



Salisbury Board of Selectmen

Meeting Minutes

May 5, 2021

Approved

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

Attendees: Several citizens attended the meeting in person at the Town Hall. Some members of the public 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 accept the meeting minutes of April 21, 2021. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

3) Signatures

Chairman Walker noted that the Board reviewed the Accounts Payable and Payroll Registers. They had also signed a right to interment form.

4) New Business

a. North Rangeway – Tax Map 231, Lot 5

Town Administrator April Rollins provided background, noting that she had been contacted and asked about access for tax map 231 / lot 5 which corners off of West Salisbury Road but also has frontage on Bay Road. Per RSA 231:22, unless there was no other way to access the land, the Selectmen could not act on it.

Ian Barry addressed the board describing the lot which he was looking to purchase. He noted that the West Salisbury Road side of the property was higher ground, better ground and there was better view. There was 1,500 feet of space on the top of the Rangeway and it would be a nice place to build a house. To get to the top from Bay Road would be a long stretch.

Chairman Walker noted that due to the RSA, there was nothing the Selectboard could do since there was access on Bay Road. TA Rollins noted that the North Rangeway is a discontinued road.

5) Department & Committee Updates

a. Fire Department / Road Agent

Chief Bill MacDuffie Jr reported that he was working with Army Corps regarding the beaver issue in the flood control area. He had nothing else to report.

b. Transfer Station

Chairman Walker shared that Primex sent the town material about volunteer work. One recommendation was that background checks be done on volunteers who are doing work for the town. TA Rollins noted that was also in the town policies. Chairman Walker recommended putting volunteer worksheets at the Transfer Station.

Primex recommended not bringing in volunteers who were minors. Chairman Walker felt 16 and 17 year olds could be allowed with parental consent and limits on the work they were doing. For under 18's, personal references would be used instead of background checks.

Selectman Herbert suggested that the board look at the policy regarding background checks, especially in regards to committee members.

Jennifer Hoyt asked who would pay for the background checks. Chairman Walker answered that it would be a town expense.

In regards to the trash compactor project, Chairman Walker noted that deposits to the capital reserve funds are usually done in October with the funds available for use in November. However, the funding for the trash compactor was needed before then in order to get the project sooner than later. Once June tax bills go out, tax dollars come in.

Chairman Walker suggested depositing the funds approved at Town Meeting for the Transfer Station Capital Reserve Fund in July. Selectman Herbert made that **motion**. Selectman Hoyt **seconded**. In further discussion, Chairman Walker said the goal is to get the project completed by the end of the year. The **motion passed** with all in favor.

Transfer Station manager Bert LaFlamme reported that damage was done to the cinder blocks near the demo trash container. He requested assistance getting everything put back together. Bert also recommended that the tire trailer should be reoriented. Bert suggested that the can bin be moved to another location, as well. Road Agent Bill MacDuffie Jr said he would work with Bert on the issues raised.

Bert shared that he learned that the Transfer Station can not take stumps without a "stump dump" permit. Also, they can not be burned. Chairman Walker didn't feel it was a good idea to allow stumps. Bill MacDuffie Jr added that the Transfer Station would run out of space very quickly if they took stumps.

c. Town Meeting Debrief

Chairman Walker noted that while the budget for the Transfer Station was increased by voters at Town Meeting, it was up to the Selectboard to set the open hours.

Chairman Walker made a **motion** to extend the Wednesday hours at the Transfer Station, setting the open hours

from 1 pm to 7 pm beginning next week. Selectman Hoyt **seconded**. Discussion followed with a comment that the extended hours would accommodate those who got home later from work. The **motion passed** with all in favor.

TS manager Bert LaFlamme noted that the sign showing the hours for the Transfer Station would need to be updated. He asked who would take care of that. Town Administrator April Rollins replied that the town earns points on “New Hampshire, The Beautiful”. Bert can go on their website <https://nhthebeautiful.org> and place an order for a new sign.

Kimberley Edelman noted that there were a lot of questions on Zoom regarding the budget increase for the Transfer Station, how the amount was decided and what it covers. Some individuals thought it was for additional fuel for the generator. Some wanted to know who payroll was impacted.

Chairman Walker noted that the \$5,000 well exceeds what would be needed to cover 2 additional hours of payroll. Walker Scott added that \$3,000 was for the generator and the lights. Chairman Walker noted the number was an amendment from the floor.

d. Planning Board

Selectman Herbert noted that the Planning Board met earlier in the week. The Jarvis project was approved with some conditions regarding landscaping.

TA Rollins added that the planning board would be holding a work session on May 17th to discuss impact fees.

6) Old Business

a. Personnel Policy – Approval of Amended Accrued Liability Section

Chairman Walker said he’d like to approve the amendment to the Personnel Policy as the budget was approved at Town Meeting. Selectman Herbert made a **motion** to approve the amendment. Selectmen Hoyt **seconded**. The **motion passed** with all in favor.

b. Railings at Academy Hall – JPS Welding & Fabrication \$850

TA Rollins noted that JPS was awarded the job to upgrade the railings on the building bringing them into ADA compliance.

c. Ammunition – Donated to Sanbornton P.D.

