

BOARD OF SELECTMEN MINUTES OF SEPTEMBER 14, 2015

PRESENT: Selectmen Freeman J. Condon, Chairman; Wilma McDonald, Ed Hunt, Henry Richenburg, Wilma McDonald and Chuck Takesian
ALSO PRESENT: Neil J. Harrington, Town Manager and Janet Flannery, Secretary

I. Call to Order/Salute to the Flag

Chairman Condon 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 August 10, 2015

Motion by Selectman Richenburg, Second by Selectman Takesian; unanimously voted to approve the Minutes of August 10, 2015 as written.

III. Old Business - none

IV. New Business

a. License Renewals:

Motion by Selectman Richenburg, Second by Selectman Takesian; unanimously voted to renew a **General** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Sullivan's Studio – 87 Lafayette Rd.

b. New Licenses

Motion by Selectman Takesian, Second by Selectman Richenburg; unanimously voted to approve a **Class II** license for Bill's Auto Sales – 60 Main St. (new ownership).

Motion by Selectman Richenburg, Second by Selectmen Takesian; unanimously voted to approve a **General** license for J&N Carpets – 156 Elm St.

Motion by Selectman Richenburg, Second by Selectmen Takesian; unanimously voted to approve a **General** license for Footloose Dance Studio – 1 Merrill St.

Motion by Selectman Takesian, Second by Selectmen McDonald; unanimously voted to approve a **General** license for Express Food Mart – 183-185 No. End Blvd. (new owner)

Motion by Selectman Hunt, Second by Selectman Takesian; unanimously voted to approve a **Special Event Permit** to the Winner's Circle Running Club for the Annual Cassidy's 5K on September 26, 2015.

c. License Amendments

Motion by Selectman Richenburg, Second by Selectmen Hunt; unanimously voted to approve an amendment to a **General** license for Allbright Hands On Massage – 191 Elm St. (name change only: previously Merrimack Valley Massage)

Motion by Selectman McDonald, Second by Selectmen Hunt; unanimously voted to approve an amendment to a **General** license for Ambassador Limousine – 128 Elm St. by adding the name of Amal Abouzied to Joseph's name.

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d. Committee Appointments – Board of Registrars – 1 opening for 3 years: 1 applicant – Mark Whitmore

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to appoint Mark Whitmore to the Board of Registrars for a three-year term to expire March 31, 2018

e. Update/Presentations: Town Clerk/Conservation Commission

Ms. Albertelli, ConComm Chair, reported that since her last update of March 15th the Commission has approved 9 Notices of Intent, 9 Requests for Determination, issued 6 enforcement orders, and 1 emergency certification.

She also reported that the Town and DCR are involved with a federal Resiliency Grant from the Hurricane Sandy Program to replace sand which would improve the beach as well as the dune and marsh restoration. She is not sure when the dune restoration will take place. Regarding the dredging of the Piscataqua River, the Merrimack River Beach Alliance has expressed an interest in having its member communities receive 375,000 cubic yards of dredged material that will be available. However, plans for acquiring the material are still in the early stages of development. If Salisbury, Newburyport and Newbury are interested in the material, there will have to be an agreement in place on the distribution of the material and how it will be paid for before the dredging project begins next fall.

The repair of the North Jetty is on-going and the parking lot will continue to be partially closed for safety reasons until the project is finished. The Commission is anxious for the repairs to be complete.

Town Clerk Mindy Morrison reported that this summer was busy with parking tickets, which were up considerably since last year, although parking meter tickets were down. There's been a steady stream with marriage licenses and her office has been busy. The Fall Town Meeting is scheduled for October 26th and the last day to register to vote at the meeting is October 16th. This will be a quiet year for elections but next year will be what she refers to as the "Super Bowl" of elections. Selectman Takesian recognized and commended Mindy on the excellent job she has done since taking over. She thanked him and said she had a good teacher in Wilma McDonald.

f. Vote to Approve Sale of Bond Anticipation Notes for Police Station Building Project

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously

Voted: to approve the sale of the \$10,700,000 2.00 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated September 17, 2015, and payable September 15, 2016, to TD Securities (USA) LLC at par and accrued interest, if any, plus a premium of \$177,085.00.

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 27, 2015, and a final Official Statement dated September 10, 2015, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Treasurer to review and update the Town's post-issuance federal tax compliance procedures, as appropriate, with such changes as the Treasurer and bond counsel deem sufficient 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 them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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V. Comments by Visitors

Tom Saab of the Salisbury Beach Citizens for Change said he was here to speak about the Piscataqua River Project that will begin in the fall of 2016. He expressed the hope that the State will pay for some portion of the dredged material, but he realized that the Town will have to pay something as well, and he wanted the Board to know that he supports the Town finding the funds to be able to put the sand in Salisbury. He then noted that there is going to be a meeting of local officials to discuss the issue of apportionment of the dredged material and asked if he and some members of his organization could attend this meeting. Mr. Harrington said that would be up to Senator Bruce Tarr, since he is the Chairman of the MBRA.

