

## **BOARD OF SELECTMEN MINUTES OF SEPTEMBER 22, 2014**

**PRESENT:** Selectmen Donald Beaulieu, Chairman; Freeman Condon, Ed Hunt, Henry Richenburg, and Wilma McDonald

**ALSO PRESENT:** Neil J. Harrington, Town Manager and Agnes Donovan, Secretary

### **I. Call to Order/Salute to the Flag**

Chairman Beaulieu called the meeting to order at 7:00PM 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 August 11, 2014 and September 8, 2014**

Motion by Selectman Richenburg, Second by Selectman Hunt; voted to approve the Minutes of August 11, 2014. VOTE: 4 yeas – Selectman Condon abstained. Motion carried.

Motion by Selectman Richenburg, Second by Selectman Hunt; voted to approve the Minutes of September 8, 2014. VOTE: 3 yeas – Selectmen Condon and McDonald abstained. Motion carried.

### **III. Old Business - none**

### **IV. New Business**

#### **a. License Renewals - none**

#### **b. New Licenses**

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to approve a **Common Victualer** license for Hodgie's Too of Salisbury – 136 Rabbit Road (new owner).

#### **c. License Amendments - none**

#### **d. Committee Appointments - none**

#### **e. Update/Presentations: Assessors/Finance Director**

Cheryl Gorniewicz, Chief Assessor, gave an update on her department, saying they are setting values and that the recap is being done. Ms. Gorniewicz reviewed her department's outside projects and said they are working on easements and street acceptances for the Blackwater River Flood Wall project, which includes letters to abutters; they are preparing the consent and acceptance forms, they are working with the Planning Department for the neighborhood revitalization of the "Presidential" Streets, and they are working on the EQR calculations for the Lafayette Road sewer project. Ms. Gorniewicz stated that she is on several committees, including working with Patriot properties to remeasure and inspect commercial properties. In response to a question from Chairman Beaulieu regarding re-evaluation, Ms. Gorniewicz stated that the State re-organized the revaluation schedule for communities and re-allocated Salisbury to Fiscal 2016.

Andrew Gould, Finance Director, provided an update to the Board. Mr. Gould said that the books for FY2014 are closed, and the Town had a good year. Building permits, motor vehicle excise tax, and parking meters exceeded budgeted revenues, and property auctions produced \$283K. Mr. Gould stated that the annual audit is scheduled for next week. He said that the DOR will be here next week to certify Free Cash, and he anticipated that it will be a healthy number. Mr. Gould said that Moody's rating for Salisbury was Aa3 which reflects the Town's satisfactory financial position with limited reserves. He said challenges include limited reserve levels, and the ability to address unplanned, one-time expenditures. Mr. Gould said he plans to bring the stabilization fund up to \$500,000.

## **BOARD OF SELECTMEN MINUTES OF SEPTEMBER 22, 2014**

### **f. Vote to Approve Grant of Easement to Mass. Electric Co. to Install Underground Conduit at New Library**

Mr. Harrington advised the Board that Town Council advised him that Town Meeting must authorize the Selectmen to grant this easement and he recommended that the BOS table this item.

Motion by Selectman Richenburg, Second by Selectman Condon; unanimously voted to Table the Approval of a Grant of Easement to Mass. Electric Co. to install underground conduit at the new library.

### **g. Vote to Adopt Order of Lay Outs for Taft Street, Adams Street, Garfield Street, Washington Street, and Hayes Street**

Neil Harrington advised the Board that the Town wants to improve the neighborhood known as the "Presidential Streets". However, these streets were never properly/legally accepted by the Town and therefore the Town now needs to go through the process of laying out the streets as public ways before the Town can apply for and expend CDBG funds for improvements. He stated that they are looking to adopt the Layout Plan at the next BOS meeting. In discussion of this motion, Selectman McDonald questioned if there was a house encroaching upon Washington Street. Lisa Pearson, Planning Director, said that there are some identified encroachments and issues but that at this time she is only looking to have the Town accept the streets, which needs to be done to move forward to the next step. Ms. Pearson stated that there will be individual meetings with property owners.

