

MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, AUGUST 15, 2022 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM

PRESENT: Selectmen Chairman Chuck Takesian, Donna Abdulla, Wilma McDonald, and Michael Colburn

ABSENT: Ronalee Ray-Parrott

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 July 13, 2022 Special Meeting, July 18, 2022 Regular Meeting and July 28, 2022 Special Meeting

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve the Minutes of July 13, 2022 Special Meeting as written.

Motion by Selectman McDonald, Second by Selectman Colburn; unanimously voted to approve the Minutes of July 18, 2022 Regular Meeting as written.

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve the Minutes of July 28, 2022 Special Meeting as written

III. Public Comment

Tom Saab re: Beach Erosion Issues at Access Points 5 – 7

Mr. Saab first introduced Rick Rigoli, who read a “Declaration of Emergency and Administrative Orders”, which is on file in the Selectmen’s Office. Mr. Saab said he has lived in Salisbury since 1978 and was here when the Five O’Clock Club was washed into the ocean. He then gave an overview of all the storm damage along the beachfront, starting from the time of “No Name Storm” and Hurricane Bob right up to the present. He said that even though the beachfront and the dunes were re-built after each storm, he is still concerned about the beach erosion, especially between access 5 and 7. He said meetings are being held without remedies and it will cost \$250,000 to re-build the dunes, etc. Therefore, he is proposing that the Board declare a State of Emergency by signing the Declaration of Emergency and Administrative Orders which will pave the way for the State to move forward. Mr. Harrington noted that any action on this matter by the Board would be out of order, as such a vote was not previously posted as part of the agenda. Chairman Takesian thanked Mr. Saab and said the Board will take the matter under advisement. He then noted that there was a public hearing scheduled for 7:15 and it was already past that time, so he would continue public comment after the hearing.

VIII. Hearings

7:15 PM – Dangerous Dog Hearing

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to open the hearing at 7:25 PM.

Chairman Takesian noted that the owner of the dog(s) in question had requested a continuance of the hearing, since he was not able to be present. He asked for a motion to continue the hearing.

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Motion by Selectman McDonald, Second by Selectman Colburn; unanimously voted to continue the Hearing until September 12, 2022 at 7:15 PM.

Chairman Takesian then continued the Public Comment portion of the Agenda.

Ron Tony Giordano, a candidate for the Alternate's position on the Planning Board, spoke about his past experience in serving on boards in other communities and said he believes he is the best candidate to serve as the Alternate on the Salisbury Planning Board.

Windy Eaton read a statement suggesting that changes be made to the Town's Street Performers Policy. The Board said they will take this into consideration.

IV. Old Business

General License – Architectural Fence M.F.G. & Design – 156 Lafayette Road

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

Chairman Takesian asked the applicant if the property was for sale and he said it wasn't any longer and he plans on continuing with the fence company at this location.

Motion by Selectman McDonald, Second by Selectman Colburn; unanimously voted to approve the license, contingent on the Treasurer's office confirming that all taxes have been paid.

Planning Board: Two applicants requesting appointment as an Alternate for a term to expire June 30, 2023 – Warren Worth and Ron Tony Giordano

Motion by Selectman McDonald, Second by Selectman Abdulla; it was voted to appoint Warren Worth as an Alternate member to the Planning Board for a term to expire June 30, 2023. VOTE: 3 yeas, Selectman Colburn abstained. Motion carried.

V. New Business

a. License Renewals - none

b. New Licenses

Street Performers License: Richard H. Furr, Jr. – Singing with Speaker at Beach Center/Broadway

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve the permit for Mondays and Tuesdays from 12:00 noon – 6:00 PM at the Beach Center.

Special Event Permits:

2022 Seacoast Century Bicycle Ride – 7:00 AM – 5:00 PM on September 24, 2022

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve the permit, provided that there is a person or officer stationed at Ferry and Beach Road as suggested by the Police Chief.

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Salisbury Days – September 16, 17, and 18, 2022 – Lions Park, Beach Center, Town Square and Memorial Field from Friday Afternoon to Sunday Evening

Motion by Selectman Abdulla, Second by Selectman McDonald; unanimously voted to approve

Drive—In Movie Night – Hunt Memorial Parking Lot – Sept. 24, 2022 from 6:00PM – 10:30 PM

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve.

