

## BOARD OF SELECTMEN MINUTES OF NOVEMBER 9, 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. Before the Board conducted its business, Chairman Condon announced the passing of Maria Miles, long-time Executive Director of the Salisbury Chamber of Commerce. He noted her many years of advocacy on behalf of the Town, and how she had worked tirelessly with local, state and federal officials to bring financial resources to Salisbury. He then called for a moment of silence in her memory.

### **II. Acceptance of Minutes**

#### **Minutes of October 5, 2015 and October 19, 2015**

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to approve the Minutes of Oct. 5<sup>th</sup> with two corrections as follows: on page 1 re: the taxi rates – change the wording that states that the Town Clerk sets the rates to read that the Selectmen set the rates. The Oct. 19<sup>th</sup> Minutes were approved as written.

### **III. Old Business - none**

### **IV. New Business**

#### **a. License Renewals:**

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to renew a **Class I** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Wall's Ford – 2 Merrill St.

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to renew a **Class II** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: BMB Auto Sales – 200 Lafayette Rd., Salisbury Auto Center – 76-78 Elm St., and Salisbury Auto Salvage – 16 Main St.

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to renew a **Class III** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Salisbury Auto Salvage – 16 Main St.

Motion by Selectman Richenburg, Second by Selectman Hunt; 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: Buddy's – 79 Lafayette Rd., Bob Fuller Truck & Repair – 74 Main St., Coastal Customs Speed Shop – 191 Elm St., and Daaboul & Sons Auto Repair – 76 Elm St.

Motion by Selectman , Second by Selectman ; 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., Good Fortune – 2 Elm St., China Buffet – 6 Merrill St., Unit 16A, Lena's Seafood – 131 Rabbit Rd., Marie's Restaurant – 85 Beach Rd., Tripoli Pizza – 15 Broadway, Annarosa's – 175 Elm St., Hungry Traveler – 96 Beach Rd., Striper's Bar & Grill – 175 Bridge Rd., Honey Dew Donuts – 147 Bridge Rd., Chamathai – 50 Elm St., Unit 1, and Cristy's Pizza – 11B Broadway.

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Motion by Selectman Richenburg, Second by Selectman Takesian; 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 Lee's Seafood – 5 Oceanfront. VOTE: 4 yeas – Selectman Hunt abstained. Motion carried.

Motion by Selectman McDonald, Second by Selectman Hunt; 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 Hideaway Pub – 183 No. End Blvd. VOTE: 4 yeas – Selectman Richenburg abstained. Motion Carried

Motion by Selectman Richenburg, Second by Selectman Hunt; 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 Boston Granite – 158 Lafayette Rd., Breakwater Boat Sales – 161 Bridge Rd., Black Bear RV's – 54 Main St., Complete Car Cleaning – 106 Bridge Rd., Black Bear Campground – 2 Lena Mae's Way, Marine Towing & Charter – 39 Ferry Rd., Black Bear Campground – 54 Main St., Richard McAllister – 136 Rabbit Rd., Beach Rose RV Park – 147 Beach Rd., Riverfront Marine – 33 Old Elm St., Vaughn Thermal Corp. – 26 Old Elm St., Original Bob's Shooting Range – 90 Lafayette Rd., Bartlett's Sawmill – 22 Congress St., Bartlett's Farm Stand – 96 Main St., Golden Nails – 4 Elm St., Body Trends – 102 Bridge Rd., Donna Scott Design – 134 Beach Rd., Elm St. Laundromat – 6E Elm St., Tokyo Joe's Studios – 141 Bridge Rd., and Cash for Gold – 158 Bridge Rd.

Motion by Selectman Richenburg, Second by Selectman Takesian; voted to renew a **General** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: Joe's Playland – 10-12 Broadway and 15 Broadway. VOTE: 4 yeas – Selectman Hunt abstained. Motion carried

Motion by Selectman McDonald, Second by Selectman Hunt; voted to renew a **General** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for TCS Communications – 85 Lafayette Rd. VOTE: 4 yeas – Selectman Richenburg abstained. Motion carried

Motion by Selectman Richenburg, Second by Selectman Hunt; 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: Black Bear Campground – 54 Main St. – arcade, Captains Corner – 73-75 Main St. – arcade, and Good Fortune – 2 Elm St.,- karaoke

Motion by Selectman Richenburg, Second by Selectman Takesian; voted to renew an **Entertainment** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: Joe's Playland – 10-12 Broadway – arcade, Joe's Playland – 15 Broadway. VOTE: 4 yeas – Selectman Hunt abstained. Motion carried.

Motion by Selectman Takesian, Second by Selectman Hunt; voted to renew an **Entertainment** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Hideaway Pub – 183 No. End Blvd. – acoustic music & trivia/juke box (2 licenses). VOTE: 4 yeas – Selectman Richenburg abstained. Motion carried.

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Motion by Selectman Richenburg, Second by Selectman Takesian; voted to renew a **Sunday** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: Joe's Playland – 10-12 Broadway – arcade, Joe's Playland – 15 Broadway. VOTE: 4 yeas – Selectman Hunt abstained. Motion carried.

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to renew a **Parking Lot** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for Joseph Wekelo – 207 No. End Blvd.

### **b. New Licenses**

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to approve a **General** license for Sun Fun Tanning – 175 Elm St.

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to approve a **General** license for Another Look – 25 Bridge Rd. (New ownership).

