

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING  
MONDAY, JANUARY 8, 2018 – 7:00 PM  
SALISBURY TOWN HALL, 5 BEACH ROAD  
COLCHESTER ROOM**

**PRESENT:** Selectmen Chuck Takesian Chairman; Wilma McDonald, Henry Richenburg,  
Freeman J. Condon, and 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 7:04 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. The Chairman then asked for a moment of silence in memory of Patricia Janvrin, who passed away this past weekend. Mrs. Janvrin had served on the School Committee for a number of years and was the wife of former Selectman Harold "Brud" Janvrin.

**II. Acceptance of Minutes**

**Minutes of December 17, 2017**

Motion by Selectman Richenburg, Second by Selectman Ray-Parrott; voted to approve the Minutes of Dec. 17, 2017. VOTE: 4 yeas – Selectman McDonald abstained because she was not present at that meeting.

**III. Old Business - none**

**IV. New Business**

**a. License Renewals:**

Motion by Selectman Ray-Parrott, Second by Selectman Richenburg; unanimously voted to renew a **Common Victualer** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: Bucciarelli's Butcher Shop – 147 Bridge Rd., Crossroads Pizza – 1 Merrill St., Family's Chinese Restaurant – 139 Elm St., Uncle Eddie's – 8 Oceanfront, Dunkin Donuts – 192 Elm St., Foote's – 159 Beach Rd., Annarosa's – 175 Elm St. and Vinnies Beach Side Café – 183 NEB.

Motion by Selectman Ray-Parrott, Second by Selectman Richenburg; unanimously voted to waive the reading of all the **General** licenses.

Motion by Selectman Ray-Parrott, Second by Selectman Richenburg; 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: Jocelyn Marine – 159 Bridge Rd., Emergency Ice Co. – 168 Bridge Rd., Gourmet Pantry – 160 Beach Rd., Red Ridge Farm – 35 Bayberry Lane, Proactive Chiropractic – 102 Bridge Rd., TFL USA/Canada – 72 Elm St., Special Stars Performing Arts – 133 B Elm St., A Hair Better – 6 Merrill St., Aurora Ballroom Dance School – 141 Bridge Rd., NE Chocolate Co – 123 Lafayette Rd, 5 – Yogi Convenience Store – 5 Bridge Rd., Daisy Disc – 167 Bridge Rd., Anderson Landscaping – 168 Elm St., R&L Liquors – 105 Elm St., Sherwin Williams Co. #5333 – 175 Elm St., Sanborn Co. – 11 Cushing St., Seaside Resorts – 3 Liberty St., Corbin's Boatyard – 4 Second St., Harbor Garden Ctr. – 53 Bridge Rd., Dog Tails – 15 Main St., Pandora's Box – 141 Bridge Rd. Suites 103 & 104, Salon 42° / 70° - 165 Bridge Rd., Raja's Smoke Shack – 158A Bridge Rd., Curdoo, LLC – 141 Bridge Rd, W. Harrison & Sons – 12 Harrison Ave., Paradise Spa – 141 Bridge Rd., Caldwell Motorcycle Service – 193 Elm St. Unit 4, JW Salon – 158 Bridge Rd. Unit B, Funny Girl Designs – 102 Bridge Rd., Salisbury Carwash – 191 Elm St., Chance to Run Dog Daycare – 166 Elm St., Sun Fun Tanning – 175 Elm St., Tint Autos.com – 2 School St., Angela Conte Designs – 1 Derby Ln, Old

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Time Sports – 10 Fanaras Dr., Kurgo – 2D Fanaras Dr., South Port Marine – 91 Bridge Rd., CVS – 2 Lafayette Rd., Plantwerks, Inc. – 102 Bridge Rd., NAPA – 158 Bridge Rd., Salisbury Energy – 157 Bridge Rd., Hidden Treasures Holistic & Therapeutic Massage – 38 Lafayette Rd., Units B & D

**Class II – Congdon Auto Repair & Sales:** Motion by Selectman Richenburg, Second by Selectman Ray-Parrott; unanimously voted to place the matter before the Board for discussion.

Selectman Ray-Parrott indicated that she had a problem with making a decision on the renewal for this particular licence tonight and asked if this license is connected with Mr. Congdon's Class III license. Selectman Richenburg questioned the size of the lot represented on the Class II license renewal and stated that he needs clarification on that issue as well as the legal address of the business. Based on the information presented at the last meeting by an attorney representing an abutting family, the Harrisons, Mr. Richenburg said he would like to get all the questions out relative to Mr. Congdon's licenses and would like Mr. Congdon to submit an application for the renewal of his Class III license as well.

