the Legislature has begun
18 to take action on this as they are realizing what the effects of the legislation mean to
19 municipalities and school districts. He stated that his staff will monitor the personnel
20 accounts and will make sure the budget will be balanced.

21
22 Chairman McBride asked that Dr. LaBranche keep the Board of Selectmen up to date with
23 the State legislation changes. Dr. LaBranche provided the Board with a summary of some of
24 the legislative changes currently on the table and provided some explanation of the
25 background and status of future changes the Legislature will have to deal with.

26
27 April Nor'easter – Ms. Savastano explained that on May 8, 2007 Chief Breen, Ricky Russell
28 and herself had attended an Applicant Briefing meeting to apply for financial assistance. She
29 stated that the process will work the same as last year, and that the Town has incurred
30 approximately \$60,000 worth of damage. If eligible for \$60,000 of assistance the Town
31 would hopefully get approximately \$45,000 back.

32
33 Propane leak which took place in August 2006 – Ms. Savastano explained that the Town has
34 been reimbursed from individual auto policies by \$38,000 approximately which will go back
35 into Miscellaneous Revenues.

36
37 Ms. Savastano stated that it had been stated at the public assistance meeting in May that it is
38 probable that the Governor will grant the 25% not reimbursed by FEMA for last year's flood
39 damage, less \$5,000 which the Town will have to pay. This will bring the total reimbursed to
40 \$100,000. Chairman McBride clarified that these monies would be added to the Unreserved
41 Fund balance.

42
43 Selectman Lyons asked Dr. LaBranche to characterize what he thought this year's challenge
44 would be from a budgetary point of view. Dr. LaBranche stated that to date the obstacles
45 have not been as significant as last year. He went on to say that they would have to monitor
46 Utilities as the costs are changing daily. He also stated that they are in a much better position

1 this year than they were last year at this time. Selectman Lyons clarified that the labels for
2 the challenges may be different this year, but the Town has gone through them before.

3
4 Selectman Lyons asked about the Water Fund and Ms. Savastano stated that to date this is
5 under spent, but that the GLSD credit will be going away.

6
7 Selectman Lyons asked how the Water Fund was doing historically. Referring to the
8 Summary of Fund Balance sheet in the Board's package, Ms. Savastano explained there is no
9 policy in place which states there has to be a specific amount in these funds. She stated that
10 the Sewer Fund was doing quite well but that money has been taken out for two projects and
11 is now down to \$300,000. She went on to state that the Water Fund balance is just over
12 \$206,000 and hoped that they would not need to take any more out of it at this point.

13
14 Chairman McBride clarified that now that the Town is doing water and sewer projects at the
15 same time they are tapping into the Water Fund every year which did not happen in the past.
16 He stated that the increase in the water rates which is due in July will help increase this fund.
17 Ms. Savastano and Dr. LaBranche explained that there will eventually be DBA funds to
18 assist with some of the water projects. Dr. LaBranche stated that the Town has sold less
19 water over the last two years and Chairman McBride stated that this is likely to become a
20 trend as people are using more water efficient appliances in their homes.

21
22 Ms. Savastano stated that the General Fund is still at 6% and doing quite well. Chairman
23 McBride clarified that the 6% includes everything.

24
25 Selectman Lyons asked for confirmation that they would not know what the actual costs are
26 on the Main Street and East Broadway projects until next year. Dr. LaBranche stated the bids
27 were below appropriation and he would provide the Board with the final figures when they
28 have finalized the contracts. He also stated that the Board would have to decide whether they
29 wished to move into the next phase of the project and his staff would be making
30 recommendations to the Board.

31 32 **4. Authorization for Funding – Traffic/Transportation Projects**

33 Dr. LaBranche stated that they are now at the point where they are ready to ask for
34 authorization from the Board of Selectmen for the use of funds as set out in Mr. Scott's
35 spreadsheet (attached).

