

**BOARD OF SELECTMEN MINUTES OF SEPTEMBER 23, 2013**

**PRESENT:** Selectmen Henry Richenburg, Chairman; Ed Hunt, Fred Knowles, Donald Beaulieu and Freeman Condon  
**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 September 9, 2013 and Special Meeting of August 19, 2013**

Motion by Selectman Beaulieu, Second by Selectman Hunt; unanimously voted to approve the Minutes of Sept. 9, 2013 as written.

Motion by Selectman Hunt, Second by Selectman Beaulieu; unanimously voted to approve the Minutes of the Special Meeting of August 19, 2013 as written.

**III. Old Business****a. Vote to Adopt Veterans Services Intermunicipal Agreement**

Motion by Selectman Condon, Second by Selectman Hunt; unanimously voted to remove from the table.

Veterans Director Ray Mace was present as requested and stated he understands the reasoning for the regionalization, but he does not think it is a good idea. He said he was planning on resigning in the next year or two, but regardless if he has the position or not, Salisbury is a small town and many of the clients have a hard time getting around and would not be able to travel out of town for services. He had been asked to poll local veterans to get their input and none that he spoke to about it are in favor of the change. Mr. Mace also stated that he doesn't feel the Town will save any money by regionalizing; he doesn't feel it is a good move for the Town and he said he will fill the job as long as the Town wants him to.

The Town Manager clarified that local veterans would not have to leave Salisbury to be serviced. He understands that Mr. Mace is an advocate for the veterans and makes sure they get everything they are entitled to. It appears the people have a real comfort level with him.

Selectman Knowles agreed with what Mr. Mace had to say and would hate to see the people have to adjust to a new agent.

Selectman Beaulieu stated that the Town has been blessed because of Mr. Mace's dedication. Relative to the Agreement, he asked if the Town would have the ability to include in the Agreement language that guaranteed that since the Agent has always gone to the clients' homes, that practice would continue with the regional agreement.

Mr. Harrington said he agrees with that and he doesn't want to be part of the district if the Town isn't going to deliver the same type services as in the past, and maybe it would be good to put language in the Agreement that the clients will be serviced door to door. He stated that regionalization, as a general rule, is becoming a trend and when it was presented it was his philosophy that if Mr. Mace was retiring and we were going to have hire a new person, this might be the time to be part of the regionalization.

Chuck Colburn then spoke to the Board from the audience. He noted that he is a 100% disabled veteran and said the "comfort zone" for the veterans is slowly going away; the people know Mr. Mace and trust him and he suggested that things be left the way they are.

Selectman Beaulieu asked since the Town can opt out of the Agreement after a year, can we opt into it in a year?

Chairman Richenburg said there are some unanswered questions and he doesn't want to see any veterans in Town receive less service than they do now. Selectman Hunt stated that he had concerns and referred to the time when the Welfare Office was in town hall. He said that it was when the State took the program that problems developed. He thinks it means a lot to the veterans to have someone from their Town servicing their needs.

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to table the adoption of the Intermunicipal Agreement until the Manager gets answers to the questions raised this evening, specifically: 1) Can the Town opt in later on? 2) Where are the records going to be kept? 3) Can we stipulate that the Agent would continue to go to the homes and service the veterans?.

**b. Vote re: Medical Marijuana**

Selectman Knowles said that when this was discussed at the last meeting he was opposed to having a moratorium, but after hearing Atty. Doyle from Kopelman & Paige at the workshop last week he feels the Board should do adopt one. Selectman Condon agreed and stated that since it is a complex issue it does need the Board's support. Selectman Beaulieu indicated that Atty. Doyle had laid out options for two Articles and he wondered if it would be possible to combine the two into one Article.

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to refer the most recent draft of a proposed moratorium bylaw (attached) to the Planning Board and ask them to immediately prepare a zoning moratorium question to be placed on the Fall Town Meeting which would state that the moratorium shall be in effect through December 31, 2014, or until such time as the Town adopts Zoning Bylaw amendments that regulate Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries and related uses, whichever occurs earlier.

**IV. New Business****a. License Renewals - none****b. New Licenses - none****c. License Amendments - none****d. Committee Appointments**

**Liquor Commission:** 2 openings – 1 for 1 year and 1 for 2 years: 1 applicant Rhonda-Lee Cameron

Motion by Selectman Hunt, Second by Selectman Condon; unanimously voted to appoint Rhonda-Lee Cameron for the two-year term expiring on June 30, 2015.

For the record, Selectman Beaulieu clarified that it has been determined that Ms. Cameron is not employed at the Hungry Traveler.

Also for the record, Chairman Richenburg reported that the letter from Peter Marggraf who had expressed interest in serving on the Liquor Commission was withdrawn today.

**e. Update/Presentations: Assessors/Finance Director/Conservation Commission**

Ms. Gorniewicz reported that an auction was recently held and her department worked diligently on its preparation. The auction was very successful with 9 out of the 10 properties being sold, totaling \$318,500.00. Also, one of her clerks retired in September and she will be interviewing to fill that position. Regarding other issues, she is looking to complete the title research and prepare the deed for the sale of the Plains School and is also looking to complete the assessor's portion of the Land of Low Value and after the Collector finishes her portion of the work, these properties will be auctioned.