The following motion made by Selectman Condon and seconded by Selectman Richenburg was unanimously approved. *"I move that the Board of Selectmen vote its intention to lay out Washington Street, Adams Street, Taft Street, Garfield Street and Hayes Street as town ways, as shown on a plan entitled "Street Acceptance Plan in Salisbury, MA Showing Presidential Streets," dated September 19, 2014, prepared by Millennium Engineering, Inc. and that the Board of Selectmen forward the layout plan to the Planning Board for its comments and recommendations pursuant to G.L. c. 41§81G and 81I."*

## **V. Comments by Visitors**

## **VI. Sewer/Water**

### **Vote on the Recommendation of the Water & Sewer Rate Study Committee**

See motion made at Public Hearing below.

## **VII. Correspondence**

Selectman Hunt read a September 15, 2014 letter from Xfinity (Comcast) regarding standardizing packages.

Mr. Hunt read the Annual Operational Report dated September 11, 2014 from Whittier Regional Vocation Technical High School.

## **VIII. Hearings**

### **7:30 PM – Hearing Relating to a Proposed Increase in Water & Sewer Rates**

Motion by Selectman Richenburg, Second by Selectman Condon; unanimously voted to open the Public Hearing relating to a proposed increase in water and sewer rates.

Chairman Beaulieu stated that there had been a workshop the previous Monday where the Town's consultant, Chris Woodcock, recommended rate increases for both water and sewer and also recommended retaining the EQR system for sewer fees. Mr. Beaulieu stated that the water and sewer rate study committee, consisting of himself, Selectman Condon, Neil Harrington, Andy Gould, Don

## **BOARD OF SELECTMEN MINUTES OF SEPTEMBER 22, 2014**

Levesque, Jim Dondero and Al Peterson, agreed with the consultant's recommendation of an initial rate increase next year, then no increase for the next four fiscal years.

Mr. Harrington and Mr. Gould reviewed a power point presentation with the attendees. They stated that the water and sewer enterprise funds are separate funds and they have to be self-supporting. They reviewed the proposed capital improvements needed, stated that the reserves are not sufficient to cover the proposed capital improvements, and stated that without an increase in the water and sewer rates, deficits in the enterprise funds would begin next year. Mr. Harrington advised the attendees that 93% of the water enterprise budget is fixed charges and that 90% of the sewer budget is fixed. The consultant also recommended that that private fire charges need to be raised. Mr. Harrington reviewed the proposed rate increases for water, sewer, and private fire charges.

Chairman Beaulieu took questions and comments from the attendees. Paula Moore raised a concern regarding sewer charges, stating she believes the charge should be based on water usage and that the current EQR system was unfair for senior and singles. Mr. Beaulieu reminded everyone that 90% of the sewer costs are fixed. Al Torrisi addressed the Board and advised the audience to be careful what they wished for. He stated he is a snowbird, that in Florida he pays a fixed amount for water even when he is not in Florida. He advised the audience that they had to pay fixed costs. He thanked the Board members for their hard work. Mr. Medeiros questioned why Town Meeting appropriated funds from the Sewer Enterprise Fund last spring that were not related to the operation of the sewer department. Town Manager Harrington explained that the appropriation was to provide the upfront costs for a study for expansion of sewer service along Lafayette Road and other streets that currently do not have access to sewer. He said that when the project is constructed these funds would be calculated into the betterment costs that the new users would have to pay, and the Sewer Enterprise Fund would be repaid. Tom Saab addressed the Board and questioned why the Town is retaining the EQR method. He said that he would like the Town to adopt sewer rates tied to water consumption, as it would be fairer. Mr. Saab said he would like Mr. Woodcock to come back and answer questions on retaining the EQR system. He said that if we pay for sewer on a water usage basis, the fees will average out and that basing sewer rates on water usage comes down to fairness. Joyce Tomaselli addressed the Board and stated that the Town has received grants from the EPA to construct the sewer system and the Town is violating the grant conditions. Mr. Harrington disagreed and advised her that the EPA conducted an audit of the grant and found no violations of the grant. Attorney Paul Magliocchetti addressed the audience and said that only a handful of communities use the EQR system, and that this system is disproportionate and adversely impacts seasonal users. Grace Marie Tomaselli addressed the Board and said the ones losing out are those who conserve and seniors. Kevin Henderson asked if you change sewer charges to a system based upon water usage and there are fixed costs, who is going to pay when the seasonal users are gone? Mr. Dondero addressed the audience. He stated that he served on the study committee and that several issues were discussed, including the age of the infrastructure and the need to continue to maintain and upgrade it. He noted that several water pipes are 75 years old and must be replaced, and that the decision to construct a new water tank was made with the long-term stability of the system in mind.

