

**ANNUAL TOWN MEETING  
MAY 20, 2013  
SALISBURY ELEMENTARY SCHOOL**

A quorum (125) being present, Moderator Jerry Klima called the Annual Town Meeting to order at 7:46 p.m. with checklist showing over 300 registered voters. The number of voters later peaked at 387. There were 29 non-voters present: Donald Levesque, Terry Kyrios, Ted Kyrios, Lisa Pearson, Neil Harrington, Andrew Gould, Angeljean Chiaramida, Elizabeth Pettis, Thomas McEnaney, John W. Morris, David Lovering, Cheryl Gorniewicz, Ray Mace Jr., Christopher Farmer, Bill DeRosa, Maureen Lynch, Charles LaBella, Stephen Nichols, Devin Lapia, Gloria Donahue, Mariantonia Boulay, Pam Shaw, Maureen Andrews, Leo Sullivan, Gary Barrett, Joyce Tomaselli, Kara Kosmer, Adam Page, Brooke Shea.

Anne Jones, Josephine Kohan and Susan Tatro were checkers at the door with Assistant Town Clerk Melinda Morrison assisting. Reggie Santos and Brud Janvrin served as counters throughout the meeting.

The first order of business, as per the Town Charter was to elect a Deputy Moderator. Moderator Klima asked for a motion to ratify his selection of Reginald Santos to serve as Deputy Moderator until the May 2014 Annual Town Meeting

**Motion: Donald Beaulieu                      To appoint Reginald Santos Deputy Moderator until May 2014**  
**Seconded & carried by unanimous vote**

**ARTICLE ONE**

The Election of Officers was held on Tuesday, April 30, 2013.

**ARTICLE TWO**

To hear reports of the Boards, Committees and Commissions as may be presented

Board of Selectmen Chairman Henry Richenburg commended outgoing Moderator Ronald Ray for his many years of service to the Town and presented him with proclamations from the Town of Salisbury and the Commonwealth of Massachusetts. The text of Chairman Richenburg's speech is attached as a permanent record.

Park & Recreation Commission Chair Ronalee Ray-Parrott gave a report on the activities of that committee for the past year

**ARTICLE THREE**

To hear the report of the Warrant Advisory Committee and to raise and appropriate \$20,127,443.00 to fund the FY2014 annual operating budget of the Town, which includes \$9,487,410.00 to pay the Town's anticipated share of the Triton Regional School District's operating budget for FY2014, calculated in accordance with Mass. General Law Chapter 70, Section 6, and in accordance with the attached departmental breakdown of the budget; to appropriate \$2,059,620.00 to fund the FY2014 Sewer Enterprise Fund budget; to appropriate \$2,142,569.00 to fund the FY2014 Water Enterprise Fund budget; to transfer the sums of \$312,717.00 from the FY2014 Sewer Enterprise Fund budget and \$125,236.00 from the FY2014 Water Enterprise Fund budget to the General Fund; and to transfer the sum of \$29,265.00 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: Fred Knowles              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 FY2014. 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 FY2014, 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: Freeman Condon 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 FY2014. 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 FY2014, 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: Donald Beaulieu I move that Article Five be approved as herein stated**

**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 FY2014. 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 \$5,000.00 in FY2014 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: Henry Richenburg 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 FY2014. 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 FY2014, 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 FY2014. 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 FY2014, 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: Fred Knowles 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 FY2014. 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 FY2014, 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: Freeman Condon 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 1/2 of the Massachusetts General Laws, for FY2014. 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 FY2014, 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: Donald Beaulieu 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 1/2 of the Mass. General Laws, for FY2014. 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 FY2014, 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: Henry Richenburg I move that Article Eleven be approved as herein stated**

**Seconded & carried**

#### **ARTICLE TWELVE**

To see if the Town will vote to authorize a revolving fund for the Town Manager as described in Chapter 44, Section 53E 1/2 of the Massachusetts General Laws, for FY2014. 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 FY2014, 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**

**Seconded**

**Motion: Donald Beaulieu I move to amend the word "authorize" to read "re-authorize"**

**Seconded & carried**

**Main motion as amended seconded and carried by unanimous vote**

### **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 FY2014. 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 FY2014, 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: Fred Knowles I move that Article Thirteen be approved as herein stated**

