



# Salisbury Board of Selectmen

## Meeting Minutes

April 21, 2021

**DRAFT**

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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:** Approximately 18 citizens attended the meeting in person at the Town Hall. Several members of the public attended via Zoom.

### 1) Open Meeting

Chairman Brett Walker opened the meeting at 6:00 pm.

### 2) Meeting Minutes

Selectman Herbert made a **motion** to accept the meeting minutes of April 7, 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 also reviewed the following:

- ◆ Timber Yield Reports:
  - Tax Map 243, Lot 1, Heath
  - Tax Map 239, Lot 30, Emery
  - Tax Map 235, Lot 9, Sasser
- ◆ Intent to Cut Reports:
  - Tax Map 248, Lot 24, Kaiman
  - Tax Map 229, Lots 3 & 9, Rose
  - Tax Map 202, Lot 1 & Tax Map 216, Lots 3 & 5, Reiner
- ◆ Intent to Excavate: Tax Map 220, Lot 1, Wunderlich
- ◆ Petition for Pole License – Rabbit Road, Unitil poles 32/18, 32/19 and 32/20

#### 4) New Business

##### a. **Town Warrant - Review & Discussion with Town Moderator**

Town Moderator Seelye Longnecker met with the Selectboard to discuss the Town Meeting. She noted that the May 1st meeting would be at the Safety Complex. Citizens can choose to be indoors with masks or outdoors without masks.

Town Clerk Jim Zink-Mailloux said that upon arrival and check-in, voters would receive cards for voting by hand. This would save a lot of time. A challenge might be in counting votes; it will need to be done in a controlled manner.

Chairman Walker noted that paper ballots are required for Warrant Articles for \$100,000 or more. If the Warrant Article is amended down to \$60,000, a paper ballot would not be required. Seelye Longnecker noted that citizens can still request use of paper ballots for any Warrant Article vote.

Town Clerk Zink-Mailloux believed people can register to vote at Town Meeting. He would confirm this with the Secretary of State. There are time frames when people can not register.

Chairman Walker wanted to ensure integrity of voting at Town Meeting especially when people would be in two locations (indoors and outdoors). Town Clerk Zink-Mailloux and Town Moderator Longnecker both expressed confidence that the system would work.

Town Moderator Longnecker requested that Chairman Walker submit his amendment to Warrant Article 2 in writing prior to Town Meeting.

The Selectboard and Town Moderator Longnecker spent several minutes working through the script for the Town Meeting and discussing who would speak to which agenda items.

Town Moderator Longnecker asked that Selectman Herbert send her an electronic form of his Town Meeting script. Chairman Walker offered to get the document converted via Acrobat Pro and forwarded to her.

It was reiterated that masks will be required indoors at Town Meeting.

##### b. **Mask Requirement & Town Office Reopening**

The Selectboard noted that the State of New Hampshire had relaxed COVID regulations regarding the use of masks. Therefore, they felt it was time to do the same for the Town of Salisbury.

Selectman Herbert made a **motion** to make masks recommended, not required. Selectman Hoyt **seconded**. The **motion passed** with all in favor. This would be noted on the Town website.

The Selectboard discussed their desire to open the Salisbury Town Offices to the public. Tax Collector Gayle Landry noted that she and the Town Clerk would not be opening the Tax Collector / Town Clerk office to the public. She added that she needed access to the Selectmen's office, but was not comfortable entering if it was also open to the public. She requested that they keep the Selectmen's office closed on Wednesdays, allowing her to feel safe accessing it on those days.

Selectman Hoyt made a **motion** to open the Selectmen's offices on Tuesdays, Thursdays and Fridays from 8:00 am to 3:15 pm. Selectman Herbert **seconded**. Discussion followed.

Kimberley Edelmann shared that she spoke with Salisbury's Health Officer, Chuck Bodien, earlier that day. Mr. Bodien said he had not been contacted prior to the meeting about the topic.

According to Mr. Bodien, the Town of Boscawen had only very recently decided to allow the Board of Selectmen to meet in person at the Town Hall, however, the building was still closed to the public. Conversely, Tilton's Town Hall was fully open. Ms. Edelmann shared that Warner's Town Hall was still closed to the public and that all meetings were still being held via Zoom. She added that the Health Officer suggested that if the Salisbury offices were to be reopened he would recommend that masks still be worn and social distancing still be practiced.

