

BOARD OF SELECTMEN MINUTES OF AUGUST 10, 2015

PRESENT: Selectmen Freeman J. Condon, Chairman; Wilma McDonald, Ed Hunt, Henry Richenburg, Wilma McDonald and Chuck Takesian
ALSO PRESENT: Neil J. Harrington, Town Manager and Janet Flannery, Secretary

I. Call to Order/Salute to the Flag

Chairman Condon called the meeting to order at 7:00 PM in the Colchester Room, Salisbury Town Hall. He then announced, per the Open Meeting Law, that this meeting is being recorded and broadcast live.

II. Acceptance of Minutes Minutes of July 13, 2015

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to approve the Minutes of July 13, 2015 as written.

III. Old Business - none

IV. New Business

a. License Renewals:

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to renew a **General** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for the Clover Club Boat Storage – 40 Bridge Rd.

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to renew a **Class III** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Salisbury Petroleum & Auto Repair, Inc. – 157 Bridge Rd.

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to renew a **Repair** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Salisbury Petroleum & Auto Repair, Inc. – 157 Bridge Rd.

b. New Licenses

Motion by Selectman McDonald, Second by Selectman Takesian; unanimously voted to approve a **General** License for Whole Foot, LLC - 167 Elm St. for Reflexology and Massage Therapy.

Motion by Selectman Hunt, Second by Selectman Richenburg; unanimously voted to approve a **Special Event Permit** for the Salisbury Fire Department for their Boot Drive scheduled for Aug. 28 and 29, 2015.

c. License Amendments

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to approve an amendment to the Class I License for Priority Motor Group, Inc. – 158-160 Elm Street. This is for a name change only from PRIDE Motor Group to Priority Motor Group. Everything else is the same.

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to approve an amendment to the Class II and Class III Licenses for Jim's Auto Body – 128-130 Bridge Rd. This is an address change to include 130 Bridge Rd. and to increase the number of cars from 30 to 75.

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d. Committee Appointments

Council on Aging – 3 openings for 3 years – 1 applicant: Liz Wood

Motion by Selectman McDonald, Second by Selectman Takesian; unanimously voted to appoint Liz Wood to the Council on Aging for a three year term, expiring on June 30, 2018.

License Commission – 2 openings for 3 years and 1 for 2 years: 3 applicants: *Sean McCarthy, *Tyrone Rowe, and Karen Jacobs.

Motion by Selectman Takesian, Second by Selectman Richenburg; unanimously voted to re-appoint Sean McCarthy and Tyrone Rowe to the License Commission, both for a three year term to expire on June 30, 2018 and to appoint Karen Jacobs to fill an unexpired term for 2 years expiring on June 30, 2017.

Harbor Commission – 2 openings for 3 years & 1 alternate: 1 applicant: *Ron Ray

Motion by Selectman McDonald, Second by Selectman Hunt; unanimously voted to re-appoint Ron Ray for a three-year term, expiring June 30, 2018.

Planning Board Alternate – 1 opening for 2 years: 1 applicant: Gina Park

Motion by Selectman Richenburg, Second by Selectman Takesian; unanimously voted to appoint Gina Park to the Planning Board Alternate position for a two year term, expiring on June 30, 2017.

e. Update/Presentations: Building Inspector/DPW Director

Building Inspector Scott Vanderwalle reported that it is very busy with a lot of activity, especially with the 191 Beach Road complex; the second building should be going on line by the end of the month. Since his last update, his department has brought in about \$151,000 in building permits, but a good number has come from the 191 Beach Road complex. The NorthPointe project is coming to an end and Salisbury Woods has 1 unit left. Solar permits are becoming popular and he has been receiving 3 to 4 a week.

DPW Director Don Levesque gave an update on the following:

- There is still a water restriction going on. The water table is starting to go down and watering should be done on the even days before 9AM and after 5PM; the Water Management Plan requires this.
- Cell Tower: 2 antennas are up right now and they are for the fire and police and are mounted on the railing. Other antennas will be going up and completed by the end of October.
- Well #8: This Wednesday this project is going to be shut down to have a major part of the old asbestos pipe line removed and replaced with a ductile iron pipe, which will take 12 hours. In order to do this all chemicals need to be replaced. Wells #5 & 6 will be shut down; the Town will operate #7 on Blacksnake Road and water will be purchased from Amesbury. For the 12 hours that this is being done, people may notice a change in pressure.
- Due to the pending construction of the new police station, the water bill drop box located at 175 Beach Road is being transferred and located to the DPW facility on Lafayette Road.
- Salisbury Square: for the next 2-3 weeks focus will be on the square periodically. In the next 3-5 days notification will be sent to Pleasant Street residents that piping will be disconnected, a new main will be put in and the street will then be patched. This should all be completed by mid-November.

