

MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, JUNE 15, 2020 – 7:00 PM
MEETING HELD REMOTELY VIA ZOOM

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

ALSO PRESENT: Neil J. Harrington, Town Manager

Call to Order/Salute to the Flag

Chairman Condon called the meeting to order at 7:00 PM and noted that the meeting was being televised and recorded on SCTV.

I. Acceptance of Minutes

Minutes of May 11, 2020 and June 1, 2020

The Town Manager apologized for getting copies of the Minutes to the Board so late. Selectman McDonald moved that the Minutes of May 11 and June 1 be tabled until the next meeting. Selectman Takesian seconded the motion, and it was approved unanimously.

II. Public Comment - none

III. Old Business none

IV. New Business

a. License Renewals:

General

Sand Dollar Annex – 16 Broadway

Richard Surette – 218 Lafayette Road (Corner of Rte. 286 and Rte. 1)

Selectman McDonald moved to renew a **General** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for the Sand Dollar at 16 Broadway. Selectman Takesian seconded the motion and it was adopted unanimously.

Selectman McDonald moved to renew a **General** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Richard Surette at 218 Lafayette Road. Selectman Takesian seconded the motion and it was adopted unanimously.

b. New Licenses: none

c. License Amendments - none

d. Liquor License Renewals - none

e. New Liquor Licenses - none

f. Committee Appointments

Harbor Commission: 3 vacancies, 1 application for re-appointment, for a term to expire June 30, 2023 – David Mitchell

Selectman Takesian moved that David Mitchell be re-appointed to the Harbor Commission. Selectman Ray-Parrott seconded the motion and it was adopted unanimously. Ms. Ray-Parrott noted that Mr. Mitchell is currently serving as an alternate on the Commission and that his letter to the Board requested either re-appointment as an alternate or as a full member, if such a position were available. She asked if it was the intent of the Board that he be appointed as a full member, and Chairman Condon answered in the affirmative.

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g. Update/Presentation: Proposed New Visitors Center/Public Restroom Facility at Salisbury Beach – Epstein Joslin Architects

The Town Manager introduced Raymond Porfilio and David Foxe from Epstein Joslin, as well as Alicia Monks, who is the Town's Owner's Project Manager for the project. Mr. Porfilio then presented a series of slides to the Board outlining the main features of the proposed project. Selectman Abdulla asked about the height of the building on the Broadway Mall and Mr. Porfilio answered that the highest point was approximately 16 above the floor level, which is 4 feet above the existing grade. Selectman Takesian mentioned that he had observed a sink in one of the slides that seemed to be on the exterior of the building on the Mall. Mr. Porfilio explained that the restrooms were intended to be open to the north and south during the summer season and the main sinks are inside the building, but there are features, such as outside sinks, that help preserve the "open" concept of the facility. The Chairman thanked the architects for making such a thorough presentation.

h. Discussion and Vote on Proposed New Visitors Center/Public Restroom Facility

The Chairman asked for a motion, so that the matter could be discussed. Selectman Abdulla moved that the Board vote in favor on supporting the proposed new visitors center/public restroom facility. Selectman Ray-Parrott seconded the motion and discussion ensued.

Mr. Harrington reminded the Board and the public that the topic of building a new restroom facility has been discussed for many years. The current facilities are outmoded and are situated in a very inconvenient location. He noted that several options for a new location had been discussed over the years, and that at one point a site within the Mall was being very strongly considered. The proposed location at the western end of the Mall is currently a vastly underutilized space and in the Town's discussions with the consultant it has hired to assist in revitalizing the Mall, the Project for Public Spaces, the concept of building two facilities – one on the western end of the Mall and another in the beach parking lot – was very strongly recommended.

