



Salisbury Board of Selectmen

Meeting Minutes

August 9, 2023

Selectman Brett Walker, Chair	Present
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. One citizen attended via Zoom.

1) Open Meeting

Chair Walker opened the meeting at 7:02 pm

2) Meeting Minutes

Selectmen Herbert made a **motion** to approve the minutes of July 19th, 2023, Selectmen Hoyt **seconded** the motion. The **motion** passed successfully.

3) Signatures

Chair Walker noted that the Selectboard had reviewed and signed where applicable:

- Review Accounts Payable & Payroll Registers – Available for Public Inspection
- Report of Cut - Tax Map 248, Lot 8 and Tax Map 221, Lot 3 and Tax Map 240, Lots 30 & 35
- Intent to Cut – Tax Map 231, Lot 1
- Veteran's Exemption – Tax Map 235, Lot 5
- Excavation Warrant

4) Department / Board / Committee Reports

a. **Fire Chief / Road Agent-** No updates at this time

Bill MacDuffie Jr. was absent.

b. **Transfer Station**

Manager Laflamme was absent.

c. **Planning Board - Private Residential Camping Ordinance and Building Permit**

Selectmen Herbert stated that the Planning Board is still working on the draft for the camping permit ordinance. Selectmen Herbert said he thought that the Planning Board was getting close to having a final draft. One of the members of the Planning Board has asked to see a written request from the Board of Selectmen asking for the Camping Ordinance and Building Code to be referred to them for amendments. Selectmen Herbert told the Planning Board member no such document exists. (Discussion took place in a non-public session)

d. **Old Home Day Committee**

Selectmen Hoyt stated Old Home Day is going to be a good one, and it looks like the weather will be nice. He also said there are many activities for the children including a rock wall, art spinner and axe throwing. There will also be fireworks on Friday night. He also gave a big thank you to everyone who donated to Old Home Day. Old Home Day pins and schedules were available during the meeting.

e. **Conservation Commission – Meeting moved to August 30th**

TA Rollins stated Conservation Commission has moved there meeting from August 23rd to August 30th.

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

Chair Walker opened the Public Hearing at 7:15. Selectmen Hoyt said he spoke to the NHMA and learned that the Town of Salisbury is allowed to adjust the Dog Ordinance to fit the Town's needs, as long as they do not make the Ordinance stricter than the State Law. Selectmen Hoyt took some time and rewrote portions and added the penalties to the newly proposed Dog Ordinance using feedback the Board got from citizens at the last Public Hearing. Selectmen Hoyt asked Gayle Landry to post the proposed Ordinance on the Town website so it is available for everyone to view. A few citizens spoke at the Public Hearing asking for a few more changes regarding Section 2.D. The Citizen asked for more details about where and how animals would be taken if they were considered a nuisance. Another request was to edit Section 3.A about the Selectmen appointing a Dog Officer. The Selectmen have made it clear they will not be appointing anyone as a Dog Officer, the State Police will oversee that duty. Eric Swendsen said he looked over the Dog Ordinance and it looks very accommodating to his issues. Selectmen Walker said we will continue this Public Hearing to the next meeting.

6) New Business

- July Police Stats

NH State Police Statistics July 2023	
Type of Call	#
Alarm	1
Assist Citizen	1
Barking Dog Noise Complaint	2
Check up	4
Community Policing	1
Directed Enforcement Patrol	3
Follow Ups	2
Hazardous Operator	1
Mv Crash Hit & Run	1
Restraining Order	1
Selective Enforcement Patrol	1
Suspicious Activity	1
Suspicious Auto	2
Suspicious Person	1
Traffic Stop	46
Vin Inspection/Verification	1
Warrant	1
911 Hang up/Check up	2
Total Calls	72

- Cemetery Committee – Cornerstones Budget Line Item
TA Rollins explained to the Board that members of the Cemetery Committee have met with her about adding a Budget Line Item for Cornerstones. The Cemetery Trustees collect the funds in advance and those funds are shown as revenue. The bills are received months later and there is no line in the operating budget to show the expense. TA Rollins noted the Town purchases the cornerstones in advance to save residents money and this process ensures that there is not an overstock of cornerstones held by the Trustees. Cornerstone Budget Line has been added to the 2024 Budget.
- Town Hall Rental Agreement – Salisbury Congregational Church, Old Home Day BBQ on 8/12/23 from 11:30 a.m. to 4:30 p.m. (Waive Fee)

Chair Walker made a **motion** to waive the Town Hall Rental fee for Salisbury Congregational Church, Old Home Day BBQ. Selectmen Hoyt **seconded** the motion. The motion passed successfully.

- Highway Block Grant - \$20,487.82 (July & October) \$13,658.55 (January & April (estimated))

TA Rollins stated February, May and July have been received and October will be the last payment giving us a total of \$68,533.68 for 2023.

