



# Salisbury Board of Selectmen

## Meeting Minutes

April 20, 2022

**Approved**

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Selectman Brett Walker, Chair	Present
Selectman John W. Herbert	Present
Selectman Jim Hoyt	Present
Town Administrator April Rollins	Excused
Municipal Assistant Kimberley Edelmann	Present

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**Attendees:** Several citizens attended the meeting in person at Academy Hall; a few people attended via Zoom.

### 1) Open Meeting

Chairman Brett Walker opened the meeting at 7:00 pm.

### 2) Meeting Minutes

Selectman Herbert made a **motion** to approve the minutes of April 6, 2022 with one minor correction. Chairman Walker **seconded**. The **motion passed** with all in favor.

### 3) Signatures

Chairman Walker noted that the Selectboard had reviewed and signed Accounts Payable & Payroll Registers. All documents are available for public inspection.

### 4) Department / Board / Committee Reports

#### a. Fire Chief / Road Agent

Fire Chief / Road Agent Bill MacDuffie, Jr. had nothing new to report.

#### b. Transfer Station

Chairman Walker said that the compactor was scheduled to be installed on July 25.

Chairman Walker spoke about additional electrical work required at the Transfer Station. Generator Connections provided a quote of \$1,250 to replace the existing 100A single phase panel with a new 100A three phase main breaker panel and to connect that to the new generator system.

Generator Connections also provided a \$1,325 invoice for work done on December 13 when they installed a spare 2" and 3/4" 80 PVC underground between the shed and the compactor location while the trench was open.

Chairman Walker did not recall asking for that work to be done. Bill MacDuffie, Jr recalled the work was going to be done for the price of the conduit. They expected to see a lower invoice. Chairman Walker said he would go back to Generator Connections and ask about it. Selectman Hoyt said he also spoke with Generator Connections about it as the additional work had not been approved by the Board of Selectmen.

Chairman Walker said he wanted to accept the \$1,250 quote to install the panel as he would like to stay with the same vendor. Selectman Hoyt said he wanted to make sure the panel could be used for both 120 / 208 V that can run both the generator and the lights. Chairman Walker said he could confirm that.

Chairman Walker made a **motion** to accept the \$1,250 quote, if it meets the 120 / 208 V requirement. Selectman Herbert **seconded** the motion. The **motion passed** with all in favor.

#### c. Budget Committee

Chairman Walker reported that the Budget Committee had met earlier in the week. They appointed Bill MacDuffie, Sr as a full member to fill a vacant seat. With two new members, they had had a lively decision about what the Budget Committee does.

#### d. Old Home Day Committee – Appointments

Selectman Herbert reported that the Old Home Day Committee had met. They were thinking of having the 2022 event similar to the 2021 report. He was disappointed to learn that the train was no longer available. Otherwise, things were coming along well.

#### e. Zoning Board of Adjustment

There are vacant positions available to fill on the Zoning Board. These have been posted.

### 5) New Business

#### a. NH State Police Stats

Type of Call	#	Type of Call	#
911 Hang Up / Check Up	1	Motor Vehicle Crash, No Injuries	4
Alarm 10-52A	2	Other Public Service / Welfare Check	1
Assist Citizen	1	Safe Schools Activities	1
Assisting Other Agencies (DCYF)	1	Sex Offender Address Verification	3
Assisting Other Police Agency	1	Shots Fired - Reports (10-66)	1
Civil Matter	1	Special Detail Assignment	1
Directed Enforcement Patrol	1	Traffic Enforcement / Motor Vehicle Stop	12
Family Offenses - Domestic Violence	1	Vehicle Off The Roadway	2
Fraud All Others	1	Violation of Fro / Pro	1
Hazardous Operator	1	<b>Total Calls</b>	<b>37</b>

#### b. Appointments Recreation Committee

New appointments were recommended for the Recreation Committee as follows:

Dave Kelly (2025)  
Kathleen Doyle (2025)  
Julia Jones (2025) Alternate

Chairman Walker made a **motion** to accept the recommended appointments. Selectman Herbert **seconded**. The **motion passed** with all in favor.