36
37 Mr. Bill Scott, Community Development Director, introduced himself. He referenced his
38 memo of May 10 in which he listed and described the projects. He explained that he and the
39 Finance Director felt it would be better if the Board was to authorize the entire project
40 amount including the original seed money and the matching money, and that he was asking
41 for authorization for use of impact fees or trust funds. He went over the monies required for
42 each project. He stated that he would not sign anything on the last project on the list until the
43 money has been received from the State to use as matching money.

44 For the benefit of voters, and to clarify where the money would come from for these projects
45 Chairman McBride clarified that it is not directly tax dollars being used, but impact fees.
46

1 Mr. Scott explained that using impact fees provides the opportunity to leverage grants.
2 Chairman McBride stated that one of the Planning Board's goals was a road impact fee. Mr.
3 Scott stated that this was in the CIP and the key to this would be to study each intersection in
4 the community outside the Route 28 and Pelham Road area, as the impact fees are based on
5 capacity needed at intersections.
6

7 Mr. Scott explained the information on the spreadsheet on the back of his memo, and stated
8 that they would have selected the consultants by the first week in June.
9

10 Selectman Hargreaves raised a query regarding whether the repair of the Pelham Road
11 Bridge could be included in this work and Mr. Scott explained that the work on the bridge
12 could not be covered by Impact Fees unless the bridge were being widened. He stated that
13 the use of Impact Fees is restricted to traffic management issues and to increase roadway
14 capacity. There was a short discussion on the bridge repair work. Chairman McBride
15 explained this is why there is a need for a town wide Impact Fee as it would address this
16 problem.
17

18 Mr. Scott asked the Board to vote on the motion for each project.
19

20 **MOTION:** by Selectman Barnes

21 **Route 28 Bicycle Pedestrian Project CMAQ 14430B.**

22 *Board of Selectmen hereby votes to authorize the use of Route 28 Road impact fees in the*
23 *amount of \$131,250 to serve as initial funds to be reimbursed by a grant and matching*
24 *funds for the grant, for the engineering, administration and the creation of designs for the*
25 *development of the project known as the Route 28 Bicycle Pedestrian Project. The Board*
26 *understands that as a result of a CMAQ grant the Town will be receiving approximately*
27 *\$105,000 returned as a reimbursement for a net impact fee use after project completion*
28 *and grant closeout of \$26,500.*

29 **SECOND:** Selectman Lyons

30 ***Discussion:***

31 Selectman Hargreaves asked why Selectman Barnes made the motion. Selectman Barnes
32 clarified that the motion suggests taking money that is in the Route 28 Impact Fee account
33 and spend it on design work for the Rail Trail, and at some point in the future the CMAQ
34 (Congestion Mitigation and Air Quality) grant would pay for part of this and the money
35 would then be put back into the Route 28 Impact Fee account. He also explained the reason
36 behind building the Rail Trail and the need to provide a pedestrian walkway in this area.
37

38 Mr. Scott explained the accounting procedure behind putting the grant money back into the
39 Impact Fee account, stating that the Board would have to vote to release the money again for
40 any other purpose.
41

42 Chairman McBride clarified that the monies would go back into the Trust Fund. Dr.
43 LaBranche explained the matter further for Selectman Hargreaves.

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

45 The motion carried unanimously.
46

1 **MOTION:** by Selectman Roth

2 **TMA Transit Management CMAQ 14430**

3 *The Board of Selectmen hereby votes to authorize the use of Route 28 Road impact fees in*
4 *the amount of \$100,000 to serve as initial funds to be reimbursed by a grant and matching*
5 *funds for the grant, for the engineering, administration and the creation of designs for the*
6 *development of the project known as the TMA Transit Management. The Board*
7 *understands that as a result of a CMAQ grant the Town will be receiving approximately*
8 *\$80,000 returned as a reimbursement for a net impact fee use after project completion and*
9 *grant closeout of \$20,000.*

