

BOARD OF SELECTMEN MINUTES OF JANUARY 14, 2013

PRESENT: Selectmen Henry Richenburg, Chairman; Ed Hunt, Fred Knowles, Donald Beaulieu and Jerry Klima,
ALSO PRESENT: Neil J. Harrington, Town Manager and Janet Flannery, Secretary

I. Call to Order/Salute to the Flag

Chairman Richenburg 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 December 17, 2012**

Motion by Selectman Hunt, Second by Selectman Klima; unanimously voted to approve the Minutes of December 17, 2012 as written.

**III. Old Business
Vote to Approve Harbor Commission Rates**

No new information was available. This item remained on the Table.

**IV. New Business
a. License Renewals: Taxicab License**

Motion by Selectman Klima, Second by Selectman Knowles; unanimously voted to renew a **Taxicab** license that is issued by the Town Clerk subject to the applicant getting proof that the Company has a legal existence, getting confirmation that the workers compensation insurance is in effect, and including a license number for the 4 vehicles listed on the application.

b. New Licenses

Motion by Selectman Klima, Second by Selectman Hunt; unanimously voted to approve a **General** license to TFL USA/Canada, Inc. – 44 Rabbit Rd.

Motion by Selectman Hunt, Second by Selectman Klima; unanimously voted to approve a **Special Event Permit** to the Winner's Circle Running Club for their April Fool's 4-mile Road Race to be held on March 30, 2013 from 11AM – 1PM.

c. License Amendments

Motion by Selectman Klima, Second by Selectman Knowles; unanimously voted to approve an amendment to a **General** license for Salon 42°/70° at 165 Bridge Rd, and to include manicures, pedicures, and make-up (previously The Directors Cut Hair Salon).

d. Committee Appointments - none**e. Update/Presentations: Planning Board/Harbormaster**

David Holscher, Chairman, reported that when the Planning Board re-organized in May of 2012 he was elected Chair and Lou Masiello was Vice-Chair and Berenice MacLaughlin is Clerk. Also, since May of 2012 the Planning Board has approved the following: 3 major and 1 minor Site Plan Reviews; 1 subdivision special permit; 10 ANR Plans, and 1 Certificate of Completion. The de-commissioning report for the Solar Park on Rabbit Road has been completed and forwarded to the State. In closing, he said there is one alternate member position open on the Board.

The Harbormaster was unable to attend this evening due to an accident. He will be re-scheduled.

f. Lisa Pearson re: BOS Vote for the FY14 CDBG Grant

Lisa Pearson pointed out that the Agenda had been posted for the FY14 CDBG Grant and it should have read FY13. She was told to proceed.

She then explained to the Board that since her last time in front of them she had met with the Citizens Advisory Committee to discuss the possible projects they had discussed. Due to the limited funds available this year the Citizens advisory committee recommended the following projects to the Board of Selectmen.

Lincoln Ave. and Howard George Court Water Line project: In this case the whole road reconstruction project is important but with limited funding and the importance of the water line project the recommendation is to construct this as a 2 phase project beginning with the water line project first.

Housing Rehabilitation program: This program continues to be important to the town. We currently have 41 people on our waiting list. This year we will be limited by the number of units but it is important to keep the program moving. Lisa Beaulieu, Project Manager, has been able to make last year's 4 unit funding turn into 6 units by working with home owners. Sometimes community action can help with insulation or we can partner with a lead based program to help with those areas and this allows us to help additional people.

We also received 2 proposals from local social service agencies, the Boys and Girls Club for the Scholarship program, and the Pettengill House for the emergency assistance program. These programs have both been successfully run in the past and continue to assist many of Salisbury's low and moderate income families.

Chairman Richenburg asked if the grant would be for the same amount as last year and Ms. Pearson explained we could only apply for \$500,000 since the Town received \$850,000 last year. We are limited to apply for \$1,350,000 over two years. He also asked if the Pettengill House and Boys & Girls Club would receive the full amount or would they be reduced, and he encouraged that they both be funded. Ms. Pearson said that we will provide them as much as we can, as both programs have a great impact on the community.

Selectman Hunt asked if she would need the same amount of staff working on the grant since it was for a lesser amount and if so would their wages be reduced. Ms. Pearson said the \$850,000 was for 18 months and the \$500,000 is for 12 months. The same amount of staff will be needed but since we will be applying for the same number of programs in the past, we will need to reduce the amount of administration that we have applied for in the past to make it work.

Selectman Klima said the Housing Rehab Program has helped a lot of people and it's important to keep that going. Ms. Pearson added that Lisa Beaulieu does an excellent job in getting funding from other resources to supplement the existing program and the Gardner Street project came in under budget; therefore she has requested to transfer the money into the Housing program so we can continue assisting people.