February 2023 Actual Payment = \$13,783.35 (Received to date)

May 2023 Actual Payment = \$13,774.69 (Received to date)

July 2023 Actual Payment = \$20,487.82 (Received to date)

October 2023 Actual Payment = \$20,487.82

January 2024 Actual Payment = \$13,658.55

April 2024 Estimated Payment = \$13,658.55

7) Old Business

- Estimates for Academy Hall's Chimney & Roof

TA Rollins said we have received quotes for the Academy Hall Chimney. She said she received quotes for repairing the chimney as well as capping the chimney, from four companies. Quotes are as followed:

Black Moose Chimney & Stove:

Repair Chimney = \$11,340

Cap Chimney = \$2,915 (would also need to hire Roofing Company)

Anything Chimney:

Repair Chimney = \$6,419

Cap Chimney = \$2,000 (would also need to hire Roofing Company)

A1 Professional INC:

Repair Chimney = \$10,800

Cap Chimney = \$12,200 (Includes Roofing)

Jasmor Properties LLC (Roofing Contract):

Patch Chimney = \$1,800

Chair Walker said he was not interested in fixing a chimney we do not use. Selectmen Herbert made a **motion** to accept the bids from Anything Chimney for capping the chimney (\$2,000) and the bid from Jasmor Properties LLC to do the roof repair. (\$1,800). Chair Walker **seconded** the motion. The motion passed successfully.

- Scott Cooper Re: Dunlap Road / W. Salisbury Road

Chair Walker said he was perplexed by how Mr. Cooper said in an email that Road Agent Bill McDuffie Jr. is not allowed to do the road work on Dunlap Road by his house. Chair Walker said that Road Agent Bill McDuffie Jr. is an elected Official for the town and is responsible for repairing and maintaining the roads. Scott Cooper said in an email (*Emails below) that the Road agent has threatened him on a few occasions and that he is only willing to communicate with Bill McDuffie Jr. via email. Selectmen Hoyt questioned Cooper about his previous letters to DES (**letters below), as well as Coopers concerns with his neighbor's foot bridge (**Email below). Selectmen Hoyt said he took a ride by the lake house after he

was informed by TA Rollins about the letter Cooper sent. Selectmen Hoyt said when he went to the house, he could barely see the bridge from the road. No trust passing signs made it impossible for him to look farther without home owner permission. Scott Copper also spoke about his "Connecticut People" neighbors and their suburban lawn and the location of they choose to dump their lawn clippings.

* Hi April,

I am sad I have to write this email, and apologize to you for the additional research this asks for.

I'm writing to you in part because I believe it is possible that after daybreak Bill Jr. may come over with heavy equipment and make changes along my lot that I do not want and may not be sound decisions.

This issue with Dunlap Road, as discussed at Town Meeting, is now in an even worse place than before I notified you. Bill Jr. seems pretty abrasive even with the polite contact that I've attempted with him. Here's a timeline:

A few months back we exchanged generic pleasantries after a Town Meeting.

On May 3rd, I texted him asking for the repaving plans and what plants I might need to move to save them. I ended my message with "Thank you very much." I got no reply.

On May 12th, I called him before 2PM asking for the same info, and he was short with me. I asked him to visit so I could see what was needed, and towards the end of the call he threatened that he wants to take part of my hillside. The call was under 4 minutes.

And now on July 19th, during the Town Meeting, he threatened to clear the full right of way on Dunlap, and even take away my long-existing moss-covered stone wall.

Had he come out to chat after our only phone call, I think a lot of this problem would have been avoided. The drainage topic has been a concern for a while; I believe I've emailed in about it previously.

Dunlap Road is a dirt road, and the claimed right-of-way for the town does not fit the locations of homes on either side of the street. Using the full claimed width of 50 feet would mean putting roads through people's living rooms.

1) Is there documentation of this 50 foot claim? Law?

If the town needs to widen the road near me, the lot on the other side of Dunlap Road in that area is about a 15 acre lot. Mine is barely 0.70 acres.

I assert that the prior existence of this new drainage onto my yard is fanciful. I believe it was much closer to the culvert, within arm's distance from the phone pole. 2) Unless you have prior documentation otherwise, I ask for this to be remediated. Just so long as anyone else aside from Bill Jr. does the work, I will accept that. I like Bill Sr, who I have talked to about road issues several times before. He's never once threatened me.

It is best Bill Jr. and I keep away from each other for now unless our civic duties require proximity.

3) Also, I'd like a copy of the Zoom recording of Town Meeting.

I would prefer that this situation not escalate, but am prepared if someone wants to "experiment and report the results."

Respectfully,

**

Dear Ryan,

Please note the zip code included in your letter is incorrect. I cannot but help wondering if this is to delay or avoid receiving correspondence from abutters. One must question your firm's attention to detail if you cannot get your own mailing address correct on formal letterhead. The date of the letter was well in advance of the mailing date of June 20th.