#### **c. Resignations**

Chairman Walker noted recent board / commission resignations:

Pete Ballou, ZBA  
Leon Riel, Conservation Commission  
Peg Boyles, Conservation Commission

Chairman Walker made a **motion** to accept the resignations with regrets. Selectman Herbert **seconded**. The **motion passed** with all in favor.

#### **d. Library - Request for Building Maintenance**

Chairman Walker reported that they had received a request for building maintenance, including inspection of shingles and painting. Selectman Hoyt said he would go look at the building and assess the situation.

#### **e. Library - New Director Announcement**

Chairman Walker read an announcement from Michelle Carr, Salisbury Free Library Trustee Chair:

*"On behalf of the Salisbury Free Library Trustees, I am pleased to inform you that we have hired Melissa Lesniak to be the director of the Salisbury Free Library. Ms. Lesniak is a resident of Salisbury and started on April 11, 2022."*

### **6) Old Business**

#### **a. Public Hearing - Old Center Rangeway Petition to Reclassify**

Chairman Walker said that a Public Hearing was scheduled for May 18th regarding the petition to reclassify the Old Center Rangeway.

#### **b. Public Hearing - Class VI Road Application**

Chairman Walker said that a Public Hearing was scheduled for May 4th regarding a property owner's request for a building permit for a "warming hut" on their Robie Road property (Map 247, Lot 6).

#### **c. Land Purchase for Potential Location of Highway Department – Site Walk Update**

Chairman Walker said he wanted to talk about the proposed site.

Jeff Blanchard noted that the minutes of the previous meeting had been approved. With that in mind, he pointed out to Chairman Walker that there was no evidence on the agenda of that meeting that the land purchase was going to be discussed. Chairman Walker said the topic was added during "Selectmen's Report". Mr. Blanchard felt that any changes to the agenda should have been motioned and approved at the beginning of that meeting. Chairman Walker noted that each Board establishes their own procedures and rules. The Selectboard did not require motioned

changes to the agenda.

Jeff Blanchard said he felt that there was a conflict of interest in regards to Selectman Hoyt being related to the owner of the land being considered. Selectman Hoyt replied that he had made the Board aware of the availability of the land which he felt was suitable as a future Highway Department site and that nothing had been voted on.

Mr. Blanchard asked under what authority the Board of Selectmen met with a property owner. Chairman Walker clarified that the Board had not met with the owner.

Chairman Walker reported that the Board did look at the property. Bill MacDuffie, Sr; Bill MacDuffie, Jr; and Bill MacDuffie, III were also on the site walk. They all agreed it was a very good piece of property, whether for the Highway Department or any other use. He felt there was a lot of potential for the site. It bordered the Ball Field property and the cemetery. The land was fairly flat and pretty dry. There was a little bit of a wet spot towards the back which technically might be labeled as wetlands, but they felt most if not all of the 10 acres was usable. The land would need to be evaluated to see if there were wetlands.

Chairman Walker noted that the asking price of \$50,000 was very good. He felt an equivalent property with frontage on Rt 127 or Rt 4 would probably sell for \$300,000 or more in the current market. Even if the Town had to invest \$50,000 to upgrade the recreation facility, the Town would only be spending \$100,000 and would gain more parking, as well as expanded and improved recreation facilities. From his perspective, the Town would still be \$200,000 ahead by purchasing the property.

Chairman Walker said he would like to hear from the Recreation Committee to see how they would want to use the new space.

David Kelly, member of the Recreation Committee, noted that the current field was a bit small for some sports. He did not want to see anything get smaller. He was concerned about the diagram that he saw. It looked like the field would be smaller. Chairman Walker replied that because of the grant for the playground and bleachers, the State would allow property to be relocated, but not reduced in size. The footprint of the recreation facility could not get smaller.

With the new land, Chairman Walker felt that the Highway Department would only need 4 or 5 acres. He would like the Recreation Committee to be involved in decisions on how to use the other 5 or 6 acres. He suggested they make a wish list, but he wasn't going to promise they would get everything on that list.

Recreation Committee Chair Kathleen Doyle said she was on the fence about the land purchase but if it meant making the facilities better, that was good. She did not want to see all of the hard work done disappear. She asked if the new facility would have water and lighting. Chairman Walker said it would. One of the ideas was to put a large parking area where the current field was. The ice rink could go there, too. That would separate the recreation field from the Highway Department. Everything would be pushed back.

