

BOARD OF SELECTMEN MINUTES OF MAY 23, 2016

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

Re-Organization of the Board

Chairman Condon asked for nominations for Chairman. Motion by Selectman McDonald, Second by Selectman Takesian; unanimously voted to place all names in nomination. The voting proceeded as follows: Selectman Richenburg – Wilma McDonald; Selectman McDonald – Freeman Condon; Selectman Takesian – Wilma McDonald; Selectman Ray-Parrott – Wilma McDonald; Chairman Condon – Wilma McDonald. By a vote of 4 to 1, Wilma McDonald was voted to serve as Chairman for the upcoming year.

Chairman McDonald then asked for nominations for Vice Chair. Motion by Selectman Condon; Second by Selectman Takesian; unanimously voted to place all names in nomination. The voting proceeded as follows: Selectman Richenburg – Chuck Takesian; Selectman Condon – Chuck Takesian; Selectman Ray-Parrott – Chuck Takesian; Selectman Takesian – Freeman Condon; Chairman McDonald – Chuck Takesian. By a vote of 4 to 1, Chuck Takesian was voted to serve as Vice Chairman for the upcoming year.

Chairman McDonald asked for nominations for Clerk:

Motion by Selectman Condon; Second by Selectman Takesian; unanimously voted to place all names in nomination. The voting proceeded as follows: Selectman Richenburg – Ronalee Ray-Parrott; Selectman Condon – Ronalee Ray-Parrott; Selectman Takesian – Ronalee Ray-Parrott; Selectman Ray-Parrott – Freeman Condon; Chairman McDonald – Ronalee Ray-Parrott. By a vote of 4 to 1 Ronalee Ray-Parrott was voted to serve as Clerk for the upcoming year.

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 May 9, 2016

Motion by Selectman Richenburg, Second by Selectman Takesian; unanimously voted to approve the Minutes of May 9, 2016 as written. VOTE: 4 yeas – Selectman Ray-Parrott abstained.

III. Old Business - none

IV. New Business

a. License Renewals:

Motion by Selectman Richenburg, Second by Selectman Takesian; 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 Vynorius Piledriving – 150 Elm St.

b. New Licenses

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to approve a **Repair** license to Burda Brothers Auto Body – 83 Bridge Road (new owner).

BOARD OF SELECTMEN MINUTES OF MAY 23, 2016

Motion by Selectman Takesian to approve a **Parking Lot** license for Broadway Parking – 12 Broadway, Second by Selectman Condon for discussion:

Selectman Richenbourg's understanding is that there is supposed to be a drawing with the number of spaces, entrances and egresses. Mr. Mulcahy said he has the drawings and is in the process of cleaning the lot up. Evidently he had a site plan review several years ago but never applied for his license and is doing so now. However, there appears to be several things outstanding to be done and Selectman Richenbourg said he would like to see him meet with the Planning Department to make sure they are satisfied.

No vote taken on the first Motion.

Motion by Selectman Richenbourg, Second by Selectman Ray-Parrott; unanimously voted to approve, pending approval from the Planning Board.

Motion by Selectman Richenbourg, Second by Selectman Condon; unanimously voted to approve a **Common Victualer** license for Wicked Waves – 18 Broadway (formerly Fiesta Shows).

Motion by Selectman Takesian, Second by Selectman Richenbourg; unanimously voted to approve a **General** license for Anima Massage – 90 Main St.

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to approve a **General** license for Pac-Van, Inc. – 74 Main St.

Motion by Selectman Condon, Second by Selectman Richenbourg; unanimously voted to approve a **Special Event Permit** for the Granite State Wheelmen for their 2016 Seacoast Century Weekend on September 24-25, 2016 with the same route and conditions as last year.

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to approve a **Special Event Permit** for the Alzheimer's Association for the Ride to End Alzheimer's on June 11, 2016.

