



# Salisbury Board of Selectmen

## Meeting Minutes

October 6, 2021

**Approved**

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

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**Attendees:** Several citizens attended the meeting in person at Academy Hall. A few members of the public attended the meeting via Zoom.

### 1) Open Meeting

Chairman Brett Walker opened the meeting at 7 pm.

### 2) Meeting Minutes

Selectman Herbert made a **motion** to approve the minutes of September 15, 2021. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

### 3) Signatures

Chairman Walker noted that the Selectboard had reviewed the accounts payable & payroll registers. They also reviewed and signed a yield tax for tax map 216, Lot 9.1 (Platte) and a disabled veteran's credit.

All documents are available for public inspection.

### 4) 2022 Budget Review

Chairman Walker explained that the Selectboard would be reviewing several budgets and then making recommendations to the Budget Committee.

#### a. **4191-40/45 – Zoning, 4191-10/28 – Planning Board**

Chairman Walker noted that both of the proposed budgets presented to the Selectboard for Zoning and Planning were level funded. He made a **motion** to recommend to the Budget Committee level funding of the Zoning and Planning budgets for 2022. Selectman Herbert **seconded**. The **motion passed** with all in favor.

**b. 4240 – Building Inspector**

Chairman Walker noted that there were proposed increases in salary and training, resulting in a 5% increase overall. It was noted that employee salaries would be handled department by department.

Chairman Walker made a **motion** to recommend to the Budget Committee the proposed Building Inspector budget as presented. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

**c. 4520 – Recreation**

Chairman Walker made a **motion** to recommend to the Budget Committee level funding the Recreation budget. Selectman Herbert **seconded**. The **motion passed** with all in favor.

**d. 4140 – Registrations, etc.**

Town Clerk Jim Zink-Mailloux noted that he anticipated an increase in 2022 expenditures for postage and software. He noted that the equipment line might also change. He was expecting a quote regarding printing. He said he was printing much more than in the past and was investigating various options.

TC Zink-Mailloux said he did not anticipate a change in hours.

Chairman Walker made a **motion** to recommend to the Budget Committee funding the Registrations budget as presented. Selectman Herbert **seconded**. The **motion passed** with all in favor.

**e. 4149 – Tax Collector**

Tax Collector Gayle Landry noted that she anticipated increased expenditures in 2022 for postage and salary. She also noted that the Town had not yet been billed for software support, but expected to be before the end of the fiscal year.

Selectman Herbert made a **motion** to recommend to the Budget Committee funding the Tax Collector budget as presented. Chairman Walker **seconded**. The **motion passed** with all in favor.

**f. 4600 – Conservation**

The Conservation Commission recommended a level funded budget. Chairman Walker made a **motion** to recommend to the Budget Committee level funding the Conservation budget for 2022, as presented. Selectman Herbert **seconded**. The **motion passed** with all in favor.

**g. 4195 – Cemetery Trustees – Geoffrey Hodges, Chair**

David and Dora Rapalyea noted that there was a big pine at Congregational Cemetery which needed to be removed before it caused great damage. Three bids had been received for the removal work. The Trustees chose to go with the lowest bid. They added that there were 7 pines at Fellows Cemetery which were leaning towards Rt 127 and needed removal.

It was noted that the proposed 2022 budget for the Cemetery Trustees included the cost of tree removal.

The cemeteries need signs. Funding of this was also included in the proposed budget.

Selectman Herbert made a **motion** to recommend to the Budget Committee funding the Cemetery Trustees budget as presented. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

**h. 4220 / 4215 / 4290 – Fire / Rescue / Forestry, 4312 /4910 – Highway Projects, 4910 – Highway Projects – Bill MacDuffie Jr.**

As Bill MacDuffie Jr. was not present at the meeting, Chairman Walker made a **motion** to table discussion on the Fire & Highway budgets. TA Rollins added that Mr. MacDuffie had not yet received materials needed for highway projects. Encumbering may be needed. Also, the price of salt had increased by close to 50% and was concerning.