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- Sewer: Recently the Town Manager gave a memo to the Selectmen re: the WWTP permitting process. The Administrative Order from the EPA is being addressed. The Town gave a proposal to the EPA and after two years the agency said it was okay to do what the Town needed to do and an interim effluent limits were set. The Town has been following the approved scope of work and now it appears that the EPA may be requiring the Town to meet new limits. We are looking to continue doing what we always have done under the Administrative Order.

f. Abbie Eaton and Craig Bishop re: 40 Dock Lane

Ms. Eaton addressed the Board as one of the three owners of 40 Dock Lane and apologized for the issue of their back taxes getting this far, and she said she had no clue of the problem until 7 days ago. She said she intends to pay the taxes owed if Board allows her to redeem the property, and she said the Board has her commitment that taxes will be kept current from this day forward. The Town Manager said the treasurer has recommended that the Board allow the Bishops to pay the back taxes and redeem the property at 40 Dock Lane.

Motion by Selectman McDonald, Second by Selectman Richenburg; unanimously voted that the Board of Selectmen, pursuant to Chapter 60 of the General Laws, grant the owners of the property at 40 Dock Lane (Assessors Map no. 24, Lot 57) or their heirs or assigns the right to redeem said property previously taken by the Town of Salisbury for the nonpayment of taxes by paying to the Town all outstanding property taxes, sewer betterment charges, interest, penalties and fees associated therewith, in the amount of \$6,563.60 if paid tomorrow, and with additional accrued interest and fees if said sum is paid to the Town of Salisbury on or before August 31, 2015.

g. Vote to Take Property on Corner of Maple Street and Park Street by Eminent Domain for Affordable Housing Purposes

The Town Manager explained that Town Meeting authorized the Selectmen to acquire the property, which is the site of the former Spalding School. After several months of research into the title, there has been no definitive determination as to whether East Parish deeded the property to the Town, as there is no official record of this, but the Parish has no objection to the Town acquiring legal title. Mr. Harrington noted that Town Meeting authorized the Selectmen to take this property by eminent domain; he recommended that the Board exercise its authority and acquire the property.

Motion by Selectman McDonald, Second by Selectman Richenburg; voted, pursuant to the vote taken under Article 15 of the May 18, 2015 Annual Town Meeting, to take by eminent domain, for affordable housing purposes, the parcel of land located at the Corner of Maple Street and Park Street, containing 31,000 sq. ft., more or less, as described more particularly in said vote, and to execute an Order of Taking and such other documents as may be necessary or convenient to accomplish said acquisition, and hereby do not award any damages for said taking. VOTE: 4 yeas – Selectman Hunt abstained - motion carried.

h. Vote to Approve a Special Municipal Employee Disclosure for Selectman Takesian

Before any discussion began, Selectman Takesian left the room.

The Town Manager explained that Selectman Takesian works for a company that was a successful bidder on a portion of the new Police Station and he must disclose this and the Disclosure must be filed with the Town Clerk.

Motion by Selectman Richenburg, Second by Selectman Hunt; voted to approve the Special Municipal Employee Disclosure for Selectman Takesian. VOTE: 4 yeas – Selectman Takesian had recused himself.

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V. Comments by Visitors

Ms. Rebecca Pearson of 14A Vermont Street addressed the Board re: the parking on Vermont Street. She is a year round resident and there is an on-going problem in that people visiting the beach are taking parking spaces in front of the residents' homes and the tenants and taxpayers have to pay to use the municipal lot. She presented a petition to the Board in the hope that they would consider making Vermont Street residential parking only.

John Housianitis of 4 Vermont St. said that Vermont Street is a pro-active street and they came before the Board 4 to 5 years ago requesting that it be made a one-way street and that did happen. He's hoping something can be done about the parking situation. He looked into how Seabrook handles this type of situation and stated that if you are a property owner with a vehicle registered in Seabrook you are entitled to a resident sticker and if you own a rental home you also can get a placard.

Lorraine Charette of 14B Vermont St. said she used cones to save her parking spot successfully until a year or two ago and the police came and removed them. When she approached the police officer he said "take it up with the Town Hall." She is willing to pay for the stickers or a placard in order to reserve her space; it is difficult when she comes from shopping or the laundromat and has to park in the municipal lot and carry everything to her home. She feels something should be able to be done and would appreciate it very much.

