

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING**  
**MONDAY, JULY 23, 2018 – 7:00 PM**  
**SALISBURY TOWN HALL, 5 BEACH ROAD**  
**COLCHESTER ROOM**

**PRESENT:** Selectmen Ronalee Ray-Parrott, Chairman; Wilma McDonald, Freeman J. Condon, Chuck Takesian, and Donna Abdulla

**ALSO PRESENT:** Neil J. Harrington, Town Manager and Janet Flannery, Secretary

**I. Call to Order/Salute to the Flag**

Chairman Ray-Parrott called the meeting to order at 7:00 PM in the Colchester Room, Salisbury Town Hall. She then announced, per the Open Meeting Law, that this meeting is being recorded and broadcast live.

**II. Acceptance of Minutes**  
**Minutes of June 25, 2018**

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to approve the Minutes of June 25, 2018 as written.

**III. Old Business**

**Class II License:** Congdon Auto Repair & Sales – 5 Elm St.

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

Mr. Congdon addressed the Board and stated that 250-plus feet of fencing has been installed. Chairman Ray-Parrott said there had been discussion about the fencing at the last meeting; she said she had checked it and it looks fine.

Atty. Costa, representing the Harrisons, reviewed the process back in November and subsequent licenses, his focus being on the Class III license which required the fence so that the junkyard would not be visible. He also stated that, according to his research, there were 11 businesses licensed at 50 Elm Street. He said by all appearances, even today with the new fence, the property still appears to be a junkyard, and he wants to be assured that if the Class II license is issued that the Selectmen will insure that they will enforce all conditions that are placed on the license. He also claimed that the new fence is just nailed straight through the fence panels behind it.

Mr. Congdon said the first section of the fence is all new with new posts and the middle is in the ground. The 10 cars that are on his property don't belong to him but he can't get rid of them without a license. Selectman Takesian asked if the new fence is on Mr. Congdon's property and he said it was. Selectman McDonald asked if the Harrisons took their fence down, would his fence still be standing and Mr. Congdon said it would be. Chairman Ray-Parrott said she is still confused how Mr. Congdon's fence can be free-standing if it is nailed to the Harrison's fence. Mr. Congdon said the posts on his fence were put in the ground.

Selectman Condon stated that Mr. Congdon has every legitimate right to get a Class II license on the property he owns, but that the Selectmen have the right to impose conditions. He said he had walked the property with Mr. Congdon and there is 245 feet of fencing installed, not 300. He did not have a problem with the length of fence that was erected and the height wasn't a problem either. However, he said that he had walked along the Harrison's side of the fence earlier that day and it was obvious that the new fence is nailed to the Harrisons' fence; it appeared that Mr. Congdon just "slapped" up the fence and attached it to a fence he doesn't own. Selectman Condon said he does have a problem with

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that. He has known Mr. Congdon for 35 years and has known the Harrisons longer, and this is not acceptable. Mr. Congdon has been asked to comply over and over with the fencing condition, but he still has not done so. In order for Mr. Congdon to get his license, he has a legal obligation to put up the fence and the Harrison's do not. If they take their fence down, Mr. Congdon's fence will not stand on its own. He said the Board has given Mr. Congdon many chances to do what was asked.

Selectman Takesian said this issue was discussed at the last meeting and the fence has to stand alone. In his opinion Mr. Congdon should have the property surveyed for his own purposes and then put the fence up so it does stand on its own.

Motion by Selectman Condon, Second by Selectman McDonald; to schedule a hearing for 7:30 PM at the next meeting on August 13, 2018, to begin the process of revoking Mr. Congdon's Class II License.

Selectman Takesian stated that again this has been going on far too long and the Board has reached the end of the line. He won't vote for this motion but at the next meeting if the fence isn't installed as it should be he will vote to revoke the license.

VOTE: 4 yeas – 1 Selectman Takesian opposed; motion carried.

**IV. New Business**

**a. License Renewals:**

Motion by Selectman McDonald, Second by Selectman Abdulla; voted to renew a **General** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Richard James Surette – 218 Lafayette Rd. (Corner of Rtes 286 & 1).

Discussion: A question was raised about the cars on the adjoining lot, but Selectmen McDonald and Takesian mentioned that the applicant is on a separate lot and the cars are not his problem. Mr. Harrington said the Police Chief looked into this and the owner of the adjoining lot is working on getting them removed. Ms. McDonald withdrew her motion.

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to table this matter until the next meeting and to request the applicant to appear.

