

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, SEPTEMBER 27, 2021 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

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

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

I. Call to Order/Salute to the Flag

Chairman McDonald 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 September 27, 2021

Motion by Selectman Ray-Parrott, Second by Selectman Abdulla; voted to approve the Minutes of September 27, 2021 as written. VOTE: 4 yeas – Selectman Takesian abstained. Motion carried.

III. Public Comment - none

IV. Old Business

a. Vote to Approve Sewer Extension Plan for 39 Old County Road (Map 28, Lot 37)

Motion by Selectmen Condon, Second by Selectman Ray-Parrott; unanimously voted to remove this item from the table.

Mr. Steinell, Engineer for Millennium Engineering, stated that the comments from the DPW Director are very standard and he has no problem with them. A copy of the Director's comments is on file in the Selectmen's Office. There were no further questions from Board members.

Motion by Selectman Takesian, Second by Selectman Ray-Parrott; unanimously voted to approve the extension of the sewer main at 39 Old County Road as presented, with the stipulations outlined by the DPW Director.

b. Appeal of Water Service Charge at 89 Atlantic Avenue – Renee Burba

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

Ms. Burba returned as requested and stated she is asking for an abatement on her water bill. She is the owner of the property and this past winter a water pipe burst and was not discovered for several weeks. This is a seasonal property and there is a property manager who checks periodically during the off season and stays in an apartment on site, which is why the water was kept on. However, the leak was not discovered for several weeks, resulting in an extremely high water bill, totalling almost \$2,000. She did call Pennichuck and was told that although all surrounding towns offer assistance to customers (leak rate) when these events occur, Salisbury does not.

Selectman Takesian said he had reviewed the information she had provided and would like to abate the bill. Selectman Condon's opinion was that he didn't believe she is without responsibility because she did have a property manager; however, he was willing to meet her halfway. Selectman Abdulla said she doesn't want to set a precedent and suggested that the Board look at the Rules & Regulations to see if something can be added in the event this happens again.

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Motion by Selectman Ray-Parrott, Second by Selectman Condon; unanimously voted to approve an abatement equal to one-half of the extra water consumption.

c. Request to Maintain Private Ownership of Sewer Extension on Ferry Road – Mike Goodridge

Mr. Goodridge was not present, so this item was left on the table.

V. New Business

a. License Renewals - none

b. New Licenses

General – United Rentals (North America), Inc. – 74 Main Street

Motion by Selectman Takesian, Second by Selectman Ray-Parrott; unanimously voted to approve contingent on the Building Inspector's sign-off.

c. License Amendments - none

d. Liquor License Renewals - none

e. New Liquor Licenses - none

f. Committee Appointments

Historical Commission – Three vacancies: Two for a term to expire 6/30/22 and one for a term to expire 6/30/23. One applicant – Grace Marchese

Motion by Selectman Takesian, Second by Selectman Ray-Parrott; unanimously voted to appoint Grace Marchese for a term to expire June 30, 2023.

g. Update/Presentations: Finance Director/School Committee

Karen Snow, Finance Director, reported that the books for FY2021 are closed and the audit is scheduled for the week of October 25th. Free cash has not yet been certified but the reports are completed and she is waiting to submit subsequent receipts. Her preliminary estimate of Free Cash is higher this year because revenues were budgeted very conservatively and at the end of the year the Town wound up with a surplus on the revenue side; also, all departments turned back money that was not spent. She then gave a brief overview of the year-end budgets for the FY21 General Fund and Water and Sewer Enterprise Fund budgets. In other news, Ms. Snow informed the Board that the Town's investment advisor would like to make a presentation to the Board in late October or early November. Chairman McDonald stated that she would add this item to an upcoming agenda. Selectman Condon said the entire Board realizes how hard Ms. Snow has worked in keeping all costs in line, and he commended all departments as well for controlling spending during FY21.

Linda Litcofsky, School Committee Chair, reported that the school opening for the 2021/2022 school year was successful. Some social distancing efforts are being made, specifically around the times when individuals are unmasked, such as at lunchtime. Overall restrictions have been reduced, allowing for the return of more effective instructional practices. Masks are required for all individuals inside school buildings. Free daily breakfast, lunch, and snack is still being offered to all students.

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An interim arrangement is in place to fill the principal and assistant principal positions at Salisbury Elementary School.

h. Presentation by Planning Director on Proposals to Create a Cultural/Arts Planning Study Group and to Paint Utility Boxes on Salisbury Common

Lisa Pearson informed the Board that she has met with the Cultural Council, whose members are interested in creating a sub-committee as a study group to start thinking about what the future arts and cultural needs of the Town might be. There is no budget requested at this time.