Motion by Selectman Richenbourg, Second by Selectman Condon; unanimously voted to approve a **Special Event Permit** for the Massachusetts Army National Guard to have a recruiting table on Broadway on July 16th and August 6th 2016.

c. License Amendments - none

d. Committee Appointments - none

e. Update/Presentations: Harbormaster

Harbormaster Ray Pike provided a handout and then identified his team: Deputy Harbormasters are Reggie Santos and Willem van de Stadt; Assistant Harbormasters are: Joe Amore, Glen Davis, Alan Foucault, Terry Kalil, Dick Lemar, Ron Ray and Phil Wysocki. The 2016 patrol schedule is weekends from May 15th to October 15th. Ten fireworks patrols are added at the end of June through Labor Day, and week day/night patrols will start in July. Mr. Pike then gave an overview on achievements and growth opportunities, which encompassed mapping the harbor bottom surfaces to generate real time local charting, commercial and recreational clam fisheries, mooring fields and/or dockside fire prevention drills, fishing at the Town pier, community boating, personnel training, water quality testing, eventual development of the MBTA property, mooring fields permit updates. He closed with the question – "When will the river reach its capacity? Will we recognize it before it happens?"

BOARD OF SELECTMEN MINUTES OF MAY 23, 2016

f. Discussion of Beach Parking Request

Ms. Martha Dastous addressed the Selectmen again regarding her parking request and clarified her proposal, which is to allow all Salisbury residents (and only Salisbury residents) who have purchased the summer parking pass to park overnight during the summer season in the town lot at the beach. She added that this would help people who are trying to sell their homes or people who work all day and come home to find there's no place for them to park.

Selectman Ray-Parrott asked if there is a liability if the lights are not kept on at night and whether there any times when the lot is full to capacity. Mr. Levesque said the lights are on at night in the summer, but are shut off during the winter. As to the lot being full to capacity, there are times when it is, especially during special events, the fireworks, etc. Right now there is a problem because of the staging in the parking lot due to the Blackwater River flood control project. He said it has to be made clear as to how the overnight parking will be and it will have to be for a car, not an RV; there is a dollar value on the parking spot and he doesn't think \$10 would be enough.

Selectman Takesian suggested having a designated area in the parking lot that would be numbered and people would rent that space for a specific amount of time, and/or have a special sticker for overnight parking costing more. He agreed that parking is a problem at the beach in the summer and we seem to be getting more year round residents who will need overnight parking. He also pointed out there are less parking spots than families with grown children who come back to visit and stay for a week or so.

Selectman Richenburg said changing the Town's policy may be setting the Town up for some liability, and he doesn't want to jump in too quickly without researching this. Selectman Takesian agreed the Board needs to investigate this more. Chairman McDonald feels the Board needs to get input from the Police Chief before going further.

Motion by Selectman Takesian, Second by Selectman Richenburg; unanimously voted to form a parking lot sub-committee and meet with the Town Manager, DPW Director and Police Chief before June 27th and make a recommendation at that time.

g. Vote to Grant Easement to Mass. Electric Company for New Police Station

The Town Manager provided a proposed Grant of Easement to allow Mass. Electric to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current and for the transmission of intelligence, lines to consist of, but not limited to, two (2) poles (which may be erected at different times) with wires and cables strung upon and from the same and all necessary anchors, guys, and appurtenances (hereinafter referred to as the "OVERHEAD SYSTEM") and "UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM" (hereinafter referred to as the "UNDERGROUND SYSTEM") located in Salisbury, Essex County, Massachusetts. Town Meeting approved a warrant article authorizing the Selectmen to grant the easement.

Motion by Selectman Richenburg, Second by Selectman Condon; unanimously voted to grant the easement as presented.

h. Vote to Approve Amendments to Home Rule Bill re: Liquor Licenses

Mr. Harrington provided a memorandum to the Board explaining that at the 2015 Fall Town Meeting voters approved a warrant article authorizing the submittal of a Home Rule petition seeking to add five additional year-round licenses for the sale of alcoholic beverages in town. The article provided that any non-clerical amendments to the proposed legislation must be approved by the Selectmen prior to

BOARD OF SELECTMEN MINUTES OF MAY 23, 2016

final adoption of the bill. He noted that the legislation now was being considered and there is an amended version of the bill that needs to be approved by the Board before it can be adopted by the Legislature. He recommended that the Board vote to approve the amended version of the Bill.

Motion by Selectman Takesian, Second by Selectman Richenburg; unanimously voted to approve as presented.

i. Vote to Appoint By-Law Review Committee

Selectman Condon had inquired and has been advertising for people to come forward to be appointed on this committee and there are now 5 people who have volunteered.