Chairman Walker reiterated his motion to table discussion to the next meeting. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

**i. 4210 – Police – BOS**

Chairman Walker recommended that the Town make more use of the State Police, increasing patrols from 4 hours per week to 8 hours per week on alternating weeks, averaging 6 hours per week. The proposed budget reflected an increase in the hourly rate and the additional hours.

Selectman Herbert agreed with the proposed increase in coverage. He made a **motion** to recommend to the Budget Committee funding the Police budget as presented. Chairman Walker **seconded**. The **motion passed** with all in favor.

**j. 4550 – Library – Michelle Carr, Chair**

Michelle Carr handed the proposed budget for the Library to the Selectboard for their review. She explained that she was looking for a 2% increase for both operations and salaries. She also noted one change in staff.

Chairman Walker made a **motion** to recommend to the Budget Committee funding of \$46,377 as the Town's contribution to the Library budget. Selectman Herbert **seconded**. The **motion passed** with all in favor.

**k. 4150 – Financial Administration**

TA Rollins noted that the Town would soon be negotiating a new contract with Cross Country for the revaluation. The audit costs would be remaining the same through 2023. Also, a few adjustments had been made to the budget based on two years of history.

Chairman Walker noted that Trust Fund Expenses line was increasing. He questioned why administration fees were not coming out of the trust themselves, instead of being covered by taxpayers. TA Rollins would investigate.

Chairman Walker made a **motion** to recommend to the Budget Committee funding the Financial Administration budget as presented at \$62,610. Selectman Herbert **seconded**. The **motion passed** with all in favor.

**5) DRA Reports**

TA Rollins reported that the MS-1 had been completed. She spoke with DRA about setting the tax rate. They would not be willing to do that until the Rooms & Meals Tax was received.

TA Rollins also noted that the DRA was waiting to hear from the School District to see if they were going to hold a special town meeting to accept the adequacy funds which were gifted to them.

## 6) New Business

### a. NH State Police August Stats

Chairman Walker read the August statistics into the record, as follows:

#### August 2021

Type of Call	#	Type of Call	#
911 hang up / Check welfare	1	Public relations request	1
Alarm	2	Restraining order information & service	2
Check up	3	Special detail assignment	1
Motor vehicle crash, no injuries	3	Suspicious activity	1
Motor vehicle crash, injuries	1	Traffic enforcement / motor vehicle stop	14
Non NIBRS event / non-cat data	1	VIN verification / investigation	3
Other non-criminal investigation	1	Warrants	1
Overtime	1	<b>Total Calls</b>	<b>36</b>

### b. Complaint – Christopher Center Re: Black Bear Vineyard

Chairman Walker noted that a written complaint had been sent to the Selectboard by Christopher Center, an abutter of Black Bear Vineyard. The Chair invited Mr. Center to address the Board.

Mr. Center reiterated what he had written. His complaint was regarding loud music coming from Black Bear Vineyard. He said it was loud enough that he could feel the bass notes in his home. He expressed concern about his property value. Mr. Center noted that when he purchased his 13 acres in Salisbury Farm Estates he did not expect to be living next to the Bank of NH Pavilion. Mr. Center added that his wife had visited the vineyard on September 26 during an event and asked them to turn down the music which had started at 10:45 in the morning. However, the owners felt they were allowed to continue and did not lower the volume. Mr. Center said the music was every weekend in summer and fall. Typically, it sounds like live music bands with the volume cranked up. Mr. Center did not understand how a loud music venue could have been allowed in a residential area.

Chairman Walker noted that the Town did not have a noise ordinance. To have one, the Town would have to vote on it. He added that aside from feeling empathy for the situation, there was no action the Selectboard could take as there was no regulation to enforce. Five or six years ago, after a noisy logging operation, a noise ordinance was proposed, however it was voted down at Town Meeting.

Chairman Walker added that Black Bear Vineyard was an agricultural business and that the activities at the vineyard are allowed under the agricultural statutes.