Regarding the financing of the project, he noted that the cost of the buildings has been estimated at \$3.8 million, which sounds like a large amount. However, the public should understand that in order to construct adequate restroom facilities in the general area of the beach center, it cannot be done for much less than what is being proposed. He also noted that the Town's plan is to reduce the \$5.2 million in total project costs by about one-half through the sale of the former police station property on Railroad Avenue and by securing the release of \$1.5 million in earmarks for the project that had been previously authorized by the State. If the Town is successful in doing so, Mr. Harrington said he was confident that the Town would be able to absorb the amortization costs for the borrowing within the Town's operating budget, without the need for an override. Finally, he said that constructing a new restroom facility at Salisbury Beach will greatly improve the image of the Town.

Selectman McDonald asked whether moving one of the buildings to the parking lot would save money because it would be built outside of the flood zone. The Town Manager said that this is correct. In order to construct the number of bathrooms required by code, it was determined that a single facility on the Broadway Mall would take up too much room on the Mall and would be out of scale with surrounding buildings. Therefore, it was decided to divide the project into a main building on the Mall and a smaller facility in the parking lot, outside of the flood zone.

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Selectman Takesian gave a recent history of the work that has gone into the planning for the proposed new restrooms. In 2015, the Town hired an architectural firm to identify possible locations for new bathrooms near the beach. The sites chosen were: the former Sidewalk Café, the easterly section of the Broadway Mall, Ocean Front South, and the current location on Railroad Avenue. The first site was owned by the State, which did not approve of using the site for the proposed facility. The easterly end of the Mall was opposed by the beach merchants, the SBBA and the Chamber of Commerce. The Ocean Front South site was opposed by residents in the area. Finally, the current site was deemed not feasible. No further progress was made until the property at 7 Broadway was sold to local business people a few years ago. Then discussions began about a possible land swap with the former police station and comfort station sites. However, these sites had deed restrictions on them and it took the Town almost two years to get the restrictions lifted.

The Town then formed a committee to develop a plan for the 7 Broadway site that would include a welcome center, public restrooms and an historic carousel that would be purchased by the Salisbury Beach Partnership. The Town hired an architect to design the facility, but the total cost was estimated at \$7.2 million. The Selectmen then entered into negotiations with the owners of 7 Broadway regarding the terms of a potential land swap, but no agreement was reached. He then noted that the Town focused its efforts on determining the best location for the facility on public land, and he reiterated the reasons why the Town is choosing to move forward with two facilities. He agreed that the construction of the new restrooms will do much to improve the Town's image, and although the project is expensive, the Town has a plan to reduce the net cost to the taxpayers. In conclusion, he asked: How valuable is the Town's image?

Selectman Abdulla stated that it was an absolute necessity for the Town to provide clean modern restroom facilities for those visiting the beach. The current location, although located near the Town parking lot, is often missed by visitors. She said that she is in support of the current proposal and thanked the committee for working on the project. She noted that the two locations would provide close access from the beach, the local businesses and all parking lots in the area, including private ones. She also said that year-round usage is a positive move in the right direction, as it will help businesses extend their viability in the shoulder seasons, and she is looking forward to the project being completed by the summer of 2021.

Selectman Ray-Parrott thanked Selectman Takesian for reviewing the history of the project and asked the Town Manager what would happen if funding for the project does not pass at Town Meeting. He responded that the Town would need to take a hard look at whether the Town wants to continue to invest significant financial resources and time into looking at alternatives to the current proposal. He noted that a great deal of money has already been spent studying the issue and paying for architectural designs and that if the Town were to choose another site, we would have to start from scratch, which would mean an additional amount of time and money. He stated that he believed the time was now for people in Town to decide whether they want to commit to building new restroom facilities at the beach or not. Ms. Ray-Parrott responded that it is important for people to realize that not voting for the project could mean that the new restrooms might not happen for several years to come, which would be a big setback for visitors, the beach merchants and the Town as a whole.

Selectman McDonald stated that the current bathroom situation at the beach is an embarrassment to the Town. Hampton has nice clean facilities, yet when people come to Salisbury they don't even want to

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go into the restrooms. She stated that if the Town delays the price is only going to go up, so the time is now to move ahead.

