

**BOARD OF SELECTMEN MINUTES OF APRIL 22, 2013**

**PRESENT:** Selectmen Henry Richenburg, Chairman; Ed Hunt, Fred Knowles, and Jerry Klima,  
**ABSENT:** Selectman Beaulieu  
**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 March 25, 2013 and April 8, 2013**

Motion by Selectman Klima, Second by Selectman Hunt; unanimously voted to approve the Minutes of March 25, 2013 as written.

Motion by Selectman Klima, Second by Selectman Hunt; unanimously voted to approve the Minutes of April 8, 2013 as written.

**III. Old Business - none****IV. New Business****a. License Renewals:**

Motion by Selectman Klima, Second by Selectman Knowles; 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: Latitude Sports Club – 191 Elm St., and Clover Club Boat Storage – 40 Bridge Rd.

Motion by Selectman Klima, Second by Selectman Knowles; voted to renew a **General** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Lee Hunt Seafood, LLC – 5 Oceanfront. VOTE: 3 yeas – Selectman Hunt abstained. Motion carried.

**b. New Licenses****Special Event Permit**

Motion by Selectman Hunt, Second by Selectman Knowles; unanimously voted to approve a Special Event Permit to the Winner's Circle Running Club for their 35<sup>th</sup> Annual Pat Poletta 2-mile race scheduled for June 21, 2013.

**c. License Amendments - none****d. Committee Appointments - none****e. Update/Presentations: Health Agent and Library Director**

Health Director Jack Morris reported that over the past 6 months his department has been aggressively pursuing the housing program and now have about 1000 properties in the system. Since last August 40 to 60 cases were prosecuted but most have been resolved. He is getting requests for Section 8 housing and in his discussions with the Dept. of Housing he was told that they can't always accommodate everybody from Salisbury. The Board of Health revamped its Housing Regulation so that rental units only need to be inspected every five year now, as opposed to three years previously, and landlords no

longer have to apply for an inspection every time there is a change in tenant. Food inspections are all up to date and all pools are in compliance with the State regulations. Mosquito Control will be starting up soon in Salisbury and he clarified that a resident can now call directly to request spraying and Mosquito Control will wait until they have 10 calls before going out to spray.

Library Director Terry Kyrios stated that between the flu and snow season they have been especially busy and circulation is up by almost 100 titles. Also, inter-library loan was 14,000 last year and it is already at 167,000 and counting. A lot of people received e-books and kindles and needed a lot of assistance learning how to download books, etc. Spring story hours started up April 1<sup>st</sup> and will run until June 1<sup>st</sup> on Mondays and Thursdays at 10:30. Plans are in the works for the upcoming summer program which will be starting on June 24<sup>th</sup>. Salisbury recently hosted the State Board of Library Commissioners monthly meeting. After the meeting, the Commissioners toured our library.

**f. Vote that the Town of Salisbury Elect to Engage in the Process to Change Health Insurance Benefits**

The Town Manager referred to the Finance Director's presentation at the last meeting where he pointed out that one of the issues he has been working on is the Town's health insurance and rising costs. Presently two companies responded to the bid; one being a renewal with Blue Cross through MIIA and the other one is Tufts Health Care. However, any change in health plans must be negotiated with the unions, unless the Town opts to adopt MGL Ch. 32B, Sections 21-23 and that is the reason for having this on the agenda tonight. If the Board votes to adopt the law, the Town would have 30 days to negotiate with the unions, and if no agreement can be reached, the Town can implement a plan of its choosing so long as certain State guidelines are followed. Presently the Town cannot change the plan without consent of more than 50% of the union employees. Hopefully, the Town and the unions will be able to reach an agreement.

Kelby Groder, representing the Fire Dept. union, said he returned the union's response, indicating which plan they had chosen, and he assumed that was the direction the Town was going to go, as the union never received any response back from the Town Manager. Mr. Harrington said that all of the unions did respond, but explained that they all made the same choice and that choice represented an increase in health insurance costs for the employees and the Town. He said it was clear to him that the unions were disregarding the Town's preferred alternative, which would lower premiums but would result in higher out-of-pocket costs. He said that he made it clear to the unions that the Town was prepared to negotiate for potential reimbursement of some out-of-pocket expenses, but that the unions never made any proposals along these lines. Thus, he felt justified in asking the Selectmen to adopt the law giving the Town's management more options going forward in choosing a plan that was in the best overall interest of the employees and the taxpayers, who pay 75% of the cost of whatever health insurance plan is chosen. Firefighter Groder indicated that he feels that there needs to be more time and explanation given because they are being asked to make a big decision with very little notice. The Police Dept. representative said she felt they did what they were asked to do as well by indicating their preferred choice of plans, and that they also didn't hear anything further from the Town either.