**Seconded & carried**

### **ARTICLE FOURTEEN**

To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, and/or eminent domain, for cemetery purposes, the Long Hill Cemetery located at 105 Beach Road and identified as Assessors Map #25, Lot #9, which cemetery shall thereafter be maintained and managed as town property; 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 Fourteen be approved as herein stated**

**Seconded**

**Discussion: In response to a question, Long Hill Cemetery Commission member Arthur Ober stated that the Commission would turn \$135,000 over to the Town if the Town takes over the cemetery.**

**Article Fourteen carried by majority vote**

### **ARTICLE FIFTEEN**

To see if the Town will vote to adopt a bylaw establishing a Cemetery Commission of five members, to be inserted as Chapter 30 of the General Bylaws as Article 65:

Article 65: Cemetery Commission

**§65 - 1** There shall be a Cemetery Commission of five members, to be appointed by the Town Manager, in consultation with the Board of Selectmen, with two of the initial members to be Trustees of the Long Hill Cemetery. The Cemetery Commissioners shall be appointed for a five year term, with the initial appointment of the Commissioners to be staggered so that one Commissioner's term expires each year.

§ 65 - 2 To the extent delegated by the Town Manager, the Cemetery Commissions shall have care, custody, management and control of all town cemeteries and the powers set forth in Sections 23 through 26, inclusive, of Chapter 114 of the General Laws; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

**Warrant Advisory Committee unanimously voted to recommend approval**

**Motion: Donald Beaulieu I move that Article Fifteen be approved as herein stated**

**Seconded**

**Article Fifteen carried by majority vote**

#### **ARTICLE SIXTEEN**

To see if the Town will vote to authorize the Board of Selectmen, Board of Assessors and Town Manager to negotiate and enter into an agreement for Payment-in-Lieu-of-Taxes (PILOT), pursuant to the provisions of G.L. c. 59, §38H(b), and any other applicable law, between the Town and True North Energy for the solar facility installed, owned and operated by True North Energy on land located at 12 Rabbit Road in Salisbury (Assessors Map No.10, Lot No.41), upon such terms and conditions as the Board of Selectmen, Board of Assessors and Town Manager deem to be in the best interest of the Town; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

**Warrant Advisory Committee unanimously voted to approve**

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

**Seconded**

**Motion: Donald Beaulieu I move that Article 16 be amended to change the Lot number from "41" to "141"**

**Seconded & carried**

**Main motion as amended carried by unanimous vote**

#### **ARTICLE SEVENTEEN**

To see if the Town will vote to amend Chapter 77 of the General Bylaws (Earth Filling) as follows:

Delete §77-8, Paragraph E, in its entirety and insert in place thereof the following:

E. Fees. The following fees shall apply to applications under this bylaw:

- 1) For permits allowing filling of from 500 to 2,000 cubic yards in any twenty-four month period, the application fee shall be established by the Town Manager and approved by the Board of Selectmen.
- 2) For permits allowing filling over 2,000 cubic yards, the application fee shall be established by the Board of Selectmen;

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 Seventeen be approved as herein stated**

**Seconded & carried by majority vote**

#### **ARTICLE EIGHTEEN**

To see if the Town will vote to transfer the care, custody, management and control of the parcels of land identified as Town Assessors Map No. 24, Lot No. 82; Map No. 24, Lot No. 83; and Map No. 26, Lot No. 33 from the Board of Selectmen to the

Treasurer/Collector, who has been appointed Custodian of tax title properties by the Board of Selectmen pursuant to G.L. c. 60, §77B, for the purpose of conveyance by public auction, which parcels of land were previously acquired by the Town by tax title foreclosures;; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

**Warrant Advisory Committee unanimously voted to recommend approval**

**Motion: Fred Knowles I move that Article Eighteen be approved as herein stated**

**Seconded & carried by a hand count vote of 325 YES, 2 NO**

## **ARTICLE NINETEEN**

To see if the Town will vote to authorize the Board of Selectmen to acquire, for public way purposes, by gift, purchase, or eminent domain, the fee to or easement in all or portions of the parcel of land known as Fowler Street, as described below:

