



# Salisbury Board of Selectmen

## Meeting Minutes

July 19, 2023

Selectman Brett Walker, Chair	Absent
Selectman John W. Herbert	Present
Selectman Jim Hoyt	Present
Town Administrator April Rollins	Present
Municipal Assistant Sadie Merrow	Present

**Attendees:** Several citizens attended the meeting in person at Academy Hall. Two citizens attended via Zoom.

### 1) Open Meeting

Selectmen Hoyt opened the meeting at 7:02 pm

### 2) Meeting Minutes

Selectmen Hoyt made a **motion** to approve the minutes of July 5th, 2023, Selectmen Herbert **seconded** the motion. The **motion** passed successfully.

Selectman Herbert **seconded** the motion which passed successfully.

### 3) Signatures

Selectmen Hoyt noted that the Selectboard had reviewed and signed where applicable:

- Review Accounts Payable & Payroll Registers – Available for Public Inspection
- Intent to Cut - Tax Map 248, Lots 814, 15, 16 and 21 (Shaw)
- PA-16 Reimbursement to Towns & Cities in which Federal & State Lands are Situated
- PA-28 Inventory of Taxable Property Form

### 4) Department / Board / Committee Reports

#### a. **Fire Chief / Road Agent– Safety Complex Air Conditioning and Dunlap Road Complaint**

Bill MacDuffie Jr. told the Board, he is certain he did not hit the stonewall, he opened an old run off that has been there for forty plus years. Scott Cooper said he has lived on Dunlap Road for two years and the stone wall has never looked like that. Chief MacDuffie said that the stonewall should be removed completely to allow for better water drainage. Cooper asked to see an

environmental study for Dunlap Road. Selectmen Hoyt said Cooper is more than welcome to have a study conducted at his own expense. Scott Cooper asked Chief MacDuffie to measure the road to determine the right of way, so land owners will be able to determine what is their property or the Town's roads.

Chief MacDuffie said the air conditioning at the Safety Complex is not working properly. He said the classroom AC is not working at all and the office AC is working somewhat. Chief said he got verbal estimate to get the air conditioning units fixed, he was told to repair the one unit that it would cost around three thousand dollars (\$3,000). He believes that both units will need to be replaced in the upcoming years. The estimates to get both units replaced is around ten to twelve thousand dollars (\$10,000 - \$12,000). He thinks it would be best to wait until next year and budget to get the air conditioning replaced because it would save the Town more money in the long run.

b. **Transfer Station – Results of Household Hazardous Waste Day**

Manager Laflamme said Hazardous Waste Day ran smoothly. He said there was a good turnout of people and the Town reached the maximum limit of waste collected. He said that only one person did not get to participate in waste day because they came after the waste cap was hit.

c. **Zoning Board - No business**

TA Rollins said the Zoning Board had no business to report.

d. **Planning Board – Private Residential Camping Ordinance, Building Permit Fees, and Boscawen Development of Regional Impact**

Selectmen Herbert said the Planning Board spent their last meeting drafting a new/revised camping ordinance. This revised ordinance will include rules like: no winter camping, needing a new permit for summer camping, as well as a few other details. He said the Planning Board is still working on this ordinance and will continue drafting it at their next meeting.

Selectmen Herbert said he and a few other Planning Board members attended a Boscawen Planning Board meeting to hear a presentation on a new Development of Regional Impact (30 new homes) being built in Boscawen on the Salisbury Town line. Selectmen Herbert said the builder appears to be doing a great job preparing for this project. Selectmen Herbert said the builder presented an Environmental Impact study, Storm Water Management Plan and a Financial Analysis for the Town of Boscawen and the School District. (Materials about this Development of Regional Impact are available at Academy Hall per request)

