

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, MARCH 25, 2019 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

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

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

I. Call to Order/Salute to the Flag

Chairman Ray-Parrott called the meeting to order at 7:00 PM in the Colchester Room, Salisbury Town Hall. She then announced, per the Open Meeting Law, that this meeting is being recorded and broadcast live.

II. Acceptance of Minutes

Minutes of Dec. 17, 2018, Jan. 14, 2019 and Feb. 11, 2019

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to approve the Minutes of Dec. 17, 2018, Jan. 14, 2019 and Feb. 11, 2019 as written

III. Old Business - none

IV. New Business

a. License Renewals:

Motion by Selectman Takesian, Second by Selectman McDonald; 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: Funny Girl Designs – 102 Bridge Rd. and B. Hersey – 99 Beach Rd. (seasonal sale of firewood)

b. New Licenses

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to approve a **General** License to: American Sheet Metal – 4 Fanaras Drive and Jolly Vapors and Relief Center – 10 Elm St.

Motion by Selectman Abdulla, Second by Selectman Condon; unanimously voted to schedule a Public Hearing for a **Class I** license to Claxton Powersports, LLC – 142A Lafayette Rd. on Monday, April 8, 2019 in the Colchester Room.

Motion by Selectman McDonald, Second by Selectman Takesian; voted to approve a **Special Event Permit** to Salisbury Parks & Rec for their annual Tortoise and the Hare 10K Road Race on April 13, 2019. VOTE: 4 yeas – Chairman Ray-Parrott abstained. Motion passed.

c. License Amendments

d. Liquor License Renewals

e. New Liquor Licenses

Motion by Selectman Condon, Second by Selectman Takesian; voted to approve a **One Day Beer License** to Salisbury Parks & Rec for their annual Tortoise and the Hare 10K Road Race on April 13, 2019. VOTE: 4 yeas – Chairman Ray-Parrott abstained. Motion passed.

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f. Committee Appointments

Board of Registrars: One three-year term expiring on March 31, 2022: One applicant for re-appointment: Karen Parent

Motion by Selectman Takesian, Second by Selectman Condon, unanimously voted to re-appoint Karen Parent to the Board of Registrars for a 3-year term expiring March 31, 2022.

Harbor Commission: 2 vacancies – 1 for a term expiring June 30, 2019 and 1 for a term expiring June 30, 2021; 1 alternate vacancy – for a term expiring June 30, 2020; 5 applicants: Jonathan Andrews, Vincent Barsalou, Greg Harden, Charles MacLean, David Mitchell

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to place all applicants names in nomination.

Roll vote for the term expiring June 30, 2019

Selectman Condon – Greg Harden; Selectman Abdulla – Jonathan Andrews; Selectman Takesian – Greg Harden; Selectman McDonald – David Mitchell; Chairman Ray-Parrott – David Mitchell. No majority vote

2nd Roll Vote: Selectman Condon – Charles MacLean; Selectman Abdulla Charles MacLean; Selectman McDonald – Charles MacLean; Selectman Takesian – Charles MacLean; Chairman Ray-Parrott – Charles MacLean

By a unanimous vote, Charles MacLean was appointed to the Harbor Commission to fill an unexpired term to expire June 30, 2019.

Roll vote for the term expiring June 30, 2021

Selectman Abdulla – Jonathan Andrews; Selectman Takesian – Jonathan Andrews; Chairman Ray-Parrott – Jonathan Andrews; Selectman Condon – Greg Harden; Selectman McDonald – David Mitchell

By a 3 – 2 vote Jonathan Andrews was appointed to the Harbor Commission to fill a vacancy to expire June 30, 2021.

Roll vote to fill the Alternate vacancy

Selectman McDonald – David Mitchell; Selectman Abdulla – David Mitchell; Selectman Takesian – David Mitchell; Selectman Condon – David Mitchell; Chairman Ray-Parrott – David Mitchell

By a unanimous vote David Mitchell was appointed to the Alternate position to expire June 30, 2020.

Wayne David submitted his letter of resignation from the Harbor Commission which was accepted unanimously by the Board and a letter of acceptance and thanks will be sent to Mr. David.

g. Update/Presentations: DPW Director/Conservation Commission

Ms. DeMeo, DPW Director:

- This year was average for the snow and ice budget even though there wasn't as much snow the crew was out sanding because of the ice and black ice.
- Street opening permits have not been something used in the past, but they will be issued starting April 1st and there will be a charge for them.
- Presently preparing bid documents for Chapter 90 monies.
- There is a number of pot holes to be filled.