### **Fowler Street**

Beginning at the Northwest bound of Lot 43 on Land Court plan 3200-46, Sheet 13, Block 12, which point is 81.15 feet west of the Westerly line of Cable Avenue and extending in a Westerly direction to land of the Commonwealth of Massachusetts

Southerly by Lot 43, the Northerly line of Brissette Avenue, the Emery N. Fowler Lot, the Northerly line of Railroad Avenue, Lots 765 and 766 on Plan 3200-163, the Northerly line of Libby Avenue, Lots 23A and 23B in Block 10, the Northerly line of Atlantic Avenue and Lot 109 in Block 9 measuring 547.09 feet

Easterly by land of the Commonwealth of Massachusetts measuring 30 feet

Northerly by Lots 110A and 110B, the Southerly line of Atlantic Avenue, Lots 745 and 746 on Plan 3200-157, the Southerly line of Libby Avenue, Lots 763 and 764 on Plan 3200-163, the Southerly line of Railroad Avenue, Lot 24, the Southerly line of Brissette Avenue and Lot 42A measuring 545.32

Westerly by land of the Town of Salisbury measuring 30.12 feet

All of said land is shown on Land Court Plan 3200-46, Sheets 12 and 13, 3200K, 3200Q, 3200-37, 3200-157, 3200-163, 3200IX and in Plan Book: 339 Plan: 83 and Plan 774 of 1947; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

**Warrant Advisory Committee voted, 4 yeas 1 abstention, to recommend approval**

**The Moderator asked and received permission from town meeting voters to waive the reading of the street descriptions**

**Motion: Freeman Condon**

**I move that Article Nineteen be approved as herein stated**

**Seconded & carried**

## **ARTICLE TWENTY**

To see if the Town will vote to transfer and appropriate the sum of \$49,708.85 from Overlay Surplus to offset Overlay deficits from previous years that will be raised on the FY2014 Tax Recapitulation; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

**Warrant Advisory Committee unanimously voted to recommend approval**

**Motion: Donald Beaulieu I move that Article Twenty be approved as herein stated**

**Seconded & carried by unanimous vote**

#### **ARTICLE TWENTY-ONE**

To see if the Town will vote to appropriate and authorize the Treasurer to borrow the sum of \$1,026,372.00 in accordance with General Laws Chapter 44, Section 7, or any other enabling authority, for the purpose of making certain energy conservation and energy related improvements to public buildings owned by the Town of Salisbury, as identified in an Investment Grade Audit prepared for the Town by Ameresco, Inc., an Executive Summary of which is on file in the office of the Town Clerk; and further authorizing the Town Manager to enter into a so-called performance-based energy contract for a term not to exceed 20 years for the purpose of making said energy conservation and energy related improvements and guaranteeing the projected financial savings from those improvements, upon such terms and conditions as the Board of Selectmen may determine; 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 Twenty-One be approved as herein stated**

**Seconded & carried by unanimous vote**

#### **ARTICLE TWENTY-TWO**

To see if the Town will vote, in accordance with G.L. c. 164, §134, to initiate the process to aggregate electrical load for interested electric utility customers in the Town of Salisbury; and authorize the Board of Selectmen to enter into an agreement or agreements for services to facilitate the sale and purchase of electric energy and other related services, for terms of more than three years, which independently, or through inter-municipal agreements with other municipalities or other political subdivisions of the Commonwealth on such terms and conditions as the Board of Selectmen deem in the best interest of the Town; and to authorize the Board of Selectmen to take all actions necessary to administer and implement such agreements; provided, however, that if the Board of Selectmen determines that such an arrangement is in the best interest of the Town, its residents and businesses, any agreement for such purposes shall include a provision securing individual consumers the ability to "opt out" at their discretion so as to be able to choose from among any available alternative power supply service; 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 Twenty-Two be approved as herein stated**

**Seconded & carried**

#### **ARTICLE TWENTY-THREE**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation creating a new regional veterans' services district, including the Town of Salisbury and one or more of its neighboring communities, which may include Newburyport, Newbury, Merrimac and/or Amesbury; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