**b. New Licenses**

**Special Event Permits:**

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to approve a **Special Event Permit** to the Salisbury Beach Partnership for "The Ramble" on Aug. 25, 2018

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to approve a **Special Event Permit** to the Firefighters for their Annual Boot Drive for MDA on Aug. 24, 2018 with a rain date of Aug. 25th

**c. License Amendments - none**

**d. Liquor License Renewals - none**

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**e. New Liquor Licenses**

**One Day Liquor License**

Motion by Selectman McDonald, Second by Selectman Takesian; unanimously voted to approve a **One Day Liquor License** to the Friends of the Library for an Artist Reception on July 31, 2018

Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to approve a **One Day Liquor License** to Weston & Sampson for their annual summer outing at the Reservation on August 11, 2018

**f. Committee Appointments**

Historical Commission – 3 vacancies – 2 applicants: \*Wayne David and \*Thomas Tatro

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to re-appoint Wayne David and Thomas Tatro to the Historical Commission, both for 3-year terms to expire June 30, 2021.

Registrars – 1 vacancy – 1 applicant: \*Mark Whitmore (to expire 3-31-21)

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to re-appoint Mark Whitmore to the Board of Registrars for a 3 year term to expire March 31, 2021.

Planning Board – 2 vacancies & 1 alternate - 4 applicants: \*John Doggett, Gil Medeiros, Ron Tony Giordano, and Deborah Rider

Prior to voting on these appointments, Chairman Ray-Parrott announced that Ron Tony Giordano withdrew his letter requesting to be appointed to the Planning Board. Roll votes were then taken for the appointments.

1<sup>st</sup> Appointment: Selectman Takesian – John Doggett; Selectman Condon – John Doggett; Selectman McDonald – John Doggett; Selectman Abdulla – John Doggett; Chairman Ray-Parrott – John Doggett. By a unanimous vote, John Doggett was re-appointed to the Planning Board for a 5-year term to expire June 30, 2023.

2<sup>nd</sup> Appointment:

Selectman McDonald – Gil Medeiros; Selectman Abdulla – Gil Medeiros; Selectman Condon – Deborah Rider; Selectman Takesian – Gil Medeiros; Chairman Ray-Parrott – Gil Medeiros.

By a vote of 4 – 1, Gil Medeiros was appointment to the Planning Board for a 5-year term to expire June 30, 2023.

Alternate Position:

Selectman Condon – Deborah Rider; Selectman McDonald – Deborah Rider; Selectman Abdulla – Deborah Rider; Selectman Takesian – Deborah Rider; Chairman Ray-Parrott – Deborah Rider.

By a unanimous vote, Deborah Rider was appointed to serve as an alternate member of the Planning Board for a two-year term to expire June 30, 2020.

**g. Update/Presentations: No updates this month.**

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**h. Vote to Sign Memorandum of Undertaking with Mass. Harbormasters Association Re: Grant for Surveillance Cameras**

Mr. Harrington explained that the Town was eligible for and has received verbal approval to receive two surveillance cameras from the Mass. Harbormasters Association. These cameras are to be installed at locations approved by the Harbormaster, in consultation with the Police Chief, at no cost to the Town. The Town will be obligated to arrange for the monitoring of these cameras, which Chief Fowler has agreed to do at the police station. Mr. Harrington requested the Board to approve the Memorandum of Agreement and authorize the Chairman to sign.

Motion by Selectman Abdulla, Second by Selectman Takesian; unanimously voted to approve the Agreement and authorize the Chairman to sign as requested.

**i. Vote to Authorize Town Manager to Sign Traffic Control Agreement with MassDOT Re: Rail Trail Project**

Mr. Harrington informed the Selectmen that MassDOT recently send a proposed Traffic Control Agreement that requires a sign-off by the Town and legal counsel. Town Counsel has recommended that the Board authorize the Manager to sign on their behalf. Mr. Harrington informed the Board that the only cost implication of signing the Agreement was that there would be a signalized at-grade pedestrian crossing on Elm St. and the Town would be required to maintain the crossing light.

Motion by Selectman Condon, Second by Selectman Abdulla; unanimously voted to authorize the Manger to sign the Agreement.

