

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, SEPTEMBER 25, 2017 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

PRESENT: Selectmen Chuck Takesian Chairman; Wilma McDonald, Freeman J. Condon,
and Ronalee Ray-Parrott

ABSENT: Selectman Richenburg

ALSO PRESENT: Neil J. Harrington, Town Manager and Janet Flannery, Secretary

I. Call to Order/Salute to the Flag

Chairman Takesian 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 11, 2017

Motion by Selectman McDonald, Second by Selectman Ray-Parrott; unanimously voted to approve the Minutes of Sept. 11, 2017 as written.

III. Old Business - none

IV. New Business

a. License Renewals - none

b. New Licenses

Motion by Selectman Condon, Second by Selectman Ray-Parrott; unanimously voted to approve a **Common Victualer** license for Mali Thai – 50 Elm Street (formerly Chamathai)

c. License Amendments - none

d. Committee Appointments - none

e. Update/Presentations: Assessor/Finance Director

Karen Snow, Finance Director, stated that her office has been very busy and even more so in the last three months since Christine Lindberg left which made Janet Hoffman's and her workload heavier. However, since a replacement has been hired that should improve operations. She has closed FY17 and submitted the reports to the DOR on Friday, Sept. 22nd for free cash certification.

Ms. Snow estimated that General Fund free cash should be certified at approximately \$1.3M. Revenues for the FY17 General Fund came in at approximately \$645,000 over budget, excluding the BAN premiums of \$427,000, and the surplus was not from any one particular revenue source. On the expense side, approximately \$448,000 was not spent. She commended the department heads for doing a fantastic job managing their budgets and spending conservatively. As for the FY17 operating results for the Enterprise Funds, sewer revenues were over budget by \$538,000 and expenditures were \$261,000 under budget; water revenues were over budget by \$133,000 and expenditures were \$269,000 under budget.

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As a result of the meeting she and the Treasurer had with Bartholomew Investments, they have decided to move forward in retaining Bartholomew to manage the Town's investments. She and he Treasurer will be putting an investment policy together which they will bring forward for the Selectmen's approval. Also, at her last presentation she had talked about the Town's bond rating and noted that the current rating of AA/Stable is considered very good. In fact, there are only two higher bond rating levels -- AA+ and AAA – and she hopes to shoot for an upgrade at some point. The Town has been advised, however, that we need to have written financial policies and procedures in place and a track record of adhering to them, as well as increased levels of reserves. She is working toward these goals. Finally, the Town's independent auditors are in this week doing the field work and hopefully she will get draft statements by the end of the calendar year.

Regarding other projects, Ms. Snow reported that she is working hard to strengthen controls/accountability of overtime and pay rates, timesheets and enhanced communication with the department heads. She is also working with the Town's payroll processing company to create the framework of codes needed before being able to begin inputting data for the tracking of employee sick time, vacation, and compensatory time.

Selectman Condon commended Ms. Snow for doing an outstanding job. Selectman McDonald said she is in awe of her capabilities; Selectmen Ray-Parrott and Takesian said they feel the same way.

Cheryl Gorniewicz, Chief Assessor, reported that she is working on several things and had just finished the final sewer billing conversion. She is also working on the training and implementation of a new permitting software program for the Building Inspector's office, which will allow for more tracking and accountability of building permits. The Harbormaster's data file has been updated so that the Treasurer's office is now handling the collection of boating revenues.

Ms. Gorniewicz also reported that she is scheduling a status hearing for the Town's appeal of the dept. of Revenue's calculation of State-Owned Land values in Salisbury and is hoping to meet with Mashpee and Danvers to discuss strategies for how they hope to handle their State-Owned Land appeals. The Board was also informed that Chapter 61A and 61B applications for agricultural land were all mailed out and are due back by October 2nd by 6PM, and exemption applications for seniors, veterans and the blind were also mailed out and are due back by November 1st. Selectman Condon commended her and said he feels she is doing an outstanding job, particularly in appealing the DOR's assessment of State-Owned Land values in town.

f. Vote to Refer to the Planning Board a Zoning Amendment to Article XIX, Wireless Communications Facilities

Mr. Harrington explained that the Planning Department was proposing to change the Town's zoning re: wireless communications to include provisions to approve and regulate what is called "small cell" wireless facilities. These are smaller wireless communications devices that can be attached to telephone and other utility poles. It is also necessary to change the current zoning as it relates to wireless communications to include references to the new zoning designations along the Lafayette Road corridor. He reminded the Board that, under the law, the Selectmen have to vote to refer all zoning amendments to the Planning Board.

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Motion by Selectman McDonald, Second by Selectman Condon; unanimously voted to refer to the Planning Board, in accordance with MGL 40A, Section 5, a Zoning Amendment to Article XIX, Wireless Communications Facilities.

g. Vote to Refer to the Planning Board a Zoning Amendment to Article XVIII, Site Plan Review

Mr. Harrington explained that the Planning Department is also requesting some technical amendments to the site plan review bylaw to clarify the respective roles of the Building Inspector and the Planning Department in the administration of site plan review.