10 **SECOND:** Selectman Lyons

11 **Discussion:**

12 Selectman Hargreaves asked and received clarification of where the reimbursed money
13 would go.

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

15 The motion carried unanimously.

16
17 **MOTION:** by Selectman Lyons

18 **Pelham Road Signal Coordination CMAQ 13518.**

19 *The Board of Selectmen hereby votes to authorize the use of Pelham Road impact fees in*
20 *the amount of \$87,500 to serve as initial funds to be reimbursed by a grant and matching*
21 *funds for the grant, for the engineering, administration and the creation of designs for the*
22 *development of the project known as the Pelham Road Signal Coordination. The Board*
23 *understands that as a result of a CMAQ grant the Town will be receiving approximately*
24 *\$70,000 returned as a reimbursement for a net impact fee use after project completion and*
25 *grant closeout of \$17,500.*

26 **SECOND:** Selectman Barnes

27 **VOTE: 5-0-0**

28 The motion carried unanimously.

29
30 **MOTION:** by Selectman Roth

31 **Pelham Road Design Coordination**

32 *The Board of Selectmen hereby votes to authorize the use of Pelham Road impact fees in*
33 *the amount of \$85,000 to serve as funds for the engineering, administration and the*
34 *creation of designs for the development of the project known as the Pelham Road Design*
35 *Coordination. The purpose of the project is to coordinate local roadway designs with the*
36 *State Exit II work.*

37 **SECOND:** Selectman Lyons

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

39 The motion carried unanimously.

40
41 **MOTION:** by Selectman Hargreaves

42 **Depot Intersection Project Redevelopment Plan**

43 *The Board of Selectmen hereby votes to authorize the use of Depot Trust Fund in the*
44 *amount of \$160,000 to serve as funds for the engineering, administration and the creation*
45 *of designs for the development of the project known as the Depot Intersection*
46 *Redevelopment Project.*

1 **SECOND:** Selectman Barnes

2 **Discussion:**

3 Selectman Hargreaves asked if this money could also be used for the work on the train
4 station and Mr. Scott explained that the same fund would be used but had to be authorized by
5 a separate vote.

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

7 The motion carried unanimously.

8
9 **5. CIP Membership**

10 Dr. LaBranche stated that Mr. Bill Scott had contacted all the current members who had
11 agreed to continue to serve. He stated that the following new members had been selected for
12 appointment:

- 13 • Mr. Tom Campbell, Planning Board representative member
- 14 • Selectman Lyons Board of Selectmen representative
- 15 • Budget Committee representative has still to be appointed.

16
17 Mr. Scott went over the 4 members who have been serving on the Committee for the past
18 three years as listed in the Board's packages. He explained that the Committee's schedule
19 allows sufficient time to await the Budget Committee appointment and asked the Board to
20 appoint those selected so far.

21
22 **MOTION:** by Selectman Hargreaves

23 *The Board of Selectmen to hereby appoint the following individuals to the 2008-2018*
24 *Capital Improvements Program Committee: At Large Resident Members - Robert Dalias,*
25 *Brian Keaveny, Donald Freeman, and Mike Regan; further to appoint Thomas Campbell*
26 *as the Planning Board Representative, Michael Lyons as the Selectmen Representative;*
27 *with the representative of the Budget Committee to be determined.*

28 **SECOND:** Selectman Barnes

29 **VOTE:** 5-0-0

30 The motion carried unanimously.

31
32 Chairman McBride asked Dr. LaBranche to forward Mr. Scott's memo on the impact fee
33 request to the Budget Committee

34
35 **6. Sidewalk Improvement Plan**

36 Dr. LaBranche stated he had attempted to outline what the interest of Selectman Roth was
37 and, Mr. Scott had put together information for the Board as contained in their packages
38 (attached) He pointed out that there are some gaps and voids in the plan and that the issue
39 before the Board was to what degree should the Board of Selectmen be involved in guiding
40 and steering any potential policy with regard to a sidewalk master plan

41
42 Mr. Scott outlined four possible areas for the Board of Selectmen and the Planning Board to
43 concentrate on, as stated in his May 10 memo, attached which focus around public safety and
44 travel and where there would be the biggest impact. He stated that the primary issues for the
45 Board of Selectmen would be the RSA requirements for maintenance, adding sidewalks to
46 the road program and focusing on the areas around the schools and town buildings.

