

BOARD OF SELECTMEN MINUTES OF OCTOBER 7, 2013

PRESENT: Selectmen Henry Richenburg, Chairman; Ed Hunt, Fred Knowles, Donald Beaulieu and Freeman Condon

ALSO PRESENT: Neil J. Harrington, Town Manager and Agnes Donovan, 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.

**II. Acceptance of Minutes
Minutes of September 23, 2013**

Motion by Selectman Beaulieu, Second by Selectman Knowles; unanimously voted to approve the Minutes of September 23, 2013.

III. Old Business - none.**IV. New Business****a. License Renewals - none****b. New Licenses****Special Event Permit – Winners Circle Running Club – New Years Day “Hangover” Classic Road Race**

Nick Paquette, Volunteer Race Director, addressed the Board and stated this was the 33rd race, which benefits charities.

Motion by Selectman Condon, Second by Selectman Hunt; unanimously voted to approve the Special Permit for the Winners Circle Running Club – New Years Day “Hangover” Classic Road Race.

c. License Amendments - none**d. Committee Appointments:****Liquor License Commission**

Motion by Selectman Beaulieu, Second by Selectman Hunt; unanimously voted to Table this article.

Harbor Commission – Reggie Santos*, Wayne David*, Don Jansen*, Christopher Chapman, Tom Olsen, Peter Marggraf

On a roll call vote, Selectman Hunt nominated A. Wayne David and it was unanimously to re-appoint him for a three-year term expiring on June 30, 2016.

On a roll call vote, Selectman Condon nominated Reggie Santos and it was unanimous to re-appoint him for a three-year term expiring on June 30, 2016.

On a roll call vote, Selectman Knowles nominated Don Jansen; Selectman Hunt – Peter Marggraf; Selectman Condon – Peter Marggraf; Selectman Beaulieu – Peter Marggraf; Chairman Richenburg – Peter Marggraf. By a vote of 4 – 1, Peter Marggraf was appointed for a three-year term expiring on June 30, 2016.

On a roll call vote, Selectman Beaulieu nominated Don Jansen; Selectman Knowles – Don Jansen; Selectman Hunt – Tom Olsen; Selectman Condon – Tom Olsen; Chairman Richenburg – Tom Olsen. By a vote of 3 – 2 Tom Olsen was appointed for a three year term expiring on June 30, 2016.

On a roll call vote, Selectman Hunt nominated Christopher Chapman to the alternate position; Selectman Condon – Christopher Chapman; Selectman Knowles – Don Jansen; Selectman Beaulieu – Christopher Chapman; Chairman Richenburg – Christopher Chapman. By a vote of 4 – 1 Christopher Chapman was appointed as an alternate.

e. Update/Presentations: Town Clerk/DPW Director/Planning Director

Wilma Mahoney, Town Clerk, reported that since she last reported to the Board there have been three elections and two Town Meetings. She stated that Salisbury was one of the eighty-six communities that decided this past spring to take advantage of the dual election process both to save money and increase voter turnout. Ms. Mahoney stated that the processing of parking tickets as produced \$45,180 for the town coffers to date in this fiscal year. She advised the Board that the annual fall town meeting would be on Monday, October 28th at 7:00 pm at Salisbury elementary school and that final voter registration would be on Friday, October 18th. Ms. Mahoney stated that Town Meeting would include an article to amend the late licensing fees for dogs.

Finally, Ms. Mahoney advised the Board she will be retiring after 25 years of service. The Board thanked Ms. Mahoney for her professionalism, availability, and valuable service to the Town.

Lisa Pearson, Planning Director, provided an update on the Town Creek project, saying that the contractor would begin mobilizing next week and that they are negotiating for equipment access to the project with Enpro so they do not have to drive through Mudnock Rd. Ms. Pearson said they will be in the water by November 15th. Selectman Beaulieu asked who would be closing the trail since the end date is March and Ms. Pearson said the contractor will put up two fences. In response to a question from Selectman Richenburg, Ms. Pearson said the gates at Town Creek have been ordered and are ready to be installed.

Ms. Pearson advised the Board that there would be an informational session regarding the Stretch Code on October 15th at the Senior Center.

Ms. Pearson said that there would be a Rail Trail cleanup on November 23rd. She advised the Board they are working on a Rail Trail extension from the Memorial school to Pearson's Pit and that Iron Horse will be making the connection and the work on the connection will begin in next two weeks. She stated they are working to finalize the Ameresco energy audit.

Ms. Pearson gave an update on the Library project. They are working on establishing committees/subcommittees. Ms. Pearson is working on the fundraising and grant writing committees. They are also working on a separate committee for temporary relocation of the library and are currently working on finding space.

Ms. Pearson stated she is working with Jerry Klima and that they are hoping for Mass Highway TIP funding for the Amesbury/Salisbury Rail trail connection.

Ms. Pearson provided an update on 29 Elm Street, which is a Brownfields project, stating that they met with MVPC and the Town is seeking a grant or partial loan for the remaining funds. This project should go out to bid next spring.

Ms. Pearson said there was an RFP for Spaulding School and 29 Elm Street.

Ms. Pearson said that the first lottery for affordable 40B housing units at Northpointe was completed with three candidates from the 60% median income criteria and two from the 80% median income criteria. Ms. Pearson stated that there will be a second lottery for the remaining 40B units next summer. In response to a question by Selectman Knowles, Ms. Pearson said that out of the first five successful candidates, four were local preference.

Ms. Pearson said they are finalizing the bonds for the 191 Beach Road project.

Ms. Pearson said that CDBG was finalizing the second phase for Gardiner Street project, and that the Lincoln Street project was funded and would go out to bid over the winter.