**V. Comments by Visitors**

John Housianitis of 4 Vermont Street addressed the Board regarding the parking situation on Vermont Street. He stated that the previous system, approved on a trial basis by the Board of Selectmen, allowing residents of Vermont Street to place cones in front of their homes, had worked for the past few summers, but since the Police Chief had discontinued the program this year, the problem of residents not being able to find a parking spot on their street had returned. A lengthy discussion ensued. Many residents from the South End of the beach voiced their concern that the cones were no longer allowed, and they asked that the Selectmen vote to allow residents to utilize the cones again this summer. Other residents from the southern end of Atlantic Avenue disagreed with the cone system, explaining that, although parking was always tight during the summer at their end of the beach, they and their neighbors always have found a way to accommodate each other's parking needs. Chairman Ray-Parrott stated that since this was not an agenda item no action could be taken this evening but that it would be placed on the agenda for the next Board.

David Poirier addressed the Board regarding the recent lockout of members of the National Grid gas workers union. He said he has been with National Grid as a Field Safety Rep. and he highlighted some of the public safety issues he said were being created due to the fact that National Grid is hiring inexperienced people to install and inspect gas fittings, etc. He claimed that the contractors being hired don't have the capability to take care of this work. He said the union has appeared before several cities and towns requesting support and he asked the Board to consider imposing a moratorium on granting new gas permits in non-emergency situations until their labor dispute is settled.

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**VI. Sewer/Water**

**VII. Correspondence**

Notice from Xfinity Re: information on video services.

**VIII. Hearings**

**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 Takesian, Second by Selectman Abdulla; unanimously voted to ratify the signing of the following weekly warrants: W18-199 through W18-214 and W9-1 through W19-6.

Selectman Takesian stated that he wanted to publicly thank Representative Kelcourse for all the work he has done and continues to do for Salisbury, Newburyport and Amesbury.

**b. Subcommittee Reports**

**XI. Executive Session - none**

**XII. Adjournment**

Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to adjourn at 8:55 PM.

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

Minutes of June 25, 2018

Copies of licenses as listed

Letters Requesting Appointments

Town Manager's Report


Respectfully submitted:

Janet E. Flannery, Secretary

Approved: Donna Abdulla  
Donna Abdulla, Clerk

## MEMORANDUM

To: Members of the Board of Selectmen

From: Neil J. Harrington, Town Manager 

Date: July 23, 2018

Re: July 23<sup>rd</sup> Report to the Board

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

1) Special Town Meeting

As you know, a Special Town Meeting was held on June 30 to vote on two items: approval of the Town's full FY19 assessment for the Triton Regional School District's budget, and approval of a 3% local option excise tax on the sale of recreational marijuana. Both articles were adopted by large margins. With approval of the Triton assessment, the Town is facing a \$549,000 deficit in our overall FY19 budget. Finance Director Karen Snow and I are working diligently to eliminate this deficit and plan to have a revised FY19 budget presented for final approval at the Fall Town Meeting in October.

2) Balancing the FY19 Budget

To date, through a combination of revised revenue estimates and some line item cuts in the FY2019 budget, Ms. Snow and I have reduced the deficit to slightly less than \$300,000 without any reductions in personnel. However, the remainder of the deficit will be difficult to erase without either a second override vote or the use of reserve funds such as the Stabilization Account. I would be remiss if I did not suggest that the Board consider having a special election for the purpose of proposing a second override to the voters, but that is not a decision that I can make unilaterally; it would require a vote of the Board. At this point, I will just say that it is something for the Board to consider and, although such a vote is not on the agenda for tonight's meeting, I would ask that individual Board members contact me before the end of the month if they believe that such a vote is necessary and advisable. In the meantime, Ms. Snow and I will continue to look for ways in which we can balance the FY19 budget without impacting essential services.

3) Recreational Marijuana

Since the last BOS meeting, I have received a draft Host Community Agreement re: the sale of recreational marijuana from Alternative Therapies Group, the company that has been licensed to open a medical marijuana facility (RMD) in Salisbury. The Agreement is being reviewed by Town Counsel and it is my hope to be able to present an Agreement to the Board for approval at its August meeting. In the meantime, Alternative Therapies Group will be hosting a Community Outreach Meeting at the site of its RMD at 107 Elm Street on Wednesday, July 25, at 6:00 PM.

Citizens interested in hearing about ATG's proposal for the sale of recreational marijuana are urged to attend this meeting.

I have also been contacted by four other parties who have expressed interest in opening either a recreational marijuana retail store or cultivation facility in town. My intention is to hold a preliminary meeting with each of these parties, inform the Board of their plans, and then begin the formal process of soliciting specific proposals from these and any other companies. This would be followed by scheduling interviews for each prospective company with the BOS, accepting proposed Host Community Agreements from these companies, doing background checks and ultimately recommending which, if any, of these companies should be licensed to sell and/or grow recreational marijuana in Salisbury. I will keep the Board informed of my progress on this issue.

