

MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING

MONDAY – DECEMBER 3, 2018 - 7:00 PM

TOWN HALL – 5 BEACH ROAD, SALISBURY, MA
COLCHESTER ROOM

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

ALSO PRESENT: Neil J. Harrington, Town Manager and Agnes Donovan, 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 of October 29, 2018

Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to approve the Minutes of October 29, 2018 as written.

III. Old Business

IV. New Business

a. License Renewals for 2019

Class I

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to approve the **Class I** License Renewal for Ryder Vehicle Sales – 74 Main St.

Class II

Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to approve the **Class II** License Renewal for Chris Auto Body – 100 Elm St., and Westside Trucking – 172 Elm St.

Class III

Motion by Selectman Takesian, Second by Selectman MacDonald; unanimously voted to approve the **Class III** License Renewal for Hotrods Vintage Auto Recycling - 173 Lafayette Rd., and Paul's Auto Salvage – 71 Seabrook Road.

Repair

Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to approve the **Repair** License Renewal for Harry's Auto Repair – 27 Elm St., and Glen's Auto Repair – 90 Lafayette Road.

Common Victualer

Motion by Selectman Takesian, Second by Selectman MacDonald; unanimously voted to waive the reading of the Common Victualer Licenses.

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to take out the Common Victualer license for Tripoli Pizza.

Motion by Selectman Takesian, Second by Selectman MacDonald; unanimously voted to approve the **Common Victualer** License Renewals for:

Lena's Seafood – 131 Rabbit Rd.; Hungry Traveler – 96 Beach Rd.; All American Tavern – 34 Bridge Rd.; Connie's Stagecoach – 95 Elm St.; Mapoutias' – 147 Bridge Rd.;

Kitten's – 99 Bridge Rd.; The Winner's Circle – 211 Elm St.; Annarosa's – 175 Elm St.; Good Fortune – 2 Elm St.; Mali's Thai Zap – 50 Elm St. Unit 1; Antonio's Pizzeria – 188 Lafayette Rd.; Carmelos – 18 Broadway; Happy's Fried Dough – 14 Broadway; Marie's – 85 Beach Rd.; Ten's Show Club – 11 No. End Blvd.; China Buffet – 6 Merrill St. Unit 16A, and Pat's Diner – 11 Bridge Rd.

Motion by Selectman Takesian, Second by Selectman McDonald voted to approve the **Common Victualer** license for Tripoli Pizza – 15 Broadway. The motion passed 4 to 1 with Selectman Abdulla abstaining.

Entertainment

Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to approve the **Entertainment** License Renewal for:

Antonio's Pizzeria – 188 Lafayette Rd. – Live Entertainment: Karaoke/Piano/DJ/2 Pool tables; Ten's Show Club – 11 No. End Blvd. – Live adult entertainment and DJ; Kitten's – 99 Bridge Rd. – 2 pool tables and 3 video games/live entertainment & DJ; Winner's Circle – 211 Elm St. – Arcade/Comedy/Juke Box (3 licenses); Captain's Corner – 73-75 Main St. – Arcade, and Pat's Diner – 11 Bridge Rd. – Juke Box.

Parking Lot

Motion by Selectman Takesian, Second by Selectman Condon voted to approve the **Parking Lot** License Renewal for No. End Blvd. Corp. – 245 No. End Blvd. The motion passed 4 to 1 with Selectman McDonald abstaining.

Sunday

Motion by Selectman Takesian, Second by Selectman Abdulla; voted to approve the **Sunday** License Renewal for Antonio's Pizzeria – 188 Lafayette Rd.; Kitten's 99 Bridge Rd., and Winner's Circle – 211 Elm St., and Ten's Show Club – 11 No. End Boulevard.

General

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted waive the reading of the General Licenses.

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to approve the **General** License Renewals for:

Knight Oil – 126 Rabbit Rd.; Jim Phillips Firewood – 57 Main St.; LC Technology – 2C Fanaras Dr.; RB Entertainment – 59 Elm St.; Ditto Pines Construction – 13 Collins St.; LKB Tires – 11 Main St. Unit 2; Salisbury Mini-Mart – 192 Elm St.; Roberts Electric Supply – 154 Elm St.; Jocelyn Marine – 159 Bridge Rd.; David's Fish Mart. – 54 Bridge Rd.; Beach Rose RV Park – 147 Beach Rd.; Complete Car Cleaning – 106 Bridge Rd.; Audiology Network Svcs. – 158 Bridge Rd.; Firewood & Lawncare – 72 Mudnock Rd.; Ramson Kennel – 29 Blacksnake Rd.; Cash for Gold – 158 Bridge Rd.; Vicki's Nail Spa – 6 Merrill St. Unit 5; EJ Tremblay Excavating – 67 Bridge Rd.; Golden Nails – 4 Elm St.; C&R Realty – 110 Elm St.; All Natural Training – 6 Merrill St. Unit 10A&B; DeLuca's Auto Wash – 106 Elm St.; Red Ridge Farm – 35 Bayberry Lane ; Breakwater Boat Sales – 161 Bridge Rd.; TCS Communications – 85 Lafayette Rd.; Riverfront Marine – 33 Old Elm St.; Wayside Collectibles – 10C Elm St.; W. Harrison & Sons – 12 Harrison Ave.; Wilson Pool Service – 58 Main St., Unit A ; Elm St. Laundromat – 6E Elm St.; Four Star Limousine – 14 Elm St.; Cove Marina – 8 Friedenfels St.; Clover Club Boat Storage – 40 Bridge Rd.; Dot's Wig Center – 36A Elm St., and Carparts Distribution Ctr. - 6 Merrill St. Ste2B.

