

# **MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING**

**MONDAY — DECEMBER 17, 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 – None**

## **III. Old Business – Vote to Convey Land on Beach Road and Accept Land off Seabrook Road**

Motion by Selectman Abdulla, Second by Selectman Takesian, unanimously voted to remove this matter from the table. The Town Manager reminded the Board that the May 2017 Town Meeting authorized the Selectmen to approve this land swap.

Motion by Selectman McDonald, Second by Selectman Takesian, unanimously voted that the Board of Selectman, as authorized under Article Twenty-One of the May 15, 2017 Town Meeting, vote to approve the sale of property located at 52 Beach Road shown on Assessors Map 4 as Lot 120, containing 750 square feet, more or less, and is a portion of the premises described in a deed recorded with the Essex South District Registry of Deeds in Book 17707, Page 448 in consideration for the conveyance of a parcel of land located on Seabrook Road (rear) shown on Assessors Map 23 as Lot 69, containing 29 acres, more or less, and described in a deed recorded with Essex South District Registry of Deeds in Book 32264, Page 449.

Motion by Selectman McDonald, Second by Selectman Takesian, unanimously voted that the Board of Selectman, as authorized under Article Twenty-One of the May 15, 2017 Town Meeting, vote to accept a parcel of land located on Seabrook Road (rear), shown on Assessors Map 23 as Lot 69, containing 29 acres, more or less, and described in a deed recorded with the Essex South District Registry of Deeds in Book 32264, Page 449 as consideration for the conveyance of a parcel of Town-owned land located at 52 Beach Road, which land is shown on Assessors Map 4 as Lot 120 containing 750 square feet, more or less, and is a portion of the premises described in a deed recorded with Essex South District Registry of Deeds in Book 17706, Page 448.

## **IV. New Business**

- a. License Renewals for 2019

**Class I – None**

**Class II**

Chairman Ray-Parrott read the licenses applying for renewal.

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Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to approve the **Class II** License Renewal for: BTB Auto Sales – 49 Beach Road; Performance Distributing, Inc. – 211 R Lafayette Road, and PNK Sales – 61 Bridge Road.

### **Class III –None Repair**

Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to approve the **Repair** License Renewal for Gray's Garage – 35 Elm Street, and Great Bay Autobody-Marine Co. LLP – 162 Bridge Road.

### **Common Victualer**

Chairman Ray-Parrott read the Common Victualer licenses applying for renewal.

Selectman Abdulla requested that Lee's Seafood, 5 Oceanfront, and Salisbury Sports Pub, 3 Broadway, be removed from this vote.

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

Capri – 3 Central Ave.	Cosmos restaurant – 136 Rabbit Rd.
Crossroads Pizza- 1 Merrill St.	Family Chinese Restaurant & Bar – 139 Elm St.
Hideaway Pub, LLC. – 183 No. End Blvd.	Invalsa Coffee – 1 Merrill St.
Seaglass/Blue Ocean Event Center – 4 Ocean Front North	
Surfside – 25 Broadway	Sylvan Street Grille – 195 Elm Street
Uncle Eddie's Inc. – 8 Oceanfront	

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to approve the **Common Victualer** licenses for Lee's Seafood, 5 Oceanfront, and Salisbury Sports Pub, 3 Broadway. The motion carried with four selectmen voting in the affirmative. Selectman Abdulla abstained.

### **Entertainment**

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to waive the reading of the Entertainment License Renewals.

Selectman Abdulla requested to remove from this vote the Entertainment Licenses for Joe's Playland – 10-12 Broadway – Auto amusement: Arcade, and Joe's Playland – 15 Broadway – Auto amusement: Arcade; Salisbury Sports Pub – 3 Broadway – Live Entertainment/DJ; Salisbury Sports Pub – 3 Broadway – Pool Table, and Salisbury Sports Pub – 3 Broadway – Juke Box.