Mr. Saab also said he is hoping for the dune from Access 6 down to the Seaglass Restaurant to be rebuilt. He realizes that dune erosion is an on-going thing and will be with us forever due to the way the tides are, and that it might take an annual commitment to rebuilding the beachfront and dunes. He asked the Selectmen to stay on top of this issue. In closing, he asked if his group could be included when there are events such as grand openings, groundbreaking, etc.

Atty. Paul Magliochetti, representing Salisbury Beach Citizens for Change, said he knows that the sewer rate charges were increased last year and are reviewed periodically by the Board, and he said he was appearing at the meeting on behalf of the organization to make sure the Board continues to review the process, and he hopes that the Board eventually will consider changing sewer use charges so they are tied to the water meter system.

Gracemarie Tomaselli asked to address the Board. Chairman Condon said she had 3 minutes to speak and asked her to confine her remarks to matters that had not already been discussed before the Board previously. She then referred to the meeting of July 13, 2015 when she gave documents to Chairman Condon and she asked if these documents had been distributed to the other members, and he said that copies had been given to all members. She then began to speak about issues relating to her lawsuits against the Town, and Chairman Condon informed her that the Board was not going to entertain a discussion of these issues again. She was asked repeatedly to sit down and she refused until she was told that she would be removed. Joyce Tomaselli then addressed the Board and said she wanted the Board to instruct Town Counsel to accurately give information to the courts when they represented the Town. She was told she was out of line and was asked to sit down because the issue of the Tomasellis' lawsuits was not going to be discussed any further. She was not cooperative, but after several attempts by the Chairman she finally sat down.

Bob White of 11 Atlantic Ave. asked for an update regarding the vote at Town Meeting relative to spending \$30,000 to renovate the restrooms at the beach, and he asked if anybody is thinking of what is going to happen to with the old police station. Mr. Harrington replied that plans for the comfort station would be reviewed after the season, and that a plan for the reuse of the police station would also be developed. Mr. White said he did speak with Sen. Tarr and said he is of the opinion that Salisbury will get about 200,000 cubic yards of sand from the Piscatqua River dredging project, and he is hoping that when the time comes the Town will be able to come up with the necessary funding, which he heard could be as much as \$400,000.

VI. Sewer/Water

VII. Correspondence

Comcast Connections flyer - Notification of their offering of Internet Essentials.

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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 Richenburg, Second by Selectman Hunt; unanimously voted to ratify the signing of the following weekly warrants: W16-19 thru W16-37.

b. Subcommittee Reports

Library: Mr. Richenburg noted that next Monday, Sept. 21, is the opening of the new library. This will be a "soft" opening with the grand opening scheduled for October 2nd. Selectman Hunt thanked Selectman Richenburg for all the work and time he has put into this project from the very beginning.

Lafayette Corridor Sewer Extension: Mr. Richenburg reported that there is nothing new happening; but that engineering studies are ongoing..

Selectman Hunt:

- Asked if there has been any follow up re: the resident who came in and spoke about the sprinkler system that wasn't activated.
- Read the article re: Red Ridge Farm and said it's nice to see that the Manager is working with the applicants. He said he never received a complaint until after the fact and he doesn't like to see things like this in the paper.
- Asked for a status report on Well #8 and how close it is to being on line. Mr. Harrington said that according to the DPW Director it will be on line before the winter and he will have Mr. Levesque give a report to the Board.

Selectman McDonald said at the last meeting the Board talked about forming sub-committees to streamline the licensing process and to work out a plan for resident parking on Vermont Street. Bob White and Tom Saab volunteered to work with Selectmen Hunt, Takesian and McDonald on the resident parking issue.

Selectman Richenburg reported that he recently had a medical emergency that required the fire, police and ambulance and his family appreciated the professionalism they displayed and he wanted to publicly thank everyone on behalf of his family.

Selectman Takesian referred to the Red Ridge Farm issue and that they are going to be before the ZBA next Tuesday, Sept. 22. He appealed to the people who have something to say, pro or con, to attend and be heard.

XI. Executive Session - none

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XII. Adjournment

Motion by Selectman Takesian, Second by Selectman Richenburg; unanimously voted to adjourn at 8:20 PM.

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

Minutes of August 10, 2015

Copies of licenses as listed

Info on the Sale of Bond Anticipation Notes

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary

Approved: _____

Chuck Takesian, Clerk