

**BOARD OF SELECTMEN MINUTES OF APRIL 28, 2014**

**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 - none**

**III. Old Business**

**a) Vote to Approve Finance Director's Contract FY14-16**

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to approve the Finance Director's Contract for FY14-16.

**b) Vote to Adopt Order of Lay Outs for 10<sup>th</sup> Street West, 11<sup>th</sup> Street West, 12<sup>th</sup> Street West, Lewis Avenue, Florence Avenue, Carter Avenue, and Humphrey Avenue**

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to remove this item from the table.

Mr. Harrington said this was on the agenda for the last meeting as the next step to accept certain streets in the Blackwater River flood control project area as public ways. It was tabled so that the legal requirement to have the abutters notified could be fulfilled. In the meantime, letters were sent to the abutters letting them know that the Board was going to vote on adopting the order at tonight's meeting. He also stated that there is no intent for the Town to alter the roads, nor does the Town intend to purchase them.

Motion by Selectman Hunt, Second by Selectman Condon; unanimously voted as follows:

Whereas the BOARD OF SELECTMEN of the TOWN OF SALISBURY, acting pursuant to G.L. C. 82 Sections 21-24, having deemed that common convenience and necessity require the layout as public ways of 10<sup>th</sup> Street West, 11<sup>th</sup> Street West, 12<sup>th</sup> Street West, Lewis Avenue, Florence Avenue, Carter Avenue, and Humphrey Avenue, hereby lays out the foregoing roads as town ways as shown on the plan referenced below, and

Whereas the boundaries of said ways as laid out are shown on a plan entitled "Street Acceptance and Easement Plan Salisbury, MA," dated March 12, 2014, prepared by Millennium Engineering, Inc. (7 sheets), which plan was referred to the Planning Board and is hereby adopted as a part of this order, and all land lying within the above described boundaries of 10<sup>th</sup> Street West, 11<sup>th</sup> Street West, 12<sup>th</sup> Street West, Lewis Avenue, Florence Avenue, Carter Avenue, and Humphrey Avenue is hereby laid out as town ways.

The aforementioned plan is hereby forwarded to the Town Clerk for filing and the foregoing layouts are hereby reported to the Town for acceptance.

**c) Vote to Adopt Order of Lay Out for Ocean Front South**

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to remove this item from the table.

Motion by Selectman Condon, Second by Selectman Hunt; unanimously voted as follows:

Whereas the BOARD OF SELECTMEN of the TOWN OF SALISBURY, acting pursuant to G.L. C. 82 Sections 21-24, having deemed that common convenience and necessity require the layout as a town way of Ocean Front South, hereby lays out Ocean Front South as a public way as shown on the plan referenced below, and

Whereas the boundaries of said way as laid out are shown on a plan entitled "Street Acceptance and Easement Plan Salisbury, MA," dated March 12, 2014, prepared by Millennium Engineering, Inc., which plan was referred to the Planning Board and which plan is hereby adopted as a part of this order, and all land lying within the above described boundaries of Ocean Front South is hereby laid out as a town way. The aforementioned plan is hereby forwarded to the Town Clerk for filing and the foregoing layout is hereby reported to the Town for acceptance.

**d) Vote to Approve Amendment to the Pennichuck Contract**

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to remove from the Table.

Motion by Selectman Beaulieu, Second by Selectman Hunt; unanimously voted to approve the Amendment to the Wastewater addition to the Pennichuck Contract.

**IV. New Business**

**a. License Renewals:**

Motion by Selectman Hunt, Second by Selectman Beaulieu; 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: The Clover Club Boat Storage – 40 Bridge Rd., Golden Nails – 4 Elm St., and Divided House – 145 Elm St.

**b. New Licenses**

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to approve a **General** license for Creative Touch Designs LLC and Robert E. Smith d/b/a Atlantic Advertising – 72 Elm St., Unit 2 subject to Robert Smith/Atlantic Advertising being added to the Worker's Comp. form.

Motion by Selectman Beaulieu, Second by Selectman Hunt; unanimously voted to approve a **General** license to Creative Touch Designs LLC d/b/a Beach Bum Trading Co. – 26 Ocean Front South

Motion by Selectman Hunt, Second by Selectman Condon; unanimously voted to approve a **General** license The Scrub Hub – 26 Ocean Front South

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to approve a **General** license for Dog Tails – 15 Main St., Suite 105

Motion by Selectman Condon, Second by Selectman Knowles; unanimously voted to approve a **Special Event Permit** to the Firemen's Association and Family for their annual Timmy Trot to be held on Nov. 8, 2014.

Motion by Selectman Beaulieu, Second by Selectman Knowles; unanimously voted to approve a **Special Event Permit** to the Lions Club for their annual voluntary toll to be held on May 17, 2014 in Salisbury Square subject include "at all traffic control lights" on the application.

