

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, JANUARY 23, 2023 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

PRESENT: Selectmen: Chairman Chuck Takesian, Donna Abdulla, Wilma McDonald,
Ronalee Ray-Parrott, and Michael Colburn

ABSENT: Selectman Donna Abdulla

ALSO PRESENT: Neil J. Harrington, Town Manager

I. Call to Order/Salute to the Flag

Chairman Takesian 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 January 9, 2023

The Selectmen discussed the minutes of January 9, 2023. They determined that the Minutes for the Roll Call vote for the Planning Board Alternate position was incorrect. They asked that the Minutes to corrected to indicate that Mr. Colburn had voted for Mr. Welch.

Motion by Selectman McDonald, Second by Selectman Ray-Parrott; unanimously voted to amend the Minutes of January 9, 2023.

The minutes will be amended as follows:

Roll Call vote for Planning Board Alternate: Selectman Colburn – Dan Welch; Selectman Abdulla – Angelica Medina; Selectman McDonald – Angelica Medina; Selectman Ray-Parrott – Angelica Medina, and Selectman Takesian – Dan Welch.

Motion by Selectman Ray-Parrott, Second by Selectman Colburn; unanimously voted to approve the Minutes of January 9, 2023 as amended.

III. Public Comment - none

IV. Old Business – none

V. New Business

a. License Renewals:

Motion by Selectman Ray-Parrott, Second by Selectman Colburn; 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: JB Restoration & Collision – 105 Lafayette Road.

Motion by Selectman Ray-Parrott, Second by Selectman Colburn; unanimously voted to renew a **Common Victualer** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals, for: Dunkin Donuts – 46A Toll Road, and Sali Store – 10B Elm Street.

Motion by Selectman Ray-Parrott, Second by Selectman Colburn; 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: Sherwin Williams Company #5133 – 175 Elm Street, and Slick's Barber Shop – 213 Lafayette Road.

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b. New Licenses - none

c. License Amendments - none

d. Liquor License Renewals - none

e. New Liquor Licenses - none

f. Committee Appointments

Housing Authority – One vacancy to expire 6-30-25: one applicant – Donna Abdulla

Motion by Selectman Ray-Parrott, Second by Selectman Colburn; unanimously voted to appoint Donna Abdulla for a term to expire June 30, 2025.

Zoning Board – Two alternate positions available: one to expire on 12/31/23 and one to expire on 12/31/24: one applicant – Timothy Johnson

Motion by Selectman Ray-Parrott, Second by Selectman Colburn; unanimously voted to appoint Timothy Johnson as an Alternate on the Zoning Board for a term to expire December 31, 2024.

g. Update/Presentations: Building Inspector/ZBA

Building Inspector

Scott Vandewalle, Building Inspector, appeared before the Board. Mr. Vandewalle advised the Board that the State Department of Energy Resources made significant and complex changes to the energy codes for new homes effective January 1, 2023. Some highlights are that Class II circuits are required in garages for new homes; that there has to be a Heat Recovery Ventilator, major upgrades in insulation levels and thermal insulation on the outside of new homes. Mr. Vandewalle said these new regulations will add significant cost increases for new homes. In addition, these changes will result in additional training costs. In response to a question, he stated that these new regulations will also apply to homeowners/builders making more than a 50% upgrade to a home. Mr. Vandewalle stated that if permits were submitted prior to January 1, 2023 then these new regulations do not apply.

Zoning Board

Derek DePetrillo, Chairman of the Zoning Board, provided an activity update to the Board.

- Applications: a total 12 since the last report
Variance/Findings/Special Permits Issued -- 12; Withdrawals -- 1
- New Residential Construction approvals -- 1 for a proposed single-family home
- Variances -- 2 for Front/Side/Rear setbacks
- Findings - 5
1 for a Three family use in an R3 Zoning district; 3 Additions, and 1 single family home
- Special Permits -- 5
1 Electronic message board; 1 Withdrawn; 2 Internally Illuminated Signs; and 1 increase in number of dogs allowed at a dog daycare

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h. Vote to Approve Election Schedule and Ballot Question as submitted by the Town Clerk

Town Manager Harrington advised the Selectmen that the Board is required to vote to approve the election schedule. He also stated that the ballot question was drafted by Town Counsel and that the Board must approve the precise wording of the ballot question.