Motion by Selectman McDonald, Second by Selectman Ray-Parrott; unanimously voted to refer to the Planning Board, in accordance with MGL 40A, Section 5, a Zoning Amendment to Article XVIII, Site Plan Review.

h. Vote to Refer to the Planning Board a Zoning Amendment Relative to a Temporary Moratorium on Recreational Marijuana Establishments

Mr. Harrington said he proposed this new bylaw, which requires a hearing by the Planning Board because it is considered to be a zoning amendment. He explained that many communities have chosen to implement a moratorium on the licensing of new recreational marijuana retail establishment until the State's new Cannabis Control Commission promulgates new regulations for the sale of recreational marijuana. He said he believes it is prudent for Salisbury to adopt a moratorium as well.

Motion by Selectman Ray-Parrott, Second by Selectman McDonald; unanimously voted to refer to the Planning Board, in accordance with MGL 40A, Section 5, a Zoning Amendment Relative to a Temporary Moratorium on Recreational Marijuana Establishments.

i. Vote to Exercise Right of First Refusal on Property located at 135 Beach Rd., Unit 202

This item relates to an affordable housing unit that the owner is looking to sell. The Town has the right of first refusal on buying the property before it can go on the market. Mr. Harrington noted that the Board needs to vote on whether to excise the Town's right of first refusal.

Motion by Selectman Ray-Parrott, Second by Selectman McDonald; unanimously voted that the Town not exercise its right of first refusal on the property located at 135 Beach Rd., Unit 202.

V. Comments by Visitors

Harbormaster Ray Pike said that when a whale appeared at Salisbury Beach recently he had jokingly mentioned that it should be named. People took him seriously and he received some suggested names. Not wanting to take the responsibility of naming the whale he passed the suggested names on to the Selectmen.

VI. Sewer/Water

VII. Correspondence

There is a letter of resignation from David Proctor of the Warrant Advisory Committee. He stated that he has moved out of town and is no longer able to serve on the Committee. Chairman

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VII. Correspondence

There is a letter of resignation from David Proctor of the Warrant Advisory Committee. He stated that he has moved out of town and is no longer able to serve on the Committee. Chairman Takesian stated that he wanted to publicly thank Mr. Proctor for his service to the Town and suggested that a letter of thanks be sent to him.

Motion by Selectman Condon, Second by Selectman McDonald; unanimously voted to send a letter of thanks to Mr. Proctor.

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:

Motion by Selectman McDonald, Second by Selectman Condon; unanimously voted to ratify the signing of the following weekly warrants: W18-39 through W18-48.

b. Subcommittee Reports

Lafayette Corridor Sewer Extension: Mr. Richenburg reported that there is no change in status. The Town is still working on seeking funds to help defray the cost of the project. Selectman Condon said he feels it is important to tell the public that the Board hasn't abandoned the project and is currently working with its consulting engineers, Weston and Sampson, to see if the initial designs can be re-worked in order to reduce the cost of the project and make it more affordable.

XI. Executive Session

Chairman Takesian announced that he would seek a motion to go into executive session for the Board to consider the purchase, exchange, lease or value of real property, declaring that an open meeting may have a detrimental effect on the negotiating position of the Board.

Motion by Selectman McDonald, Second by Selectman Condon; unanimously voted, by roll call vote, to go into Executive Session at 8:05 PM, and not return to open session, for the purpose of discussing the value and potential acquisition of real property in proximity to Bayberry Lane, as to do so in public session may have a detrimental effect on the negotiating position of the Board. Those present would be the Board of Selectmen, Town Manager, Chief Assessor Cheryl Gorniewicz, and Janet Flannery, Secretary to the Board.

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XII. Adjournment

Meeting adjourned at the close of Executive Session at 9:46 PM.

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

Minutes of Sept. 11, 2017

Copies of license as listed

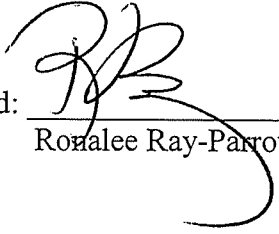
Information on the Zoning Amendments

Town Manager's Report

Respectfully submitted:


Janet E. Flannery, Secretary

Approved: _____


Ronalee Ray-Parrott, Clerk

MEMORANDUM

To: Members of the Board of Selectmen

From: Neil J. Harrington, Town Manager 

Date: September 25, 2017

Re: September 25th Report to the Board

Outlined below is a summary of activities over the past two weeks. Please let me know if you have questions about any of these items.

1) RMD Host Community Agreement

I met with the owner of Alternative Therapies Group, the entity that I recommended to the BOS for a letter of non-opposition relative to their proposal to open a Registered Marijuana Dispensary (RMD) in Salisbury, to negotiate final terms of a Host Community Agreement. Town Counsel added some additional terms to ATG's initial proposal, and the two sides are working on coming to an agreement on a final version to the present to the Selectmen. After the agreement is signed, the Board can release its letter of non-opposition.

2) Comcast Negotiations

Following the Board's issuance of its preliminary assessment of denial of the renewal of Comcast's cable license for the Town, I have spoken with our negotiating attorney, Peter Epstein, and he has set up a new negotiating session in the hopes of breaking the impasse and reaching agreement on the terms of a new contract to present to the BOS. In the meantime, I have heard from a few surrounding communities who are having similar difficulties in reaching final agreement with Comcast, so we are not alone in our frustration.

3) Blackwater River Flood Protection Project

I have spent considerable time over the past two weeks working on the final accounting of the Town's in-kind services contribution to the Blackwater River Flood Control Project. The project has been a clear success, and I am trying to get the Town's non-federal in-kind portion of the project certified before the end of the federal fiscal year, which is October 1.