TA Rollins learned that it was not legal for the Town to give ammunition to the Barn Store. She contacted the Sanbornton Police Department. The Chief picked up the ammunition, expressing appreciation. A letter tracing transfer of the ammunition was provided.

7) Selectmen’s Reports

Selectman Hoyt read the following letter from Scott Brooks of TDS dated April 29, 2021:

Good afternoon Jim,

I received some information in the past couple of days.

TDS will file Make Ready Pole Applications with Eversource and Consolidated, but each requires a fee. For Eversource its \$413.00 and for Consolidated its \$275.00

We would need a check from the town made out to TDS for \$688.00 to proceed with the process. Once we receive the check we will send in the application for Make Ready work on the utility poles to see what the cost would be if we run fiber from our last pole in our serving area through Consolidated's territory and then down North Road. It usually takes 6 to 8 weeks before we would receive what the total costs for any Make Ready work would be for the poles we would attach to.

While that is taking place, I'm still working with Consolidated and I spoke to our contact there this morning and it appears that they have no issues with a boundary change, but still are working through if they will allow TDS to assume their space on the pole and lash to their existing strand. Also, if they are going to take down their copper or if we are going to over lash our fiber over their copper. Either way, that will certainly bring down the overall make ready costs as we won't have to worry about any new make ready charges on the North Road portion of the build. As soon as I hear what their final decision is I'll certainly let you know. If they don't allow us to attach to the existing strand that may add more cost to the Make Ready as we will be an additional attacher on the poles.

The high level build estimate for labor / materials / est. overheads is \$103,500 for the TDS portion. Once we hear back from Eversource and Consolidated with Make Ready pricing that will give you the total costs.

If I have missed anything or you have questions please let me know.

Thanks,

Scott

Chairman Herbert asked if Scott had been told that this had been voted down at Town Meeting. Selectman Hoyt noted that raising money had been voted down. He also noted that within the last 24 hours, TDS acknowledged that they would be willing to accept two payments. A deposit could be paid with the first payment, the remainder with the second payment.

Selectman Hoyt felt voters didn't understand that the warrant article wouldn't have cost the town anything at all.

TA Rollins shared that she had spoken with the town's representative at the NH Department of Revenue Administration (DRA). She was told that since the bond article had failed as a warrant article, no means no and it would have to be brought back up to a vote in 2022. Chairman Walker said he would contact the DRA to discuss it further and get clarification.

Chairman Walker asked the board if he could contact town counsel if needed. Selectmen Hoyt and Herbert agreed that would be fine.

Selectman Hoyt noted that everything was looking very positive. No cost to the town and North Road would get their internet. And TDS would take two payments instead of requesting all of the money up front. Chairman Walker noted the board would follow all options while following the law.

Selectman Hoyt asked if the town should send TDS \$688. Chairman Walker cautioned against moving forward until he spoke with representatives from NHMA and DRA. He added that if the folks on North Road wanted to chip in that money, that could get things going.

8) Public Comments

a. NH State Representative Louise Andrus

Ms. Andrus addressed the board, reading from a prepared statement which is shown below:

I am here tonight to set the record straight. My name is Louise Andrus and I am a citizen of Salisbury and am your State Rep. At the May 1st town meeting I spoke with regards to article 2 and the broadband proposed bond. Since Saturday I have been asked several times by a Selectman, "So I will ask you again, other than a matching program that we can't apply for, what state funds are available to finish the project on North Road? What are the funds that you mentioned at the town meeting?" This is one of several questions asked of me.

I suggested at the town meeting on Saturday, May 1st that money was available through the State, and it is through the American Rescue Plan Act. I spoke with the Governor's office on Monday and the State is waiting for answers from the Federal Government before logistics can be set up and information to go out to the towns and cities. As for matching funds the Town will be receiving ARPA funds for \$71,500. and those funds can be used as matching funds toward the broadband on North Rd if the Selectmen choose to do so. Then we have SB 85 establishing a broadband matching grant initiative and fund. This bill was passed by the NH Senate 24-0 and there will be a Public Hearing held on the bill by the House Finance Committee on May 10th. Therefore, I do not know why I was asked the question I was asked. The Town does have matching funds when it receives the \$71,500. If I in any way used incorrect wording and gave misleading information on grants, I sincerely apologize to everyone. Realize that these projects take time but after reading the minutes of previous Selectmens meetings we have been over a year and a half and need to go forward and get this project done.

Read the previous minutes starting with the Fall of 2019 and the first deadline goal of TDS was December 2020 which was missed. We have no real anticipated start and end date of installation. 30 weeks out before a start could mean most anything. We have no idea the suggested payment schedule to TDS. And Consolidated and TDS have not filed paperwork with the PUC giving permission for TDS to do the work.