- b. New Licenses – None
- c. License Amendments – None
- d. Liquor License Renewals – None
- e. New Liquor Licenses – None

- f. Committee Appointments:

Arts Lottery

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to re-appoint Monique Greulich and Bonnie Griffith to the Arts Lottery Committee.

g. Presentation by John Feehan, Executive Director of the Newburyport YWCA, re: Affordable Housing Project at 18 Maple St. and 29 Elm St.

Mr. Feehan appeared before the Board and thanked them for the opportunity to provide them information regarding the affordable housing project at 29 Elm St. and 18 Maple St. He stated that this project is jointly sponsored by the Salisbury Affordable Housing Trust, the Town of Salisbury, and the YWCA. In addition, there is both state and federal funding. He stated this project will provide 42 affordable units and that 11 of the units are slated for preference to Salisbury residents. The local Salisbury preference is available to current Salisbury residents, Salisbury municipal employees, employees who work in Salisbury, and households who have a child enrolled in the Salisbury Elementary school. The Salisbury residents for these eleven local preference units will be determined by lottery. He said there currently are over one hundred and fifty applications, but that there are only ten applicants for local preference as of today. The deadline to apply is 5:00 PM on December 18, 2018. The lottery will be held on January 17, 2019. Mr. Feehan gave each Selectman two applications to distribute to potential applicants.

Mr. Feehan said that the construction is on time and on budget for Elm Street but that the Spalding building is moving slower. He stated that there have been several improvements such as solar and that the units will be more energy efficient than originally proposed.

Mr. Feehan said that several information sessions have been held, including sessions on SCTV, Salisbury Chamber of Commerce, advertisements in local papers and that Lisa Pearson has helped in getting the word out. Chairman Ray-Parrott said there is social media campaign, that the PTA site has material available on this project, and there is information on her Selectman's page.

In response to questions from Selectman Takesian, Mr. Feehan said there are four handicapped accessible units but that this is not an assisted living facility; there is a maximum income requirement and he provided the example that a family of four could earn up to \$64,680 a year in income; there is no age restriction. In response to a question from Selectman Abdulla, Mr. Feehan said there is not a preference for military personnel. In response to a question from Selectman McDonald, Mr. Feehan said that initially applicants self-certify their income but that later in the process there will be a thorough financial screening. Chairman Ray-Parrott said she is happy the Affordable Housing Trust is partnering with the YWCA for this project in Salisbury.

**h. Update/Presentation: Fire Chief/Health Agent
Fire Chief**

In his presentation, Chief Carrigan covered the following topics:

- There are on-going meetings discussing the best way to use the \$975,000 ladder truck grant. He said he is hoping the new piece of equipment will be delivered in mid-April.
- Last October, the Department hosted a grant-funded class on marina fires. All Salisbury fire fighters and fifty fire fighters from the surrounding communities attended. He said the class was well received and spurred conversation on having regional level marina fire training to protect the millions of dollars' worth of marina properties and boats.
- The fire station renovations are continuing at no extra cost to the Town. The renovations include the construction of a Fire Protection office for residents to walk in for permits, and to have their plans reviewed; an office for him, and an area for his Administrative Assistant.
- There are now twelve full time firefighters; one full time fire prevention/code compliance officer (Andrew Murphy); twelve call fire fighters who receive training every month, and five Special Duty officers. He has regular staff meetings to discuss training and integration of all the fire fighters.
- Chief Carrigan said the bucket truck never came back into service. The truck was a 1984 model and it failed safety inspections. In response to a question from Selectman Condon, Chief Carrigan said they

looked into the contract, but there was no documentation of inspections which would allow them recourse against the manufacturer.