Chairman Condon stated that he wasn't born in Salisbury, but has lived here for 40 years, has raised his family here, had a business here for many years, and he is proud of so many things in town, including our school system, how the Town government is run, the new police station, the new library, and many other things. However, the single thing that totally embarrasses him is the condition of the public bathrooms at Salisbury Beach. We welcome visitors and the money they spend here, he said, and we should be able to afford them a clean, comfortable bathroom.

He said that he has heard arguments that the Town should locate the new facility elsewhere. Some people have suggested using the old police station, which he said has leaked for years and filled with mold. The Town, he said, cannot just wave a magic wand and just put new restrooms into this building. Additionally, the old police station sits on a valuable parcel of land, which can be sold, providing particle funding for the new project and many future years of tax revenue for the Town. He said he has heard other arguments that the building on the Broadway Mall will block views and eliminate open space, but he disagrees. The building will not obscure views of the ocean, as you can't see the ocean even now while driving toward the beach center. Rather than blocking views, he sees the new building on the Mall as a symbol of welcoming visitors to the beach. He said he has waited 40 years to see this type of improvement proposed for Salisbury Beach, and the Town should not squander this opportunity.

Selectman Takesian reiterated the Chairman's point that the Town cannot rehabilitate the former police station, as the cost would exceed 50% of its value, which means it would have to be raised on pilings. He stated that it is a tear-down and cannot be converted into restrooms. The Chairman agreed and noted again that the economic potential of the land on which the former police station sits is great. He stated that there is already great interest in the property, which presents a good opportunity for the Town to make it tax productive for many years to come.

The Board then took a vote on the motion that was presented before discussion began, and the motion was adopted unanimously.

i. Vote to Approve Assignment of Host Community Agreements from Alternative Therapies Group, Inc. to Alternative Therapies Group II, Inc.

The Town Manager explained that the ownership of Alternative Therapies Group (ATG), which operates the recreational marijuana retail facility on Elm Street is changing hands, and the Host Community Agreement they signed with the Town allows the company to assign its obligations under the Agreement to any successor, with the consent of the Board of Selectmen. He also noted that ATG has a Host Community Agreement with the Town for the retail sale of medical marijuana, which is also being assigned to a new entity, to be known as Alternative Therapies Group II. The President of the successor company is Dan Talbot, which has been running the current retail store on Elm Street, as Chris Edwards, the founding CEO of ATG, is stepping aside. Mr. Harrington noted that the Town has had a good relationship with Mr. Talbot, who has been working very closely with the Police Department and is currently in the process of developing on a new traffic plan that will hopefully result in a safer entrance and exit. He recommended that the Board approve the proposed assignment of the two Host Community Agreements.

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Selectman McDonald asked whether anything would be changing except for the ownership of the company. Mr. Harrington replied that all of the terms of the Host Community Agreement would remain the same, including the obligation of the company to pay the Town 3% of gross revenues and an additional 3% in excise tax revenue, as adopted by a previous Town Meeting.

Selectman McDonald moved that the Board approve the assignment of the Host Community Agreements for recreational and medical marijuana operations at 107 Elm Street from Alternative Therapies Group, Inc. to Alternative Therapies Group II, Inc., as presented. Selectman Ray-Parrott seconded the motion and it was adopted unanimously.

j. Discussion and Vote on Follow-up to Community Forum

The Town Manager noted that he had submitted to the Board a 10-point plan of action for the Town to implement as a follow-up to the Community Forum, which was held on June 4 and in which over 200 people participated via Zoom or by sending emails. He noted that several suggestions were presented for ways in which the Town can help create as safe an environment as possible at Salisbury Beach over the summer months. He said he wants to do everything that the Town can reasonably do to encourage compliance with the current State health directives, but also to take the opportunity to address some chronic problems that have been exacerbated by the current health crisis, such as trash and parking issues. He said he would welcome a discussion of the points of the plan, and that, if it were adopted, he would meet with department heads immediately, with the goal of putting the plan in place before the 4th of July weekend and having it last through the entire summer.