I was under the impression that Consolidated Communications has turned North Rd over to TDS which has to be done through the PUC. I contacted the Public Utilities Commission, and today May 5th received a reply and they have nothing on record that either company has asked for this change. The reply was from Amanda Noonan at the PUC:

"Good morning Rep. Andrus – thank you for your email inquiry. Consolidated Communications and TDS Telecom have designated franchise areas in which telecommunications service can be provided. Changes to franchise boundaries do require approval from the NH Public Utilities Commission. As of today, neither company has filed a request with the Commission to adjust the franchise boundary to allow TDS to provide telecommunications service, including broadband, in the portion of Salisbury served by Consolidated."

A couple of times I have asked Selectmen questions regarding TDS and broadband and sometimes what I receive is defensive reactions. The reason I ask questions is that I cannot help obtain information if I do not have up to date facts. I am not going to reach out to a State or Federal agencies without knowing what I am talking about. I am not going to be pushed into a corner so to speak because I ask questions. If the Selectmen do not want my help and input let me know.

Last night I went through the Selectmen's meeting minutes starting back in September 2019 and read

everything on broadband.

For the record, Saturday's meeting was a good meeting but many participants speaking could not be heard. This has come from several people that stopped me after the meeting on Saturday and a person that messaged me. I know it was the acoustics but we have to do better. Thank you.

I would like this added as a matter of record along with the 10 pages of previous minutes of Selectmen's meetings which pertains to broadband from September 24, 2019 thru April 21, 2021. I will email this to the Board Secretary and will give her at this time the 10 pages of the broadband minutes.

Rep. Andrus added that she had read that some towns had backed out of signing any contracts for broadband because there was something in ARPA about not being able to receive funds if a project is already underway. She did not know the logistics.

Selectman Herbert asked Rep. Andrus to expand regarding "SB-85: Establishing a broadband matching grant initiative". She noted the bill had already been through the senate and was in the house. Everyone believed it would be passed and go into law, but she couldn't guarantee it.

b. David Kelly

Mr. Kelly addressed the board. He's on the Conservation Commission in town. He's also an employee of the NH Department of Environmental Services (DES) in the Drinking Water bureau.

About 4 years ago, DES starting giving presentations to children at school usually during National Drinking Water Week, the first full week of May. They've also given public presentations, some very well attended. Over the years, these have resulted in many standard analysis tests being done by residents. While the tests are \$85, Dave's services are provided free of charge.

Mr. Kelly said that if you have a dug well, he recommends testing home drinking water every other year for bacteria. If you just bought a new house, it's good to test the water. If there are any loose parts in a drilled well head, bacteria samples should be taken.

Mr. Kelly was offering his services through the Town Offices or directly. He's in the phone book. He will provide water sample bottles. He can also assist in taking the samples correctly and interpreting the test results.

Several suggestions were offered to Mr. Kelly including having him set up a table at Old Home Day, doing something at the Transfer Station and putting up notices.

c. Bert LaFlamme

Transfer Station Manager LaFlamme offered a public apology for closing the Transfer Station for 2 hours on Town Meeting Saturday without notice. He added that on that day they opened early and stayed late.

d. Gayle Landry

Mrs. Landry wondered what study was done to justify extending the Wednesday open hours at the Transfer Station. She noted that there was a budget process which everyone had to follow. She felt it was unfair to the rest of the employees who could have also stood up and done the same thing at Town Meeting. She also wanted to know what would be done with the extra \$2,500.

Chairman Walker noted it was difficult to foresee where the budget shortfalls would be for a particular line item. Anything not used goes into surplus. There had been discussion about whether to extend hours. He added that

Town Meeting was not the ideal place to make last minute adjustments to the operating budget. He noted that any changes were only good until December 31.

Selectman Herbert commented that the amendment may have been stated in such a way as to restrict how the additional \$5,000 could be spent. Chairman Walker replied that that was not how the law works. It's a bottom line amendment. It can't restrict the governing body from transferring funds from one fund to another.

Bert LaFlamme noted that the Transfer Station could use some serious work. Any extra money could be put to use.

9) Nonpublic Session RSA 91-A:3,II(c)

Chairman Walker made a **motion** to enter nonpublic session at 7:54 pm. Selectman Hoyt **seconded**. Roll call - Walker - Aye, Herbert - Aye, Hoyt - Aye.

The Board reconvened the public session at 8:18 pm. Chairman Walker announced that no decisions were made.

Chairman Walker made a **motion** to seal the nonpublic session meeting minutes. Selectman Hoyt **seconded** the motion. The **motion passed** unanimously.

10) Adjournment

Chairman Walker made a **motion** to adjourn the meeting at 8:19 pm. Selectman Herbert **seconded**. The **motion passed** with all in favor. The next scheduled meeting is for May 19, 7 pm at the Academy Hall.

Respectfully Submitted,

Kimberley Brown Edelmann
Recording Secretary

These meeting minutes were reviewed and accepted on May 19, 2021.

Selectmen, Town of Salisbury