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- She is hiring an Engineering Firm to a study on Liberty Street in the hope of fixing a lot of the problems.
- Getting ready to maintain the fields for Parks and Rec.
- Trying to get some students from the Mass. Maritime Academy facilities department to come up with an inventory list.
- Getting the comfort station prepared for opening.
- The Well Project started several weeks ago and bid documents are being finalized and will be advertised in April with the hope that the project will be completed by Thanksgiving.
- She has an estimate for the design for the water main on Bridge Road to be renovated.
- All three water tanks will be inspected this.
- As of February 1st, all DPW municipal workers fall under OSHA and every employee has to take certain safety classes and they are working on scheduling everyone to do so.
- Recycling Center requires all residents to have a sticker on their card in order to utilize it.

Selectman Takesian asked how the new LED street light bulbs will be replaced and Ms. DeMeo said the Town has them all and once they are up and installed it will be up to the contractors to replace them. Mr. Harrington said that the whole program is being overseen by James Ryan.

Selectman Abdulla asked if there was any information regarding No. End Blvd. and Ms. DeMeo said she met with the Manager, Lisa Pearson and a representative from MassDOT. There are 2 parts to the Project: one is to see what can be done to repair the road and the other is to decide as to whether or not to replace the whole street which will take about 10 years. There will be a meeting this Spring if cost estimates are arrived at by MassDOT, then the Town will look at all options and will bring the information back to the public; it will all depend on how much money is available. Selectman Condon commended her and her staff for the work they do.

Conservation Commission - will be re-scheduled.

h. Presentation by Ring's Island Historic District Study Committee

Chairman Ray Pike thanked the Board for appointing him to this Committee and then gave a brief overview and power point presentation, a copy of which is available in the Selectmen's Office and is also on their website. Selectmen Condon and Takesian applauded the Committee for their efforts and for the outstanding job they did.

i. Vote to Approve FY2018-2019 Contract with Firefighters Local #4694, IAFF/PFFM

Mr. Harrington asked that if the Board feels comfortable enough with the Contract that is their choice to vote on it or if they have any questions they may vote to table and discuss it in Executive Session. Chairman Ray-Parrott asked if there were any question from the Board and there were none. Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to approve the FY2018-2019 Contract with Firefighters Local #4694, IAFF/PFFM.

j. Vote to Place General Override Question on the Town Election Ballot

Mr. Harrington explained that the proposed was to support placing an override question on the Ballot for the spring town election, which comes as a direct result of the dilemma currently facing the Town in attempting to fully fund the FY2020 assessment for the Triton Regional School District, as well as balancing our overall budget for the next fiscal year. Last year the Town opposed the override because

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of the increase and it failed and the Town had to go back and balance the budget. Triton did come back with a new figure and after the override failed we were able to balance the FY19 budget by reducing some expenditures, increasing our estimated new revenues and using \$185,000 from the Stabilization Fund. This year we are facing an even greater increase in our assessment in the amount of \$970,328 or 8.3% and without additional sources of revenue the Town cannot sustain such a large increase without affecting other Town services significantly. This year, for FY20, as of today, Ms. Snow is estimating new revenues of between \$890,000 and \$1,190,000 (the difference is the unknown amount of excise tax revenue we may receive from retail marijuana sales). We are proposing to commit \$520,000 of its estimated revenues to the FY20 Triton budget and the remained of the Triton increase to be funded via a \$450,000 override. Over the past 7 fiscal years, the average increase in our Triton assessment has been 4.4%; an increase of 4.4% to our FY19 Triton assessment would be approximately \$520,000. Therefore, we believe it is fair for the Town to commit a 4.4% increase to our Triton assessment and to ask the taxpayers if they would be willing to commit to paying the additional \$450,000 via an override. Of successful, we would add about \$92 to the annual tax bill for the average Salisbury single family home owner. Failure to approve the override will likely result in the town having to reduce its FY20 budget by reducing services via layoffs of town employees, including firefighters and police officers. He is diligently looking at ways with the other Towns to change the funding formula to make it affordable and equitable. Reluctantly, he is requesting the Board to place this on the ballot.

Selectman Condon said he would he would never support an override if the Town's spending was irresponsible, but the fiscal situation is solid except for the Triton budget. Last year he was "lukewarm" in supporting the override, but if it comes down to a choice of layoffs or an override he urged the people to support the override. He knows the Manager is working very hard on this, as well as Rep. Kelcourse and Sen. DiZoglio. He also pointed out that the Town received less State aid than last year. He asked the townspeople to "bite the bullet" and support the override.