**5) Public Hearing at 7:15 p.m. on the proposed Dog Ordinance**

Selectmen Hoyt made a **motion** to enter a Public Hearing on the Proposed Dog Ordinance. Selectmen Herbert **seconded** the motion. The **motion** passed successfully. Eric Swendsen stated one of his neighbors has been asked many times to please control the barking of their dogs. Swendsen said the barking is non-stop and all hours of the day and night. He believes that this Ordinance would have little to no effect on any responsible dog owner and this would only affect the people with nuisance animals who do not control the noise out of respect for their neighbors. Swendsen said he has called the State Police many times and filed reports but the State Police told him without a town Ordinance they can only do so much. Swendsen said he will likely have a court date because without this Town Ordinance the State Police must handle the issue on a state level. Swendsen said he has provided the State Police with numerous recordings and evidence of the dogs barking for ten to twelve hours straight. The State Police have only gone over to the residents and asked them to control the barking but have not fined the residents. Swendsen was told by State Police that if he continues to report the noise complaint he would be arrested for stalking because Salisbury has no Ordinance in place. Jill Mapes said there are two dogs (Pitbulls) without collars who have been in her yard multiple times. Mapes said she called the non-emergency line and they only ever take her information but no one comes to investigate the situation. Mapes said with the Ordinance the State Police would have to come investigate her call and take action. A resident asked if the Town had a Leash Law. Selectmen Herbert said he would investigate this. David Rapalyea said he believes he remembers a Leash Law being voted on at a Town Meeting years ago. TA Rollins said she would go back and look at the records. Eric Maxwell and many other residents were confused on the fact that the Dog Ordinance is a State RSA (RSA:466) already, so how come the Town of Salisbury needs to adopt the RSA to make it able to be enforced. TA Rollins explained the Town needs to adopt the RSA so that the State Police have more authority in Salisbury. Selectmen Hoyt explained that if they adopt the Ordinance, all dog barking issues would be handled on a Town level, so if the State Police fines a resident for dog barking the resident would have to pay the fine at the Town Clerks Office instead of the State or in Court. Selectmen Hoyt also said if the Town makes this RSA a Town Ordinance it would make it easier for the State Police to enforce in Town. Joe Schmidl said the State Police have asked the Town and the Selectmen to put this Ordinance in place to make enforcing the RSA easier and quicker rather than it only being an Ordinance at the State level. Gwen Hall said she was concerned about the section of the Ordinance where it states the Selectmen can appoint a person to act as the Town's Animal Control Officer. Selectmen Hoyt said the State Police act as our Police Force and Animal Control Officers and the Selectmen will not appoint anyone to act as an Animal Control Officer for the Town. Eric Maxwell said he still did not understand the reason for needing to adopt the Ordinance at a Town level. Eric Swendsen gave the following example to hopefully help the residents understand the importance of the Ordinance. Swendsen said without the Ordinance all the State Police nuisance complaint. Swendsen said without the Ordinance adopted on a Town level the only way for the State Police to fine or take more action is if they witness/hear the nuisance barking. Swendsen said with the Ordinance adopted at the Town level they can fine and act regardless if they witness the nuisance animal or not. Joe Schmidl recommended that the Selectmen invite the State Police to the next meeting to speak on why they want this Ordinance in place. Ashley Langevin said she thinks this Ordinance is going to cause tension and believes that neighbors should be able to handle a dog barking issue in a neighborly way. Gwen Hall said she believes this situation is a person issue not a dog issue. Selectmen Hoyt asked what she would do if she was in Eric Swendsen's position. Hall said she ask the State Police to do their job. Cindy Romano said she in concern about the thirty 1minute time limit of barking stated in the RSA and said that it is unreasonable. Selectmen Herbert said he believes the State Police will be reasonable about this and will not be listening to

barking dogs with a stop watch waiting for the thirty minute mark. Eric Swendsen said that the length of barking will not be an issue unless it is a nuisance to your neighbor. TA Rollins said the Town is only looking to adopt pieces of the RSA but she believes 30 minutes is not unreasonable or there is a medical emergency, because if a dog is excessively barking for thirty minutes the dog is likely in distress. Sarah John said if your dog is barking and no one calls and complains there is no problem. Nathan Irving said if your dog is barking when you leave your house your animal might have an issue like separation anxiety, he also said no one is going to agree on a time frame for length of barking. A few residents were concerned about the State Police showing up to their house due to a complaint but the owners were just playing with their animals in the yard. Selectmen Hoyt said the Police would get both sides of the story before addressing the issue. Eric Maxwell said the terms like “barking” and “growling” used in the Ordinance are subjective. Selectmen Hoyt said if you keep your dog under control then this should never be an issue. Nathan Irving said if you are on a public road or private property and there is an uncontrolled dog then you should get the police involved. Irving said if you think the Town of Salisbury is going to be absurd with how they handle situations then go to more meetings and meet more of your neighbors. Selectmen Hoyt made a **motion** to continue this Public Hearing on August 9<sup>th</sup> at 7:15 p.m. Selectmen Herbert **seconded** the motion. Selectmen Hoyt made a **motion** to close the Public Hearing at 8:10 pm. Selectmen Herbert **seconded** motion. The motion passed successfully.

