



Selectmen's Meeting Summary August 4, 2010

Selectman Ken Ross-Raymond, Chair	Present
Selectman Joe Laycox	Present
Selectwoman Karen Sheldon	Present
Administrative Assistant Margaret Warren	Present
Office Assistant Kathie Downes	Present

Visitors: Anne Ross-Raymond, Shirley Johnson, Jerry Lorden, Rick Chandler, Mike Dipre, Marlena Dipre, Gayle Landry, Dora Rapalyea, Kathleen Doyle, Anne Breen, Chris Bentley, Bob Bentley, Rick Sheldon, Al Romano.

Chairman Ross-Raymond called meeting to order at 6:30 PM. Meeting is being recorded.

- BOS public meeting summary for 7/21/10 reviewed. **Selectwoman Sheldon made a motion to accept the 7/21/10 meeting summary, Selectman Laycox seconded. Vote in the affirmative.**

Marlena Dipre asked about the statement in the minutes about the addendum she read. Does it say that the BOS voted not to accept the addendum? Clarification of the statement in minutes – her addendum was attached to the original BOS minutes but the Board of Selectmen did not take any vote on her addendum and therefore they are not official corrections to the 7/9/10 meeting minutes.

- Review and approval of Accounts Payable & Payroll registers.

Chairman Ross-Raymond noted to the audience that the Board will take public comments during the public comments section of the meeting. It is requested that the public input be done in an orderly and polite manner with the raising of hand, waiting to be recognized, and stating name for the record. The SOP #08-001 was adopted in November 2008 and is how the Board allows for public comments at all BOS meetings.

Departments:

Road Agent MacDuffie – Monthly Update:

Very dry – has been grading when possible after a rain. Need to put culvert at Mill Brook – need to close road to do it – and has contacted loggers in area to ensure they are finished before starting project. Should begin in about a week. Road will be closed at Mill Brook for approximately two days.

Police Chief Jones – Monthly Update:

- Handout of July 2010 monthly report – noting that the police department responded to a total of 64 calls for service in July (copy attached to original meeting summary).
- Chief Jones noted the August publication of the Merrimack Valley Voice features Salisbury Police Department in the fourth part of the series Meet Your Law Enforcement Officers.
- Flood Plains Control Initiative: From discussion with Army Corps Representative, Jen Rockett the contract for funding has been pulled and returned to the funding office and it does not appear likely that Salisbury will be taking part in this initiative.
- Chief Jones thanked the Board for their concerns about my father's medical problems.

Old Business:

- Pingree Bridge Project Update:
 - Board has signed Bill of Sale for the old Truss to be purchased by Peter Ladd – and complete payment has been received. Conditions must be reviewed and ensured to be met by 12/2011.
 - The old truss bridge has been moved to Bradford.
 - VHB will start doing weekly summary reports. Removing abutment on opposite side – concrete early next week. Transfer station has abutments stored – 4 truck loads.

- Old Home Day – August 13th & 14th
 - Citizen of the Year Narrative reviewed by Board and Selectman Ross-Raymond will let committee know it is accepted.
 - Next Meeting on 12th - Selectmen will be given schedule of where to be – and when for presentations.
 - Start time for horseshoe tournament is actually Noon and not 1:00 PM.
 - All participants being paid will be sending invoice to Selectmen's office.

- 7-29-10 – Cancelled BOS Meeting – Chairman Ross-Raymond explained the main purpose of the meeting was to speak with Army Corps Rep, Jen Rockett for clarification of several issues. On Thursday afternoon at 3:15 PM he ran into Jen and Chief Jones at PO and at that time she informed she would not be attending meeting. He did asked if Army Corps needed BOS approval and she said no they did not. He then called and polled two other selectmen and all agreed to cancel the meeting. He also called town counsel to ask proper way to cancel the meeting.

Selectman Laycox read the following statement: “On Thursday afternoon on 7/29/2010 I received a call from Ken Ross-Raymond at my work office indicating that he had a chance meeting with Jen Rockett. As a result of this chance meeting he requested to cancel a scheduled public meeting for that same evening. The reason given for the cancellation was that Jen Rockett told him that BOS approval was not required to move forward with the patrol program. In addition she indicated that she would not be attending the meeting. When I arrived home that evening I received a number of calls from residents asking why the meeting was canceled on a short notice merely because Jen Rockett could not attend. I indicated to them that the reason was because she notified Ken Ross-Raymond that approval by the BOS was not required. They told me that was not what the notice indicated. I then checked my electronic mail for any correspondence on this subject and found that I did receive a copy of the notice about it was after I left my office for the day. It indeed did not mention that BOS approval was not needed.