Motion by Selectman McDonald, Second by Selectman Ray-Parrott; unanimously voted to approve the following Ballot Question: “Shall this Town approve the Charter amendment proposed by Town Meeting summarized as follows: At the October 24, 2022 Town Meeting, Town Meeting voted to approve a citizen’ petition seeking to amend Section 3-2C of the Salisbury Home Rule Charter to authorize the Board of Selectmen, rather than the Town Manager, to appoint members of the Conservation Commission?” A “Yes” vote will amend the Charter by making the Board of Selectmen the appointing authority for the Conservation Commission. A “No” vote will result in no change to the Charter, and the Town Manager will remain the appointing authority for the Conservation Commission.

i. Vote to Renew Contract with Cataldo Ambulance Service

Mr. Cataldo was in attendance. He thanked the Board for their continued support.

Mr. Harrington, Town Manager, advised the Board that he was proposed that this contract would only be renewed for two years, so that it will expire at the same time as Newburyport and West Newbury contracts, the other two communities in the area which contract with Cataldo. He stated that Chief Carrigan supports the extension. These two years will also provide Salisbury with time to assess other options for emergency response operations.

Motion by Selectman Ray-Parrott, Second by Selectman Colburn; unanimously voted to renew the contract with Cataldo Ambulance Service, for a term to expire on June 30, 2025.

j. Presentation: Planning Director Lisa Pearson re: CDBG 2022-2023 Grant Application

Lisa Pearson, Planning Director, appeared before the Board. She stated there was a pending CDBG grant application due in March. She advised the Board that she will be holding a Citizen’s Advisory Committee meeting next week for their input into what the Town should apply for in the upcoming round of CDBG grant applications, but that she is also looking for Board recommendations. She asked that Board members contact her with their priorities, and noted that she will be back again soon before the Board requesting an official vote approving the Town’s CDBG grant application. Ms. Pearson stated that CDBG grant projects must benefit low-moderate recipients, and that a major objective of the housing rehabilitation program was to fund projects that will allow people to stay in their homes. She said the Planning Department y work with the Affordable Housing Trust, North Shore Home Consortium, and several local banks.

Ms. Pearson also reported that the Meaders Lane infrastructure project is one of the CDBG priorities she would like to see continued. In addition, CDBG allows cities and towns to issue RFQs for up to five social services programs to be funded. She reminded the Board that the Town currently funds the Boys and Girls Club Scholarship Program, Pettengill House Emergency Assistance Program, Our Neighbors Table, YWCA pre-school and day care program, and the Salisbury Senior Center for emergency assistance.

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Ms. Pearson said the Town will be allowed to apply for \$1.35 million dollars in a two-year grant cycle and that she recommends that the Town apply for the maximum amount allowed.

k. Presentation: Planning Director re: New MBTA Multi-Family Zoning Action Plan

Lisa Pearson, Planning Director, appeared before the Board. She explained that she has been working on the new MBTA Multi-Family Zoning Action Plan. There are several steps to accept that need to be put in place before new zoning can be presented that meets the goals of the new State law. She said she was appearing before the Board seeking an endorsement to submit an initial response to begin the process, which is due before the end of the month. Eventual identification of current zoning that meets the requirements of the new law, or adoption of new zoning, will help the Town meet the State's goal of creating opportunities for new multi-family housing and will also allow the Town to retain its eligibility for several State grants. She stated that filing the plan documents gives the Town two years to determine how the Town should approach this issue. The Town does not need to guarantee that the new multi-family housing will be built, but needs to make sure there is zoning that allows it by right. The Merrimack Valley Planning Commission is assisting the Planning Dept. in working toward the eventual proposal for this new zoning in town.