One Day Special Liquor License Permits

Seaside Brewfest – Lawn on “B”/Salisbury Beach Center – Sept. 17, 2022 from 4:00 PM – 7:00 PM

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve.

Salisbury Days Beer Tent – Memorial Field – 4:00 PM – 7:00 PM - Sept. 18, 2022

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve.

c. License Amendments - none

d. Liquor License Renewals - none

e. New Liquor Licenses - none

f. Committee Appointments

Historical Commission: 3 vacancies – one term expiring 6/30/23, one on 6/30/24 and one on 6/30/25; one applicant – Lance Wisniewski

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to appoint Lance Wisniewski for a three-year term to expire 6/30/25.

Ring’s Island Neighborhood Conservation Committee: Diane Dondero requesting to be re-appointed for a two-year term to expire 6/30/24.

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to appoint Diane Dondero for a two-year term to expire 6/30/24.

g. Update/Presentations: Building Inspector/ZBA

The Building Inspector was unable to attend this evening and will be re-scheduled.

Derek DePetrillo, ZBA Chair, opened by thanking the Town Manager for recently appointing another member. He reported that since the last update, the ZBA received 15 applications for variances/findings/special permits; 13 were approved, one was denied and one was withdrawn.

- Two new residential construction permits were approved for single family homes.
- Approved seven variances: one for height and six for front/side/rear setbacks.
- Two findings: one to raze and replace a single-family home and one addition.
- Five Special Permits: two accessory apartments; one to raze and replace a single-family home, one electronic message board and one was withdrawn.
- One Administrative Appeal was received and was denied.

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h. Vote to Sign and Approve Sale of \$12,918,010 General Obligation Bond Anticipation Notes, dated September 8, 2022 for the Sewer Construction, Bridge Road Water Main Replacement, Salisbury Beach New Visitors Center, and Ring's Island Neighborhood Flood Resilience Projects

Ms. Snow, Finance Director gave an overview of the proposed vote and stated that these are existing BANS that are being renewed and the Town is not doing any permanent borrowing at this time.

Selectman McDonald offered the following motion, which was seconded by Selectman Abdulla:

Voted: to approve the sale of \$12,918,010 4.00 % General Obligation Bond Anticipation Note (the "Notes") of the Town dated September 8, 2022 and payable September 8, 2023 to TD Securities (USA) LLC at par and accrued interest, if any, plus a premium of \$206,817.34.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated August 1, 2022 and a final Official Statement dated August 9, 2022, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures in such form as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by the, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

The motion was seconded by Selectman Abdulla and was approved unanimously.

i. Vote to Approve Cable Television License for Cocego US (NH-ME), LLC, dba Breezeline

Mr. Harrington reminded the Board that an Ascertainment Hearing was held in June and the public had the opportunity to comment on the proposed license. He also noted that the license agreement with Breezeline is virtually the same as the agreement between the Town and Comcast. All that is required tonight is a vote of the Board to proceed.

Motion by Selectman Abdulla, Second by Selectman McDonald; unanimously voted to approve the Cable Television License for Cocego US (NH-ME), LLC, dba Breezeline.

j. Vote re: Request of Historical Commission to Support Application to Place Town—Owned Buildings on 4th Street on the Preservation Massachusetts' List of Most Endangered Historic Resources

Ms. Hellwig, Chair of the Historical Commission, urged the Selectmen to vote in favor of supporting the Commission's application to nominate placing two Town-owned buildings on Fourth Street on

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Preservation Massachusetts' List of Most Endangered Historic Resources. After a brief discussion Selectman McDonald said she did not feel comfortable taking any action at this time.

Motion by Selectman McDonald, Second by Selectman Abdulla; the Board unanimously voted to table this matter.

k. Vote to Approve Contract with AFSCME Local #939 (Professional/Administrative/Technical Staff) FY2023-25

Mr. Harrington had provided a copy of the proposed contract and a summary to the Board prior to this evening. There was only one Selectman who said she had a question which the Manager answered. There were no other questions or comments.