Chairman Ray-Parrott said she has tried very hard to get the other towns to change the formula but Newbury refuses and they will not even attend the meetings.

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted that the Town of Salisbury be allowed to assess an additional \$450,000.00 in real estate and personal property taxes for the purposes of funding the operating budget of the Triton Regional School District, for the fiscal year beginning July 1, 2019.

k. Vote to Approve CDBG Hardship Request

Planning Director, Lisa Pearson had provided information to the Board prior to the meeting. She then explained that this particular case involved a family who had received help from the housing rehab program in 2009 at which time they were considered to be of moderate income. At that time a lien was placed on their property in the amount of \$33,525.00. Their circumstances have changed and they have to sell their home in move into a more affordable one. They are now considered to be in the low income range and cannot afford to pay off the lien of \$33,525.00 and asking for it to be reduced to \$16,762.50 so that they can purchase a mobile home and pay off all their debt.

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve the request to reduce the lien.

V. Comments by Visitors

At this time residents of Main Street, Locust St., Congress St., Joy Rd., and Folly Mill Rd. address the large, oversized digital billboard that is to be erected on Rt. 95 but on Rabbit Road property. They

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were all very much opposed to the sign, citing that this should not be allowed because it will detract from the character and integrity of the area, it will be a major distraction and safety hazard causing more accidents than there already are and the light from it will affect some of the homes.

Selectman Takesian referred to the Town's sign by-law and would like to put forth to the board that they ask the Town Manager through the Planning Board a review of the current By-Law and prepare a revision to be presented at the Spring Town Meeting. Selectman Condon said that there are times there are laws he doesn't agree with that have to be followed anyway, but this isn't one of them. He agrees that this sign is not in keeping with the rural character of this Town and he feels the Board does have control of it and they have a legitimate right to oppose it because it is going to have an adverse effect on the environment.

Chairman Ray-Parrott assured the residents that there will be something brought forth at the Town Meeting. She also urged all the residents to attend the MassDOT Hearing in Boston scheduled for April 11th and information was passed out to several of them.

VI. Sewer/Water

VII. Correspondence

VIII. Hearings

7:15 PM – Ryder Vehicle Sales – 74 Main St. Request for a Class II License

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to open the Hearing at 7:15.

Mr. Cross addressed the Board and explained that Ryder Vehicle presently has a Class I license, but due to the change in their operations and the way the industry has changed they now require a Class II license. Selectman Condon said he feels the Class I trumps the Class II and Mr. Cross agreed and said they will eventually be giving up the Class I. There were no abutters present.

Motion by Selectman Condon, Second by Selectman McDonald; unanimously voted to close the Hearing at 7:22 PM.

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve the Class II license for Ryder Vehicle Sales at 74 Main St.

7:30 PM – BNR Salisbury d/b/a Portside Waterfront – 175 Bridge Rd. – Request for an Annual All Alcoholic Liquor License

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to open the Hearing at 7:36 PM

Ryan Cox, owner stated that he was hoping to open the restaurant in the next month, or as soon as the license is approved. Selectman Condon welcomed them and wished them well and then addressed the parking concerns that the residents on Rings Island had and he asked for a commitment that they take every consideration that the residents will not be affected. Mr. Cox said that there about 50 spots on location, they will be having valet service and the NAPA lot will also be available if needed.

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to close the Hearing at 7:42 PM.

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to approve the Annual All Alcoholic Beverage License.

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IX. Town Manager's Report

Mr. Harrington had previously reported on the Override question and no further information was added.

X. Selectmen's Report

a. Ratification of Signing of Weekly Warrants:

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to ratify the signing of the following weekly warrants: W19-162 through W19-171.

Selectman McDonald made mention of the public informational hearing about the new marijuana location scheduled for April 18th at 6:30 PM at the library. Mr. Harrington said the applicant will be sending out notices.

Chairman Ray-Parrott announced that there will be a group meeting regarding Salisbury Days and their next meeting is April 1st at 4PM. They are looking at celebrating Salisbury Days on Sept. 28th at the beach and on Sept. 29th in the Square. Anyone interested in planning these events is invited to attend the meeting.

Chairman also mentioned that at the last meeting they had been asked about the appointments to the Cemetery Commission; since that time nobody has applied and until people do appointments cannot be made. She thought that out of the 400 people who signed the petition that someone would have applied by now and urged people to do so. Selectmen Condon said since the last meeting he checked and found out that the main gate is not locked.

XI. Executive Session

Discuss Negotiating Strategy re: Proposed FY2018-2019 Contract with Firefighters Local #4694, IAFF/PFFM

No motion was made to go into Executive Session.

