

**MINUTES FOR THE ANNUAL TOWN MEETING
MAY 18, 2015
SALISBURY ELEMENTARY SCHOOL**

A quorum (125) being present, Moderator Jerry Klima called the Town Meeting to order at 7:37 p.m. with the checklist showing 253 registered voters. There were 30 non-voters present: Donald Levesque, Terry Kyrios, Neil Harrington, Angeljean Chiaramida, Elizabeth Pettis, Thomas McEnaney, John W. Morris, Cheryl Gorniewicz Christine Lindberg, Scott Vandewalle, Christopher Farmer, William DeRosa, Maureen Lynch, Kara Kosmes, Bob Roy, Heidi Roy, Tracy Smith, Steven Sforza, Joshua Monahan, Jameson Ayotte, Joseph McDonough, Charles LaBella, Susan Bailey, Jeffrey Greene, Joanne Ratcliffe, Michael Tullercash, Jessica Leary, Randall Bonnett, R. Nicossi, Joyce Tomaselli.

Shauna Becotte, Anne Jones and Susan Tatro were checkers at the door with Assistant Town Clerk, Lynne Karpenko, assisting. Reggie Santos and Brud Janvrin served as counters throughout the meeting.

After article five was passed a motion was made by John Housianitis to waive the reading of articles 6-13. The motion was seconded and carried.

After article fourteen passed a motion was made by John Housianitis to waive the reading of article fifteen; the motion was seconded and carried.

Action was taken on the remaining articles of the warrant and Moderator Klima declared the meeting adjourned at 8:50 pm

ARTICLE ONE

Election of Officers – Tuesday, May 12, 2015
TWO SELECTMEN FOR A THREE-YEAR TERM

TRITON REGIONAL SCHOOL COMMITTEE MEMBERS – THREE MEMBERS FOR A THREE YEAR TERM – ONE MEMBER FROM EACH TOWN

“Shall the Town of Salisbury be allowed to exempt from the provisions of Proposition two and one-half, so-called, the amount required to pay for the bond issued in order to design, construct and equip a new Police Station to be located at 175 Beach Road, Salisbury, including all costs incidental and related thereto?”

ARTICLE TWO

To hear reports of the Boards, Committees and Commissions as may be presented. Ronalee Ray-Parrott reported on behalf of the Parks and Recreation Commission. Alana Gilbert, Whittier School Committee Member, announced that Bill DeRosa would be retiring as the Whittier Superintendent and that Maureen Lynch will be replacing him.

ARTICLE THREE

To hear the report of the Warrant Advisory Committee and to raise and appropriate \$21,684,063.00 to fund the FY2016 annual operating budget of the Town, which includes \$10,098,977.00 to pay the Town's anticipated share of the Triton Regional School District's operating budget for FY2016, calculated in accordance with Mass. General Law Chapter 70, Section 6, and in accordance with the attached departmental breakdown of the budget; to appropriate \$1,996,491.00 to fund the FY2016 Sewer Enterprise Fund budget; to appropriate \$2,721,980.00 to fund the FY2016 Water Enterprise Fund budget; to transfer the sums of \$368,676.00 from the FY2016 Sewer Enterprise Fund budget and \$142,060.00 from the FY2016 Water Enterprise Fund budget to the General Fund; and to transfer the sum of \$30,000.00 from the Waterways Permit Fees Fund to the General Fund; or to take any other action relative thereto.

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Wilma McDonald I move that Article Three be approved as herein stated
Seconded & Carried

ARTICLE FOUR

To see if the Town will vote to re-authorize a revolving fund for the Planning Board as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2016. This revolving fund would be to accept receipts from fees charged to applicants specifically to pay outside consultants. The receipts would be expended, not to exceed \$100,000 in FY2016, by the Planning Board for: engineers, lawyers, designers, or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, ordinances, bylaws and regulations; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Henry Richenburg I move that Article Four be approved as herein stated
Seconded & Carried

ARTICLE FIVE

To see if the Town will vote to re-authorize a revolving fund for the Conservation Commission as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2016. This revolving fund would be to accept receipts from filing fees paid pursuant to the Wetlands Protection Act. The receipts would be expended, not to exceed \$100,000 in FY2016, by the Conservation Commission for the payment of consultant fees, expenses of, and a portion of the salary and benefits of the Town's Conservation Agent for administration and enforcement of the Wetlands Protection Act; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Charles Takesian I move that Article Five be approved as herein stated
Seconded & Carried

Motion: John Housianitis I move to waive the readings of articles six through thirteen
Seconded & Carried

ARTICLE SIX

To see if the Town will vote to re-authorize a revolving fund for the Parks and Recreation Commission as described in Chapter 44, Section 53E1/2 of the Massachusetts General Laws, for FY2016. The revolving fund would be to accept receipts from fund raising, grants, donations, and charges for activities. The receipts would be expended, not to exceed \$25,000.00 in FY2016 by the Parks and Recreation Commission for activities sponsored by the Parks and Recreation Commission; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Freeman Condon I move that Article Six be approved as herein stated
Seconded & Carried