Motion by Selectman Richenburg, Second by Selectman Ray-Parrott; unanimously voted to table the **Class II** license application for Congdon Auto Repair & Sales – 50 Elm Street until the next meeting and to direct the Town Manager to send a letter to the applicant requesting that he be present at the next meeting of the Board to address the Board's questions and concerns.

Motion by Selectman Richenburg, Second by Selectman Ray-Parrott; unanimously voted to renew a **Repair** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: Shop Time – 2 School Street and Rob Roy Auto – 49 Main Street.

Motion by Selectman Richenburg, Second by Selectman Ray-Parrott; unanimously voted to renew an **Entertainment** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: Good Fortune – 2 Elm St. – karaoke & DJ, Antonio's Pizzeria – 188 Lafayette Rd. – 2 pool tables/live entertainment; karaoke/piano/DJ, Hideaway Pub – 183 No. End Blvd. – juke box/acoustic music & trivia, and Kitten's – 99 Bridge Rd. – live adult entertainment and DJ/2 pool tables & 3 video games.

Motion by Selectman Richenburg, Second by Selectman Ray-Parrott; unanimously voted to waive the reading of the remaining **Entertainment** licenses.

Motion by Selectman Ray-Parrott, Second by Selectman McDonald; unanimously voted to renew an **Entertainment** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: The Deck – 179 Bridge Rd. – karaoke/live entertainment/DJ, Pat's Diner – 11 Bridge Rd. – Juke Box, Cinemagic – 6 Merrill St. – arcade, Sylvan Street Grille – 195 Elm St. – Live entertainment/Juke Box, Ten's Show Club – 11 No. End Blvd. – Live adult entertainment & DJ, Gracies Bar & Grill – 5 Broadway – Pool table/live music/DJ (2 licenses), Seaglass Blue Ocean Event Center – 4 Ocean Front – live entertainment, Surfside – 25 Broadway – Live entertainment/DJ, Capri – 3 Central Ave. – Live entertainment: trivia, soloists, Blue Ocean Music Hall and Event Center – 4 Ocean Front North – Live Entertainment/DJ, and Uncle Eddie's – 8 Oceanfront – Bands & DJ/Juke Box/Pool Table (3 licenses)

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Motion by Selectman Richenburg, Second by Selectman Ray-Parrott; unanimously voted to approve a **Sunday** license for: Gracies Bar & Grill – 5 Broadway, Uncle Eddie's – 8 Oceanfront, Cinemagic – 6 Merrill St., Captain's Corner – 75 Main St., Blue Ocean Music Hall & Event Center – 4 Oceanfront No., Seaglass – 4 Oceanfront, and Surfside – 25 Broadway.

**b. New Licenses – none**

**c. License Amendments - none**

**d. Committee Appointments - none**

**e. Update/Presentations: Planning Board**

Gina Parks, Vice Chairman, reported that the Planning Board has a full membership plus an alternate member. Since their last report on July 17<sup>th</sup> they have: approved 1 subdivision, 1 site plan review with two pending, and endorsed 3 ANR's. Inclusionary money (Affordable Housing) was collected in the amount of \$66,540.50. Ongoing projects and initiatives consist of the Lafayette Road – Main Design guidelines, updating the Board's rules & regulations, and zoning review. There were three positive recommendations to the 2017 Fall Town Meeting, all of which passed and they were: amendments to Article XVIII, Site Plan Review, amendments to Article XIX, Wireless Communication Facilities, and adding a new article, temporary moratorium on recreational marijuana establishments.

**f. Discuss Selectmen's 2018 Schedule of Meetings**

It was noted that a typographical error was made to the schedule adopted at the last meeting concerning the second November meeting in 2018. The correct date should be November 19. Selectman McDonald suggested adding a second meeting in December because of the number of licenses being renewed.

Motion by Selectman Richenburg, Second by Selectman McDonald; unanimously voted to adopt the amended meeting schedule by adding December 3<sup>rd</sup> to it.

There was also a discussion about inviting the PTA to a meeting, which will be done at a later date, but they will not be on the regular rotating schedule.

**V. Comments by Visitors**

Atty. Adam Costa, representing the Harrison family, reiterated his clients' concerns about the renewal of Class II and III licenses for Congdon Auto Repair and Sales. He pointed out that the Selectmen have the authority to impose the existing conditions that are on Mr. Congdon's Class II and III licenses and if he fails to comply with the conditions, the Board has the authority to revoke both licenses.

