

1 **c. Resolution No. 2024-56 – Fire Department – Request Use of \$26,500.00 from**
2 **Town Facility Maintenance and Improvement Capital Reserve Fund for the**
3 **Replacement of the HVAC System at Fire Station 2**

4 Manager Devine stated that the packet had a memo from the Fire Chief.

5
6 Chief Lemire stated that they had issues with the HVAC at Fire Station #2 starting eight or nine
7 months ago. This was the newest station at twenty years old and they were reaching the end of
8 that HVAC lifespan. A company came in and looked over the system. They recommended
9 replacing the system in kind and quoted \$26,500. The company told them the quote would rise
10 by 12% on January 1, 2025, due to new regulations that would take effect then. He was
11 proposing to replace the system now.

12
13 Councilor Bettencourt asked where the new regulations were coming from.

14
15 Chief Lemire stated that the new regulations were coming from the EPA.

16 **MOTION:** by Councilor Stacey

17 *Move that the Salem, NH Town Council hereby adopts Resolution No. 2024-56, and further to*
18 *waive the requirement for a second reading. This Resolution shall take effect upon its passage*
19 *as follows:*

20 **Resolution #2024-56**

21 *Resolution Authorizing the Expenditure of Funds from the Town Facility Maintenance and*
22 *Improvement Capital Reserve Fund for the Replacement of the HVAC System at Fire Station*
23 *#2*

24 *WHEREAS, Fire Station #2, located at 279 North Main Street, has served Salem for nearly 20*
25 *years, during which essential systems, including the HVAC, have become increasingly*
26 *unreliable; and*

27 *WHEREAS, immediate replacement of the HVAC system, estimated at \$26,500.00 by the*
28 *Town's preferred contractor, will avoid a projected 12% increase in costs due to upcoming*
29 *EPA refrigerant regulations, making timely action both operationally and financially prudent;*
30 *and*

31 *WHEREAS, the Town Facility Maintenance and Improvement Capital Reserve Fund*
32 *currently holds a balance of \$200,000.00, sufficient to support this expenditure;*
33 *NOW, THEREFORE, BE IT RESOLVED, that the Town Council of Salem, New Hampshire,*
34 *hereby authorizes the expenditure of \$26,500.00 from the Town Facility Maintenance and*
35 *Improvement Capital Reserve Fund for the replacement of the HVAC system at Fire Station*
36 *#2, with the project to be completed prior to January 1, 2025. SECOND:* by Councilor

37 Withrow

38 **VOTE:** 8-0-0

39 The motion passed unanimously.

40
41 **8. Resolutions – First Read**

42 **a. Resolution No. 2024-57 – Community Development Department – Public**
43 **Hearing #1 - Adopt Community Choice Aggregation Plan for Inclusion on**
44 **2025 Town Meeting Warrant**

45 Manager Devine stated this was the first Public Hearing on adopting a Community Choice
46 Aggregation Plan.

1 Chairman Sweeney stated that he would turn the meeting over to Councilor Wright on behalf of
2 the Energy Committee.
3

4 Councilor Wright called the Energy Committee meeting to order at 7:21 PM. The purpose of the
5 joint Public Hearing between the Energy Committee and the Town Council was to solicit public
6 input in the planning process for Salem's Community Choice Aggregation Program Plan as
7 outlined in RSA 53-E. She covered the history, stating that on September 9, 2024, the Town
8 Council approved an agreement with Freedom Energy Logistics / Colonial Power Group (FEL /
9 CPG) for technical and consulting services for the development and adoption of a Community
10 Choice Aggregation Plan and approved the creation of an Electric Aggregation Committee (i.e.
11 Energy Committee). The Energy Committee met on September 25 and September 30, 2024 to
12 develop the proposed Community Choice Electric Aggregation Plan. On September 30, 2024,
13 the Committee unanimously approved the draft Plan to recommend to the Town Council.
14

15 The Town Council will hold two public hearings on the draft Plan. The consultant will have a
16 short presentation regarding the Plan and answer any questions the Town Council or the public
17 may have about the process. The draft Community Choice Electric Aggregation Plan and other
18 background materials were available on the Energy Committee's page on the Town website.
19