Selectman Herbert noted that it was early in the process to be talking about changes. First, they needed to decide whether to buy the land. There were several steps that needed to be taken. Kathleen Doyle added that it would come down to the taxpayers, too.

Chairman Walker said that if the Recreation Department wanted \$50,000 to upgrade the recreation facilities, that would be a big ask. But, if the Town purchased the land for \$50,000, which would normally cost \$300,000, and put \$50,000 or \$60,000 in improvements, that would be different. Of course, those improvements would have to be approved by the Town via a warrant article. Because of the grant, everything had to be in line before starting the process. The Town would need to show the State what was changing and that it was funded. He did not see a

shovel in the ground for a couple of years. He did not see requests for all of the projects, but at least funding for the recreational fields needed to be funded before going to the State. Did they know the final numbers? No. But he knew it would be substantially less than having to buy property with road frontage. And, there would be new dugouts and brand new fields. Selectman Hoyt added that there would also be more room for the cemetery.

Chairman Walker said that due to conditions of the grant, even the unused woodland space would not be allowed to be reduced in size, but it could be moved as long as the overall minimum footprint of 3.513 acres was maintained.

Selectman Herbert added that at this point, it was all speculation. They were trying to envision what would be nice to do, but in reality, it was early in the process and still a year or two away.

Chairman Walker said it would be a bit of a process to make it happen. In 1996, the Town established a Land Acquisition Capital Reserve Fund (CRF) with the Board of Selectmen as agents. However, the Town had not yet adopted *RSA 41:14-a Acquisition or Sale of Land, Buildings, or Both; Demolition or Disposal of Buildings*.

Sharon MacDuffie said she believed that since the Land Acquisition CRF showed the Selectboard as the agents, they were authorized to expend the funds, even if it was for the purchase of land. She quoted portions of *RSA 35 Capital Reserve Funds Of Counties, Towns, Districts, And Water Departments*, "II. Expenditures from any fund established for the acquisition of land pursuant to RSA 35:1 shall be made only as authorized, (b) By the selectmen, appointed as agents pursuant to RSA 41:14-a".

Chairman Walker said they had had conversations with the attorneys at the NH Municipal Association and learned that because the Town had not adopted RSA 41:14-a, the purchase would have to be approved at a Town Meeting. The next question was whether the Town could hold a Special Town Meeting and what the process was to do that. The Town could wait until next March, but he was concerned that the opportunity to purchase the land might not be available then.

A member of the public asked if it would be appropriate, once more information was available, to hold a public night to allow the Town to discuss the purchase. Chairman Walker said he felt it would be, regardless of whether the Selectboard had the authority to purchase the land or not. He said they did not want to push it through without residents knowing what was happening. The reason they were even considering a Special Town Meeting was because it was a very good opportunity for the Town. Somewhere down the road, the Town would need a place to put the DPW. He'd rather not spend \$300,000 if it could be done for \$100,000 or \$120,000. Even if they didn't put the DPW there, it was a great piece of property for the Town.

A member of the public commented that another general concern was that the Town was losing more land every year. The Town needed to think about the needs down the road. Selectman Herbert replied that that was part of what they had discussed when they did the site walk. They agreed they needed to protect the recreation field, the playground, the ice rink and the cemetery. That was all part of the consideration of what they would do with the land. He said it was all preliminary.

Chairman Walker said if the Town purchased the land and then someone donated another 10 acres to the Town for the DPW, that would be great as the Town would still have the Call's land for recreation and the cemetery.

Chairman Walker said of the possibilities was to have a shared softball field and baseball field with two diamonds with a shared outfield.

A member of the public summarized what he was hearing regarding the acquisition of the land in connection to the Highway Department. He said that while at a Budget Committee meeting, he had come to understand that a small amount of money had been set aside in a CRF in case sometime in the future the Town needed to address the DPW

situation. Now, at a Selectmen's meeting following Town Meeting, the topic of purchasing land had come up. He said that at a prior Selectmen's meeting, Pete Ballou suggested a committee be pulled together to look at all aspects. He supported that idea and felt a Highway Department project was a lot for just the 3 Selectmen to be processing on their own. Chairman Walker replied that the Selectboard was not working on their own. They had had conversations with the current and previous Road Agents.