Kevin Henderson of Atlantic Ave. feels the whole south end should be resident parking only. He also suggested that the fee at the municipal lot be dropped to \$5.00 on Monday thru Thursday.

Walter Moquin of 15 Vermont St. reiterated the problem with the parking and said he is behind all of the suggestions.

Selectman Hunt said he grew up on the beach and all of a sudden for some reason this year there have been complaints about the parking. He thinks that any place where the residents are there should be resident parking only; the taxpayers should have first place to have the free parking and he would like to see something done about it and he thanked the people for coming tonight.

Mr. Harrington stated that the Police do have the authority to remove obstructions on public ways. As to having resident parking only, one issue relative to a solution has to do with whether or not it would require a by-law or whether the Selectman can do it as a matter of policy. He lives in a community where resident parking is allowed; in Salem there are stickers by zones. He said that resident sticker parking at the beach is probably doable if enough people get together with a plan. He is not opposed to the idea, but coming up with a workable plan may be a little complicated.

Chairman Condon said he not opposed to the neighbors' request and that the Board will look at it and go forward from there. Selectman Takesian said he will also look into it. Selectman McDonald said many people have multi-units that they rent and it does get complicated. Selectman Richenburg said this could be an issue to get started working on as part of the Board's Goals & Objectives workshop.

VI. Sewer/Water

Vote to Petition EPA for Review of NPDES Permit

This issue was briefly covered by Don Levesque and the Manager provided a Memo to the Board explaining the situation in depth.

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Motion by Selectman Richenburg, Second by Selectman Takesian; unanimously voted to appeal the new NPDES permit issued by the EPA relative to the operation of Salisbury's sewer treatment plant.

VII. Correspondence

- Letter from the Cardinal's Office inviting the Selectmen to a special Mass on Oct. 4th being offered for all the men and women who serve our communities as public safety personnel.
- Notification from Xfinity re: changes to their TV service.

VIII. Hearings - none

IX. Town Manager's Report

Mr. Harrington gave a brief overview of his written report, a copy of which is available in the Selectmen's office.

X. Selectmen's Report

a. Ratification of Signing of Weekly Warrants:

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to ratify the signing of the following weekly warrants: W16-3 through W16-18.

Selectman Hunt agreed with Kevin Henderson's suggestion about the parking lot and he would really like to review the records of the parking lot for the month of July, Monday through Thursday, and compare them to last year. Selectman Takesian believes the Town should not have a blanket parking fee. He said that \$15 is too high across-the-board, but there are times when it should be \$15 when there is something being offered. Otherwise, people may pay the \$15 but they won't come back. He thinks the rates need to be reviewed.

Mr. Harrington pointed out that the parking lot receipts may have gone down slightly in FY2015, but meter revenues went up drastically. He respectfully disagrees that the parking fee needs to be changed and he doesn't believe that the \$15 fee is driving anybody away from the beach.

Chairman Condon made mention of the Governor's recent visit to Salisbury and he is pleased in how the new administration seems to be very interested and supportive of Salisbury. He then thanked Lisa Pearson and the Planning Dept. for their hard work.

b. Subcommittee Reports

Library: The temporary library will be closing Aug. 20 and reopening on Sept. 21. In the interim, people can use the library in Amesbury and Newburyport. The grand opening for the new library is being scheduled for Oct. 2nd.

Lafayette Corridor Sewer Extension: Weston & Sampson is proceeding with the work voted on at Town Meeting.

c. Establish Date for FY16 Goals & Objectives Workshop

Motion by Selectman Richenburg, Second by Selectman McDonald; unanimously voted to have a Workshop on Aug. 31, 2015 at 6:00 PM for the FY16 Goals & Objectives.

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d. Establish Date for Workshop re: BOS Policy Handbook

Motion by Selectman McDonald, Second by Selectman Richenburg; unanimously voted to have a Workshop on Aug. 25, 2015 at 6:00 PM to review the Selectmen's Policy Handbook.

XI. Executive Session - none

XII. Adjournment

Motion by Selectman McDonald, Second by Selectman Richenburg; unanimously voted to adjourn at 8:50 PM.

Documents provided at the meeting and on file in the Selectmen's Office:

Minutes of July 13, 2015

Info re: 40 Dock Lane

Info on Property to be taken by Eminent Domain

Disclosure form for Special Municipal Employee

Copies of licenses as listed

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary

Approved: _____
Chuck Takesian, Clerk