Your letter makes it sound like your client, Alice Jimenez, has yet to make any changes. **That is incorrect. These changes are already in place and have been for at least the last two years.** Further review of various online overhead maps shows the before and after, and there is nothing to suggest these changes that are already done were needed. It appears simply that your client just wanted a suburban lawn. I do not see changes related to bank stabilization.

Your client has also had apparently constructed a footbridge over part of the Blackwater River, using 5 gallon buckets from hardware stores to form concrete piers. I cannot imagine this work was done under permit. Reviews of various deeds and maps show this land is owned by the Dorsey family, who own the massive parcel on the other side of the river.

During the spring melt high water levels, this footbridge was nearly washed out, as the water was hitting the top deck. Further, the overhead maps appears to show **one of the two channels** around the island **may have been blocked** off to enable this bridge to be constructed.

Unfortunately, **your client has not reached out to anyone here in person** that I am aware of. That may be a side effect of them only visiting on occasional warm weekends. They do not seem to be part of the community, and they have no apparent desire to build local relationships. I personally visited multiple times on different weekends to chat with them; they were never there.

On what seemed to be their first visit this year, they took the time to post many No Trespassing signs, including on land they do not own. So whatever goodwill they had by default they destroyed with that action. My view of the river was degraded by these signs, in particular from ones posted on lands they do not own. Certainly, a strategic blunder.

They also dumped their lawn clippings into the wetland area near the front left of their driveway. The pile there has grown since.

The area just downstream from their property is the historic **Old Town Swimming Hole**. It is a natural formation where eddy currents have dug out a circular shape where local families have gone swimming for generations. Locals, who live here full time, took great offense to that. Many of us have worked to keep the area around the

Swimming Hole clean; I personally have removed broken glass and fishing line. The area is relatively well traveled so it is not a good spot to dump anything; it would be seen quickly.

There is no added benefit landowners get from posting No Trespassing signs, nor any reason I could see why they were needed. It certainly furthered the perception that your client does not care about her neighbors and abutters, nor norms of New Hampshire, the State's laws, etc. It essentially had the effect of posting giant middle fingers at us all.

For all of those reasons above, I am FULLY OPPOSED to this permit unless your client is willing do one of the following scenarios:

- A) My preferred option: Divide their lot into the area around their home (and these improvements) and upstream, and create a new lot for the area from the street sign downstream. This new lot would include a deed restriction that the new lot would be forever accessible to Salisbury, NH residents. Then this new lot would be donated to the Town of Salisbury's Conservation Commission in lieu of any fines. All already-made changes would be retroactively allowed, both the lawn and bridge.
- A) Create the same deed restriction on the existing deed for the land from the street sign downstream would be forever accessible to Salisbury, NH residents. The State of New Hampshire would levy any fines. All already-made changes would be retroactively allowed, both the lawn and bridge,
- B) They can remove the bridge and lawn, and pay the fines to The State of New Hampshire. I feel this is the least beneficial to the community. The damage to the habitat has already been done.
- C) Commit to selling this vacation home to help with our state's housing crisis, and avoid any fines.

I assume The State of New Hampshire is going to fine them anyway. I would be interested in purchasing the land from the street sign downstream at a fair market price. This may help offset the costs of fines and remediation. Again, my preference is they donate this land directly to the town and not pay any fine.

Again, I am FULLY OPPOSED to this permit unless the community benefits from one of my list above.

Regards,
Scott Cooper

Howdy,

Can you tell me if the Connecticut people at 15 Bay Road took out permits for their hacky footbridge? They used 5 gallon buckets to pour concrete into for supporting the bridge.

Thanks!

- Town Hall's Lights

TA Rollins said the balusters have gone in the Town Hall lights, so they have all been replaced with LED lights. This will save the town a few pennies in the future.

8) **Selectmen's Reports**

Selectmen Herbert said he tried to make the ramp at Town Hall a little better by Screwing in some more support screws but that the wood was rotten. The Board asked TA Rollins to get quotes to build a cement ramp in the front of Town Hall.

9) **Public Comment**

10) **Town Administrator's Report**

- Mitchell Municipal Group – Walter Mitchell is retiring effective 9/28/23
- Non-Public Session – RSA 91-A:3 II (d) via Conference Call \ Non-Public Session RSA 91-A:3, II (b)(c)(d) – **Motion** to enter non-public by Chair Walker **seconded** by Selectmen Hoyt, Roll Call – Hoyt, aye, Walker, aye, Herbert, aye. The Board entered a non-public session at 7:54 p.m. and reconvened the public session at 8:34 p.m. Chair Walker made a **motion** to approve the reduced interest rate from the Tax Collector's recommendation for 2016 and 2017. Selectmen Herbert **seconded** the motion. The motion passed successfully. Chair Walker made a **motion** to seal both sets of non-public minutes. Selectmen Hoyt **seconded** the motion. The motion passes successfully.

Next Meeting is Wednesday, August 23th, 2023 @ 7 p.m. at the Academy Hall

Meeting adjourned at 8:20

Respectfully Submitted,

Sadie Merrow, Municipal Assistant