20 Stuart Ormsby, Freedom Energy Logistics, stated that the plan fell under State Statute
21 requirements. There were a number of steps that had to be completed, and the Plan was one of
22 them. It was designed to be broad to meet the State requirements and flexible so that the Town
23 would not have to go back to the PUC to get approval for every change in how it was carried out.
24 The details would be filled in down the road after the Plan was approved and the Town went into
25 the market. The process was intended to give smaller businesses and residential customers the
26 opportunity to get better rates. Larger customers had been doing that for years. This allowed for
27 more buying power while not preventing individual users from shopping on their own. People
28 would be able to enter or exit the program without being charged a fee. The key element of the
29 plan was that it was an opt-out plan so people would have to opt out. There would be an
30 informational meeting to let people know what was happening. Notices for opting out would go
31 to all customers if this was approved. The mailing would have prices and information to explain
32 to people the changes. Liberty Utilities would still provide the service, maintain the lines, and
33 send out the bills. It would not affect any assistance programs with Liberty. The one group it
34 would affect would be customers who supplied energy to Liberty Utilities on a net metering
35 basis so they would not be included in this program.
36

37 Councilor Wright opened the Public Hearing at 7:31 PM.
38

39 Councilor Withrow asked how people would know when they needed to opt out.
40

41 Mr. Ormsby stated that there were several steps to go through first before they got to that point.
42 If it was approved and the Town signed a contract in November, then the switch would happen in
43 February. A mailing would go out to all Liberty Utility customers in Salem at that time. The
44 mailing would describe the program. There would be an opt out form. They could also call or go
45 to the dedicated website in order to opt out.
46

47 Councilor Hatch asked what happened between now and March. Someone would have to market
48 the program. He asked if the consultant would be responsible for answering the questions people
had.
49

1 Mr. Ormsby stated that his company would be addressing the questions, but they were acting on
2 behalf of what the Town wanted. They did the work, but the Town had control of what
3 happened.

4
5 Councilor Wright stated that Stephen Boyd was the Chair of the Energy Committee, but he was
6 unable to attend this evening.

7
8 Mr. Ormsby stated that they would be back for a second public hearing on December 2nd.

9
10 Councilor Wright closed the Public Hearing at 7:36 PM and closed the Energy Committee
11 Meeting at that time as well.

12 Chairman Sweeney thanked the Energy Committee and Mr. Ormsby.

13
14 **MOTION:** by Councilor Stacey

15 *Move that the Salem, NH Town Council hereby recognizes November 4, 2024 as the first
16 reading for consideration of Resolution No. 2024-57 to approve the Salem Community Choice
17 Electric Aggregation Plan for consideration by voters at the March 2025 Town Meeting.*
18 *We hereby recommend a second reading/public hearing be scheduled for December 2, 2024.*

19
20 **SECOND:** by Councilor Wright

21 **VOTE:** 8-0-0

22 The motion passed unanimously.

23
24 b. **Resolution No. 2024-58 – Municipal Services Department - Accept Donation
25 of \$30,000.00 from American Legion Post 63 and \$30,000.00 from AmVets
26 Post 2 for Veterans Plaza at Salem Depot Village**

27 Manager Devine stated that the packet had a memo from the Municipal Services Director.

28
29 Mr. Sorenson stated that they had accepted a donation for the Veterans Plaza project in the Depot at
30 their October 7th Meeting. The Town had received \$60,000 in total in additional donations towards
31 the project. He thanked the veteran's groups for their support. They would try to start the project this
32 year depending on the weather and finish next year.

33
34 **MOTION:** by Councilor Pelletier

35 *Move that the Salem, NH Town Council hereby acknowledges November 4, 2024 as the first
36 reading for consideration of Resolution No. 2024-58 to accept a donation of \$30,000.00 from
37 the American Legion Post 63, and a donation of \$30,000.00 from AmVets Post 2 for the
38 Veterans Plaza at Salem Depot Village project.*

39 *We hereby recommend a second reading/public hearing be scheduled for November 18, 2024.*

40 **SECOND:** by Councilor Stacey

41 **VOTE:** 8-0-0

42 The motion passed unanimously.

43
44 **9. New Business**

45 a. **Municipal Services Department - NH Department of Environmental Services
46 - Lead Service Line Inventory Update**

47 Manager Devine stated this was an item from NH DES.

1 Councilor Bettencourt stated that he did not disagree with the sentiment. This was a topic that
2 was discussed at the Charter Commission. It was harder for the public to see the total tax impact
3 including the Warrant Articles. The reason they limited the number of Warrant Articles was to
4 make it easier to understand the tax impacts. The Budget Committee was fulfilling their role as
5 watchdogs and their opinion should be considered.