Motion by Selectman Beaulieu, Second by Selectman Klima; unanimously voted to table until the next meeting scheduled for Jan. 28, 2013, making sure the agenda item is posted as the FY13 CDBG Grant.

g. Discussion re: Areas for Marijuana Distribution

Chairman Richenburg placed this on the agenda because he is concerned with the lack of rules governing

this new activity. The State has until May 1st to issue regulations as to how and where dispensaries will be located and how the marijuana will be grown and dispensed. At the Manager's request, Town Counsel sent a Temporary Marijuana Moratorium Bylaw document, a copy of which is on file in the Selectmen's office. The temporary moratorium would potentially zone out dispensaries temporarily, but at this point it is unknown what the State is going to do. Some towns are taking votes of their local councilmen as to whether or not they want them and sending the vote on to the State level. Chairman Richenburg personally is opposed to having a dispensary or growing marijuana anywhere in Salisbury and would like the Board to send a letter to the State Dept. of Public Health stating their opposition.

Selectman Knowles said he doesn't support putting a moratorium at this time and Selectman Beaulieu said he thinks it is something that should be looked at and if there are people who think one way or another they should send their thoughts to the Board. Personally, he would like to read up on it a little more and review the material before sending a letter. Selectman Hunt feels that so long as Town Counsel keeps the Board posted as to what is happening, he doesn't think it is necessary to take any action right now. Selectman Klima said that if any zoning amendment is to be proposed, the hearing process needs to be started in March in order to meet the required deadlines for Town Meeting.

h. Vote on Right of First Refusal for Property at 8 Sandpiper Way – Unit 31

Motion by Selectman Klima, Second by Selectman Beaulieu; unanimously voted to waive their right of first refusal of 8C Sandpiper Way, Unit 31.

i. Discussion of Tri-Town Selectmen's Meeting

Chairman Richenburg said he received an e-mail from the Rowley Board of Selectmen Chairman, Mr. Snow, asking if Salisbury wants to meet with Rowley and Newbury as in the past years. Selectman Beaulieu pointed out that there is a meeting scheduled for Feb. 7th at Triton and if this is pertaining to budget issues, he doesn't feel the Selectmen should be meeting separately about that. Selectman Hunt agrees it is a good idea to meet to discuss the budget, but feels the Finance Officer should also attend, as well as the Manager. It was the general consensus of the Board to have the Chairman speak with Mr. Snow to see if there are any specific items other than the budget they wished to discuss and if that is the case Chairman Richenburg will bring the info back to the Board for further discussion.

j. Approve 2013 Meeting/Presentation Schedule

Chairman Richenburg suggested that at the meeting of Feb. 25th that the Superintendent be invited to address the Board rather than the School Committee, and on Nov. 4th have the School Committee and PTA scheduled. The full Board was in agreement to that.

V. Comments by Visitors

Christine Davidson – 227 Beach Rd. – She stated that she moved to Salisbury in 2005 and wasn't aware she was in a flood zone until the Patriot's Day storm. Then, the Dec. 27, 2012 storm was worse and the water rose higher. She had sent a letter to the Board several weeks ago with some photos showing the flooding of No. End Blvd. as well as the Driftwood parking lot. She also addressed some concerns regarding the rebuilding of the Driftwood Motel and wanted to know if the residents of the rental units would be vacated and housing paid for in the event of future storms and if the new owner is responsible for any vehicles damaged by the flood as well as the mold. She also indicated that she felt the sign at the motel is not necessary since it only has 11 units, but if the sign was going to stay it could be made more attractive for the neighborhood. The Board indicated that while they can be sympathetic to these issues, they do not come under their jurisdiction, but under the Board of Health and Building/Zoning

Departments.

Kevin Henderson – Atlantic Ave. – He said in watching a re-run of the December meetings of the Board, there were issues brought up where it was stated they were not under the jurisdiction of the Selectmen. He then quoted a few chapters of the Charter and the Laws of the Commonwealth pertaining to the powers of the Selectmen. He said he feels what has to be done is to find out what the day to day operations of the Town are.

VI. Sewer/Water

VII. Correspondence

Two letters from Xfinity: the first about important price adjustment information and the second letter was a correction to the first price adjustment letter.

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 Beaulieu, Second by Selectman Hunt; unanimously voted to ratify the signing of the following weekly warrants: W13-90 thru W13-108.

Selectman Knowles recognized and commended Stacey Beaulieu (daughter of Selectman Beaulieu) for her volunteer work in New York during her Christmas break to help the victims of Hurricane Sandy.

Selectman Hunt asked the Manager, since the State has purchased the Sidewalk Café, could the Town talk to them to see what their plans are for that piece of land and possibly make some suggestions as to what the Town would like to have there. He suggested possibly having the Town partner with the State to put up a boardwalk. The Manager said the last time he heard the State still had not decided what they are going to do, but possibly for a lack of anything else they may put a dune in.

Chairman Richenburg reminded the public to please return the census forms they received in the mail and he reported that elections papers will be available Feb. 1st.

XI. Executive Session - none

XII. Adjournment

Motion by Selectman Klima, Second by Selectman Knowles; unanimously voted to adjourn at 8:40 PM.

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

Minutes of December 17, 2012

Copies of licenses as listed

Information provided by Town Counsel re: Areas for Marijuana Distribution

Letter of Intent to Sell Affordable Housing Unit at 8 Sandpiper Way

Presentation Schedule for 2013

Town Manager's Report

Respectfully submitted:
Janet E. Flannery, Secretary

Approved: _____
Fred Knowles, Clerk