Kimberley Edelmann also noted that she, like many people in her community, was still on edge about the pandemic, adding that she resides close to a COVID hot spot that was recently on the news. As a Salisbury employee, she said she would suggest visitors to her office space continue to wear masks and keep a respectable distance.

The **motion passed** with all in favor.

## **5) Department Updates**

### **a. Road Agent**

Road Agent Bill MacDuffie Jr commented that road grading was still underway.

### **b. Transfer Station**

Transfer Station Manager Bert LaFlamme shared that problems are getting worse in regards to wildlife getting into the trash containers. Bears had joined the turkey vultures, ravens and crows. The turkey vultures did seem to be less of a problem ever since the effigy had been put on display.

The Selectboard discussed options including getting covers for the containers. Chairman Walker shared that he got quotes for mesh covers. However, with the compactor as a possibility in the near future, he felt tarps could do the job temporarily.

Lisa Kaiman offered some large tarp material formerly used for hoop structures; she was not going to be using at her new farm. The Selectboard appreciated the offer and would discuss it offline with her.

Bert commented that he had received numerous offers from residents to help collect some of the trash that had been blown into the woods. However, he felt he shouldn't have anyone working at the dump who wasn't an employee. He asked the Selectboard if there was any way to make it possible for the public to help; maybe organize a volunteer dump cleaning day.

The Selectboard was not sure having volunteers working at the Transfer Station would be a great idea. There were many potential hazards. Chairman Walker recommended contacting the Town's insurance provider to make sure liability was covered. Bill MacDuffie Jr noted that the Boy Scouts of America had insurance coverage for when the scouts volunteered to do similar work.

Regarding the vultures, Chairman Walker said that his contact from the USDA said the Town could apply for a permit to shoot them. Ravens could be harvested as well, but only with a permit. The fine for shooting a raven without a permit was substantial. This is why shooting crows would be problematic, as it would be easy to mistake a crow for a raven. He also noted that not all residents would support the harvesting approach.

## **6) Board Committee Updates**

### **a. Planning Board**

Selectman Herbert reported that the only item was the Jarvis subdivision on New Road. The Jarvis's were not ready to show revised plans, so nothing more was discussed on the matter.

### **b. Budget Committee**

Chairman Walker shared that Jason Hood was elected to be Chairman and Marcia Murphy was elected Vice Chairman. The committee spent a good deal of time discussing the overall budgeting process and schedule. They may increase the number of budget items reviewed per meeting.

### **c. Old Home Day Committee**

Selectman Herbert reported that the Old Home Day Committee met. Jennifer Hoyt is the Chairman. He felt the committee has good people on it, but they will need more help. A lot of good ideas were discussed, but no decisions were made.

Old Home Day will be held on the weekend of August 7 & August 8, 2021.

Selectman Herbert also noted that the fireworks team had separated themselves from Old Home Day. Fireworks will be a separate event held on a different day.

Gayle Landry asked Selectmen Herbert to ensure her receive the minutes so they can be made available for public viewing on the Town website.

## **7) PUBLIC HEARING @ 6:30 pm Regarding the Expansion of Broadband / Internet**

*As properly noticed and in accordance with RSA 40:13, II-a(c) and RSA 32:5, the Salisbury Board of Selectmen held a Public Hearing regarding the expansion of Broadband / Internet to the underserved areas of North Road, Flaghole Road, Humphrey Road & Montgomery Road.*

Chairman Walker noted that currently, there was a Warrant Article to raise & appropriate \$156,000 via bond or note to fund broadband expansion. Since drafted, the Town learned that it would be receiving over \$143,000 via the American Rescue Plan Act (ARPA). Also, the scope of the project had recently been reduced to North Road and Humphrey Road only. Flaghole Road and Montgomery Road already have broadband service. The updated cost of the project is \$120,000.

Chairman Walker explained that the only issue at the time was that the ARPA funds would be sent in two equal payments. One would be received in 2021; the other in 2022. While the total amount was more than enough money to fund the broadband project, the first payment of \$71,500 was not. Chairman Walker's plan was to suggest amending the Warrant Article at Town Meeting from \$156,000 to \$60,000.

Chairman Walker explained why \$60,000 was his target number.