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

- Black Bear Campground – 54 Main St. – Arcade
- Blue Ocean Music Hall/Event Center – 4 Ocean Front No. – Live Entertainment/DJ
- Capri – 3 Central Ave. – Live Entertainment: Trivia, Soloists
- Hideaway Pub LLC – 183 No. End Blvd. - Juke Box
- Hideaway Pub LLC – 183 No. End Blvd. - Live Entertainment and Trivia
- Seaglass Blue Ocean Event Center – 4 Ocean Front No. – Live Entertainment
- Surfside – 25 Broadway – Live Entertainment/DJ

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Sylvan Street Grille – 195 Elm St. – Live Entertainment/Juke box  
Uncle Eddie's Inc. – 8 Oceanfront – Live Entertainment: Bands and DJ's  
Uncle Eddie's Inc. – 8 Oceanfront – Juke Box, and  
Uncle Eddie's Inc. – 8 Oceanfront – Pool Table

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to approve the **Entertainment** License Renewals for Joe's Playland – 10-12 Broadway – Auto amusement: Arcade, and Joe's Playland – 15 Broadway – Auto amusement: Arcade; Salisbury Sports Pub – 3 Broadway - Live Entertainment/DJ; Salisbury Sports Pub – 3 Broadway – Pool Table, and Salisbury Sports Pub – 3 Broadway – Juke Box. The Motion carried with four selectmen voting in the affirmative. Selectman Abdulla abstained.

## **Parking Lot**

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to approve the **Parking Lot** License Renewal for Driftway Parking – 6 Central Ave – Parking for approximately 110 vehicles; and Joseph Wekelo – 207 No. End Boulevard – parking for approximately 50 vehicles.

## **Sunday**

Request by Selectman Abdulla to remove the Sunday Licenses for Joe's Playland – 10-12 Broadway, Joe's Playland – 15 Broadway, and Salisbury Sports Pub – 3 Broadway.

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to Approve the **Sunday** Licenses for Blue Ocean Music Hall/Event Center – 4 Oceanfront No.; Cinemagic - 6 Merrill St.; Seaglass – 4 Oceanfront No.; Surfside – 25 Broadway, and Uncle Eddie's – 8 Oceanfront.

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to Approve the Sunday License for Joe's Playland – 10-12 Broadway, Joe's Playland – 15 Broadway, and Salisbury Sports Pub – 3 Broadway. The Motion carried with a vote of four selectmen voting in the affirmative. Selectman Abdulla abstained.

## **General**

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

Request by Selectman Abdulla to remove from this vote the General Licenses for Joe's Playland – 10-12 Broadway; Joe's Playland – 15 Broadway; and Wolf Hill Landscaping & Supply – 86-88 Elm Street.

Motion by Selectman Condon, Second by Selectman McDonald; unanimously voted to approve the **General** License Renewals contingent that all fees and taxes are current for:

5 - Yogi Convenience Store – 5 Bridge Rd.  
Andover Healthcare, Inc. – 9 Fanaras Dr.  
Bartlett's Farm Stand – 96 Main St.  
Bennie's Catering – Mobile Food Truck  
Black Bear Campground – 54 Main Street

American Landscaping – 68 Foley Mill Rd.  
By the Sea – 4 Ocean Front North  
Bartlett's Sawmill – 22 Congress St.  
Black Bear RV's – 54 Main St.  
Black Bear Campground – 2 Lena Mae's Way