Ms. Pearson said there are two current zoning districts which may comply with the MBTA Zoning Action Plan, which are the Beach Commercial zone and the Beach Commercial overlay zone. However, if these zones are not deemed in compliance with the requirements of the new law, the Town would need to create new zoning. She stated there has been no determination yet on whether the two Beach districts would meet the standards of the new law. She stated that a series of meetings will be held on this issue and the Town is encouraging involvement by the public. Any new zoning districts would have to be approved by Town Meeting and the Attorney General.

l. Vote to Appoint Board of Selectmen member(s) to Local Hazard Planning Mitigation Team and Local Planned Housing Production Planning Team

Motion by Selectman Ray-Parrott, Second by Selectman McDonald; voted to appoint Mike Colburn to the Local Hazard Planning Mitigation Team. Three YES votes. Selectman Colburn abstained. The motion carried.

Motion by Selectman McDonald, Second by Selectman Colburn; voted to appoint Ronalee Ray-Parrott to the Local Planned Housing Production Planning Team. Three YES votes. Selectman Ray-Parrott abstained. The motion carried.

VI. Sewer/Water

VII. Correspondence

Selectman Colburn read a letter from Comcast advising the Town of several fee increases.

VIII. Hearings - none

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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 Ray-Parrott, Second by Selectman Colburn; unanimously voted to ratify the signing of the following weekly warrants: W23-78 through W23-84.

XI. Executive Session - none

XII. Adjournment

Motion by Selectman Ray-Parrott, Second by Selectman McDonald; unanimously voted to adjourn at 8:07 PM.

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

Minutes of


Copies of licenses as listed

Town Manager's Report

Respectfully submitted:


Agnes Donovan, Secretary

Approved: _____


Michael Colburn, Clerk

MEMORANDUM

To: Members of the Board of Selectmen

From: Neil J. Harrington, Town Manager 

Date: January 23, 2023

Re: January 23rd Report to the Board

Outlined below is a summary of activities over the past two weeks. Please let me know if you have questions about any of these items.

1) Departure of Chief Water Operator

I regret to report that the Town's Chief Water Operator, who was hired in January of 2022 to lead the new Water Division of the DPW following the takeover of the Town's water operations from Pennichuck, has resigned. The position has already been advertised and the Town has begun to receive resumes from applicants. The position will remain open until filled. This is an important position and I am hopeful that we will be able to fill it soon with a competent person.

2) Electricity Aggregation Update

Electricity ratepayers in town enrolled in Salisbury's Community Choice Power Supply electricity aggregation program are saving significant money this winter due to the spike in National Grid's basic rate for electricity. However, enrollment in the plan has been saving consumers money throughout the year as well. I recently received a report from Colonial Power, the Town's consultant, which indicated that for the last four quarters, Salisbury ratepayers have saved \$566,791 compared to National Grid's basic rates. Of this total \$426,954 has been saved by residential customers, or 75%, has been saved by residential customers.

3) New Damage Claim System

Starting this winter, the Town will be implementing a new system for reporting claims of damage due to winter snow plowing. In the past, the Town did not pay claims for damage from Town-operated snow plowing vehicles; rather, if a claim was deemed legitimate, the Town would make restitution by restoring the damaged item, e.g. a mailbox that was hit by a snow plow. Since many of the mailboxes that have been hit over the years protruded into the public right-of-way, the Town incurred very few costs for snow plow damage.

We have now adopted a new form, which is posted on the DPW website, for damage claims, whether they be from a Town-operated snow plow or a pothole on a publicly-accepted street. Any person who claims damages must fill out the form and provide a quoted estimate for restoration. After examining the claim, if the DPW Director believes the Town is at fault, the Town will pay the claimant directly, rather than, for example, replacing a broken fence or mailbox. This is standard small claims procedure in many towns. Hopefully, this new system will allow residents who sustain legitimate damages due to negligence on the part of the Town to be compensated in a more timely manner.