Motion by Selectman Ray-Parrott, Second by Selectman Takesian; unanimously voted to create a Cultural/Arts Planning Study Group to consist of active members in the Cultural Council, one Selectman, one member of the Conservation Commission, and two members of the public.

In a related matter, Ms. Pearson informed the Board that a member of the Cultural Council was interested in painting murals on local utility boxes as a way of improving the appearance of the Town Common. She was seeking permission of the Board to move forward with this endeavor. Board members said they thought this was a good idea, but asked if the mural concepts could be shown to them in advance.

Motion by Selectman Takesian, Second by Selectman Ray-Parrott; unanimously voted to allow painting of utility boxes on the Common, as well as others throughout the Town, subject to the approval from the DPW Director.

i. Schedule Public Hearing to Consider Two Amendments to Alcoholic Beverages Policies, Rules and Regulations

Motion by Selectmen Abdulla, Second by Selectman Condon; unanimously voted to schedule a Public Hearing on Monday, October 18, 2021 at 7:15 PM to consider two amendments to the Alcoholic Beverages Policies, Rules and Regulations.

j. Schedule Pole Hearing for National Grid to Install Four (4) Poles on Old County Road

Motion by Selectman Ray-Parrott, Second by Selectman Takesian; unanimously voted to schedule a Public Hearing on this matter for Monday, October 18, 2021 at 7:20 PM.

VI. Sewer/Water

a. Schedule Public Hearing to Consider Amendment to Water Access Fee Regulations

Motion by Selectman Takesian, Second by Selectman Ray-Parrott; unanimously voted to schedule a Public Hearing to consider an amendment to the Water Access Fee Regulations on October 18, 2021 at 7:30 PM.

b. Discussion and Vote Re: Consideration of Potential Alternatives to Renewal of the Town's Water Operations and Maintenance Contract

Mr. Harrington informed the Board that an ad hoc study group, consisting of himself, the Finance Director, the DPW Director, Jim Dondero, and two members of the Board, began meeting during the past spring to consider possible alternatives to renewing the Town's water operations and maintenance contract with Pennichuck when it expires in June of 2022. He noted that if the contract is renewed it would be for an additional five years, and reminded the Board that the last time the contract was put

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out to bid Pennichuck was the only respondent. The result was that the Board was in a difficult position and was forced to accept Pennichuck's terms. This has resulted in the management fee increasing dramatically. It is now up to \$800,000 per year. In addition, there is a 35% mark-up on all emergency work that is sub-contracted out by Pennichuck.

The ad hoc study group hired the BETA Group to do an analysis of the Water Enterprise Fund budget and to provide the group with an estimate of what it would cost for the Town to hire its own staff and manage the water system by itself. Bob Mackie of the BETA group put together a preliminary budget for a town-operated Water Department, and in summary he concluded that The Town can hire staff and operate the water system, with no increase in water rates, at an annual saving of between \$250,000 - \$300,000 per year.

If the Town were to proceed along these lines, the Manager indicated that we would need to start planning and hiring staff well in advance of next June 30. He would need to submit an appropriation from the Water Enterprise Fund as an article at the Fall Town Meeting in October to hire staff and purchase vehicles, supplies and equipment well in advance of June 30, 2022, and he would need to explain publicly how the Town could perform all necessary services and save money without raising water rates. If the Article is approved, several people would have to be hired before July 1 and there would be considerable work to be done, including putting together a transition plan to take over the billing for water from Pennichuck. He asked that the Board take a vote on whether to proceed on this matter because the warrant for Town Meeting needs to be posted by October 8.

Selectman Condon said he is convinced that what the Manager outlined is the prudent thing to do, as Pennichuck has been the only bidder to operate the Town's water system and they basically can dictate the terms of any contract. The Town has no control over who might bid for this service in the future and he said he would prefer that the Town take control of the water system, especially since there appears to be the potential for significant savings. He suggested that the Selectmen vote to proceed along the lines outlined by the Manager.

Selectman Takesian noted that the Board had held a workshop to discuss this issue and he believes it is time to take this step and take control of the Town's water system now, as his fear is that the Town will almost certainly face another large increase if we remain with Pennichuck. Mr. Dondero was present and noted that he has been involved with many of the issues relating to the Town's water system, all the way back to when he served on the committee that advised the Town to acquire the water system 20 years ago. He said he believes the Town can take over the system and run it properly. Mr. Harrington complimented Mr. Dondero for his involvement in these important issues for so many years, noting that if he is supporting this move and the Karen Snow, the Finance Director, is supporting it as well, that this is the way to go. He said that if the Board supports this effort, he would be willing to help educate the public about the benefits of the Town taking over the operation of the water system by going on SCTV to make a detailed presentation before Town Meeting.