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Big Al's Archer's Paradise – 141 Bridge Rd.	Bridge Marina – 179 Bridge Rd.
Cassidy's Limousine Service – 8 Grover St.	CDC Packaging Corp. – 8 Fanaras Drive
Community Beauty Shop – 45 Baker Rd.	CVS Pharmacy – 2 Lafayette Rd.
Dick's Variety North – 4 Main St.	Divided House, Inc. – 145 Elm St.
Essential Balance Wellness – 141 Bridge Rd	Express Food Mart – 183-185 No. End Blvd.
Footloose Dance Studio – 1 Merrill St.	Fort Hill Antiques – 3 Congress St.
Harbor Garden Center – 53 Bridge Rd.	Johnson Lumber Co., Inc. – 133 Main St.
Kadee's Tumbleweed – 1 Merrill St.	Karen Holmes Physical Therapy - 191 Elm St.
Mattress Depot – 122 Lafayette Rd.	Merrimack River Feline Rescue Society– 63 Elm St
New England Chocolate Co. – 123 Lafayette Rd.	
OC Stone Granite & Marble, Inc. 102 Bridge Rd.	
Pandora's Box – 141 Bridge Rd.	Paradise Spa – 141 Bridge Rd.
PV Engineering & manufacturing – 88 Rabbit Rd.	
Ralph Tatro – 15 Folly Mill Rd.	
R.J. Tindle, Inc. 118-122 Rabbit Rd.	Ring's Island Marina – 14 1st St.
Royal Blendz Barber Shop – 183 No. End Blvd.	Rusnik Campground – 115 Lafayette Rd.
Salisbury Carwash, Inc. – 191 Elm. St.	Salisbury Mini Storage – 95 Rabbit Rd.
Salon 42°/70° – 165 Bridge Rd.	Salisbury Discount House, Inc. – 11A Broadway
Sand Dollar Annex – 16 Broadway	Santos Marble & Granite, LLC – 44 Bridge Rd.
Sun Fun Tanning – 175 Elm St.	T.H. Glennon Co, Inc. – 25 Fanaras Dr.
Tom's Discount Store, Inc. – 175 Elm St.	Tri-City Cuts – 38 Lafayette Rd.
U-Haul of Salisbury – 6 Merrill St.	Wash N' Wags, LLC – 8A & 8B Beach Rd.
ALLPEST, Inc. – 72 Elm Street	Cinemagic – 6 Merrill Street

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to approve the **General** Licenses for Wolf Hill Landscaping & Supply – 86-88 Elm Street. The motion carried with a vote of four selectmen voting in the affirmative. Selectman Condon abstained.

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to approve the **General** Licenses for Joe's Playland – 10-12 Broadway, and Joe's Playland – 15 Broadway. The motion carried with a vote of four selectmen voting in the affirmative. Selectman Abdulla abstained.

### **Special Event Permit** – Hangover Classic 10 K & 5K scheduled for January 1, 2019

Denise Bucknell, representing the Winner's Circle Running Club, appeared before the Board. She stated it is the 38<sup>th</sup> year they are holding the Hangover Classic races. She stated the courses are the same as in previous years. Ms. Bucknell said the insurance binder was submitted. She also stated tht DOT and DCR permits were approved.

Motion by Selectman McDonald, Second by Selectman Takesian; unanimously voted to approve the **Special Event Permit** for Hangover Classic scheduled for January 1, 2019.

#### b. New Licenses:

##### **General**

##### **Town Car Transportation- 25 Lafayette Road**

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The applicant, William Perrault, appeared before the Board. He stated he has been in this business for thirty years with another local company but wants to start his own livery service. Selectman McDonald asked for him to explain the difference between a cab and livery service. Mr. Perrault responded that livery service was by call or reservation only. He is not able to stop if hailed down, but a taxi can be hailed down. Selectman Condon asked if he had met with the Town Clerk and Mr. Perrault said yes. Motion by Selectman Condon, Second by Selectman Abdulla; unanimously voted to approve a new **General License** for Town Car Transportation – 25 Lafayette Road.

**c. License Amendments: Aroma Joe's – Vote to make 2018 license effective for 2019**

Mr. Harrington, Town Manager, said the Board approved this new license for the year 2018 last month but that the owner came in and advised Mr. Harrington that the place was not ready to open and he requested that the license be effective in 2019. Mr. Harrington recommended that the Board amend the license to 2019.

Motion by Selectman Takesian, Second by Selectman Condon; unanimously voted to amend Aroma Joe's license to be effective for 2019.