The Chairman said that he thought the Community Forum was very helpful. Selectman Ray-Parrott asked for clarification about one of the points of the Manager's plan that deals with parking at the skate park near the beach. Mr. Harrington responded that he does not intend to close the skate park, but to limit parking in the area by closing an existing gate that is located near the entrance to the main beach parking lot. She also asked if the Manager would consider not utilizing the overflow parking area behind the baseball field on the north side of Beach Road, and he said he would consider it.

Selectman Abdulla said that she was happy to see a commitment to increasing the amount of parking spaces for resident overnight parking within the large beach parking lot, as it would give residents and property owners on the south end of the beach some place to park, as well as reducing the availability of spaces in the larger Town parking lot for the public to use. She also suggested that the Town post signage requesting that parking use the "app," in order to avoid long lines at the kiosks. He said that was a good idea. Ms. Ray-Parrott asked that these signs be disbursed throughout the parking lot, and the Town Manager said that could be done.

Selectman McDonald noted that one of the points in the Manager's plan was to purchase new trash barrels and place them at the beach center and the access points to the beach. She said that hoped that the Town would contact DCR about also providing additional barrels, as the beach is owned by the State. Mr. Harrington said he would do that, but also reminded the Board that there is a public expectation that the Town will do more to control the trash situation, and he proposes to do that with the purchase of new barrels.

Selectmen Takesian asked if the Manager's 10-point plan could be read aloud and/or be posted on the Town's website. The Manager said the plan will be posted on the website, but he would also read the 10 points, if the Board wanted him to do so. He then read all points of the plan, a copy of which is

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available in the Selectmen's office. He noted that the first point commits the Town to starting a Facebook page and open a Twitter account in order to communicate more effectively with the public, and that the second point commits the Town to providing additional resident sticker parking in the large beach parking lot, including overnight, for \$50 per year, in response to concerns expressed by residents and property owners on the south end of the beach.

Selectman Takesian moved that the Board approve the 10-point plan proposed by the Town Manager. Selectman McDonald seconded the motion and it was adopted unanimously.

k. Town Manager Evaluation

Chairman Condon thanked Selectmen Ray-Parrott and McDonald for their efforts to update the evaluation document used by the Board. He then provided a summary of the composite scores achieved by the Town Manager in the following categories (on a scale of 1 to 10):

Individual Characteristics (5 categories) – 9.64
Professional Skills – 9.64
Relations with Elected Members of Governing Bodies – 9.4
Policy Execution – 9.96
Reporting to Members of the Board – 9.4
Citizens' Relations – 9.4
Staffing – 8.72
Supervision – 9.24
Fiscal Management – 10.0
Community Relations – 9.6
Total Composite Score – 9.5

Chairman Condon said that the Manager should be proud of the job he has done, and that he has the continued support of the Board. He then read a few comments submitted by individual members.

The Town Manager thanked the Board for their support. He said that he thoroughly enjoys working for the Town and he is gratified to have helped play a role in the many things that have been accomplished. He also thanked the residents for all the support they have provided to him and the Board over the years.

VI. Sewer/Water

- a. Vote to Approve Amendment to Contract with Pennichuck Water Services Corp. to Include Operation, Maintenance and Billing for Customers of the Ring's Island Water District

The Town Manager noted that he had provided in a memo to the Board a copy of a proposal that has been made by Pennichuck to provide additional services, at an annual cost of \$29,680, relative to the new water customers that the Town will be taking on with the July 1 merger of the Ring's Island Sewer District and the Town's water supply system. He gave credit to DPW Director Lisa DeMeo for evaluating Pennichuck's original proposal, which she thought was too generic and did not contain enough specific information on the number of certain services, such as meter readings, flushing, hydrant maintenance, to which Pennichuck was committing itself. This led to Pennichuck submitting a revised proposal with more specific numbers, which has been presented to the Selectmen, and which the Manager recommended that the Board adopt.