1 ***Discussion:***

2 Selectman Roth stated that she felt Mr. Scott had addressed the Planning Board's concerns in
3 his memo. She stated she wondered how the Town could implement a town wide plan that
4 takes account of where a business also wants to generate a sidewalk for traffic to their
5 business and they pay the Impact Fee. She also stated that it seemed best to have a
6 designated plan, and asked Mr. Scott whether there was one available right now which could
7 be amended as necessary.

8
9 Mr. Scott stated that the 2009 CIP request would be to develop a master plan in greater detail
10 than what is currently shown on the map and inherent in the plan is the need to identify rights
11 of way, road width, obstructions, and drainage considerations. He explained the plan at
12 present is not detailed enough to enable construction of sidewalks, and he therefore felt that a
13 concern for the Board was whether they wished to add sidewalks to the Road Program; how
14 to allocate funds if they are not Impact Fees and how to use them somewhere else. He also
15 pointed out there would be examples of where the maintenance issue could be overcome, if
16 for instance a sidewalk led to a park which would not be used in winter. Mr. Scott stated it
17 would be easy for the Board to focus on the areas around the schools and town buildings and
18 from that see if there are safe off street connections that could be used.

19
20 Selectman Lyons clarified that the Town has a sidewalk master plan and asked how much
21 money was in the Impact Fee account for this. There was discussion on whether the account
22 was a performance account or Impact Fee account and Mr. Scott offered to obtain
23 clarification on this for the Board.

24
25 In response to a query from Selectman Lyons, Mr. Scott stated he thought the \$50,000
26 mentioned in the CIP was to provide some specific design in a five year plan.

27
28 In response to a request from Selectman Roth Mr. Scott clarified what his recommendation to
29 the Board was, i.e. policy direction on whether the Impact Fees or Traffic Fund can be used
30 to focus on the area where there is the highest traffic and highest safety need and to start
31 implementing this.

32
33 Selectman Lyons stated he thought the policy decision before the Board of Selectmen was to
34 ascertain what is in the fund right now and where do they want to prioritize spending.
35 Selectman Roth disagreed with this stating the Planning Board needs direction on whether to
36 accept funds and improve sidewalks or to install sidewalks in a contiguous way. She also
37 pointed out that businesses may want a sidewalk installed when paying for it in impact fees.

38
39 In response to Selectman Hargreaves, Chairman McBride listed the sidewalks currently in
40 place around schools. He also stated they need to put a plan together and the Board of
41 Selectmen should sign off on it, and that he would prefer Planning Board take the money. He
42 pointed out that a sidewalk does not always have to be on street if the Town owns the land
43 and they need to think outside the box on these things. He spoke about rail trails and the
44 issues with crossings and pedestrian traffic.

45
46 Chairman McBride clarified that the consensus of the Board is that the plan needs to be

1 updated and the Board of Selectmen should sign off on it.

2
3 Selectman Roth stated that she thought the Planning Board is looking for more clear
4 direction.

5
6 Selectman Lyons responded that he believes in the autonomy of the Planning Board and they
7 will make the right decision based on the information in front of them, and he would leave it
8 up to the Planning Board to decide whether to take the money.

9
10 After further discussion, it was agreed that Mr. Scott should put a policy together for the
11 Board of Selectmen to present to the Planning Board.

12
13 Dr. LaBranche stated he felt that it should be reinforced that there is a plan in place which
14 demonstrates that the schools are a priority where there are no connections. With regard to
15 where connectivity is required he stated that it made sense to continue to ask the Planning
16 Board to support those things and in the meantime Mr. Scott would put the policy together.
17 He stated that this could be further discussed when the Board of Selectmen meet with the
18 Planning Board on 29th May.

19
20 Selectman Hargreaves asked how much had been spent on the master plan already and Dr.
21 LaBranche responded that he did not know.

22
23 Selectman Lyons thought that any sidewalk discussion should include maintenance issues.