**d. Liquor License Renewals – None**

**e. New Liquor Licenses – None**

**f. Committee Appointments – None**

**g. Update Presentation – Police Chief**

- The Chief stated that calls for service decreased by 13% from July through December 2018 from the same time period in 2017. He stated that arrests were down by 22%; and that motor vehicle crashes were down by 17% so that the streets were safer.
- Overdoses – the Chief stated his department continues to work with the Pettengill House. He said they received 46 calls this year to date but that six were fatal. He said his officers carry NARCAN but, unfortunately, they need to use more doses. In response to a question from Selectman McDonald, he stated that the police, fire, and ambulance respond to all calls.
- Public Safety Answering Point (PSAP) – the Chief announced that citizens can now text 911 calls to the Police Department. He said that the police can track the address needing assistance via a phone's GPS.
- Car break-ins – the Chief said they made an arrest for some of the cases because a citizen called in a tip. He advised citizens to remove their valuables from their cars and to lock their cars. He said the police need the public to call in if they see any suspicious activity.
- Parking kiosks – The Chief said the new Pay by Plate parking system was installed last summer. He stated there were almost 64,000 transactions over the summer. He stated that 78% of the transactions are done by credit or debit card. In response to a question from the Selectmen, he said the vendor recommended that they not use dollar bills due to the maintenance required by jamming/sticking/tearing of the bills. The Chief said he anticipates more parking kiosks to be installed for next summer.

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- National Night Out – Chief Fowler said the Department had their First National Night Out last year. He said it was a success with between 70 to 100 people attending. The state representative attended and there was a K-9 demonstration. He plans to continue this community outreach activity annually.

### **h. Vote to accept Pedestrian Access Easement at 138 Elm Street**

Neil Harrington, Town Manager, advised the Board that Brad Kutcher is relocating his business to 138 Elm Street in Salisbury, which is a property that abuts the Rail Trail. Mr. Harrington said that as part of the Planning Board's approval process Mr. Kutcher agreed to this easement, which will provide for pedestrian and Town access to the Rail Trail.

Motion by Selectman Takesian, Second by Selectman Abdulla; unanimously voted to accept the Pedestrian Access Easement at 138 Elm Street, as presented.

- i. No item listed.

### **j. Vote to Adopt Revisions to the Senior Property Tax Work-Off Abatement program**

Cheryl Gorniewicz, Chief Assessor, appeared before the Board and stated that Town Meeting authorizes the funding for both the Senior and Veteran's Work-off Abatement programs, but that the Board of Selectmen votes the procedures. She then reviewed proposed revisions to the procedures for the Senior Property Tax Work-Off Abatement program.

- The original annual end date of the program was October 31, but it is requested that this date be extended to November 30<sup>th</sup> which will benefit both the workers and Town departments.
- The hour limit for the Senior Property Tax Work-off Abatement program is 62½ hours. It was never 80 hours; this is a correction to the Senior Work-off program document.
- Abatement formula - the abatement is 62½ hours times the state minimum wage not to exceed \$1000.00. The current state minimum wage is \$11.00.
- Ms. Gorniewicz said the number of participants is twenty. She stated there is no change to the income and asset criteria but when there are more than twenty applicants the greater need is a determining factor in who gets placed.
- Ms. Gorniewicz stated the program allows for proxy workers.
- Application restrictions – The Board discussed application restrictions and recommended that current Town employees, and elected Board members not be eligible for the Senior Property Tax Work-off Abatement program. This was made as a revision and is to be included in the final procedures document for this program.

Motion by Selectman Takesian, Second by Selectman Condon unanimously voted to adopt the Senior Property Tax Work-Off Abatement Program proposed revisions, attached hereto and dated December 17, 2018 to be effective for 2019.

### **k. Vote to Adopt Revisions to the Veterans Property Tax Work-Off Abatement program**

- Ms. Gorniewicz addressed the Board and said that the proposed revisions will increase the number of veterans eligible to participate in the program from ten to twenty.