**Warrant Advisory Committee unanimously voted to recommend approval**

**Motion: Fred Knowles I move that Article Twenty-Three be approved as herein stated**

**Seconded & carried by unanimous vote**

#### **ARTICLE TWENTY-FOUR**

To see if the Town will vote to transfer the care, custody, management and control of the property described below from the Board of Selectmen for sewer purposes to the Board of Selectmen for the purpose of conveyance, and authorize the Board of Selectmen to convey a certain parcel of land with the improvements thereon, located at 50 Dock Lane, Salisbury, and shown on Assessors Map #24, Lot #55, on such terms and conditions, and for such consideration as it deems appropriate, which property was taken by Order of Taking dated December 3, 1970, and recorded with the Essex South Registry of Deeds at Book 5730, Page 731; and, further, to authorize the Board of Selectmen to petition the General Court for authorization to convey the property notwithstanding the provisions of G.L. c. 30B; 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 Twenty-Four be approved as herein stated**  
**Seconded & carried by a hand count vote of 315 YES, 2 NO**

#### **ARTICLE TWENTY-FIVE**

To see if the Town will vote to appropriate and authorize the Treasurer to borrow the sum of \$7,500,000.00 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 library building on the Town Common; provided however, that such sum is to be reduced by the receipt of a \$3,856,187 provisional grant awarded to the Town on October 4, 2012, by vote of the State Board of Library Commissioners, in accordance with the "Grant Payment Schedule" which was attached to the notice of the grant award, dated October 10, 2012, a copy of which is on file in the office of the Town Clerk, and by whatever private funds are donated on behalf of the project by interested businesses, institutions, and/or individuals; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

**Warrant Advisory Committee unanimously voted to recommend approval**

**Motion: Donald Beaulieu            I move that Article Twenty-Five be approved as herein stated**  
**Seconded & carried by a hand count vote of 316 YES, 34 NO**

#### **ARTICLE TWENTY-SIX**

To see if the Town will vote to authorize the Board of Selectmen to acquire, for public way purposes, by gift, purchase, or eminent domain, the fee to or easement in all or portions of the parcels of land known as:

##### **Florence Avenue**

Beginning at the Westerly line of the State Highway, also known as North End Blvd and extending west to land now or formerly of Kenneth L. Wilmer, Assessor's Map 35, Lot 43

Easterly            by the State Highway measuring 29 feet  
Northerly        by Lots 3, 9, 13, 17, 21, 25, 29, 33, 37, 41 and 45 measuring 550 feet more or less  
Westerly        by land now or formerly of Kenneth L. Wilmer measuring 29 feet  
Southerly        by Lots 44, 40, 36, 32, 28, 24, 20, 16, 12, 8 and 2 measuring 550 feet more or less

All of said land is shown on Plan 451 of 1953.

##### **Lewis Avenue**

Beginning at the Westerly line of the State Highway, also known as North End Blvd and extending west to land now or formerly of Kenneth L. Wilmer, Assessor's Map 35, Lot 43

Easterly            by the State Highway measuring 40 feet  
Northerly        by Lots 6, 11, 15, 19, the Southerly line of Carter Avenue, Lots 27, 31, 35, 39, and 43  
                         measuring 520 feet more or less  
Westerly        by land now or formerly of Kenneth L. Wilmer measuring 40 feet



Southerly by Lots 42, 38, 34, 30, 26, 22, 18, 14, 10, and 5 measuring 520 feet more or less  
All of said land is shown on Plan 451 of 1953 and 303 of 1968.

### **Carter Avenue**

Beginning at the Northerly line of Lewis Avenue and extending in a Northerly direction to the Southerly line of 12<sup>th</sup> Street (West)

Easterly by Lots 19 and 47 on Plan 451 of 1953 measuring 195.39 feet

Northerly by the Southerly line of 12<sup>th</sup> Street (West) measuring 50 feet

Westerly by Lots 56 and 27 measuring 195.39 feet

Southerly by the Northerly line of Lewis Avenue measuring 50 feet

All of said land is shown on Plan 451 of 1953.