6

7 **10. Old Business/Tabled and Pending**

8 None

9

10 **11. Upcoming Meetings**

11 November 18, 2024

12 December 2, 2024

13 December 16, 2024

14

15 **ADJOURNMENT AT 8:11 P.M.**

16 **MOTION:** by Councilor Bettencourt

17 *Move to adjourn at 8:11 PM.*

18 **SECOND:** by Councilor Withrow

19 **VOTE:** 8-0-0

20 **The motion passed unanimously.**

21

22 Notes/minutes taken by: Jeremiah Lamson

23

24 Approved: Town Council

25

26 Date Approved: November 18, 2024

1 **5. Additions and/or Requests by Public or Council by Vote**

2 None.

3 **6. Presentation of Eagle Scout Project by Justin Baldridge**

4 Manager Devine stated that the first item was discussion of an Eagle Scout Project.

5 Roy Sorenson, Municipal Services Director, stated that the plan was to work on the project over
6 the winter and be back in the spring before the Council.

7 Justin Baldridge, Eagle Scout Candidate, stated that he was looking to do his Eagle Project on
8 the Rail Trail. The project was to put in a viewing stand on the opposite side of the Rail Trail
9 from the existing viewing stand. It would cost about \$5,000 to build. He would raise the funds
10 and construct it with help from his troop. The hope was to finish by the summer.

11 **7. Resolutions – Second Read/Adoption**

12 **a. Resolution No. 2024-57 – Community Development Department – Public
13 Hearing #2 - Adopt Community Choice Aggregation Plan for Inclusion on
14 2025 Town Meeting Warrant**

15 Manager Devine stated that this was a second public hearing.

16 Crayton Brubaker, Community Development Program Manager, stated that this was the second
17 public hearing for the Town Council to adopt the plan and place it on the Warrant.

18 Councilor Wright called the Energy Committee meeting to order at 7:07 PM. She stated that the
19 purpose of this joint meeting and second public hearing between the Energy Committee and the
20 Town Council is to solicit public input in the planning process for the Salem Community Choice
21 Electric Aggregation Program as outlined in RSA 53-E.

22 On September 9, 2024, the Town Council created the Electric Aggregation Committee (i.e.
23 Energy Committee) and approved a consulting agreement with Freedom Energy Logistics /
24 Colonial Power Group. On September 25 and September 30, 2024, the Energy Committee met,
25 reviewed and revised the draft Plan, and unanimously approved the Community Choice Electric
26 Aggregation Plan to recommend to Town Council. The Town's consultant for this process will
27 give a brief presentation for an explanation on the Plan, its development, and next steps. We will
28 then open a public hearing if anyone from the public wishes to provide public comment or ask
29 questions. The full text of the draft Community Choice Electric Aggregation Plan and other
30 materials are available on salemnh.gov/energycommittee and in the public agenda packet
31 materials under the Town Council agenda page of the website. With that, we will turn it over to
32 the Town's consultant for a brief presentation.

33 Bart Fromuth, Freedom Energy Logistics, spoke about the plan. This was a State Statute allowed
34 option that Salem had chosen to pursue. It laid out how the opt out would work and the next
35 steps if the plan was approved. It would go to the PUC for approval which took about sixty days.
36 They were optimistic the plan would get approval like the other six or seven they had submitted.
37 The plan was somewhat general to allow for a wider array of options over time. In Massachusetts

1 plan changes could take two years to be approved. They did not want to have a similar
2 experience in New Hampshire in trying to make changes.
3

4 Councilor Hatch stated that a resident asked for the impact on those residents with solar panels
5 on their roof.
6

7 Mr. Fromuth stated that those with solar on their roof who were net metering would not be in the
8 opt out list. They would have to opt in to the program because there was no way for them to get
9 reimbursed by Liberty for those excess kilowatt hours produced. It was set up so that those
10 individuals had to opt in to join the program in order to ensure no one was caught unaware of the
11 issues.
12

13 Councilor Hatch stated that those people should not opt in to the program.
14

15 Mr. Fromuth stated that anyone with solar, based on data from Liberty, would be excluded from
16 the opt out list. These people would have to take an affirmative action in order to join the
17 program. Someone who never had excess power would probably benefit from this program.
18