Motion by Selectman Richenbourg, Second by Selectman Hunt; unanimously voted to close the Public Hearing, but continue discussion of the water and sewer rate issue at the next BOS meeting, to which the Town's consultant will be invited, so that he can answer questions from the audience.

### **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.

## **BOARD OF SELECTMEN MINUTES OF SEPTEMBER 22, 2014**

### **X. Selectmen's Report**

#### **a. Ratification of Signing of Weekly Warrants: W15-36 thru W15-45**

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to ratify the signing of the following weekly warrants: W15-36 thru W15-45.

Selectman Hunt advised the Board that he recently returned from Ocean City, New Jersey. He advised the Board that Ocean City charges an access fee to go on the beach and uses parking meters. The access fees for the beach and parking meter revenues are used to support replacement of sand on the beach.

Selectman McDonald asked about the Triton School request. Chairman Beaulieu responded and said if Triton School wants to borrow money that they need the authorization from all three towns. Chairman Beaulieu said that this request was not an education cost and that the cost should be shared equally.

#### **b. Subcommittee Reports**

Chairman Beaulieu asked if there were any subcommittee reports which had changed since the last meeting.

Selectman Richenburg reminded the Board that the signing of the steel beam was taking place at the library next Saturday.

### **XI. Executive Session**

Chairman Beaulieu asked for a motion which would include coming back into to open session if the members were prepared to vote.

Motion by Selectman McDonald, Second by Selectman Richenburg; unanimously voted to move into Executive Session at 9:30 PM to discuss the approval of the Contract for Police Patrolmen and Police Superior Officers, with the intention of returning to open session, with the full Board, Town Manager and Secretary in attendance.

Roll Vote: Selectman Hunt – yes; Selectman Condon – yes; Selectman McDonald – yes; Selectman Richenburg – yes, and Chairman Beaulieu – yes.

The Board then adjourned to executive session.

After returning to open session:

- a. Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to Approve FY2014-16 Contract for Police Patrolmen (NEPBA Local #15)
- b. Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to Approve FY2014-16 Contract for Police Superior Officers (NEPBA Local #35)

### **XII. Adjournment**

Motion by Selectman Richenburg, Second by Selectman McDonald; unanimously voted to adjourn at 9:46 PM.

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

-Minutes of August 11, 2014 and September 8, 2014

-Town Manager's Report

-Copies of correspondence as read.

-Copies of license as listed

Respectfully submitted:

Agnes Donovan, Secretary

Approved: \_\_\_\_\_

Ed Hunt, Clerk

**BOARD OF SELECTMEN MINUTES OF SEPTEMBER 22, 2014**

**BOARD OF SELECTMEN MINUTES OF SEPTEMBER 22, 2014**

**BOARD OF SELECTMEN MINUTES OF SEPTEMBER 22, 2014**