Selectman Condon said he shares their concerns and he had hoped that Mr. Congdon would be present tonight. He said that he is also deeply concerned that Mr. Congdon seems to continue to operate without valid licenses and he hoped that the Board will ask him to attend the next meeting and to formally apply for his Class III license; in absence of that the Board should revoke his licenses. Mr. Condon pointed out that the Harrisons are not asking for favors or privileges, they are asking the Board to have the applicant clean up his properties. He noted that if Mr. Congdon does not attend the next meeting of the Board and if he does not submit his Class III license renewal, as requested, the Board

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may take steps to revoke his licenses. He stressed that the Board isn't trying to put anybody out of business, but wants Mr. Congdon to operate his businesses within the confines of the law. Short of revoking the licenses, he is not sure what else the Board can do to resolve the ongoing problem.

**VI. Sewer/Water**

**VII. Correspondence**

A letter was received from Xfinity re: a temporary contact change with the retirement of Jane Lyman.

The Town Manager received an e-mail from Joseph Ientile of National Grid re: the public hearing held at the last meeting for a new pole installation on Baker Road. There had been an objection by an abutter, who gave an alternate suggestion as to where to place the pole and the representative of National Grid had agreed to address the Board's and the abutter's concerns. However, Mr. Ientile had sent an e-mail to Mr. Harrington indicating that he had several meetings about the new location, and said it was not feasible. He wanted to install the new pole where it was originally planned and wanted the Manager to authorize it. Mr. Harrington informed Mr. Ientile that he did not have the authority to do so and that it is up to the Selectmen to approve pole locations. Selectman Condon stated that he was concerned because Mr. Ientile stood before the Board and agreed to place the pole where the abutter and the Board suggested it should go, but now he wants to put it in the original spot.

Motion by Selectman Richenburg, Second by Selectman Condon; unanimously voted to request Mr. Ientile to appear at the next meeting of the Board relative to the pole location at 51 Baker Road.

**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 Ray-Parrott; unanimously voted to ratify the signing of the following weekly warrants: W18-91 through W18-102.

Selectman Condon gave kudos to Robert Cook, Emergency Management Director, for his efforts during last week's snowstorm, as well as to the Police and Fire Chiefs. For the most part, he said that the Town was well prepared and that Mr. Cook had taken preparation for the storm very seriously.

**b. Subcommittee Reports**

**Lafayette Corridor Sewer Extension:** Mr. Richenburg reported again that the project on hold until additional funds can be obtained.

**XI. Executive Session - none**

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**XII. Adjournment**

Motion by Selectman Richenburg, Second by Selectman McDonald; unanimously voted to adjourn at 8:00 PM.

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

Minutes of Dec. 17, 2017

Copies of licenses as listed

Town Manager's Report

Respectfully submitted:


Janet E. Flannery, Secretary

Approved: \_\_\_\_\_

  
Ronalee Ray-Parrott, Clerk

## MEMORANDUM

To: Members of the Board of Selectmen

From: Neil J. Harrington, Town Manager 

Date: January 8, 2018

Re: January 8<sup>th</sup> Report to the Board

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

1) Sale of Plains School Property

During the week before Christmas, Lisa Pearson, Cheryl Gorniewicz and I met with the three entities who responded to the Town's RFP and are interested in purchasing the site. We have also received inquiries from other parties since an article ran in the local newspaper re: the RFP, but we cannot legally consider these new potential proposals unless the Town rejects proposals from everyone who submitted before the announced deadline. I will keep the Board apprised of the progress of our decision-making process as we move forward.

2) Beach Parking Proposal

The group studying beach parking issues met again on Jan. 3 and made progress on its final set of recommendations to present to the Board for approval. Before that happens, we intend to have a public meeting to solicit input from beach merchants and town residents. In summary, we plan to recommend dividing beach parking into zones, with kiosks designated and programmed to handle each zone, so that there will different parking rates for each zone, as well as different minimum and maximum hours for on-street parking for each zone, shorter-term parking spaces concentrated in the Broadway Mall, and designated loading zone only parking for deliveries. Our goal is to have the new plan in place by the spring of 2018.

3) Recent Snowstorm

Emergency preparations were made for last week's storm event and, generally speaking, things went well. The new EOC at the police station was operational and information was distributed to the public via social media. Unfortunately, phone service at Town Hall was disrupted for two days, but was restored today. A de-briefing meeting will be held this week to discuss the abnormal flooding situation that coincided with the storm and how to address public safety issues should such a flooding event occur in the future. One piece of good news is that there was no flooding reported in the Blackwater River Flood Control project area, which, needless to say, was a major improvement over years past.