Chairman Richenburg said he is hearing that it appears that the unions are willing to work toward something and it sounds like the unions need more information, but one of the things we are up against is the timeframe and he suggested that the Board not take a vote tonight but put it off to a time certain and in the meantime have the Manager, Finance Director and unions get together to see if they can reach an agreement. Selectman Knowles said he will not support this on such short notice.

Motion by Selectman Klima, Second by Selectman Hunt; voted to table this issue of adopting MGL Ch. 32B Sections 21-23 and to hold a special meeting on Monday, April 29, 2013 at 5PM in the Colchester

Room. VOTE: 3 yeas – Selectman Knowles opposed. Motion carried.

### **g. Town Manager's Evaluation**

Chairman Richenburg read a summary of the overall evaluation, a copy of which is on file in the Selectmen's Office. He noted that the town Manager's overall scores in the following areas were lower than in past years, but that overall his performance was still very good. Areas that the Selectmen would like the Manager to work on included improving communications between the town departments, implementing department head performance evaluations and being open to suggestions by others. They also applauded his financial management during hard times and the continued success in obtaining grants from the state and federal government.

Mr. Harrington said that he has never formally responded to his evaluations in the past, but that he would this year. He said he was disappointed that some of the Selectmen chose to use this process as a way to cite their philosophical differences with the considerable authority that the Charter assigns to the Manager as opposed to the Selectmen.

### **V. Comments by Visitors**

Kevin Henderson – Atlantic Avenue -- showed a sample of a cedar shingle and suggested it be used in the dune restoration.

Tom Saab – No. End Blvd. – spoke about the beach mining situation on Plum Island and how DEP reluctantly approved it. He suggested that if it is proven to work on Plum Island and is not going to have a negative effect, then Salisbury Beach should try to implement beach mining here. He said he was invited to go to Plum Island and watch the process and thinks everyone should see it. He also suggested that the Town speak to Senator Ives and Rep. Costello so that they can support this process for implementation in Salisbury. Selectman Klima pointed out that Salisbury Beach is different from Plum Island because it is owned by DCR and that any permits for beach mining would have to be initiated by that agency. Residents here would not be able to hire contractors and go out onto Salisbury Beach to begin beach mining. The process would have to begin with DCR.

### **VI. Sewer/Water**

### **VII. Correspondence**

Copy of a letter sent to Selectman Knowles in response to his request that the charge for the adapters be dropped. The letter explained the reasoning for the charge, but no changes are to be made to customers' bills.

### **VIII. Hearings – none scheduled**

### **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 - none**

Selectman Knowles noted that this was Selectman Klima's last meeting. He said it has been a pleasure working with him and he feels that he is one of the hardest working persons he has ever met.

Chairman Richenburg commented that he knows for a fact that Selectman Klima has saved the Town so much money, well over \$100,000, and possibly more, in legal fees and he thanked him for that and for his counsel in certain areas. He stated that over their many years together, the current Board members

have been able to agree on many issues, but even where they disagree they can walk out of meetings remaining friends.

Selectman Klima said he decided not to run again because he thought nine years was long enough for anyone to serve on the Board but he hoped to continue to work with the Town as Moderator and the rail trail. He then thanked his fellow Selectmen and said the relationships have always been cordial and in harmony. He thanked the Manager who has brought the Town a long way since his arrival. He stated that since he's been on the Board he has received a lot of help to get many of the projects he has been involved with completed.

Selectman Hunt noted he has worked with Selectman Klima for 9 years and as a lawyer he has saved the Town legal fees and he built a beautiful rail trail second to none. They didn't always agree on some things but he is a good man to have on your team.

Selectman Hunt wanted to thank whoever got rid of the crane and hydraulic fluid at the beach and the Manager said that it was the Building Inspector, David Lovering. He also thanked the Baseball Softball league and said he can't say enough the league.

Chairman Richenburg asked the Board to schedule three workshops, which was done as follows:

1. A tentative date was set for May 6<sup>th</sup> at 5PM for the Thompson Group and their solar park (the Manager will check on their availability).
2. May 13, 2013 at 5PM to set the taxation on the Vaughan Project.
3. May 16, 2013 at 7PM re: water & sewer access fees for 191 Beach Road

#### **XI. Executive Session - none**

#### **XII. Adjournment**

Motion by Selectman Hunt, Second by Selectman Klima; unanimously voted to adjourn at 9:06 PM.

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

Minutes of March 25, 2013 and April 8, 2013

Copies of licenses as listed

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary

Approved: \_\_\_\_\_  
Fred Knowles, Clerk