Motion by Selectman Condon, Second by Selectman Richenburg; unanimously voted to appoint the Town Manager, Selectman McDonald, the Town Clerk, Jerry Klima and Donald Beaulieu to the By-Law Review Committee.

j. Vote to Adopt Merrimack Valley Region Multi-Hazard Mitigation Plan Update 2016

Mr. Harrington announced that FEMA has officially approved the Hazard Mitigation Plan as amended through February 2016. The Selectmen adopted an earlier draft last Fall 2015 to satisfy the requirement for enrollment into the CRS Program. Since then the plan was further amended and it is necessary for the Board to re-adopt the plan as amended.

Motion by Selectman Richenburg, Second by Selectman Takesian; unanimously voted to re-adopt the plan as amended through February 2016.

V. Comments by Visitors

VI. Sewer/Water

Discussion and Vote on Request of Barbara Souther for Town to Extend Sewer on Bartlett St.

Copies of Ms. Souther's correspondence had been given to the Board prior to tonight's meeting. Essentially, she is requesting that the Board overturn Mr. Levesque's determination that, in order for sewer service to be extended further on Bartlett Street to a new home she intends to have built, that the new sewer line must be constructed to the northerly end of the property line of the new property and that Ms. Souther must pay for the construction of the new sewer line.

Mr. Levesque was present and explained that some time ago SPS wanted to extend sewer on Bartlett Street and there was an agreement for them to pay for the project. Other property owners on the street connected to the new sewer line and made private payment arrangements with SPS. He noted that he was not aware of any time where the Town has paid for the extension of a sewer line; he doesn't have any objection to the extension if it is paid for by her and done to the Town's specifications. He further explained that Ms. Souther's correspondence to the Board was referring to an "as built" plan from 1998 prepared by Millennium Engineering from Elm Street to her house. The drawing shows a sewer line but there isn't one there, there is just a stub and if an engineer had popped the manhole he would have seen there wasn't a line. Ms. Souther feels that because the plan shows a sewer line there it should be constructed and the Town should pay for the extension. Mr. Levesque said he would work with her but the cost of the sewer main, the stub, paving of the roadway, and police details should be borne by Ms. Souther.

Motion by Selectman Richenburg, Second by Selectman Condon; unanimously voted to not have the Town pay to extend the sewer on Bartlett Street, as requested by Barbara Souther.

BOARD OF SELECTMEN MINUTES OF MAY 23, 2016

VII. Correspondence

Notice from Fred Knowles re: the Memorial Day Parade scheduled for May 30th, forming at the Fire Station at 9:30 and kicking off at 10:00 AM.

VIII. Hearings

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 Takesian; unanimously voted to ratify the signing of the following weekly warrants: W16-189 through W16-195.

b. Subcommittee Reports

Lafayette Corridor Sewer Extension:

Police Station: Mr. Richenburg reported that everything is on schedule for a late October or early November opening.

Selectman Condon said that the Town Manager is establishing a committee to develop a long range plan for the future use of the Memorial School and that he would like at least one member of the Board to serve on the Committee. Ms. Ray-Parrott volunteered.

Selectman Takesian reported that he attended the Art Stroll last week-end, representing the Selectmen, and said that the organizers did a great job with the walk through and art display.

XI. Executive Session

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to go into executive session for the purpose of discussing the Town's strategy with regard to pending litigation, as such a discussion in open session may be detrimental to the town's strategy with respect to this matter, and that the Board would not return to open session. Those present will be the full Board, Town Manager, Town Counsel, and the Board's secretary. Roll Vote: Selectman Richenburg – yes; Selectman Condon – yes; Selectman Takesian – yes; Selectman Ray-Parrott – yes; Chairman McDonald – yes.

XII. Adjournment

The meeting adjourned after the Executive Session at 9:45 PM.

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

Minutes of May 9, 2016

Copies of licenses as listed

Info on the Amendments to Home Rule Bill re: Liquor Licenses

Info pertaining to Ms. Souther's request

Town Manager's Report

BOARD OF SELECTMEN MINUTES OF MAY 23, 2016

Respectfully submitted:

Janet E. Flannery, Secretary

Approved: _____
Ronalee Ray-Parrott, Clerk