The gentlemen said that the idea of going to a DPW situation as opposed to a Road Agent situation was a significant undertaking and that it would not be inappropriate to have a committee address that.

Selectman Hoyt said taking the DPW out of the situation, the land itself was still a good opportunity for the Town. The gentleman concurred and stressed that combining the DPW and land purchase together was a more complicated concept.

Chairman Walker said he lumped the two together due to limited resources. The gentlemen, in reply, suggested keeping the purchase simple.

Selectman Herbert reiterated that they were very early in the process; it could be 5 years before a Town owned truck drives in there on Town owned property.

Based on questions from another member, the Selectboard confirmed that the land was landlocked and the ball field would need to be relocated to gain access to it. Bill MacDuffie, Jr added that the current property had frontage on Rt 127, but the portion being purchased was landlocked. There would be a lot line change. The full property was 32 acres in size, but was not for sale. The 10 acres that was being considered was a long way from Rt 127.

Chairman Walker said Selectman Hoyt had spoken with the Deputy Commissioner of the NH Department of Recreation about the grant the Town had received. Selectman Hoyt said they would need to keep the State informed of changes.

A member of the public asked if there was any other land that the Town already owned that could be looked at, such as the Transfer Station, the Fire Station and behind the Library. Chairman Walker replied they had considered Town owned lots.

Bill MacDuffie, Jr said it was important that the Highway Department be located on a paved road with 3-phase power. Selectman Hoyt commented that he recalled it would cost \$250,000 to the Transfer Station.

It was noted that the old Fire Station had been sold and had been on a small lot.

Chairman Walker commented that a lot of the Town's land was in conservation.

Selectman Hoyt said he knew that in the past, the Town had talked about wanting to increase the size of the Maplewood Cemetery. The Call's weren't interested in selling at that time. Now, Cindy Call was willing to part with the land. Therefore, it was a good opportunity.

Gayle Landry asked what the plan was going forward. Chairman Walker said they would need to research their legal options to expend the funds. If that required a Special Town Meeting, they would find out what process was required to do that. He felt the purchase would save the Town \$200,000 in the long run.

Chairman Walker said they walked the property. He added that the property wasn't posted, so really anyone could go take a look at it if they wanted to.

In response to a question from the public, Chairman Walker confirmed that the funds for the purchase were already available in the Land Acquisition CRF; no further taxation was needed for the purchase. Chairman Walker

reiterated that the Selectmen were agents for the fund. However, they needed to find out if RSA 41:14-a trumped their ability to purchase land.

Chairman Walker spoke about the possible location of utility and lighting poles for the site. Kathleen Doyle added that water needed to be moved. She said that the current recreation grounds needed attention. Chairman Walker agreed that the current property was not pristine. With the additional land and funds, a lot of improvements would be possible. For example, he liked the idea of putting in a softball field. He said the challenge would be expanding both the recreation facilities and the cemetery, which also needed land.

Kathleen Doyle asked if adding another ball field would conflict with the grant. Selectman Hoyt said the Town could not decrease the area, but could increase as long as they kept the State informed.

Chairman Walker suggested that a Recreation Commission wish list be put together for the Town to consider.

Selectman Herbert said there were a lot of steps to go through before the Town could do anything. Kathleen Doyle said she thought the idea of having a committee was a good one.

## **7) Public Comments**

### **a. Recreation Facility Updates**

Gayle Landry said she understood the Town would need a Highway Department by 2030. She asked at what point would work on the playground / ball field take place? Chairman Walker said it would depend on funding. Then, to get to the back property, they would need to move the fields. To move the fields, they would need a plan. Recreation would come first.

Mrs. Landry asked when that would happen. Chairman Walker said he saw that happening in about 2 and a half years. Mrs. Landry said she had a problem with the Selectmen making a lot of promises for a whole new Selectboard. She also noted that the taxpayers may not even approve it. Chairman Walker replied that he saw funding coming from the funds currently going towards the Pingree Bridge and Fire Truck loans, both of which were closing soon. He expected about \$58,000 of the budget to become free within 2 years. Those funds could be used to move and upgrade the recreation facilities. He believed a new CRF would need to be set up.