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Selectman Abdulla asked whether this was a contract issue that needs to be discussed in executive session, and the Manager responded that what he was seeking was an endorsement of the terms of the Pennichuck proposal by the Selectmen before July 1, after which he would have counsel prepare the wording of an actual amendment to Pennichuck's contract with the Town for both parties to sign.

Selectman Ray-Parrott moved that the Board accept the terms of Pennichuck's proposal for additional services, as presented. Selectman McDonald seconded the motion and it was adopted unanimously.

b. Vote to Place Restrictions on Non-Essential Water Use

The Town Manager noted that the Town has a water management agreement with DEP and one of the terms of the agreement is that if water levels in the Parker River falls below a certain point, then communities in the area, including Salisbury, need to put certain measures in place, which starts by restricting non-essential outdoor water use. As the Town's Water Commissioners, the Board is being asked to vote to take this step.

Selectman Abdulla moved that the Town adopt the non-essential water restriction required by the Town's water management agreement with DEP. Selectman Ray-Parrott seconded the motion and it was adopted unanimously.

Ms. Ray-Parrott asked that a notice of the water restrictions be disseminated via the Town's new social media outlets, and the Manager said he would see that this is done.

VII. Correspondence - none

VIII. Hearings – none scheduled

IX. Town Manager's Report

Mr. Harrington informed the Board that, due to the length of the meeting, he would not be presenting a formal report. He noted, however, that Connie's Stagecoach Restaurant inquired about outdoor seating and that they were provided with the necessary forms if they wish to include the service of alcohol outdoors, which needs to be improved by the Board. Otherwise, they just need approval from the Public Health Director.

X. Selectmen's Report

a. Ratification of Signing of Weekly Warrants:

Selectman Abdulla moved that the Board ratify the signing of the following weekly warrants W20-119 through W20-120. Selectman Ray-Parrott seconded the motion, and it was approved unanimously.

Selectman Abdulla expressed her regret at not having been able to attend the Triton High School graduation ceremony at Salisbury Beach. She heard it was a fun event and something that the graduates and their families will never forget. She also emphasized the importance of attending Town Meeting on June 22, noting that the Town has taken the proper precautions to hold the meeting safely.

Selectman McDonald reminded the public that election day is tomorrow, June 16, and that the polls are open from 10:00 AM until 8:00 PM at the Hilton Center.

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Selectman Ray-Parrott also congratulated the Triton graduates and their parents. It was a wonderful evening, with many parents thanking the Town for our support of the graduates. She also thanked the administration at Triton for all they did to make the event possible, and Ray Cote of the DPW, who was on site most of the day, helping things run smoothly. She also noted that she was happy to see the local restaurants being able to expand service outside, and she encouraged people in town to get out and support these businesses. She also urged people to come to Town Meeting.

Selectman Takesian also congratulated the Triton graduates and thanked everyone involved in making the graduation possible. He noted that steps were being taken to keep Town Meeting shorter than normal, including the waiving of the reading of warrant articles, and he urged people to show up and support the new Welcome Center.

Chairman Condon joined the Board in congratulating the Triton graduates and all those who worked so hard to make this special event possible. He also urged everyone to attend Town Meeting, as there are several important pieces of business that need to be acted upon, including the Town's annual budget and the proposed Welcome Center. Lastly, he expressed thanks to the Fire Department for responding so professionally to the recent fire on the waterfront.

XI. Executive Session -none

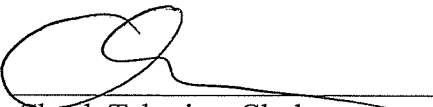
XII. Adjournment

Selectman Ray-Parrott moved that the meeting be adjourned. Selectman Abdulla seconded the motion and the Board unanimously voted to adjourn at 8:32 PM.

Documents provided at the meeting and on file in the Selectmen's Office:
Copies of memos presented to the Board by the Town Manager

Respectfully submitted:
Neil J. Harrington, Town Manager

Approved:


Chuck Takesian, Clerk