Because information received in a chance meeting by Ken Ross-Raymond with Jen Rockett resulted in the cancellation of a posted public meeting I requested that Ken Ross-Raymond summarize this meeting in minutes so the rest of the BOS had the exact information that was discussed. I felt our decision to cancel was based on this information and that it was relevant to us performing our duties.” Selectman Laycox asked Ken Ross-Raymond if he had prepared a summary of the meeting.

Selectman Ross-Raymond responded no – because it was not a meeting – but simply a chance encounter. He has checked with LGC and this encounter is not considered a meeting. Regarding the posting of the cancelled meeting – the wording was agreed upon during short notice and the main reason for canceling the meeting was because without Jen Rockett in attendance the issues pertaining to the contract with Army Corps could not be clarified.

- Mitchell Cemetery Plot – AA Warren has been in contact with town counsel and Richard Boisvert, State Archaeologist regarding how to proceed re: Mrs. Mitchell’s request. Both concur that the Cemetery Trustees should move forward and contract the services of a qualified archaeologist to determine if the lot in question has been used previously and if a burial is present. AA Warren has left this information for the Cemetery Trustees.

New Business:

- Intent to Cut – Montgomery Road – Green Crow bought lot from Hart Hill and filed intent and wants to start logging August 9th. As will be accessing from Class VI road owner has been informed any work on the road would need to be reviewed by Road Agent and a letter submitted to Board re: proposed road work. Board asked RA MacDuffie to meet with land owner and if he feels work is okay they can proceed – but must confirm work in letter to town.
- Town has received grant check for vest for police sgt. and it has been ordered.
- Forestry truck went to Valley for lettering and needed glow plugs.
- Energy Technical Assistance and Planning for NH Communities: getting energy audits for buildings and looking into a grant. AA Warren will follow up for more back.
- Jerry Lorden, Fire Warden wanted to note that the old ambulance is now Forestry Truck. This is in response to something brought up at a previous meeting asking about what happens to the old ambulance.
- Forest Fire in Town this past weekend – six other towns responded to mutual aid call. Town will be billed by each of these towns. Salisbury has submitted bill for \$1,971.10. The cost for forest fires is 50% by State and 50% Town. The total cost for this fire will probably be close to \$10,000 with bills from other towns. As we get closer to end of year – town staff will work with Forest Fire Warden to see where this amount is taken in the budget.

Public Comments re: Cancelled 7/29 Meeting and Flood Plains Police Coverage:

Mike Dipre:

- Cancellation of the 7/29 meeting was wrong and showed contempt for the citizens who made time to attend. *Selectman Ross-Raymond explained again that without Jen Rocket present, just be re-hashing info and no opportunity to clarify.*
- Statement of Mr. Ross-Raymond that the grant money would be returned to the taxpayers is bogus. I will provide the audio of the exact statement – and request that Mr. Ross-Raymond produce the “source” he cited to give him that information. *Selectman Ross-Raymond stated that he did not say that the money “would” be returned to the citizens, but that he strongly believes that if the money is not used/needed it “should” be returned to the taxpayers.*
- The Selectmen should have known that the Army Corps has complete jurisdiction over the flood plain prior to the “chance” meeting in the parking lot of the Post Office.
- This entire situation was handled badly and has created unneeded animosity between the Town and The Army Corps.
- If the Town does not get the money to patrol the Flood Plains, then the Merrimack Sheriffs Office will get the funding to do it. *Selectman Ross-Raymond stated that he had just spoken with Sherriff Scott Hilliard earlier today and that the Sherriff’s Dept. has not spoken with anyone from the Army Corp of Engineers and that they “will not” do any patrolling in the flood plains*

Anne Breen:

- What info you have from Army Corps. *Ross-Raymond: Never had opportunity to speak directly to Army Corps Representative with our questions concerning the initiative.*
- As I understand it was a grant – short term to provide additional coverage and not going to require any money from town. *Response: As of this evening will still do not have enough info to determine that.*
- Great to have law enforcement presence – I feel better to defer to local law enforcement first – knows our citizens, knows hot spots – and if it is a grant the monies already paid through our taxes.