ARTICLE SEVEN

To see if the Town will vote to re-authorize a revolving fund for the Building Inspector's Department as described in Chapter 44, Section 53 E1/2 of the Mass. General Laws for FY2016. This revolving fund would be to accept receipts from fees charged by the Department for electrical, plumbing and gas inspections. The receipts would be expended, not to exceed \$50,000 in FY2016, by the Building Inspector's Department to pay for the services of the Town's electrical, plumbing and gas inspectors; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Edwin Hunt I move that Article Seven be approved as herein stated
Seconded & Carried

ARTICLE EIGHT

To see if the Town will vote to re-authorize a revolving fund for the Earth Filling Bylaw as described in Chapter 44, Section 53 E1/2 of the Mass. General Laws for FY2016. This revolving fund would be to accept payments made by applicants under the Town's Earth Filling Bylaw for borings and test pits, inspections, monitoring, certifications, reports and tests that are required by the permit granting authority while considering an application for an earth filling permit and/or as a condition of issuing a permit and/or to monitor performance under a permit and/or to establish compliance with the conditions of a permit and the bylaw. The receipts would be expended, not to exceed \$50,000 in FY2016, by the Board of Selectmen and/or the Town Manager for such services as either of them as a permit granting authority deems to be needed to evaluate an application and/or to monitor performance under a permit and/or to establish compliance with the conditions of a permit and the bylaw; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Wilma McDonald I move that Article Eight be approved as herein stated
Seconded & Carried

ARTICLE NINE

To see if the Town will vote to re-authorize a revolving fund for the Council on Aging as described in Chapter 44, Section 53 E1/2 of the Mass. General Laws, for FY2016. This revolving fund would be to accept donations to the Council on Aging from individuals, businesses, corporations or non-profit agencies. The receipts would be expended, not to exceed

\$50,000 in FY2016, by the Director of the Council on Aging, with the approval of the Board of Directors of the Council on Aging, to pay for general improvements to the Hilton Center and other expenses consistent with the mission of the Council on Aging; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Henry Richenburg I move that Article Nine be approved as herein stated

Seconded & Carried

ARTICLE TEN

To see if the Town will vote to re-authorize a revolving fund for the Planning Board as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2016. The revolving fund would be to accept receipts from developers, landowners and other applicants seeking subdivision or site plan approval from the Planning Board, except for those receipts specifically to pay outside consultants. The receipts would be expended, not to exceed \$40,000.00 in FY2016, by the Planning Board, in conjunction with the Town's Department of Public Works for: design, engineering and construction costs of sidewalks required pursuant to the Town's subdivision control bylaw; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Charles Takesian I move that Article Ten be approved as herein stated

Seconded & Carried

ARTICLE ELEVEN

To see if the Town will vote to re-authorize a revolving fund for the Harbor Commission, as described in Chapter 44, Section 53E ½ of the Mass. General Laws, for FY2016. This revolving fund would be to accept receipts from: mooring fees, waterways permit fees, dinghy fees, and sewerage pump-out fees. The receipts would be expended, not to exceed \$75,000 in FY2016, by the Harbor Commission for: maintenance and development of riverfront recreational activities, equipment maintenance or replacement, Harbormaster's operating expense, water safety, education and expenses of complying with the Clean Waters Act; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Freeman Condon I move that Article Eleven be approved as herein stated

Seconded & Carried

ARTICLE TWELVE

To see if the Town will vote to re-authorize a revolving fund for the Town Manager as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2016. The revolving fund would be to accept receipts from fees paid to park at Town-owned parking lots at Salisbury Beach. The receipts would be expended, not to exceed \$10,000 in FY2016, by the Town Manager for the purpose of funding public improvements at Salisbury Beach, including, but not limited to, public infrastructure, upkeep of the Town's comfort station and/or public amenities; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Edwin Hunt I move that Article Twelve be approved as herein stated

**Motion: Charles Takesian I move to amend Article Twelve by deleting the amount
\$10, 000.00 and insert \$30,000.00 in its place
Seconded & Carried**

Main Motion as amended was seconded and carried

ARTICLE THIRTEEN

To see if the Town will vote to re-authorize a revolving fund for the Health Department as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2016. This revolving fund would be to accept receipts from fees charged to property owners and/or other applicants for inspections by the Town's Department of Health. The receipts would be expended, not to exceed \$100,000 in FY2016, by the Director of Public Health, with the approval of the Town Manager, to pay for the services of qualified individuals to conduct health inspections, including but not limited to inspections of restaurant and food establishments, housing, septic systems and Title 5, as required by law, bylaw or Board of Health regulation, and the enforcement thereof, at the direction of the Director of Public Health; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

