

BOARD OF SELECTMEN MINUTES OF JULY 8, 2013

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.

At this time, Chairman Richenburg presented a Citation to Capt. Dana Chouinard of the Salisbury Fire Department for his heroic actions in saving a drowning victim on the night of June 24th at the beach.

II. Acceptance of Minutes - none

III. Old Business

Class II - Eastern Auto – 123 Bridge Rd.

The applicant notified the Board via e-mail that he was not following through with this application at this time. No action taken.

IV. New Business

a. License Renewals - none:

b. New Licenses

Motion by Selectman Hunt, Second by Selectman Condon; unanimously voted to approve a **Special Event Permit** to the Salisbury Beach Partnership for a Relay Race on July 21st as part of the Sand & Sea Festival

c. License Amendments - none

d. Committee Appointments

Harbor Commission – 4 openings for 3 years and 1 alternate – 5 applicants

Don Jansen, Reggie Santos, Wayne David, Lance Thokle, Christopher Chapmen, and Tom Olsen

Motion by Selectman Hunt, Second by Selectman Knowles; voted to table these appointments until the first meeting in September. VOTE: 4 yeas – Selectman Beaulieu opposed. Motion carried.

Housing Authority – 1 opening for 5 years – 1 applicant: Joan Bureau

Motion by Selectman Hunt, Second by Selectman Condon; unanimously voted to re-appoint Joan Bureau to the Housing Authority for a 5 year term to expire June 30, 2018.

e. Update/Presentations: none

f. Notification of Intent to Sell the Property at Unit 6b Sandpiper Way, Unit 33 – Salisbury Woods

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted that the Town decline to exercise its right of first refusal and purchase this property.

g. Vote to Establish Earth Filling Permit Fee

Mr. Harrington explained that at the Board's last meeting it was voted that he and Ms. Pearson develop a recommendation for the fee to be established. They did meet and a recommendation was given to the Selectmen, which was voted on and adopted as follows:

Motion by Beaulieu, Second by Selectman Knowles; unanimously voted to adopt an application fee of \$500.00 and a permit fee of \$.10 per ton of fill in excess of 2,000 cu. yards, with a cap of no more than \$10,000.00 per application.

Mr. Harrington noted that, under his authority, he would establish an application fee for filling of between 500 to 2,000 cu. yards in the amount of \$250.00 and a permit fee of \$.25 per ton of fill.

h. Vote to Approve PILOT Agreement with CD US Solar PO I, LLC

Mr. Harrington had provided the Board with the latest draft of a proposed PILOT Agreement with CD US Solar PO1, LLC, the owner of the solar facility at 12 Rabbit Road, which had been sent to Town Counsel for review. However, the owner's attorney had not responded. Therefore, Mr. Harrington noted that the Board may sign the Agreement if they wish, but suggested that it might be better to table the item until the final terms are agreed upon by the owner.

Motion by Selectman Condon, Second by Selectman Beaulieu; unanimously voted to table.

i. Discussion on a Water Problem at Ferry & Roberts Rd.

Mr. Eaton addressed this problem and stated that he's been collecting water that runs down his driveway; he has a report from Port Engineering (which he provided to the Board) and he stated that he did not create the problem and if the Town won't take care of it he will do it himself and fill in his land. The DPW Director stated that he was down there several days ago and the torrential rainfall caused muddy and flooded areas, one being at the corner of Ferry & Roberts Road. DPW cleaned the line from Ferry Road down to Roberts Road and found a root blockage in the catch basin that was cleared and most of the remaining line was clean. He feels they resolved the problem for now and the Town has it on the schedule to treat and clean out the pipes and he will continue to monitor the problem and treat it. He said he never saw the engineering report but would get a copy and he agreed to meet with Mr. Eaton tomorrow to go over the problem. Selectman Condon asked Mr. Eaton if he could live with the fact that Mr. Levesque will read the report and then meet with him. Mr. Eaton's reply was that he was going to be filling the area in. When asked if he will give Mr. Levesque one more chance and be patient for a day or two, Mr. Eaton agreed.

V. Comments by Visitors

Chuck Colburn, representing the Lions Club, announced that the blood mobile will be at the Hilton Center on Friday, July 12th and urged people to participate.

John Dupray – 37 Ferry Road, provided photos of a pond behind his house indicating that it belonged to Pettengill Farm and that the water can be drained by maintaining the pipe. No action taken.

Fred Bishop – 51 Dock Lane, stated that he had spoken about an issue to the Board last Fall under "Comments from Visitors" and because it was not an agenda item no action could be taken. Therefore, he said he will ask to be on the agenda anytime he has a problem and he said he wanted to be on the next agenda. He then asked why the Blackboard Wall was not removed when the Board ordered it to be done. Selectman Hunt said what changed his mind was that the person had simply asked for it to be moved and the Salisbury Beach Partnership, who pays thousands of dollars to the Town, was responsible for the Wall in the first place and he felt that to remove it could have caused more problems than just moving it, and he feels that by taken the walls down the Town would be "giving in"

to those who don't care. He also stated that he personally goes down and monitors the boards and hasn't

seen one obscenity. Mr. Bishop then asked who the Clerk of the Works is going to be for the library and the Manager said the clerk of the works has not been selected yet.

Bill Selig – Pike Street, said he was present because of the vote that the Selectmen took on July 1st not to enter into negotiations for a host agreement for a slots gaming facility, which basically took the vote away from the people. He claimed that the Selectmen's actions took his right and everyone else's right to vote away by not letting them participate in the process.

VI. Sewer/Water

VII. Correspondence

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 Hunt; unanimously voted to ratify the signing of the following weekly warrants: W13-200 thru W13-208.

Selectman Beaulieu referred to the notice re: flood insurance that was enclosed in the recent tax bills and he pointed out changes that are being made and he indicated that he will be setting up a schedule to meet with residents who may have questions about the changes.

Selectman Hunt paid tribute to Fred Abdulla, owner of Joe's Playland, who passed away a few days ago.

Chairman Richenburg scheduled a Special Meeting to be held on Thursday, July 11th at 4:30 PM to discuss the PARC Grant application, and a workshop on July 22nd at 6PM to set the goals & objectives for FY14. He also reported that Brad Kutcher's accountant will be bringing forth the report that the Board has been waiting for, on Wednesday July 10th.

XI. Executive Session - none

XII. Adjournment

Motion by Selectman Hunt, Second by Selectman Beaulieu; unanimously voted to adjourn at 8:37 PM.

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

Special Event Permit as listed

Notice of Intent to Sell

PILOT Agreement

Earth Filling Permit Fee Information

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary

Approved: _____
Fred Knowles, Clerk