

BOARD OF SELECTMEN MINUTES OF MAY 12, 2014

PRESENT: Selectmen Henry Richenburg, Chairman; Ed Hunt, Fred Knowles, Donald Beaulieu and Freeman Condon

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

I. Call to Order/Salute to the Flag

Chairman Richenburg 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.

II. Acceptance of Minutes**Minutes of April 14, 2014 and April 28, 2014**

Motion by Selectman Condon, Second by Selectman Hunt; unanimously voted to approve the Minutes of April 14, 2014 as written.

Motion by Selectman Hunt, Second by Selectman Condon; unanimously voted to approve the Minutes of April 28, 2014 as written.

III. Old Business**Vote to Approve Town Manager's Contract**

Motion by Selectman Condon, Second by Selectman Beaulieu; voted to renew the Town Manager's contract expiring June 30, 2017. VOTE: 4 yeas – Selectman Hunt opposed. Motion carried.

IV. New Business**a. License Renewals:**

Motion by Selectman Beaulieu, Second by Selectman Knowles; 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: Bill's Auto Sales – 60 Main St.

Motion by Selectman Beaulieu, Second by Selectman Condon; 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 Petroleum – 157 Bridge Rd.

Motion by Selectman Beaulieu, Second by Selectman Condon; to approve the renewal of a **Repair** license application for Bills Auto Repair – 32R Pike Street.

Under discussion, Selectman Beaulieu pointed out that the name of Bill's Auto Sales posted on the agenda was incorrect and should have been Bill's Auto Repair. Selectman Condon stated he had received a complaint from Mr. Selig's neighbor as to the number of vehicles on the property. Mr. Selig explained that there are about 10 more vehicles than what is allowed, but he is in the process of notifying the owners to come and remove them and he hoped they would be gone by the end of the month. Therefore a suggestion was made to table this license.

Motion by Selectman Knowles, Second by Selectman Hunt; unanimously voted to table until the next meeting.

Motion by Selectman Hunt, Second by Selectman Beaulieu; unanimously voted to renew a **Repair** license with the same conditions/restrictions that may have been on the original license and all subsequent renewals to Salisbury Petroleum – 157 Bridge Rd.

Motion by Selectman Hunt, Second by Selectman Condon; 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: MacDougall Sales & Services – 29 Old Elm St.

b. New Licenses

Linda Somma, owner and operator of the Hideaway Pub, presently has a license for a juke box and is now requesting one for a pool table, trivia and live entertainment, consisting of 1-2 persons playing acoustic music. She said she would like to get entertainment suitable to the age group of the patrons and the acoustic music would not be as loud as the juke box. Selectman Beaulieu referred to when she came before the Board about 2 years ago and got a juke box license, but her request for live entertainment at that time was not approved. At that time there were about 12 people present and 6 spoke against that license; he asked if she had spoken to any of them about her request tonight and she said she had not, but did speak with the direct abutters. She also said she would like to be given the opportunity to show what they can do and if there are any problems, or the Selectmen receive complaints, then they can revoke the license. Paula Moore and Joan McGillvary both spoke against the license and asked that it not be allowed. Kevin Henderson – Atlantic Ave. said he played in a band at one time and played acoustically and most of the time it is quieter than a juke box and most of the music is soft – not rock & roll. Gil Medeiros spoke on behalf of the applicant and stated that when he was Chairman of the License Commission they would often times put a condition on a license that if the applicant did not comply with the conditions the license would be revoked. He felt the Board should give Ms. Somma a chance. Chairman Richenburg said he wanted to hear from everyone and he thinks on the whole the opponents are satisfied with the way the business has been operating for two years. He also looked at where the Board was two years ago and admits the neighbors were complaining with the way the prior business was operating -- not using proper toilet facilities, beer cans being strewn over the lot, doors slamming, etc. He then asked Ms. Somma if the acoustic music would be louder than the juke box and she guaranteed it would not be and there would only be 1-2 people, but most of the time there would only be 1 person singing and playing a guitar.

Selectman Condon said he is aware of the abutters' concerns and technically the establishment is not in a commercial zone, but the whole plaza has been there for years, and either way the vote goes some of the people are not going to be happy. Selectman Beaulieu recommended that if the licenses are granted that the hour of closing be midnight and not 1:00 AM. He doesn't question the reputation of the people applying, but the neighbors' concerns voiced tonight are the same as in the past.

Motion by Selectman Hunt, Second by Selectman Condon; unanimously voted to approve a **Pool Table** license to the Hideaway Pub – 183 North End Blvd.