#### 6) **New Business**

- Police Stats for the Month of June

NH State Police Statistics June 2023	
Type of Call	#
Alarm	1
Assist Motorist	1
Assist Citizen	1
Assisting other Agencies	1
Barking Dog Noise Complaint	5
Check up	1
Directed Enforcement Patrol	5
Domestic Violence	1
Lost/Stray Animal	1
Medical Assistance	3
Mv Crash	1
MV Crash with Injury	1
Non- Incident	2
Notifications	1
Property Check	2
Selective Enforcement Traffic	4

Serve Subpoena	2
Theft	1
Traffic Stop	44
Trespassing	2
Vin Inspection	2
Welfare Check	3
<b>Total Calls</b>	<b>84</b>

- Salisbury Free Library – New Director - Nicole Morency, Criminal Background Checks and Water Cooler

TA Rollins told the Board that she has had New Director Nicole Morencys background check conducted. TA Rollins said that it is the Library's responsibility to pay for this process and that they need to use funds from their own budget.

TA Rollins said that the water cooler at the Library has been using water jugs from Academy Hall without her knowledge. TA Rollins said the water jugs at Academy Hall are paid for with the Town's Budget and that the Library needs to use their own funds to purchase their own water or help pay for the water that they use from Academy Hall Jennifer Hoyt said they would be happy to chip in for the water they use and would keep track, in order to reimburse the funds.

## 7) Old Business

- Public Hearing Continuance for Class VI Road Municipal Liability Waiver on Calef Hill Road – Travis Silver

Travis Silver said that nothing new is going on, and that he hired an engineer to work alongside the State Engineer in hopes to get some answers. Silver asked if he could access his property on the Boscawen side. TA Rollins said he cannot do that because he still needs a driveway permit from Salisbury to apply for a building permit and still would be traveling on Calef Hill Road. Selectmen Hoyt said once Silver gets the States permission and their engineered plans for the road, Silver will then need to get the Class VI Road waiver then he can apply for a permit. Selectmen Hoyt made a **motion** to allow improvements on Calef Hill Road upon State approval. Selectmen Herbert **seconded** the motion. The **motion** passed successfully.

- Estimates for Academy Hall Chimney & Roof

TA Rollins said she is still waiting on one more estimate and will have all the estimates by the next meeting.

## 8) Selectmen's Reports

Selectmen Hoyt said he would like to change some dates for upcoming meetings do to Chair Walkers Schedule. Upcoming Meeting dates are as followed:

August 2<sup>nd</sup> meeting is now being held on **August 9<sup>th</sup>**

August 16<sup>th</sup> meeting is now being held on **August 23<sup>rd</sup>**

Selectmen Hoyt made a **motion** to change these upcoming meeting dates. Selectmen Herbert **seconded** the motion. The **motion** passed successfully.

Selectmen Hoyt said he has received donations for Salisbury Old Homes Day. The Old Homes Day Committee is now providing a rock wall, axe throwing, art spinner, and a photobooth on the green during Old Homes Day festivities.

Selectmen Hoyt made a **motion** to accept the donation of two hundred and fifty dollars (\$250) from Brennen Lorden Landscape. Selectmen Herbert **seconded** the motion. The **motion** passed successfully. Selectmen Hoyt made a **motion** to accept the donation of two hundred dollars (\$200) from Countryside Builders. Selectmen Herbert **seconded** the motion. The **motion** passed successfully. Selectmen Hoyt made a **motion** to accept the donation of three hundred dollars (\$300) from Anonymous. Selectmen Herbert **seconded** the motion. The **motion** passed successfully.

## 9) **Public Comment**

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

- Huckleberry Propane – Annual Cleaning of Furnaces & Rinnai Heaters  
TA Rollins said that Huckleberry Propane & Oil came and performed the annual cleaning of the furnaces & rinnai heaters.
- Epping Well – Serviced water system at Town Hall & the Safety Complex  
TA Rollins said Epping Well came to service the water system at the Town Hall and the Safety Complex.
- Highway Department Locations – 22 Additional Properties added to the Original List (1 offer)  
TA Rollins said that last week 47 letters were sent out to land owners to express the Towns interest in potentially purchasing property from them for the Highway Department.
- Town Hall – Windows, Kitchen Lights, Ramp & Cribbage  
TA Rollins said the Town Hall interior windows have been completed, exterior repairs are the only thing left to do which includes installation of the storm windows and screens, as well as one window that needs to be squared up.

TA Rollins said that Viking Electric is going to look at the Kitchen light

TA Rollins said that Helen Binette reported that some of the boards are loose on the ramp at Town Hall. Selectmen Herbert said he would go to the Town Hall tomorrow and nail the boards down.

TA Rollins told the Board that the Cribbage players need to pick up their tables and chairs after they meet every week due to the frequent amount of Town Hall rentals.

Next Meeting is Wednesday, August 9<sup>th</sup>, 2023 @ 7 p.m. at the Academy Hall

Meeting adjourned at 8:20

**Respectfully Submitted,**

**Sadie Merrow, Municipal Assistant**