Total Project Cost		\$120,000
ARPA Payment #1	-	\$71,500
Funds Needed to Complete	=	\$48,500
Note Funding (10 yrs, 3%)		\$48,500
First Year's Payment	+	\$5,685
To Do The Project	=	\$54,185

The Selectboard would ask for the authority to spend up to \$60,000, but would only spend what was needed. Chairman Walker noted that the Selectboard would not go forward with the project unless they receive confirmation from the US Treasury that the second payment could be used to pay off the note. This approach would mean that the taxpayers would not have to fund the broadband project.

Guidance from the Treasury was not expected until the middle of May, after Town Meeting. So, a decision needs to be made. Chairman Walker noted that grants can't usually be used to pay off notes; however, ARPA was not a grant. But no one knew the rules yet.

A member of the public asked what kind of payment schedule was going to be requested by TDS. Depending on what it looked like, borrowing money might not be necessary. Selectman Hoyt shared that TDS Representative Scott Brooks was attending an company meeting the next day to discuss the logistics of the Salisbury installation. No information about the payment schedule was known yet.

Chairman Walker said he was operating under the assumption that TDS will want all of the money upfront or upon completion of the project. Selectman Hoyt added that he did talk to Scott Brooks about the two ARPA payments and Scott would go into the meeting with that information. Selectman Hoyt hoped to hear more in the next day or two.

Chairman Walker commented that there were other aspects of the ARPA which may be applicable to broadband.

A member of the public asked why the project only reduced from \$156,000 to \$120,000 when it seems like the project scope was cut in half. Chairman Walker noted that in many projects, the first mile can account for 80% of the costs with additional miles costing less.

Chairman Walker added that there were other things happening at the State and Federal level. The Selectboard would continue looking for grants and funds.

Lisa Kaiman reminded the Selectboard that her entire dairy operation was dependent on reliable internet. She wanted to see the TDS broadband project go through.

A member of the public asked if the second payment could be used for something else, such as roads. Selectman Herbert commented that the money can only be used for COVID related items. The act lists the allowed uses. Broadband is one of them. Application to taxes or work work is not on the list.

The hearing was closed at 6:48 pm.

## 8) Old Business

### a. **Fairpoint Case - Settlement Offer**

Town Administrator April Rollins provided the Selectboard with an email regarding tax abatement claims by Fairpoint (now Consolidated Communications).

Chairman Walker made a **motion** to agree to the Fairpoint settlement as proposed. Selectman Herbert **seconded**. The **motion passed** with all in favor.

Chairman Walker made a motion to make the terms of the settlement public. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

Chairman Walker stated it was important that the basic terms of the settlement with Fairpoint be disclosed to the citizens of Salisbury. He noted that although this case was filed in 2017, there had been no public discussion; the public Select Board meeting minutes from 2017 are silent on the issue.

Chairman Walker noted that in 2017, Fairpoint had filed an appeal of the assessment of their property in Salisbury. The total assessed value of the Fairpoint property (poles, ROW, conduit) was \$47,500. According to Fairpoint's calculations, the value was only \$28,449. This resulted in a tax-calculation difference of \$683, plus interest. The NH Supreme Court found in favor of Fairpoint.

The issue that Selectman Walker wished to make the public aware of is that the Town of Salisbury spent \$13,000 defending the Fairpoint appeal.

## 9) Selectmen's Reports

Selectman Hoyt noted that he had recently been given old Salisbury Police badges and ammunition. Now, what to do with both?

Several members of the public offered to take the ammunition. Chairman Walker said it would probably be best to consign it with the Barn Store. The badges could be locked up.

Gayle Landry suggested that the badges be saved and put into a nice glass display case. She said she would take that on as a project. No motion was needed. The Selectboard agreed she could do so.

## 10) Public Comments

A member of the public asked if the amended Warrant Article would be a majority vote. Town Moderator Longnecker believed it needed to be a 2/3's vote. This would be confirmed before Town Meeting.

A member of the public asked if there was any news on the agreement between Salisbury and the Webster Police Department. Chairman Walker noted that there was nothing new.

## 11) Town Administrator's Report

Town Administrator Rollins asked the Selectboard to authorize her to accept the lowest bid on repairs to the railings. Chairman Walker made a **motion** to authorize her to do so. Selectman Herbert **seconded**. The **motion passed** with all in favor.

## 12) Adjournment

Chairman Walker made a **motion** to adjourn the meeting at 7:21 pm. Selectman Herbert **seconded**. The **motion passed** with all in favor. The next scheduled meeting is for May 5 at the new time of 7 pm.

Respectfully Submitted,

Kimberley Brown Edelmann  
Recording Secretary