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to approve the Contract.

VI. Sewer/Water

Vote re: Request for Sewer Extension at 46 Beach Road/2 Gravel Way

The Town Manager explained that this request comes from a Flexible Residential Development project that was approved by the Planning Board, which contains one existing property along Lafayette and two proposed properties on Gravel, one of which is existing. The DPW Director requested that a main be provided to accommodate the dwellings on Gravel Way and James Melvin of Millennium Engineering, representing the developer, said the developer has agreed to provide such a main.

Motion by Selectman McDonald, Second by Selectman Colburn; unanimously voted to approve the sewer extension as requested.

DPW Director Ms. DeMeo spoke to the Board about the current lack of rainfall, which has created drought conditions. She noted that with the current restrictions on outdoor watering the levels of water in the Town's wells is still very low and becoming worse. She said she and the Chief Water Operator would be monitoring the situation and would recommend whether more restrictions should be put in place. In the meantime, she urged all residents to conserve water.

VII. Correspondence

Notification from Xfinity re: program changes.

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:

XI. Executive Session - none

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XII. Adjournment

Motion by Selectman McDonald, Second by Selectman Abdulla; unanimously voted to adjourn at 8:40 P.M.

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

Minutes of July 13, 18, and 28, 2022

Copies of licenses and Permits as listed

Letters requesting appointment/re-appointment

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary


Approved: _____



Michael Colburn, Clerk

MEMORANDUM

To: Members of the Board of Selectmen

From: Neil J. Harrington, Town Manager 

Date: August 15, 2022

Re: August 15th Report to the Board

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

1) Contract Negotiations

There are two of the Town's seven unions that did not settle their FY23-25 contracts before funding for FY2023 was adopted at Town Meeting. I have spent a considerable amount of time over the past month trying to wrap up negotiations with these unions and get their contracts approved by the Board. I am pleased to report that the Administrative Professionals (clerical workers) Union agreed recently to a new contract, which is before you this evening for approval, and we are close to the end of negotiations, I believe, with the DPW workers.

2) Hope Chapel Bell Dedication Ceremony

On August 10, I attended a ceremony hosted by the SBBA at which the restored Hope Chapel Bell was installed at a highly-visible location near the entrance to Broadway in the corner of the beach parking lot. Several people who played a role in helping to restore the bell were present and Ray Champagne of the SBBA, who spearheaded the effort, described all the work that went into restoring this community effort. Congratulations and thanks to everyone who helped make this restoration and event possible.

3) New Legislation

A number of important pieces of legislation were passed by the General Court toward the end of July and approved by the Governor in early August, many of which may have a significant impact on the Town. Among these was a new law affecting host community agreements with marijuana growing and retail operations; an infrastructure bond bill; a climate and clean energy law; a general government bond bill, which includes large amounts of funding for various grant programs; and a bill providing for extra one-time Ch. 90 funding. I will be reviewing each of these new laws to see how Salisbury may benefit from them, particularly in the areas of grant funding and money for infrastructure projects, and I will provide summaries for the Board and relevant department heads as soon as possible.

4) Home Rule Bill

The end of the formal legislative session also provided movement for Salisbury's Home Rule bill authorizing the State to convey to the Affordable Housing Trust a parcel of land at 39 Beach

Road for affordable housing purposes. I am hopeful that this bill will receive final passage and approval by the Governor during the Legislature's informal sessions over the next few months.

5) Staffing Changes

In preparation for the takeover of the maintenance operation and billing for the Town's water supply system, we hired five new staff people, including two former employees of Pennichuck. In addition to the four new employees in the field, we hired Susan Johnson (formerly of the Planning Dept.) as the new administrative staff person for water, and we recently filled her previous position with Ellie Cornoni, who started recently. We also filled the vacant Business manager's position at DPW with Kate White, who transferred from the Building/Health Dept., and we filled her previous position with Jennifer Geary from Planning. We are now looking for a replacement for Ms. Geary in Planning. These personnel hires happened in addition to the two new full-time employees we hired at the beach earlier in the spring and a new regular full-time employee in the Highway Division at DPW. So, there have been quite a few personnel changes over the past 3-4 months.