Motion by Selectman Condon, Second by Selectman Knowles; voted to approve an **Entertainment** license to the Hideaway Pub – 183 North End Blvd. for live entertainment: 1-2 person acoustic music and trivia not to go past midnight, and with the condition that if the Board receives any complaints about noise, etc. the license will be revoked.

c. License Amendments - none

d. Committee Appointments - none

e. Update/Presentations: Fire Chief/Planning Board

Fire Chief Souliotis reported that they are getting the boat ready to go in the water at the end of the month; they are just waiting for the floats. The Rings Island station is getting fixed/cleaned up: a new overhead door was installed, the roof needs to be replaced soon, and the yard is getting cleaned. Once everything is completed the station will be used to store a truck and excess equipment. He is hoping to get live fire training done at the station through the Fire Academy. Since Atlantic Ambulance has taken over, the defibrillators have been changed to paddles and they are helping out with a grant. They are also looking into getting carbon monoxide detectors attached to the medical bags. The calls this year are up over last year: 1200 medical, 148 motor vehicle accidents, 6 structure fires and 3 large brush fires. In closing, he thanked everyone who assisted the Department by shoveling out their own fire hydrants this past winter.

Bob Straubel, Planning Board Chair provided a handout and gave a brief overview of it and reported that presently there is a full board. Since January the Planning Board approved 1 major SPR on Railroad Ave., 1 minor SPR at 76-78 Elm St., conducted workshops and hearings to amend the Zoning By-law re: medical marijuana, and held a workshop on the Lafayette Road Corridor zoning.

f. Sign Proclamation re: Childhood Cancer Awareness Week

Selectman Beaulieu read the Proclamation into the record, declaring the week of June 1st through the 7th as Childhood Cancer Awareness Week.

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to sign the Proclamation.

V. Comments by Visitors

Jerry Klima announced that the 2nd annual Salisbury Art Stroll was scheduled for Saturday, May 17th from 10AM – 4PM on the Old Eastern Marsh Trail and asked the Selectmen to attend.

Kevin Henderson – Atlantic Ave. reminded everyone that election day is tomorrow and he said whenever he is confronted by people complaining about Town Government he asks if they voted and if they haven't he tells them that they have no right to complain.

VI. Sewer/Water**VII. Correspondence****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 Beaulieu, Second by Selectman Knowles; unanimously voted to ratify the signing of the following weekly warrants: W14-168 thru W14-180.

Selectman Beaulieu announced that the Police Officers Memorial is scheduled for this Thursday at 10AM at the Beach Center.

The following comments were directed to Selectman Knowles as this was his last meeting serving as a Selectman:

Selectman Beaulieu: has served pleurably with Selectman Knowles for 8 of his 9 hears – he thinks his input and style has been very good for the Board and he is always looking out for the citizens of Salisbury. He thanked him for his service.

Selectman Condon: concurred with the above statements. In 1992 he was elected to the Board and served for two terms; when he left the Board, the first person he went to see and ask to consider running was Selectman Knowles. He said that the single most impressive thing about Fred is his commitment to his family.

Selectman Hunt: has known Selectman Knowles for many years – he is a dedicated person and wants what is right for his community and always seemed to “fight for the underdog”. He has enjoyed serving with him and wishes him the best for his family and himself.

Chairman Richenburg: has had 9 years of a real good relationship with Selectman Knowles and thanked him for his years of service. One of his qualities is he never came to the meetings with an agenda, he listened and always left the meetings without any grudges.

Selectman Knowles: announced that the Memorial Day Parade is scheduled for May 26th meeting at 9:30 AM at the Fire Station and starting off at 10AM. Re: the re-design of the Common, the individual for the architectural landscape design as to how best to go forward has been selected and he hopes to be done by the end of the summer. In closing he thanked the people of Salisbury for supporting him. He noted that he has also served on the School Committee in the past and has served over one-third of his life in public office. He has thoroughly enjoyed serving with the Board; even when there were disagreements they could still work together and he hoped that the present and future Boards of Selectmen continue to work the same.

Chairman Richenburg reminded everyone about Town Meeting being scheduled for next Monday, May 19, starting at 7PM at the Elementary School. He then announced that the Town was successful in bidding out the contract for the Library, that the low bidder was a local firm, Castagna Construction, and that in the not too distant future ground will be broken for the new library.

XI. Executive Session

Discussion of Possible Settlement of Pending Litigation

Motion by Selectman Beaulieu, Second by Selectman Condon; unanimously voted to move into Executive Session at 8:25 PM for the purpose of discussing a possible settlement of pending litigation and not to return to open session. Selectmen, Town Manager and secretary are to be in attendance. Roll vote: Selectman Beaulieu – yes; Selectman Knowles – yes; Selectman Condon – yes; Selectman Hunt – yes; Chairman Richenburg – yes.

XII. Adjournment

Meeting adjourned after the Executive Session at 8:50 PM.

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

Minutes of April 14th and April 28, 2014

Copies of licenses as listed

Planning Board Presentation Outline

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary

Approved: _____
Fred Knowles, Clerk