VIII. Verizon – Set Pole Hearing

At this time, the Board of Selectmen took up the Verizon – Set Pole Hearing item. Selectman Beaulieu noted that there was no one present for this item.

Motion by Selectman Condon, Second by Selectman Hunt; unanimously voted to postpone the Verizon Pole Hearing until November 4, 2013 at 7:30 PM in the Colchester Room.

IV. New Business**e. Update/Presentations: Town Clerk/DPW Director/Planning Director - continued**

Mr. Levesque, DPW Director, following up on Ms. Pearson's report, stated his concern that when installing the Town Creek gates that people must consider the necessary lead time for submittals and products.

Mr. Levesque, gave an update on the following items the DPW is working on:

-Paving Project – Mr. Levesque said they have laid down 33,000 tons of asphalt.

-The Central Ave. sidewalk paving project was weather related and should be completed at the end of this week. In response to a question by Selectman Knowles, Mr. Levesque said that on Central Ave. asphalt is being placed over the existing sidewalk.

-He said that half of Mudnock Road has been paved and the other half will be done next year.

-He said there is work being done on Ferry Lots Lane which will also be finished next year.

-Mr. Levesque stated they have cleared seven hundred catch basins.

-New lighting, trimming, sweeping, cleaning and other work has been done at Lions Park.

-Verizon is the vendor for the Cell Tower and the DPW is reviewing the plan as they do not want the antennae on the tank but on the concrete. He noted that the Town has control over the placement of equipment on the water tank. Selectman Hunt stated that he wants the BOS to review the contract for wireless communications equipment on the water tank.

-Mr. Levesque stated that the Whittier Bridge project is moving forward and so far so good. Also MassDOT will be installing new signalization with high end cameras at four intersections, and they should be ready to pave in about four to six weeks.

-The water ban restrictions are being removed.

-In response to bond questions about the 191 Beach Road project, Mr. Levesque said that for now there were two bonds which were being reviewed by Kopelman and Paige and that a performance bond would come later. In response to a question by Selectman Richenbourg, Mr. Levesque stated the bond would be sufficient to cover potential damages.

-Mr. Levesque mentioned pot holes and said the worst areas were at the beach and they have plans to re-do Central Ave.

V. Comments by Visitors

Chairman Richenbourg reviewed the rules for people addressing the Board under "Comments from Visitors," including that all speakers must provide their name and address.

Tom Saab of the Salisbury Beach Citizens for Change addressed the Board. He stated that he was dissatisfied that the Town Manager had criticized his organization publicly for disseminating an article that had recently appeared in the Valley Patriot regarding the Tomaselli sisters and their complaints against the Town. She claimed that his sending the article to several hundred homes in Salisbury did not amount to an endorsement of the Tomasellis' complaints, although he said he believed that the way in which the Town charges residents for sewer use is illegal. He said he had nothing to do with the article and that he sent out the link to the article out to keep his group informed. He also complained that when he had requested to be placed on the Selectmen's agenda, he was informed that he would have to address the Board under "Comments from Visitors." Mr. Saab requested an apology from Mr. Harrington.

Mr. Harrington, Town Manager, responded saying that the article contained several false and misleading claims by the Tomasellis and that no one from the Valley Patriot had contacted the Town to check to see if the article was accurate. Mr. Harrington said it was irresponsible for the Salisbury Beach Citizens for Change to distribute the article to several hundred Salisbury residents and then claim the organization was not taking the Tomasellis' side in their ongoing legal battles with the Town.

Mr. Harrington stated that there will be no apology from him. He said it was his job to defend the Town and stand up for what's right and protect the Town's interests.

Paula Moore, 180 North End Blvd., asked for an update regarding possible placement of sand at the beach. Mr. Harrington responded that has not committed to putting sand in front of several homes on the north end of the beach, where it is badly needed.

VI. Sewer/Water - none

VII. Correspondence

- Letter from Ken Trofatter, Parks and Recreation Chair Person, informing the BOS of the fall Festival and Hayride planned for Saturday, October 26, 2013 from 1 p.m. to 4 p.m.
- Notification from Comcast regarding an increase of the reactivation service charge from five dollars to six dollars.

VIII. Verizon – Set Pole Hearing – see above.

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. Included in Mr. Harrington's report was an update on the Blackwater River Flood Control Project. He stated that he, the Conservation Agent, and the DPW Director met with the Army Corps and that now the Corps is ready to get back on track and move forward with the environmental permitting and approving the appraisal work on the easements. He stated he will send out a written update on the project.

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: W14-48 thru W14-66.

Selectman Condon corrected Mr. Saab regarding the Board doing nothing about Water and Sewer, and he stated that a committee has been formed. Selectman Condon said that he agrees with the Manager regarding the article and he thinks the Manager's response was measured and moderate and he said that sending out a link infers support. Selectman Knowles said he concurs with Selectman Condon.

Selectman Beaulieu that the court provided a date to the Tomaselli's to reclaim their property by paying back taxes and fees. Selectman Beaulieu said the Town had been notified that the Tomaselli's have declared bankruptcy. Manager Harrington confirmed Selectman Beaulieu understanding that this means there is a stay on collection.

XI. Executive Session - none

XII. Adjournment

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to adjourn at 8:35PM.

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

Minutes of Sept. 23, 2013

Town Manager's Report

Letter from Xfinity (Comcast) re increased Reactivation fee

Letter from Ken Trofatter advising BOS of Fall Festival and Hayride.

Respectfully submitted:

Agnes Donovan, Secretary

Approved: _____
Fred Knowles, Clerk