**Motion: Wilma McDonald I move that Article Thirteen be approved as herein stated
Seconded & Carried**

ARTICLE FOURTEEN

To see if the Town will vote to authorize a revolving fund for the Department of Public Works as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2016. This revolving fund would be to accept receipts from rental and other fees charged to tenants of the former Memorial School. The receipts would be expended, not to exceed \$75,000 in FY2016, by the Director of Public Works, to pay for capital repairs and improvements to the former Memorial School; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Henry Richenburg I move that Article Fourteen be approved as herein stated

Motion: Wilma McDonald

**I move to amend Article Fourteen by deleting the word “authorize” in the first sentence and inserting in place thereof the word “re-authorize”
Seconded & Carried**

Main Motion as amended was seconded and carried

**Motion: John Housianitis I move to waive the reading of article fifteen
Seconded & Carried**

ARTICLE FIFTEEN

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, eminent domain or otherwise, a fee simple interest or lesser interest in the parcel of land described below, which parcel is a portion of Assessor’s Map #6, Lot #38, located at the corner of Maple Street and Park Street, for affordable housing purposes and for the purpose of conveyance, and to authorize the Board of Selectmen to convey said parcel for affordable housing purposes on such terms and conditions and for such consideration as the Selectmen deem appropriate; and, further, to authorize the Board of Selectmen to accept an affordable housing restriction on said parcel, which parcel to be acquired and conveyed is further described as follows:

Beginning at a point on Maple Street at the intersection of the Easterly line of Maple Street and the Southerly line of the recently discontinued portion of Park Street as shown on Plan Book 446 Plan 91:

Thence: S 13 49 38 W by the Easterly line of Maple Street a distance of 168.09’ to other land of the Town of Salisbury.

Thence: S 75 56 49 E by the Town of Salisbury land a distance of 139.00’ to a point.

Thence: S 15 45 54 W a distance of 55.10’ to other land of the Town of Salisbury.

Thence: N 50 13 01 E by land now or formerly Maralee A. and Eric J. Mies, a distance of 153.39’ to the Southerly line of Park Street.

Thence: N 39 37 22 W by the Southerly line of said Park Street a distance of 117.21’ to the end of said street at the face of the existing school.

Thence: continuing N 39 37 22 W by the Southerly line of the discontinued portion of said Park Street a distance of 51.08’ to a point.

Thence: N 76 10 22 W by the Southerly line of the discontinued portion of said Park Street a distance of 92.95’ to the Easterly line of Maple Street and the point of beginning.

The above described parcel of land contains an area of 31,001 square feet and is more particularly shown as School Lot on a plan entitled “Plan of Land in Salisbury, MA showing The School Lot at Maple Street,” Scale: 1” = 40’, April 10, 2015, Millennium Engineering,

Inc., 62 Elm St., Salisbury, MA, a copy of which is on file in the office of the Town Clerk; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

**Motion: Charles Takesian I move that Article Fifteen be approved as herein stated
Seconded & Carried**

ARTICLE SIXTEEN

To see if the Town will vote to accept as a Town way the roadway known as Ocean Front South, as heretofore laid out by the Board of Selectmen and shown on a plan entitled "Street Acceptance Plan in Salisbury, MA Showing Ocean Front South," dated March 12, 2014, prepared by Millennium Engineering, Inc., and on file with the Town Clerk, and to authorize the Board of Selectmen to acquire on behalf of the Town by gift, purchase, or eminent domain the fee to and/or easements in Ocean Front South for all purposes for which public ways are used in the Town of Salisbury, and drainage, utility, access, and/or other easements related thereto; or take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

**Motion: Freeman Condon I move that Article Sixteen be approved as herein stated
Seconded & Carried Unanimously (2/3 vote required)**

ARTICLE SEVENTEEN

To see if the Town will vote to appropriate and authorize the Treasurer to borrow the sum of \$11,500,000.00 in accordance with General Laws Chapter 44, Section 7 or any other enabling authority, for the purpose of designing, constructing, equipping and furnishing a new police station, to be located at 175 Beach Road; and further to authorize the Board of Selectmen to apply for, accept and expend any grants or gifts available for said purposes; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee voted 5 – 0 to recommend approval with one member abstaining

**Motion: Edwin Hunt I move that Article Seventeen be approved as herein stated
Seconded & Carried Unanimously (2/3 vote required)**

ARTICLE EIGHTEEN

To see if the Town will vote to authorize the Treasurer to borrow the sum of \$80,000.00 in accordance with General Laws Chapter 44, Section 7, or any other enabling authority, for the purpose of purchasing and equipping two vehicles for the Police Department and to authorize the Town Manager to execute any instruments and take any other action necessary to effectuate the vote taken hereunder; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

**Motion: Wilma McDonald I move that Article Eighteen be approved as herein stated
Seconded & Carried Unanimously (2/3 vote required)**

ARTICLE TWENTY

To take any other action that may be lawfully taken at this meeting.

**Motion: Freeman Condon
Seconded & carried**

I motion to adjourn

Moderator Klima declared the special town meeting adjourned at 8:50 pm

Respectfully Submitted,

Melinda J. Morrison
Town Clerk
May 19, 2015