Also another section of said Carter Avenue beginning at the Northerly line of 12<sup>th</sup> Street (West) and extending in a Northerly direction to the Southerly line of 10<sup>th</sup> Street (West)

Easterly by Lots 48, 49, 50, 51, the Westerly line of 11<sup>th</sup> Street (West), Lots 53, 54 on Plan 552 of 1953 and Lots 55 and 55A on Plan 303 of 1968 measuring 452.6 feet more or less

Northerly by the Southerly line of 10<sup>th</sup> Street (West) measuring 45 feet

Westerly by Lots 142 and 61 on Plan 303 of 1968 and Lot 60, the Easterly line of 11<sup>th</sup> Street (West), Lots 59, 58 and 57 on Plan 552 of 1953 measuring 455.68 feet more or less

Southerly by the Northerly line of 12<sup>th</sup> Street (West) measuring 45 feet

All of said land is shown on Plan 552 of 1953 and Plan 303 of 1968.

### **12<sup>th</sup> Street (West)**

Beginning at the Westerly line of the State Highway, also known as North End Blvd and extending in a Westerly direction to the Dead Creek and Blackwater River

Easterly by the Westerly line of the State Highway measuring 50 feet

Northerly by Lots 1, 8 and 7, Block T on Land Court Plan 3200XIV measuring 185 feet more or less

Northerly by Lot 48, the Southerly line of Carter Avenue, Lots 57, 63, 69, 74, 79, 84, 89, 94, 99, 103, 107, 111, 115, 119, 123, 126, 129, 132, 134, 135, 136, and 137 on Plan 552 of 1953 measuring 1,125 feet more or less

Westerly by Dead Creek measuring 50 feet more or less

Southerly by Lots 138, 122, 118, 114, 110, 106, 102, 98, 93, 88, 83, 78, 73, 68, 62, 56, the Northerly line of Carter Avenue and Lot 47 on Plan 552 of 1953 and Lots 731, 730, 729 and 728 on Land Court Plan 3200-150 measuring 1,074.67 feet more or less

All of said land is shown on Plan 552 of 1953 and Land Court Plans 3200XIV and 3200-150.

### **11<sup>th</sup> Street**

Beginning at the Westerly line of the State Highway, also known as North End Blvd and extending in a Westerly direction to land now or formerly of Annie L. Humphrey, Assessor's Map 35 Lot 129

Easterly by the Westerly line of the State Highway measuring 50 feet

Northerly by Lots 5A, 8A, 9A, 10A and 11A on Land Court Plan 3200-91 measuring 213.14 feet

Northerly by Lot 53, the Southerly line of Carter Avenue, Lots 60, 65, 66, 67, 71, 72, 76, 77, 81, 82, 86, 87, and 91 on Plan 552 of 1953 measuring 765 feet

Westerly by Extension 11<sup>th</sup> Street (West), as shown on plan, measuring 50 feet

Southerly by the Northerly line of Lot 116, also shown as Bayberry Lane on Plan 303 of 1968 and Lots 112, 108, 104, 100, 95, 90, 85, 80, 75, 70, 64, 59, the Northerly line of Carter Avenue and Lot 51 on Plan 552 of 1953 and Lots 6, 5 and 4, Block T on Land Court Plan 3200XIV measuring 980 feet more or less

All of said land is shown on Plan 552 of 1953 and Land Court Plans 3200XIV and 3200-91.

### **10<sup>th</sup> Street**

Beginning at the Westerly line of the State Highway, also known as North End Blvd and extending in a Westerly direction to land now or formerly of Annie L. Humphrey and shown on Plan 301 of 1968 as the westerly portion of Ext 10<sup>th</sup> Street (West)

Easterly by the Westerly line of the State Highway measuring 50 feet

Northerly by Lots 1, 8 and 7, Block R on Land Court Plan 3200XIV measuring 220 feet more or less

Northerly by Lot 154, 155, 155A, 156 and 157 on Plan 303 of 1968 measuring 232.76 feet

Westerly by Extension 10<sup>th</sup> Street (West), as shown on plan, measuring 50 feet

Southerly by Lot 142, the Northerly line of Carter Avenue, and Lot 55A measuring 215 feet

Westerly by Lot 55A

Southwesterly by Lot 140 measuring 50.81 feet

Southerly by Lots 721, 722, 723 and 724 on Land Court Plan 3200-149 measuring 185.65 feet

All of said land is shown on Plan 303 of 1968 and Land Court Plans 3200XIV and 3200-149.