- Heart attacks are a leading cause of fire fighter on-duty deaths, and so he is working on having a gym constructed for the fire fighters, with the work being done by the staff.
- General Clean-up – the Chief stated they have removed several old fire and police vehicles from the back of the fire station property. In response to a question from Selectman McDonald regarding how the old equipment is disposed of, the Chief said it was sold for scrap. He said he received in excess of \$10,000 which went to the General Fund.
- New OSHA regulations will become effective for fire stations in February and the Chief informed the Board that these new regulations may require some overtime and money for training and equipment.

Health Agent

Jack Morris, Health Agent, provided the following updates:

- His department works closely with the Building and Fire Departments.
- Two properties went into receivership since his last report and another on Forest Road has been fixed up. He said that the Town re-couped \$48,000.
- The Board of Health accepted \$28,000 dollars in fines for sanitary code violations.
- State and federal agencies introduced new food codes for next year and a training seminar will be held this winter so that all establishments can train their personnel properly and be aware of, and in compliance with, the new food handling codes.
- There will be a meeting soon for septic system installers.
The new state nicotine/tobacco regulations raised the legal age to purchase tobacco to twenty-one years of age; he is recommending that Salisbury enforce the new regulations on January 1 and not have a phased-in approach.
- He wrote to the State regarding the leash law on the beach and is requesting that DCR allow our Animal Control Officer to be considered a Special Ranger in order to enforce the dog regulations on the beach.
- One Elizabeth Drive was a nuisance property due to an unfinished foundation issue, and had been in court, but the judge ordered the foundation removed and the owner has complied.

i. Vote to Approve Monitoring Services Agreement re: Salisbury Woods

Neil Harrington, Town Manager, advised the Selectman that the Housing Authority was no longer able to monitor the affordable housing units at Salisbury Woods and that the Affordable Housing Trust would be monitoring and assisting the Planning Department with this task. There would be a new Monitoring Agreement for 125 Beach Road. Mr. Harrington recommended that the Board approve a new Monitoring Service Agreement, which had been distributed to the Board earlier. Selectman McDonald asked if the Town's Planning staff would be compensated and Mr. Harrington said yes.

Motion by Selectman Condon, Second by Selectman Freeman; unanimously voted to approve the new Monitoring Services Agreement re: Salisbury Woods, as presented.

j. Vote to Approve the 2019 Election and Town Meeting Schedules

Motion by Selectman McDonald, Second by Selectman Takesian unanimously voted to approve the 2019 Election and Town Meeting Schedules.

V. Comments by Visitors

Ray Pike, Harbor Master, addressed the Board regarding the commercial digging of clams. He stated that all commercial clam diggers have to submit their clams to the Plum Island treatment facility. He advised people not to dig clams from Black Water or Merrimack River as the State has determined these areas are polluted and the State is monitoring this area because of the high bacteria count. Mr. Pike said he plans to take water

samples and challenge the State but until that is done we must abide by the State's findings. He then addressed the issue of recreational digging of clams. He stated there is no opportunity to dig clams from Blackwater River. In response to a question from Chairman Ray-Parrott, he said the Parker River in Rowley has not been deemed unsafe but that those areas for digging clams can only be accessed by boat.

Mr. Pike also provided an update to the Board as a member of the Rings Island Historic District Study Committee. He stated that there is support to preserve two historic buildings on Ring's Island – the Community House and old Fire Station. He said they plan to have a report to the BOS by spring in time for Town Meeting.

James Moghabghab, Chairman of the Historical Commission, addressed the Board and stated that the Historical Commission unanimously supports the keeping and taking care of the two historical buildings on Ring's Island.

Lance Wisniewski, Rings Island resident and SCTV Director, appeared before the Board. He stated that SCTV recently did a video on the Fire Station with Don Beaulieu, a segment with John Feehan on the Affordable Housing project, and a segment on the Town's new electricity aggregation program with a representative from Colonial Energy and the Town Manager. He stated there is support on Ring's Island to preserve two historical buildings on Ring's Island and for immediately placing a tarp on the schoolhouse to stabilize that building. He said there is support for an Architectural District or a Neighborhood Preservation District on Ring's Island.

Kendall Eaton, 40 Ferry Road, addressed the Board. He said that Ferry Road was in tough shape with ruts in the road. He wants developers to fix roads that are damaged when they do projects, and he wants the Town to take better care of the roads in general. He also mentioned a concern for catch basins collapsing. Mr. Harrington said he will talk with the Planning Department to ensure that developers are required to restore roads that they disturb to their original condition.

VI. Sewer/Water - None

VII. Correspondence - None

VIII. Hearings

7:30 PM – Request from National Grid to Install Underground Facilities and One Pole at 29 Elm St.

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to open the Hearing at 7:30 PM.

David Boucher appeared for National Grid. He provided drawings showing the placement of the pole and underground facilities. He stated that currently the electricity was across the street. He said that National Grid will obtain an easement for the installation of the underground facilities and the pole.

Chairman Ray-Parrott asked for input from abutters, but none were present.