XII. Adjournment

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to adjourn at 8:55 PM.

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

Minutes of Dec. 17, 2018, Jan. 14, 2019 and Feb. 11, 2019

Copies of licenses as listed


Copies of appointment request letters

Info re: the Ring's Island Historic District Study

Town Manager's Report

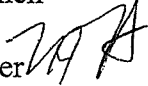
Respectfully submitted:

Janet E. Flannery, Secretary

Approved: 
Donna Abdulla, Clerk

MEMORANDUM

To: Members of the Board of Selectmen

From: Neil J. Harrington, Town Manager 

Date: March 25, 2019

Re: Override Considerations

On your agenda for this evening's meeting is a proposed vote to support placing an override question on the ballot for the spring town election in the amount of \$450,000. This comes as a direct result of the dilemma current facing the Town in attempting to fully fund our FY2020 assessment for the Triton Regional School District, as well as balancing our overall budget for the next fiscal year.

As you know, Finance Director Karen Snow and I proposed an override last year in the amount of \$800,000 in anticipation of the likelihood that the FY19 significant increase in our Triton assessment might be repeated in FY20 and, potentially, for several years to come. At the time that Triton's original FY19 budget was approved in March of 2018, the proposed \$878,227 increase in Salisbury's assessment was greater than the total of all of our new estimated revenues for FY19. Ultimately, as you know, Triton voted a revised budget, decreasing its assessments so that Salisbury's final increase was \$627,684, and after the override failed, we were able to balance our FY19 budget at the Annual Fall Town Meeting by reducing some expenditures, increasing our estimated new revenues, and using \$185,000 from the Stabilization Fund.

This year, we are facing an even greater increase in our Triton assessment, in the amount of \$970,328, or 8.3%. Without additional sources of revenue, the Town cannot sustain such a large increase without significantly affecting other Town services. One potential source of new revenue, the soon-to-be open recreational marijuana retail store on Elm Street, holds the promise of providing significant new monies to the Town in the years ahead. However, until the store opens and the Town begins to realize actual excise tax revenue from marijuana sales, we cannot assume an annualized revenue stream from this source, and we may not be able to utilize any estimated new revenue in our budget projections for FY20 unless we wait until the Fall to balance our FY20 budget.

Unlike last year, when we proposed raising almost the entire amount of our increased Triton assessment via an override, Finance Director Karen Snow and I are proposing that the Town commit to funding a portion of our increased assessment via new anticipated revenues and to raise the rest of the increase via another override question. One of the criticisms of the proposed override last year was that the dollar amount was unpalatable because it was too high and it did not include a commitment from the Town to spend more than \$78,227 in new General Fund estimated revenues toward the Triton assessment.

This year, we are taking a different approach. For FY20, as of today, Ms. Snow is estimating new revenues of between \$890,000 and \$1,190,000 (the difference is the unknown amount of excise tax revenue the Town may receive from retail marijuana sales). We are proposing that the Town commit \$520,000 of its estimated new revenues to the FY20 Triton budget and that the remainder of the Triton increase be funded via a \$450,000 override. Our rationale for this request is that over the past 7 fiscal years, the average increase in Salisbury's Triton assessment has been 4.4%. An increase of 4.4% to our FY19 Triton assessment would be approximately \$520,000. Therefore, we believe it is fair for the Town to commit a 4.4% increase to our Triton assessment and to ask the taxpayers whether they would be willing to commit to paying the additional \$450,000 via an override. We anticipate that such an override, if successful, would add about \$92 to the annual tax bill of the average Salisbury single family home owner. However, the FY20 budget will see a \$470,657 decrease in excluded debt service, so a new override, if approved, will, to a large extent, offset this decrease.

Failure to approve the override will likely result in the Town having to reduce its FY20 budget by reducing services via layoffs of Town employees, including firefighters and police officers. Unlike last year, we will not propose to utilize any of the Town's Stabilization Fund, as further dipping into this account may negatively affect the Town's bond rating, which directly relates to our ability to borrow money at favorable interest rates.

In the long run, the Town must continue to seek ways to reach agreement with the other Triton communities on a more equitable funding formula for the District. Different strategies for accomplishing this goal will be discussed in the months ahead. In the meantime, we are faced again this year with the unpleasant task of meeting our obligation to Triton and balancing the rest of the Town's budget without affecting the quality of services the Town offers its residents. Even if the override passes this year, other fixed cost increases in the Town's General Fund budget will make this task a difficult one.