Motion by Selectman Condon, Second by Selectman Ray-Parrott; unanimously voted to support Mr. Harrington's proposal to proceed with preparing the necessary warrant articles for Town Meeting.

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VII. Correspondence

VIII. Hearings

7:15 PM – National Grid & Verizon Pole Hearing – Re-location of Pole on Folly Mill Road and Install One New Pole

Motion by Selectman Abdulla, Second by Selectman Takesian; unanimously voted to open the hearing at 7:22 PM.

The National Grid Representative outlined the reason for the request, which was to re-locate pole #43 from an existing pole to correct an aerial trespass at 109 Folly Mill Road and to install a new pole to accommodate increased pole span due to the relocation of pole 43.

Selectman Condon pointed out that in the past when the Board approved a new pole to replace another the old pole was removed, which doesn't seem the case anymore, and he asked if National Grid would be removing the old pole. The representative said he will talk to the person responsible and see if the old pole can be removed.

One abutter, who lives at 102 Folly Mill Road, was present and said that currently wires from her home to the pole have been pulled from her house and she has had to have them repaired. She does not want the wires going across her driveway. Other than that, she is not opposed to the request.

Motion by Selectman Condon, Second by Selectman Ray-Parrott; unanimously voted to close the hearing at 7:30 PM.

Motion by Selectman Condon, Second by Selectman Ray-Parrott; unanimously voted to approve the request contingent on National Grid meeting with the abutters and satisfying all their concerns.

7:20 PM – National Grid & Verizon Pole Hearing –Installation of One Pole on Liberty Street

Motion by Selectman Condon, Second by Selectman Ray-Parrott; unanimously voted to open the hearing at 7:30 PM.

The National Grid Representative explained the purpose of the request is to install one pole beginning at a point approximately 24 feet northerly from existing pole #4 on Liberty Street, to another location diagonally across from existing pole #4 in order to accommodate clearance for new home construction.

Comments from abutters:

Patric Hanno, 22 Liberty Street, said he is a direct abutter and he has a concern about a pole on the back left side of his home. The wires are not to his property and asked how does the electricity get to his home. The representative clarified that National Grid will not be touching the pole that Mr. Hanno is referring to.

A property owner at 26 and 28 Liberty Street stated that the pole in back feeds four houses and the new pole is going to take care of the front. However, he wants to know what the next step is for the pole in back because he is concerned that when someone builds a new home, the lines will go over the roofs of the new homes. He said he is not opposed to the new pole being proposed, but he doesn't want the wires running over the roofs of properties on his side of the street.

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A property owner at 25 Liberty Street stated that he fully supports the new pole installation, but his concern is this may lead to National Grid installing several more poles on the street. He said there are several poles on Liberty Street and he doesn't want to see another one if it's not absolutely necessary. The representative said he understood all the concerns of the homeowners, but he can't speak for the long-term plans of National Grid.

A property owner at 24 Liberty Street said that there is a pole in the back between his property and his abutter at #20. The homes further down the street are all mobile homes and he suggested that the owners of these properties are likely to be planning on building permanent homes. He said he would like to see all wires removed that cross his property.

Selectman Condon asked if the Town stopped approving pole requests whether National Grid would then be forced to install wiring underground, and the representative responded that he couldn't say for sure. Selectman Condon said he is not opposed to the request, but agrees with the neighbors that it is a band-aid approach. He urged National Grid to work with the residents to come up with a long-term approach to any future installations.

Motion by Selectman Takesian, Second by Selectman Ray-Parrott; unanimously voted to close the hearing at 8:04 PM.

Motion by Selectman, Second by Selectman; unanimously voted to approve the request from National Grid for the new pole.

7:25 PM – National Grid Conduit Hearing – Installation of Underground Conduits on Gerrish Road

Motion by Selectman Ray-Parrott, Second by Selectman Takesian; unanimously voted to open the hearing at 8:05 PM.

The National Grid representative explained that this request is to install approximately 80 feet of 2-3" conduits with primary cable 32 at 1-1C from new pole 7-50 to proposed heavy duty handhole, and approximately 55 feet of 2-3" conduits with primary cable #2 at 1-1C from proposed heavy duty handhole to the property line in order to provide electricity to new homes on Winterberry Circle. No abutters were present.

Motion by Selectman Abdulla, Second by Selectman Ray-Parrott; unanimously voted to close the hearing at 8:10 PM.

Motion by Selectman Ray-Parrott, Second by Selectman Takesian; unanimously voted to approve the installation of underground conduits on Gerrish Road as presented.

7:30 PM – National Grid & Verizon Pole Hearing – Re-location of one Pole on Gerrish Road to Provide Electric Service to New Homes on Winterberry Circle

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to open the hearing at 8:10 PM.