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to close the Public Hearing regarding the request from National Grid to Install Underground Facilities and One Pole at 29 Elm St.

Motion by Selectman Condon, Second by Selectman Takesian; unanimously voted to approve the request from National Grid to Install Underground Facilities and One Pole at 29 Elm St.

7:45 PM – Class II License for BTB Auto Sales – 49 Beach Road

Motion by Selectman McDonald Second by Selectman Takesian; unanimously voted to open the Public Hearing at 7:45 PM.

Thomas Z. Wegiel, applicant, appeared before the Board. He stated that he lives at 49 Beach Road and that cars are his passion. Mr. Wegiel stated that this will not be a huge business, as he has a full-time job in Peabody which he plans to keep. The business will be by appointment only. He stated that six cars will be the most cars he will ever have on his property but that he plans to only work on one or two at a time. He stated that his property is fenced in and that he will be working on the cars only on the Beach Road side of his property. In response to a question from Selectman McDonald, Mr. Wegiel said that he plans to specialize in German cars.

Neighbors David and Jennifer Moreno, 6 Sandy Lane, spoke in opposition to the business. They stated concerns for a used car business in their neighborhood specifically mentioning pollution, noise, lighting, and revving of engines. They stated that this business would be a nuisance in the neighborhood. Gary MacDonald, 51 Beach Road, mentioned signs as his only problem with the business. Mr. Wegiel said he does not want signs. Debbie MacDonald, 42 Beach Road, stated she lives across the street and has no problem with the business.

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to close the Public Hearing regarding the Class II license for BTB Auto Sales – 49 Beach Road.

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to approve the **Class II License** for BTB Auto Sales – 49 Beach Road, with the conditions that all automobiles will be displayed on the lower corner portion of the premises behind privacy fencing with frontage on Beach Road; and that no more than 6 vehicles will be displayed at any one time.

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. Ratify Signing of Weekly Warrants:

W19-83 and W19-84; W19-85 skipped over W19-86 through W19-94

Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to Ratify the Weekly Warrants W19-83 and W19-84; W19-85 skipped over W19-86 through W19-94.

XI. Executive Session - None

XII. Adjournment

Motion by Selectman MacDonald, Second by Selectman Takesian; unanimously voted to adjourn at 9:44 PM.

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

Minutes of October 29, 2018



Copies of licenses as listed

Town Manager's Report

Respectfully submitted:


Agnes Donovan, Secretary

Approved:


Donna Abdulla, Clerk 

MEMORANDUM

To: Members of the Board of Selectmen

From: Neil J. Harrington, Town Manager 

Date: December 3, 2018

Re: December 3rd Report to the Board

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

1) Electricity Aggregation Program

The town-wide mailing announcing the introduction of the new Salisbury Community Choice Power Supply Program has gone out and has generated a fair amount of interest, in addition to several questions and concerns. As a follow-up, Mark Cappadona from Colonial Power has made two presentations at the Council on Aging and my office has answered questions from residents about the program. In addition, Mr. Cappadona and I taped today a program for SCTV, which will run soon and will explain the program in depth. In the meantime, if residents have additional concerns, they should check out the Colonial Power website or call the phone number for Colonial that is listed on the mailing.

2) Municipal Vulnerability Planning

Recently, an all-day planning session to assess municipal vulnerability to climate change was held at Town Hall, and was well-attended by a variety of individuals. Working with our consultant, the Town's MVP team is compiling the various priorities established at the planning session and will produce a draft of a plan to be presented to the State. Once the plan is approved, the Town will be eligible for significant grant money designed to address certain hazards and to improve resilience to sea level rise. On Dec. 10, at 6:30 PM in the Colchester Room, the public is invited to a listening session where the results of the draft plan will be presented and public comment will be taken. The original participants in the planning session will be invited, but the general public is invited as well, as the Town is seeking as much input as possible into the formation of the final plan.

3) Parking Policies at the Beach

At the last BOS meeting, I announced the group studying how to improve parking at the beach was looking at making some changes for next spring and was also looking into the possibility of recommending a change in the parameters of the overnight parking ban that went into effect on Dec. 1. Since the committee has not met in the interim, there is no recommendation tonight, but it is hoped that the group will have some recommendations for the next meeting of the Board.

4) Town Recycling Center

Due to a significant rise in the cost of disposing of recycled materials, the Town is looking at the likelihood of instituting a nominal yearly fee, sticker and proof of residency program at the municipal recycling center beginning in 2019. I intend to announce the specifics of this new plan at the next BOS meeting, but the Town can no longer afford to continue to run the program as is and will need to charge for this service. The charge will be significantly less than the cost of having recyclables picked up curbside, but will be necessary in order to keep the program going. It is a great service for residents, but due to factors outside of the Town's control, we will no longer be able to offer it for free.