**c. License Amendments - none**

**d. Committee Appointments**

**Harbor Commission – 1 vacancy – 1 applicant: Mark Audette**

Motion by Selectman Condon, Second by Selectman Beaulieu; unanimously voted to appoint Mark Audette to the Harbor Commission to fill an unexpired term until 6/30/16.

**Affordable Housing Trust – 1 vacancy – 1 applicant: Terry Anderson**

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to appoint Terry Anderson to the Affordable Housing Trust to fill an unexpired term until 6/30/14.

**e. Update/Presentations: Health Director/Board of Health**

Jack Morris, Health Director, reported that the Housing Inspection Program is one of the biggest projects being worked on. Since his last update 1,165 dwelling units have been inspected, which is 165 more than his last report. 789 rental units have certificates or are in the process of completing one and 376 homeowner affidavits have been received because they are not subject to the regulation since they occupy the units. The following licenses have been issued: 7 campgrounds, 11 commercial pools, 11 barn permits, and 9 septic installers. 101 routine restaurant inspections were conducted and 44 re-inspections. Mr. Morris reported that he was invited to work with the sewer extension group on the Lafayette Corridor project. In June, he will be attending the Mass. Antibiotics Seminar to fine-tune the Town's policy for dispensing of antibiotics. He is adjusting to the new Board of Health members and is going to move forward. He also passed out copies of the Public Health Emergency Preparedness Handbook which will be made available to residents for their use.

As a follow-up to Selectmen Hunt's request about feeding birds at the beach, Mr. Morris has done research on the issue and will be working on information provided to him by Kopelman & Paige. Hopefully a procedure will be ready in early May or June to prohibit this practice and fines will be established for violators.

Chuck Takesian, new chairman of the Board of Health, stated there is nothing to report but they did meet last week, re-organized, reviewed the regulations and procedures and are moving forward as stated by Jack Morris.

**f. Vote to Approve Contract for Fire Chief, FY15-17**

Motion by Selectman Condon, Second by Selectman Hunt; unanimously voted to approve the FY15-17 Contract for the Fire Chief as submitted.

**V. Comments by Visitors**

Tom Saab, President of Salisbury Beach Citizens for Change, addressed the issues of whether easements would be required by the State in order to bring additional sand to Salisbury Beach in June. In researching this, he found there has never been a requirement for easements and asked why the State is claiming they need them now. Mr. Harrington said DCR explained to him that the State has two options: they can either put all the sand on State property and easements would not be required, or they can put the bulk of the sand on State land and some on private property, which would require easements. He was also told that for long-term stabilization of the dune, the State feels the sand should be put at least partially on private property. Mr. Saab asked why easements are required this year and were not required when additional sand was brought to the beach by the State last year. Mr. Harrington said that the State has said that in order for them to form the dunes the best possible way they have to put the sand on both private and public property. However, he did say he wouldn't have any problem with Tom or any of the residents calling DCR with their questions.

Fred Bishop of 51 Dock Lane and 7 Taft St. asked about the drainage problem that he was told was going to be addressed in the marsh area in his neighborhood, and claimed that nobody has done anything, stating he was tired of "lip service." Chairman Richenbourg clarified the issue stating that he walked the area with the DPW Director last year and it was agreed that Mr. Levesque would send a letter to the

Northeast Mosquito Control District asking them to rectify the situation. Chairman Richenburg had a copy of the letter that was sent. Mr. Levesque followed up and Mr. Card of Mosquito Control said nothing could be done at that time but when the weather breaks in April or May he would send a representative to meet with Mr. Levesque to see what can be done. Since that time, however, there have been administrative changes at Mosquito Control. Mr. Levesque said he would continue to follow up.

## **VI. Sewer/Water**

## **VII. Correspondence**

- One notice from Xfinity re: changes to MultiLatino Services.
- Notice about the upcoming Annual Chamber of Commerce Recognition Dinner.
- Notice that Friends of the Library are holding a benefit for the library fund which will be dinner at the Capri on May 7<sup>th</sup> from 4 – 9 PM and a percentage of the proceeds will be donated to the fund.

## **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: W14-151 thru W14-166.

## **XI. Executive Session**

### **Vote to Approve Town Manager's Contract, FY15-17**

Motion by Selectman Hunt, Second by Selectman Beaulieu; Voted to move into Executive Session at 8:05 PM for the purpose of discussing the Town Manager's Contract and not to return to open session. Present will be the full Board and Secretary. Roll Vote: Selectman Beaulieu – yes; Selectman Knowles – no; Selectman Condon – no; Selectman Hunt – yes; Chairman Richenburg – yes. Motion carried.

## **XII. Adjournment**

Meeting adjourned after Executive Session at 8:45 PM.

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

Copies of licenses as listed

Contracts for the Fire Chief, Finance Director and Town Manager

Pennichuck Contract Amendment

Order of Lay Out for 10<sup>th</sup> Street West, 11<sup>th</sup> Street West, 12<sup>th</sup> Street West, Lewis Avenue, Florence Avenue, Carter Avenue, and Humphrey Avenue and for Ocean Front South

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary

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