24 25 **7. Town Manager's Report**

26 27 *a. Infrastructure Bid*

28 Dr. LaBranche updated the Board, explaining that Mr. Puff was now in the process of
29 addressing the concerns raised by Busby Construction regarding the validity of Newport
30 Construction's bid.

31
32 Regarding the Dawn Street project he stated he would like assistance from the Board of
33 Selectmen. He explained that they are still negotiating easements with residents to make
34 the project more efficient and cost effective. He pointed out that one of the residents
35 requested a 50% reduction in the DBA fee which Dr. LaBranche stated he will not
36 recommend as it could establish a precedent which could have an unknown impact at a
37 future time.

38
39 Chairman McBride put forward a suggestion on how to proceed without giving up the
40 DBA.

41 42 *b. Rockingham Planning Commission at May 22nd Planning Board Meeting*

43 Dr. LaBranche stated he had provided the Board with the information on the May 22nd
44 Planning Board meeting to which the Board of Selectmen has been invited, along with
45 the ZBA and the Conservation Commission.

1 **c. *May 15, 2007 Workshop – Board of Selectmen/Salem School Board***

2 Dr. LaBranche stated he wished to remind the Board that the workshop with the School
3 Board will take place across the street in the high school.

4
5 Dr. LaBranche stated that he has organized a non-public session relative to the Town
6 Manager search during which he will share information on the candidates.

7
8 Dr. LaBranche also announced that Mr. Tim Dodge has been hired as the Town's first
9 Chemist and they were enthusiastic to get him on board.

10
11 Dr. LaBranche updated the Board on the meter validation, Phase 2, stating that his staff was
12 reconciling the small discrepancies they found. Chairman McBride asked whether they were
13 still looking at other technologies and Dr. LaBranche confirmed that they were and also that
14 residential validation would begin this summer.

15
16 **8. Selectmen Reports and Correspondence**

17 Selectman Hargreaves suggested to the public that if they were going to fill their outside
18 pools, they should read their meter first; call the Utilities division and give them the reading;
19 fill their pool; and call the Utilities division back with the reading after completion. He
20 explained that they would only be charged for water and not for sewer if they do this.

21
22 Selectman Hargreaves also stated that Dr. LaBranche had been recognized last Tuesday in a
23 ceremony as a good scout and congratulated him.

24
25 Chairman McBride asked when street painting would take place and Dr. LaBranche
26 confirmed that it would not be until late summer/fall. Chairman McBride stated that the
27 situation at the Depot was bad and Dr. LaBranche stated he would get the DPW Director to
28 take a look at the area.

29
30 **9. Old Business Tabled/Pending**

31 There was nothing to discuss under this agenda item.

32
33 • **ADDITIONS AND/OR REQUESTS BY PUBLIC OR BOARD BY VOTE**

34 There were no items for discussion under this agenda item

35
36 • **UPCOMING MEETINGS**

- 37 ○ *May 15, 2007* (Workshop - School Board at Media Center)
38 ○ *May 21, 2007* (Regular Meeting)
39 ○ *May 29, 2007* (Workshop – Planning Board & Conservation Commission)
40 ○ *June 4, 2007* (Regular Meeting)
41 ○ *June 11, 2007* (Regular Meeting)
42 ○ *June 25, 2007* (Regular Meeting)

43
44 • **UPCOMING EVENTS**

- 45 ○ **Memorial Day Parade – Monday, May 28th - 2:00 p.m.**
46 Reminder that the Veterans Association will have their annual Memorial Day Parade on

1 Monday, May 28th beginning at 2:00 p.m. The Selectman should meet at the High School
2 around 1:45 p.m.

3
4 **MOTION:** by Selectman Hargreaves
5 *To move to adjourn the meeting*

6 **SECOND:** Selectman Lyons

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

8 The motion carried unanimously, and without further business, Chairman McBride adjourned the
9 meeting at 8:20 p.m.

10
11 Notes/Minutes Taken by: Sandra Maxwell

12
13 Approved: Board of Selectmen

14
15 Date: June 4, 2007