### **c. License Amendments - none**

### **d. Committee Appointments - none**

### **e. Update/Presentations: Library Director**

Tabled until the next meeting.

### **f. Vote to Approve the Town Clerk's Election & Town Meeting Schedule for 2016**

Motion by Selectman McDonald, Second by Selectman Hunt; unanimously voted to approve the Election and Town Meeting Schedule for 2016 as submitted by the Town Clerk.

### **g. Vote to Terminate Restoration Bond for 191 Beach Road Project**

The Town Manager stated that he had spoken with a representative of the project who had indicated that he would attend tonight's meeting to answer any questions that the Board may have. However, he was not present and the Manager suggested that this be tabled.

Motion by Selectman Richenburg, Second by Selectman Hunt; unanimously voted to table until the representative was present.

### **h. Discussion of Need to Appoint a By-Laws Review Committee**

Selectman McDonald reminded the Board that the Town Charter requires a periodic review of the Town's by-laws in years ending in five or in zero and there is also a similar provision regarding the Charter itself. Since the last Charter review was done in 2010, it is now time for the Town to undertake a review of its bylaws. She provided the provision which requires the Selectmen to appoint a special committee to revise or recodify the Town's bylaws, in consultation with Town Counsel, with the results to be presented to Town Meeting for adoption no later than next fall.

Motion by Selectman McDonald, Second by Selectman Richenburg; unanimously voted to post a notice seeking applicants to be appointed to a special committee to revise or recodify the Town's bylaws, in accordance with the Charter.

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### **V. Comments by Visitors**

Steve Rossetti of Lewis Ave. and David Arel of 12<sup>th</sup> Street both asked for an updates on the Blackwater River flood control project. The Town Manager explained that he hadn't received any further information since the last meeting, but he said that Congressman Moulton will be here in town on Thursday, that he has been made aware of the situation and he may have some new information. The Manager also explained that this is not a project controlled by the Town, but by the Army Corps of Engineers. He confirmed that there was a meeting in Boston several weeks ago to discuss the need for additional funds, but no resolution to the problem has emerged.

Tom Saab, representing the Salisbury Beach Citizens for Change asked if DEP has anything to do with the delay in the project and the Manager said DEP is a permitting agency and the project has all the permits it needs. Mr. Saab then indicated that he is here to talk about the letter the Town received from Attorney Magliocchetti re: the way the Town assesses sewer charges and, if so, will it be addressed this evening. Mr. Harrington said he received the letter, as well as the Selectmen, and that it was not on the agenda for discussion. Mr. Saab said his group is continually in touch with the EPA and are on top of this situation and are adamant that the Selectmen look at the sewer user charges and consider changing from the current EQR-based system. He said that his organization believes the current system is not fair and equitable, particularly for seasonal residents, who have to pay year a sewer charge year-round after their water has been shut off. Atty. Magliocchetti asked the Board if there were any specific questions in his letter that could be addressed this evening and Chairman Condon said they received the letter without attachments so before any discussion takes place the Board wants to receive the attachment that was referenced in the letter.

### **VI. Sewer/Water**

### **VII. Correspondence**

Two notifications from Xfinity: one re: Installation rates and the other pertained to channel changes.

### **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: W16-63 through W16-80.

#### **b. Subcommittee Reports**

**Lafayette Corridor Sewer Extension:** Selectman Richenburg reported that engineering was ongoing.

**Police Station:** Selectman Richenburg reported that the foundation is in and, weather permitting, the underground plumbing should be done tomorrow.

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Selectman Takesian announced that there will be a workshop to discuss resident parking options at Salisbury Beach next Monday evening. He then addressed the letter from Atty. Magliocchetti and said when he was previously on the Board and the sewer project was underway and completed, he recalled receiving information on tying sewer rates to water metering and the Town was interested. However, the metering program was done by the private water company was not completed in a timely manner, and when it was completed the selectmen tried to get the records, but the water company was not cooperative. Selectman Takesian wanted to publicly go on record saying he does not like the EQR system and feels there must be a way to utilize the current metered system for sewer charges, and he would like the Town to take a look at it again.

Selectman Hunt said when the Town passed the Right to Farm By-law there were two by-laws: The Right to Farm and the formation of an Agricultural Commission. He asked if an Agricultural Commission had been appointed yet. Mr. Harrington said he supplied the Board with information on this issue and it was up to the Board to appoint the Commission, which would consist of 5 members. He said he would post a notice that the Board would be accepting applications for appointment, if the Board didn't have any objections.

Selectman Hunt also said that a gentleman approached him after Town Meeting and asked if the Town would be in favor of registering drones. Immediately after that he heard on the news that the federal government is going to start registering them and he asked the Manager to talk with the Police Chief about this. Mr. Harrington said he believes drones are regulated by the Federal Aviation Administration and that local governments don't have any say in the matter, but that he would look into it.

### **XI. Executive Session - none**

### **XII. Adjournment**

Motion by Selectman Richenburg, Second by Selectman Takesian; unanimously voted to adjourn at 8:08 PM.

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

Minutes of Oct. 5, 2015 and Oct. 19, 2015

Copies of licenses as listed

Town Clerk's Election & Town Meeting Schedule for 2016

Info on the Restoration Bond for 191 Beach Road Project

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary

Approved: \_\_\_\_\_  
Chuck Takesian, Clerk