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The National Grid representative explained that this request is to install one pole on Gerrish Road at a point approximately 80 feet from an existing pole in order to provide electric service to new homes on Winterberry Circle. No abutters were present.

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to close the hearing at 8:12 PM.

Motion by Selectman Ray-Parrott, Second by Selectman Takesian; unanimously voted to approve the request as presented.

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 Ray-Parrott, Second by Selectman Takesian; unanimously voted to ratify the signing of the following weekly warrants: W22-21 through W22-24.

Selectman Ray-Parrott commented on the success of Salisbury Days. She noted that she volunteered three hours each day and that Jenn Rokentenetz did an amazing job and was present for hours on end. Ms. Rokentenetz has sent out a survey to get some feedback.

Selectman Takesian congratulated everyone involved and said the event was a great time and that he had received several positive comments.

XI. Executive Session - none

XII. Adjournment

Motion by Selectman Takesian, Second by Selectman Ray-Parrott; unanimously voted to adjourn at 9:30 PM.

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

Minutes of Sept. 13, 2021

Copies of licenses as listed

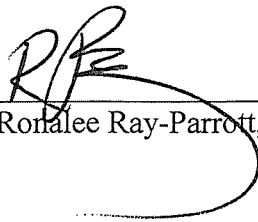
Information for the National Grid/Verizon Hearings

Town Manager's Report

Respectfully submitted:

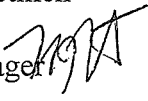
Janet E. Flannery, Secretary

Approved: _____


Ronalee Ray-Parrott, Clerk

MEMORANDUM

To: Members of the Board of Selectmen

From: Neil J. Harrington, Town Manager 

Date: September 27, 2021

Re: September 27th Report to the Board

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

1. Electricity Aggregation Update

As you may recall, in May I signed a new contract with First Point Power for a fixed rate of 11.134 cents per kilowatt hour (kWh) for electricity for all residential and business National Grid customers for the next 3 years. The previous contract was with First Point at a rate of 11.065 cents per kilowatt hour (kWh) from January 2019 through 2021.

National Grid, which changes its rate twice a year, just released its Basic Service Rate for the period of November 1, 2020 through April 30, 2022. It is 14.821 cents per kilowatt hour for residential service 13.113 cents/kWh for commercial customers, and 417.336 cent/kWh for industrial customers. So, our new rate will be a significant savings over the National Grid Basic Service Rate for this coming winter. I strongly urge any electricity customer in town who is not enrolled in the Town's Community Choice program to do so before National Grid's new Basic Service rate kicks in for the winter. Customers can do this by contacting our consultant, Colonial Power at www.colonialpowergroup.com/salisbury/ and click the OPT-IN button, then fill out and submit the Opt-In Form. Alternatively, customers can contact Colonial by calling Colonial Power Group, Inc. at (866) 485-5858.

2. Investment Advisor Meeting

Recently, Finance Director Karen Snow, Treasurer/Collector Christine Caron and I met with the Town's investment advisor, Bartholomew & Company, to review the performance of the Town's investment funds over the course of the past fiscal year. The Town has over \$3 million in various funds that are invested and our rate of return over the course of the past year once again substantially exceeded the rate the Town was earning before engaging Bartholomew. In the past, Bartholomew has made a presentation of its annual report to the BOS, and I have spoken to Selectman McDonald about having them do so again in the near future.

3. Rail Trail Maintenance Plan

I have begun discussions with the DPW and Jerry Klima from the Coastal Trails Coalition about putting together a maintenance plan for the Town's extensive rail trail system. As you know, the last link in this great community resource was completed earlier this summer, and it will be the Town's responsibility to pull together the public and private resources necessary to

keep the trail clear of overgrowth and to deal with litter and dog waste issues. My goal is to have a maintenance and public relations plan in place by next spring, so that we can pool the Town's resources with help from volunteer groups and can also make the public aware of the necessity of having all users of the trail participate in keeping our entire trail system in the best shape possible.

4. Sept. 11 Memorial Ceremony

I did not have a report at the last BOS meeting, but I would be remiss if I did not publicly add my thanks to those of the Selectmen for the members of the Salisbury Lions Club who helped to organize the 9/11 memorial service a few weeks ago. In all my years of public service, I have seldom attended such a meaningful ceremony. The way the almost-3000 flags were displayed on the Town Common and the remarks of all of the speakers were just so uplifting. I hope SCTV continues to show a replay of this very important community event.

5. Pennichuck Contract Workshop

On Sept. 20, as you know, I joined all of you and our consultant, Bob Mackie of the BETA Group to discuss alternatives to renewing the Town's water operations and maintenance contract with Pennichuck when it expires on June 30, 2022. I am hoping the Board is prepared to vote on a way forward this evening.