Bill MacDuffie, Jr stated that it was absolutely not possible to get to the back of the potential property without first moving the ball field.

Selectman Herbert interjected that at this point, it was still all speculation. He said the Selectboard didn't even know if they could purchase any land before Town Meeting.

### **b. Property Search**

Mrs. Landry asked how the Town had advertised that they were searching for property. Chairman Walker said there were public notices posted. She asked if the Town would be reaching out to property owners on Rt 127 and Rt 4. She also supported Pete Ballou's idea of having a committee. Meanwhile, she felt the Town should reach out to property owners directly as not everyone used social media or visited the Town Offices; not everyone would have seen the public notices.

Mrs. Landry asked about the minutes of the site walk. Chairman Walker said no decisions were reached.

Mrs. Landry asked Chairman Walker where in Town 10 acres of land had sold for \$300,000. She had been through all of the recent sales and there were none that were land only for \$300,000. She felt that Chairman Walker was



using inflated figures. Selectman Herbert said it was a made up figure. Chairman Walker said it was speculative.

#### **c. Building on Class VI Roads**

A member of the public said he was looking at a property on a Class VI road and wanted to know what was required to build on it. Chairman Walker said the owner would have to bring the road up to Class V standards and maintain it. It would not become a Class V road. A liability waiver would need to be signed. Paperwork and checklists that needed to be filled out and submitted were available on the Town website:

<https://www.salisburynh.org/board-selectmen/pages/class-vi-and-private-roads-documents-sop>

#### **d. Highway Department**

Lorri Collins, attending on Zoom, addressed the Board. (Audio quality was poor & intermittent.) She said believed the taxpayers should vote at Town Meeting whether to move to having a Highway Department. She did not believe the Selectboard was authorized to make such a decision on behalf of the Town.

Ms. Collins asked if additional work on the ball field would expand and increase the payback on the grant. Chairman Walker noted that there was no payback and that moving the ball field would be in accordance to what the State would allow the Town to do per the grant. He said it was all very preliminary, nothing had been decided, it was all speculation on what could be done down the road.

Ms. Collins repeated that the Town should vote whether or not to create a Highway Department. Chairman Walker noted that there was a warrant article for funding the Highway Equipment (established in 1974), so there was an approved fund. However, there was no funding in the operating budget for a Highway Department, so that would have to be approved by the Town.

Ms. Collins stood by her belief that the Town should specifically approve a Highway Department. Chairman Walker stood by his understanding that creating a Highway Department would be done via a budget item that the Town could approve at Town Meeting. Selectman Herbert added that there would be a lot of warrant articles at Town Meeting to approve everything.

Selectman Hoyt said this topic was just about buying a piece of property. It was a start.

Chairman Walker said the Town would vote for a Highway Department by supporting the funding of it in the budget. A separate warrant article was not required. Selectman Herbert said that was still 5 years down the road or more.

Chairman Walker said he and Ms. Collins did not agree on the approaches to adopt a Highway Department.

### **8) Town Administrator's Report**

#### **a. Servicing of Water Systems**

Chairman Walker reported that the water systems at the Safety Complex and the Town Hall had been serviced.

#### **b. Notification of Upcoming Herbicide Application**

Chairman Walker reported that the Town had received notification from the NH Electric CoOp that herbicides were going to be applied to rights-of-way in Town this summer. Utility lines 23, 24, 25 would be impacted. For more information, citizens could contact Vegetative Control Services Inc. – John Geronaitis (603) 536-8809.



A member of the public asked which herbicides were going to be used. Chairman Walker did not know.

A member of the public said he called each year, noting that the spraying impacts more than just weeds. It impacts blueberries and also harms bees.

(See the SalisburyNH.org website for more information.)

#### 9) **Next Meeting**

Chairman Walker made a **motion** to adjourn the meeting 8:40 pm. Selectman Herbert **seconded**. The **motion passed** with all in favor. The next scheduled meeting: Wednesday, May 4, at 7 pm at Academy Hall.

Respectfully Submitted,

Kimberley Brown Edelmann

Recording Secretary

*These minutes were approved at the Board  
of Selectmen's meeting of May 4, 2022.*