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- The original annual end date of the program was October 31<sup>st</sup> but they are extending the end date to November 30<sup>th</sup> which will benefit both the workers and Town departments.
- The hours for the Veterans Property Tax Work-off Abatement program are 62½ hours.
- Ms. Gorniewicz stated the program allows for proxy workers.
- Mr. Gorniewicz said the veteran income limits were based on FY18 HUD income limits.
- There are no application restrictions for veteran qualifying status.

Motion by Selectman Takesian, Second by Selectman McDonald unanimously voted to adopt the Veteran Property Tax Work-Off Abatement Program proposed revisions, attached hereto and dated December 17, 2018 to be effective for 2019.

### **l. Vote to Amend town Policy re: Winter On-Street Parking Ban**

Town Manager Neil Harrington addressed the Board. He stated he has been working with a study group and said he provided the Board with a memorandum that explained the proposed new winter on-street parking policies. The study group recommended that the Board remove the December 1 to April 1<sup>st</sup> 12:00 midnight to 6:00 AM winter parking ban and implement a new policy which would ban winter parking on streets only when there is snow emergency. Procedurally, Code Red (Reverse 911) call notifications, and DPW and Police social media sites would announce in advance when the snow emergency parking ban would be in place and when it would be lifted. Mr. Harrington said the small Town parking lot on Cable Ave. would still be available for parking.

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to remove the 12:00 AM to 6:00 AM parking ban from December 1 to April 1, effective immediately and to implement the new policy as described by the Town Manager.

### **m. Discussion of Landlord/Tenant Agreement with Triton Regional School District**

Mr. Harrington informed the Board that there will not be a motion requested tonight but that he wanted to provide the Board with more information on this issue. He advised the Board that the last bond payment for Salisbury Elementary School will be made this year and that the Triton Regional School District is looking to enter into a lease agreement with the Town. Under this lease agreement, the Town would assume ownership of the school facility and major capital improvements, while the District would lease the school facility and be responsible for day-to-day maintenance. This would take place July 1<sup>st</sup> next year and would require a change in the Triton Regional Agreement that would have to be adopted at spring Town Meeting. Mr. Harrington said Selectman McDonald sent an e-mail with specific questions and concerns regarding the draft provisions and lease to Brian Forget, Superintendent of Schools, but that Mr. Forget still has to answer many of these questions. Mr. Harrington said there was a site visit to Salisbury Elementary School by the Town's DPW Director and Foreman, Building Inspector, Fire Inspector and Triton Facilities Manager, and subsequent to that visit our DPW Director prepared a memo listing concerns with the facility, with the major issue being that the roof will need to be replaced in the near future. Selectman Condon recommended having an outside professional assessment done. Mr. Harrington recommended that there be a workshop to discuss the proposed landlord/tenant arrangement and to obtain answers to the items not addressed in Mr. Forget's response to Selectman McDonald's e-mail.

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**V. Comments by Visitors - None**

**VI. Sewer/Water**

**VII. Correspondence – None**

**VIII. Hearings – None scheduled.**

**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 W19-95 through W19-103.

Motion by Selectman Takesian, Second by Selectman McDonald; unanimously voted to ratify the signing of the following weekly warrants: W19-95 through W19-103.

**XI. Executive Session – None Scheduled**

**XII. Adjournment**

Motion by Selectman Takesian, Second by Selectman Abdulla unanimously voted to adjourn at 8:22 PM.

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

Copies of licenses as listed

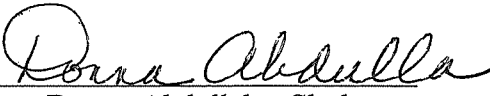
Senior Property Tax Work-Off Abatement program

Veterans Property Tax Work-Off Abatement program

Town Manager's Report

Respectfully Submitted:

Agnes Donovan - Secretary

Approved:   
Donna Abdullah - Clerk