Gayle Landry noted that she was also an abutter. The music was every weekend. She wanted to know why a cease & desist was withdrawn. Chairman Walker noted that the C&D was not issued properly and the attorneys advised withdrawal. She questioned whether conditional permits were required for weddings and other events. Chairman Walker noted that the attorney's opinion was that there were no violations of the notice of decision. Selectman Herbert added that the agreement did limit the number of cars parked.

Mrs. Landry also shared that during a September event, people trespassed onto her property.

Chairman Walker said citizens could present a petition requesting a warrant article for a noise ordinance.

Selectman Herbert said the Selectboard could also write it. TA Rollins noted that a public hearing would be needed and the Planning Board and the Town attorneys would need to review it.

A member of the public suggested the Town should get money from each of the events. Chairman Walker pointed out that could not be done.

Mrs. Landry asked again why events did not need to be approved. TA Rollins said the vineyard had talked about expansion. A conditional use permit was going to be part of that. The expansion has not been pursued.

Chairman Walker wondered if there was a civil approach that the abutters could take. He suggested it might be worth talking to an attorney about that.

Mr. Center noted that tents were being put up to accommodate more people. That in itself is a form of expansion. Mrs. Landry asked if tents needed to be inspected. TA Rollins confirmed that was true if they were a certain size.

Mr. Center said he was disappointed, but appreciated having his complaint heard.

#### **c. NH DOT – Ten Year Plan Public Hearings**

The NH Department of Transportation was holding public hearings about the Ten Year Plans. The ones closest to Salisbury are scheduled for October 17 in Concord and October 18 in Franklin. It was not decided who would attend which hearing. Projects are all over the state. Salisbury was proposing something be done at the crossroads.

### **7) Department / Board Committee Updates:**

#### **a. Road Agent / Fire Chief**

Chairman Walker noted that the cost of Eastern Minerals road salt had increased from \$75.93.

#### **b. Transfer Station**

TA Rollins noted that the concrete pad for the generator was now in place and cost about \$400. An existing pad would be used for the compactor.

Chairman Walker noted that the generator was expected to arrive in November.

Chairman Walker reached out to Global about the delivery of the compactor for which payment had been received. They said they were experiencing a 14 to 16 week delivery time. The sales quote said it would be 10 weeks. Chairman Walker was not pleased. Timing of delivery and installation was critical as the current contract with the trash hauler runs out at the end of the year and needed to be updated with the new compactor considered.

### **8) Old Business**

#### **a. Academy Hall Toilet**

Town Administrator April Rollins reported that the toilet was repaired and working.

#### **b. Library – Leaky Sink**

TA Rollins reported that the leaky sink was fixed by Tyler Cross. The hot water tank was replaced.

#### **c. Town Clerk / Tax Collector’s Half Door**

TA Rollins shared that they were waiting on parts to complete repairs to the door.

#### **d. Town Hall Repairs**

TA Rollins reported that the window was now repaired.

Selectman Hoyt said that he would be installing the new faucets the next week.

#### **e. Batting Cage – Town Park**

TA Rollins reported that an order for a batting cage had been placed. Only the posts would be installed this fall. The nets would go up next year.

### **9) Selectmen’s Reports**

#### **a. Kudos**

Chairman Walker reported that the Town had received a letter of appreciation regarding the Transfer Station. It relayed that Bert and the staff were going a great job. The station has been neat and well organized.

Chairman Walker also shared that he had received a phone call giving kudos to the Cemetery Trustees for the work that they’d been doing on clearing brush and tidying the cemeteries.

Dora Rapalyea said that near the ball field there were 21 dead trees that needed to be addressed, most of which were saplings. Selectman Herbert didn’t feel it would cost much to have removed, maybe a couple hundred dollars. Chairman Walker wondered which budget to use for that work.

TA Rollins added that the fire pond needed clearing, too. Andrew Perkins would not be handling grounds work in the future. The Town would need to go out to bid for maintenance. She planned to put together all grounds work for the bid, including tree removal.