### **Berry Lane (aka Bayberry Lane)**

Beginning at the Southerly line of 12<sup>th</sup> Street (West) and extending in a Northerly direction to 11<sup>th</sup> Street (West) being Lots 115 and 116 on Plan 552 of 1953

Easterly by Lots 111 and 112 measuring 200 feet

Northerly by the Southerly line of 11<sup>th</sup> Street (West) measuring 50 feet

Westerly by Lots 119 and 120 measuring 200 feet

Southerly by the Northerly line of 12<sup>th</sup> Street (West) measuring 50 feet

Also shown as Bayberry Lane on Plan 303 of 1968; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

**Warrant Advisory Committee unanimously voted to recommend approval**

**The Moderator asked and received permission from town meeting voter to waive the reading of the street descriptions**

**Motion: Henry Richenburg I move that Article Twenty-Six be approved as herein stated**

**Seconded & carried by unanimous vote**

### **ARTICLE TWENTY-SEVEN**

To see if the Town will vote to approve a by-law that would require any person, group, board, committee or commission; that wants to promulgate, enact, or establish; any policy, rule, regulation or standards; or to enforce any existing policy, rule, regulation or standards to acquire a two thirds approval vote of Town Meeting before any policy, rule, regulation, or standards is established or enforced.

ON PETITION OF KEVIN HENDERSON et al

**Warrant Advisory Committee unanimously voted to not recommend approval. K. Henderson recused himself from voting and alternate member Pease participated.**

**Motion: Edwin Hunt I move that Article Twenty-Seven be approved as herein stated**

**Seconded & defeated**

### **ARTICLE TWENTY-EIGHT**

To see if the Town will use actual water meter readings to have a user fee based on actual water usage and sewer charges to be based on water usage. In the case of seasonal or other water usage where the water is shut off and the meter removed ([full month only] there will not be any sewer charge or water meter removal charge in that time period as shutting off water and meter removal is a public safety issue.

ON PETITION OF MITCHELL MAKARIEWICZ et al

**Warrant Advisory Committee unanimously voted to not recommend approval**

**Motion: Fred Knowles I move that Article Twenty-Eight be approved as herein stated**

**Seconded & defeated**

### **ARTICLE TWENTY-NINE**

To see if the Town will vote to amend the Zoning Bylaw of the Town of Salisbury as follows:

1. Amending Chapter 300; Attachment 1, dated 08-01-2012, under Agricultural Uses; Raising or keeping of livestock, horses and poultry not including the raising of swine or fur animals for commercial use, to change C2 District from Special Permit(s) to Permitted.

or to take any other action relative thereto.

ON PETITION OF JOANN E. WHITLEY et al

**Warrant Advisory Committee unanimously voted not to recommend**

**Planning Board voted not to recommend**

**Motion: Freeman Condon                      I move that Article Twenty-Nine be approved as herein stated**

**Seconded**

**Motion: Joanne Whitley                      I move that this Article be indefinitely postponed**

**Seconded & carried to indefinitely postpone**

### **ARTICLE THIRTY**

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

**Motion: Fred Knowles                      I move that this meeting be adjourned**

**Seconded & carried**

**Moderator Klima declared the meeting adjourned at 10:14 pm**

**Respectfully submitted,**

**Wilma M. McDonald**

**Town Clerk**

**May 21, 2013**

### **Board of Selectmen Chairman Henry Richenburg's Speech**

Tonight I have been given the privilege and honor to represent the Board of Selectmen and the Town of Salisbury in recognizing Ron Ray who over the last forty plus years has given in so many ways to our Town. Ron Ray is a person who exemplifies what it means to be involved in your community. We are here tonight to witness an historical accomplishment. Ron is the longest standing moderator in the town's history, having served thirty years

But there is more to this story than being just our Town Moderator. There are the countless hours he has spent coaching sports, being president of the Little League, being one off the longest standing members of the Harbor Commission, his involvement in various Town boards and committees, and his 40 plus years as a member of the Lions Club. We are standing in the presence of one of Salisbury's greatest public servants

He is a role model for all of us on how to be involved within your community. He is, one might say, a part of the fabric of this community; a person who has given far more than he has received from this community.

And although he is stepping away from being the Town Moderator, he leaves a standard of excellence that will be hard to live up to.

In closing, I ask only one thing Ron, that you will never stop giving sound advice and words of encouragement to all of us.

Ron will you please come forward and join me at the rostrum.