19 Councilor Hatch stated that he wanted to have that explained when presentations were made
20 about the plan to the public. They did not want to receive calls from people asking about it after
21 the fact.
22

23 Mr. Fromuth stated yes.
24

25 Councilor Wright stated that was one of the things that she questioned when she first got
26 involved in this effort.
27

28 Councilor Withrow stated that people could opt in and out of the program without any fee for
29 doing so.
30

31 Mr. Fromuth stated yes.
32

33 Councilor Wright opened at the Public Hearing at 7:15 PM. She asked if anyone from the public
34 wanted to speak.
35

36 Peggy Breault, 5 Sally Sweets Way, stated that they supported community power in Salem. They
37 thought it would save residents money and give them some choices as to who their provider was.
38

39 David Breault, 5 Sally Sweets Way, stated that he thought it was important for the town to have
40 this. It would help lower and moderate-income residents. It gave them the power to negotiate.
41

42 Councilor Wright stated that there would be different levels of energy that people could choose
43 depending on how much clean energy they wanted as part of their energy supply.
44

45 Mr. Fromuth stated that there would be a series of choices. Everyone would go into the cheapest
46 rate to start. They would have to affirmatively choose a different level.
47

1 Councilor Pelletier asked if this would have any effect on power stabilizers.

2
3 Mr. Fromuth answered no. It would not impact the delivery of the energy because that would still
4 be done outside of this program.

5
6 Councilor Wright closed the Public Hearing at 7:19 PM.

7
8 **MOTION:** by Chairman Sweeney

9 *Move that the Salem, NH Town Council hereby adopts Resolution No. 2024-57. This
10 Resolution shall take effect upon its passage as follows:*

11 **Resolution #2024-57**

12 *Adoption of Community Choice Electric Aggregation Plan for 2025 Town Meeting Warrant
13 Article*

14 *WHEREAS: The Town Council formed an Electric Aggregation Committee (Committee) for
15 the purposes of developing a Community Choice Electric Aggregation Plan (Plan) for
16 presentation to and consideration by the Town Council, and Town Meeting voters, for a
17 March 2025 warrant article; and,*

18 *WHEREAS: The Committee voted unanimously to accept the Plan for recommendation to the
19 Town Council at its September 30, 2024 meeting; and,*

20 *WHEREAS: The Committee solicited public input on the Plan and conducted public hearings
21 on November 4, 2024 and December 2, 2024.*

22 **NOW, THEREFORE, BE IT RESOLVED BY THE SALEM TOWN COUNCIL THAT:** *The
23 Salem Town Council hereby approves the attached Salem Community Choice Electric
24 Aggregation Plan and submits to the Town Warrant for its adoption at Town Meeting on
25 March 11, 2025.*

26 **SECOND:** by Councilor Wright

27 **VOTE:** 8-0-0

28 The motion passed unanimously.

29
30 **8. Resolutions - First Read**

31 a. **Resolution No. 2024-64 – Municipal Services Department – Accept \$5,000.00
32 Donation from American Legion Post 63 for Pine Grove Cemetery**

33 Manager Devine stated that the packet had a memo from the Municipal Services Director.

34
35 Mr. Sorenson stated that this was a gracious donation from the American Legion. He gave thanks
36 to Tim McCarthy who did a lot of the work for the American Legion. This donation would be for
37 creating an area for columbariums. It would be about a 5 by 8 by 7 structure with granite walls
38 and niches. They had some individuals that they wanted to put in there right away.

39
40 Councilor Stacey asked how many slots there would be.

41
42 Mr. Sorenson stated that it could be between 50 to 75 spaces. It would depend on the actual size.
43 There would be an even number on each side.

1 Councilor Bryant stated that the tenants were not happy about it.
2

3 **10. Old Business/Tabled and Pending**

4

5 **11. Upcoming Meetings**

6 • December 16, 2024
7 • January 13, 2025
8 • January 15, 2025
9 • January 27, 2025

10

11 **ADJOURNMENT AT 8:42 P.M.**

12 **MOTION:** by Councilor Bryant

13 ***Move to adjourn at 8:42 PM.***

14 **SECOND:** by Councilor Stacey

15 **VOTE:** 8-0-0

16 **The motion passed unanimously.**

17

18 Notes/minutes taken by: Jeremiah Lamson

19

20 Approved: Town Council

21

22 Date Approved: December 16, 2024