#### **b. American Rescue Plan Act / TDS**

The reporting deadline for ARPA had been extended until April 30, 2022. This would give TDS additional time to submit paperwork stating what work would be done.

Selectman Hoyt reported that Scott Brooks informed him that he was moving from TDS to CCI. The new contact would be Joel Dohmeier, Director of Government & Regulatory Affairs. Mr. Dohmeier reported that the wheels were in motion. Selectman Hoyt aimed to get a contract in place soon. The project was expected to be completed in 2022.

### **10) Public Comments**

#### **a. Spraying**

Via Zoom, Matt Tilley expressed concern about spraying that recently happened. He is a registered beekeeper. He suggested alerting citizens, maybe via Facebook, when spraying was planned. That way beekeepers would have

time to cover their hives for protection.

Chairman Walker shared that the Road Agent had heard the feedback and would try to notify people in the future. Also, no additional spraying was planned for 2021.

#### **b. Class VI Road Property**

Via Zoom, Eric Hilberg shared that he was considering purchasing a large lot of land on Montgomery Road which is a Class VI road. He wanted to know if he would be allowed to put in a driveway and a single family home on the property. He understood that there was a process to follow. He was wondering if the Town was inclined to support building on Class VI roads.

Chairman Walker said part of the purpose of the process was for the applicant to collect information and present it to the Board and he would not be able to answer his specific question. He did share that he went out to the property and had some concerns, especially from a fire safety perspective. The property was 8/10ths of a mile up the road with some very steep grade changes. There was also timber bridge over a stream which a fire truck would not be able to cross. Chairman Walker expressed great concern about what would be needed to make the road passable for fire equipment. He added that part of the process included getting feedback and approval from the Fire Chief.

Mr. Hilberg said that he had already spoken with Chief MacDuffie and was under the impression that fire department access was not quite as important as first thought. A waiver was possible. Chairman Walker noted that the property was in the middle of a State Forest. If the house caught on fire, the forest might go with it. Mr. Hilberg said he told the Chief that he would consider building a full fire suppression system in his home to reduce fire hazards.

Chairman Walker also noted that the ravine by the bridge could turn into an ice waterfall in winter.

Selectman Hoyt noted that ambulance and police vehicles still needed to be able to get to the property.

Chairman Walker reiterated that the process needed to be followed. Selectman Herbert added that the Town did have homes on Class VI roads.

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

#### **a. Town Clerk / Town Offices Closed October 11**

TA Rollins noted that the Town Offices would be closed on Indigenous Peoples' Day.

#### **b. Planning Board Appeal**

TA Rollins said that an email had been received from the Mitchell Municipal Group stating that the Merrimack County Superior Court had scheduled the Santerre appeal for a hearing on November 17 at 10 am. Naomi Butterfield would be arguing the case for Salisbury.

#### **c. Trick or Treat Times**

TA Rollins asked the Board what times they wanted for Trick or Treat on Halloween. They agreed to go with prior years' recommendations of 5 pm to 8 pm.

Chairman Walker wanted to make it clear that the times were just a recommendation.

TA Rollins would let WMUR know the times so that they could be more widely publicized.

## 12) Adjournment

Chairman Walker shared that a Small School Study meeting was scheduled for Wednesday, October 20 at 6:30 pm at the Salisbury Elementary School. He suggested that the Selectboard should have their next meeting at a time which would not conflict with that.

After discussion, the Board agreed to meet earlier than usual. Selectman Hoyt made a **motion** to next meet at Academy Hall at 5:30 pm on October 20. Chairman Walker **seconded**. The **motion passed** with all in favor.

Selectman Herbert made a **motion** to adjourn the meeting at 8:09 pm. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

Respectfully Submitted,

Kimberley Brown Edelmann  
Recording Secretary

*These meeting minutes were reviewed and accepted on October 20, 2021.*

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*Selectmen, Town of Salisbury*