Ms. Gorniewicz also informed the Board that she is in the middle of an appeal of the State DOR's new values for State-owned land in town. There are 4 cases in the State this year vs. 11 the last time. The Dept. of Revenue has de-valued Salisbury's State-owned land from \$27 million to \$5 million. Their premise for doing this is their contention that Salisbury Beach is a barrier beach and the State-owned land, primarily the land at the State Reservation, is not developable. She laid out the timetable for how the town intends to prepare for a trial on this case, but expressed the hope that the DOR will be amenable to a settlement before the trial begins, as happened the last time there was such a dispute.

The Board of Assessors is going to present a Warrant Article for a Veterans Work-off Abatement Program which is similar to the Senior Work-off Program. It needs to be adopted at Town Meeting and then guidelines must be adopted by the Board of Selectmen. There is no age restriction to the Veterans Program and she is asking for 10 positions to be funded at \$500 each. Money for this program would come out of the overlay fund.

Finance Director Andy Gould reported that the books for FY13 are closed. The annual audit has been completed but the financial statements have not been finalized, nor has free cash been certified yet because the Town is waiting for some grant reimbursements to arrive. However, free cash will not be a large number due to: a deficit of \$49K in snow and ice, a deficit in the veterans' benefits of \$25K, and the fact that in FY13 the Town appropriated \$431K of its free cash. In addition, no surplus property auctions were held in FY13. Finally, he noted that a revised budget will be submitted at Town Meeting reducing the FY14 budget by about \$100K.

**f. Verizon – Set Pole Hearing Date**

Motion by Selectman Beaulieu, Second by Selectman Hunt; unanimously voted to schedule a Pole Hearing for October 7, 2013 at 7:30 PM in the Colchester Room.

**g. Discussion of Green Communities Act**

Lisa Pearson, Planning Director, provided information to the Board regarding the “stretch energy code” adoption process. The Green Communities Act has been discussed in the past and a few years ago a workshop was held. However, at that time we didn’t want to be the only local community to adopt this code. Now that both Amesbury and Newburyport have adopted it, however, she asked that the Board consider supporting its adoption at Town Meeting. Selectman Condon said he is willing to support it, but it seems there are a lot of loose ends. Ms. Pearson said there are experts willing to come to another workshop and answer any questions the Board has and she suggested setting it up the week of October 7<sup>th</sup>. There are now 110 communities that have become Green Communities and adopting the “stretch code” would be the final step for Salisbury to achieve this status, which would allow us to receive bonus points when applying for State grants.

Motion by Selectman Condon, Second by Selectman Beaulieu; unanimously voted to send the question of adopting the “stretch energy code” to Town Meeting.

**h. Town Common Re-Design Committee**

Chairman Richenbourg was at the recent library construction meeting and it was announced that the project will go out to bid next spring and new landscaping will be done. He is looking to create a committee to work with the architect to re-design the Town Green and incorporate the changes from the new library and create a new area for the veterans' memorials. Selectmen Beaulieu and Knowles volunteered to head up the committee. Selectman Hunt suggested contacting Officer Jim Leavitt for help with relocating the veterans' memorials.

**V. Comments by Visitors**

**VI. Sewer/Water**

**VII. Correspondence**

- Notification from the Dept. of Telecommunications & Cable re: cable television license renewal.
- 2 letters from Xfinity/Comcast: 1 re: the digital network enhancement and the other pertaining to the free internet service to be continued to Salisbury schools.

**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 Knowles; unanimously voted to ratify the signing of the following weekly warrants: W14-41 thru W14-47.

Selectman Knowles reported that the 375<sup>th</sup> anniversary celebration went off without a hitch – it was a very pleasant and fun filled day for everyone. Selectman Condon agreed and commended and thanked everyone who work on this and pulled it all together. Selectman Hunt said he appreciates the effort that everyone put into it.

Chairman Richenbourg said a week ago this past Sunday, his son's house caught on fire in the middle of the night. He commended the Fire Department personnel that arrived within 3 – 4 minutes. Because of their quick response no lives were lost and the house was not a total loss. He then publicly thanked the Salisbury Fire Department as well as Amesbury and Newburyport.

Selectman Hunt asked for an update on the dispatcher who has been out for several months and the Manager said it is an on-going concern and is being handled by Town Counsel and he hopes to have it resolved as soon as possible. Regarding the ordinance on feeding the birds, Mr. Harrington did speak with Town Counsel and will follow up on it.

**XI. Executive Session - none**

**XII. Adjournment**

Motion by Selectman Hunt, Second by Selectman Knowles; unanimously voted to adjourn at 8:45 PM.

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

Minutes of Sept. 9, 2013 and Special Meeting of August 19, 2013

Green Communities Act Information

Revised Bylaw re: Medical Marijuana

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary

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