Al Romano:

- If there is crime in the flood plains – and since I have family members who ride their horses in the area – could we be told where the hot spots are. *Chief Jones noted he will be glad to meet after the meeting to discuss this issue or at some other time – just call office and leave message. He indicated he would also provide a list of hot spot areas.*
- I realize Salisbury Police Department is part time what other coverage does the town have. *Chief Jones responded that State Police will come out for emergencies but not for non-emergencies. It should be noted however that response time is an unknown.*

Anne Ross-Raymond:

- I ride area in flood plains– know whole area – I also would like to know where the bad spots are – so I know where I should not be.

Dora Rapalyea:

- If we are having trouble why isn't police down there already . *Selectwoman Sheldon noted Salisbury Police have been doing a lot of patrolling in this area in the past months.*

Rick Sheldon:

- This is a procedural issue – a MOU or contract should come through Selectmen first – get all facts and then decision can be made.
- Note times and areas of problems and police adjust schedule

Rick Chandler:

- There is a problem in the flood plains area. Cars are racing past my house, tearing up the roads and corners, probably drunk while doing it. One evening they were partying in front of my house for four hours. Most of the time this happens on weekends late at night. Recently it even happened on a Sunday morning. This has been brought to the attention of Chief Jones. *Chief Jones responded that Rick is one of many individuals who have spoken with him about the problems out in flood plains. He listened and took action by pursuing with Army Corps for this grant initiative – which never got approved by the Board. Selectman Sheldon asked if he called the State Police in the absence of Chief Jones and he replied no.*

Marlena Dipre:

- Someone broke into her house and she called 911 and it took State Police 45 minutes to respond and then they didn't know where they were going.

Jerry Lorden:

- State Police have done a very good job when they have responded to Fire Dept calls. Also because of the state budget sometimes there is only one officer to cover a large area of the state.

Chris Bentley:

- Only time Army Corp coming to meeting was when Army Corp was considering damming Blackwater and turning Flood Plains into lake. Some people should stop drinking all that “Hateorade” and get to the point.

- Mont Vernon has full time police but that did not prevent a murder from happening. Nothing is going to save you but you.

Robert Bentley:

- If people want to know where hot spots are – police just need to give road names and junctions.
- Army Corps always has cut down ropes and even trees in the area if there were problems.
- **When he was Chief, he was not afraid to go down there alone.**

Additional Responses to Public Comments re Flood Plains:

Selectman Ross-Raymond:

- We don't know of liability issues. For the record, we don't know where this program is right now – it appears Army Corps is not interested in pursuing the initiative with Salisbury at this time. However, should they want to go forward with this program we need to understand how the program works and the details of any agreement before hand. I always try to get as much info as I can before making a decision and I will not be pressured into making a decision by a group of citizens that have even less info than I do. We have had, and apparently still have conflicting information – and this is what we wanted to clarify before moving forward with the initiative.

Chief Jones:

- For the record – MOU stated Town of Salisbury will be reimbursed with mileage and officer reimbursement. This initiative was to merely address problems in the flood plains that have come up. *Selectman Ross-Raymond stated that the total grant dollar amount stated in the agreement does “not” provide for mileage/vehicle use.*
- My intent was not divide the Town but \ to find an alternative funding source

Selectman Laycox:

- Is it final – that Salisbury is no longer being considered for this grant initiative? *Chief Jones: Due to lack of support from town officials, although I understand I now have their support, Jen Rockett has informed me that the contract has been returned to the contracting office and not likely Salisbury will get another chance at it.*

Selectman Sheldon:

- Police are patrolling the flood plains already. If there are problems it is important people contact Chief Jones.

Other Public Comments:

Marlena Dipre: Will the trees out in front of house be taken down? *Bill MacDuffie said yes. Selectman Ross-Raymond asked if they are satisfied with signs that have been put up. Mr. and Mrs. Dipre said the signs have helped and things are going along fine now. It was noted that there will be a noise factor in the coming days as construction begins.*

Rick Chandler: The person who has purchased the Pingree Bridge – does he have to work with historic resources division. *Yes:*

Other: All business that shall legally come before the Board

Non-Public Session – RSA 91-A:3 – personnel issue. **Chairman Ross-Raymond motioned to go into non-public session per RSA 91-A:3, II (a) – personnel issue. Roll call taken and all voted to go into non-public session at – 7:50PM.**

Returned to public session at 8:35 PM.

Chairman Ross-Raymond announced that the Board discussed two personnel issues and a motion to seal one section was voted per RSA91-A:3, III – personnel issue. The other personnel issue discussed will not be sealed.

Selectman Laycox made motion to adjourn at – 8:37PM; Selectwoman Sheldon seconded. All voted in favor.

Meeting Summary reviewed and accepted at the August 18th, 2010 Meeting.

Selectmen, Town of Salisbury