

**WARRANT FOR THE ANNUAL FALL TOWN MEETING
OCTOBER 22, 2018**

TO: Anthony King, of the Salisbury Police Department

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the Town of Salisbury who are legally qualified to vote in Town affairs, to meet at the Salisbury Elementary School at 100 Lafayette Road in said town on Monday, October 22, 2018 at 7:00 PM, to then and there act on the Articles in this Warrant.

ARTICLE ONE

To see if the Town will vote to amend the vote taken under Article 3 of the May 14, 2018 Annual Town Meeting by decreasing the total amount to be raised and appropriated from \$26,802,539.00 to \$26,675,675.00 to fund the FY2019 annual operating budget of the Town, which includes \$11,678,611.00 to pay the Town's anticipated share of the Triton Regional School District's operating budget for FY2019, as voted under Article 4 of the May 14, 2018 Annual Town Meeting and Article 1 of the June 30, 2018 Special Town Meeting, calculated in accordance with Mass. General Law Chapter 70, Section 6, and in accordance with the attached departmental breakdown of the budget; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWO

To see if the Town will vote to transfer the sum of \$185,000.00 from the Stabilization Fund to fund the FY2019 General Fund annual operating budget of the Town; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE THREE

To see if the Town will vote to transfer the sum of \$230,000.00 from Free Cash for the purpose of reducing the amount of funds to be raised through taxation to support the FY2019 General Fund annual operating budget of the Town; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE FOUR

To see if the Town will vote to transfer the sum of \$10,000.00 from Free Cash to FY2019 budget line item number 5130.0210.5838 (Police Station Project – Furniture and Equipment) for the purpose of upgrading the emergency generator at police

headquarters, including all incidental and related costs; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE FIVE

To see if the Town will vote to transfer the sum of \$270,000.00 from Free Cash to FY2019 budget line item number 0100.0413.5830.3063 (DPW Capital Outlay – Purchase Street Lights) for the purpose of retrofitting the Town's street lights to energy efficient and long-lasting LED street lights, including all incidental and related costs; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE SIX

To see if the Town will vote to transfer the sum of \$46,428.00 from Free Cash to FY2019 budget line item number 1220.0220.5850 (FEMA Fire Grant Capital Outlay - Vehicles) for the purchase and equipping of a new ladder truck for the Fire Department, which sum represents the Town's share of a grant awarded by the Federal Emergency Management Agency (FEMA); or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE SEVEN

To see if the Town will vote to transfer the sum of \$50,000.00 from Free Cash to FY2019 budget line item number 0100.0220.5850 (Fire Department – Capital Outlay – Vehicles) for the purpose of purchasing and equipping a new command vehicle for the Fire Department; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE EIGHT

To see if the Town will vote to transfer the sum of \$32,000.00 from Free Cash to FY2019 budget line item number 0100.0141.5203 (Assessors – Revaluation Expenses) for the purpose of preparing its FY2020 recertification of property values for the State Department of Revenue including, but not limited to, the hiring of a consultant to assist the Town; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE NINE

To see if the Town will vote to transfer the sum of \$10,971.62 from Water Enterprise Fund Retained Earnings to FY2019 Water Enterprise Fund Budget line item number 7000.0450.5530 (Water Enterprise Fund – Supplies – Chemicals) for the purpose of paying an outstanding bill from Pennichuck Water Service Corporation from a previous fiscal year; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TEN

To see if the Town will vote to transfer the sum of \$45,000.00 from Sewer Enterprise Fund Retained Earnings to FY2019 Sewer Enterprise Fund budget line item number 6000.0440.5830 (Sewer Enterprise Fund – Capital Outlay – Infrastructure) for the purpose of constructing a storage facility at the Town's wastewater treatment facility, including all incidental and related costs; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE ELEVEN

To see if the Town will vote to transfer the sum of \$120,000.00 from Sewer Enterprise Fund Retained Earnings to FY2019 Sewer Enterprise Fund budget line item number 6000.0440.5830 (Sewer Enterprise Fund – Capital Outlay – Infrastructure) for the purpose of replacing generators located at sewer pump stations at Ferry Lots Lane, Trout Way and Glenwood Avenue, including all incidental and related costs; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWELVE

To see if the Town will vote to transfer the sum of \$4,500.00 from FY2019 budget line item number 0100.0413.5208.3060 (DPW – Liberty Street Engineering) to FY2019 budget line item number 0100.0413.5208 (DPW Purchase of Services – Engineering) for the purpose of supporting anticipated engineering expenses for the DPW for the remainder of the fiscal year; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE THIRTEEN

To see if the Town will vote to transfer the sum of \$7,273.00 from FY2019 budget line item number 0100.0123.5305.3001 (Town Manager Purchase of Services – Blackwater Easements) to FY2019 budget line item number 0100.0123.5305.3079 (Town Manager Purchase of Services – Blackwater River Environmental Monitoring) for the purpose of funding required post-construction environmental monitoring services related to the Blackwater River Flood Control Project, including all incidental and related costs; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE FOURTEEN

To see if the Town will vote to transfer the sum of \$6,775.00 from FY2019 budget line item number 0100.0123.5305.3002 (Town Manager Purchase of Services – Blackwater Survey) to FY2019 budget line item number 0100.0123.5305.3079 (Town Manager

Purchase of Services – Blackwater River Environmental Monitoring) for the purpose of funding required post-construction environmental monitoring services related to the Blackwater River Flood Control Project, including all incidental or related costs; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE FIFTEEN

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 LSE Lacerta LLC for the solar facility installed, owned and operated by LSE Lacerta LLC on land located Off Lafayette Road in Salisbury (Assessors Map No. 23, Lot Nos. 53, 57, 63, 64, 87 and Assessors Map No. 22, Lot Nos. 8 and 62), 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

ARTICLE SIXTEEN

To see if the Town will vote to amend Chapter 170. Section 170-25 of the General Bylaws of the Town (Public Consumption of Marihuana or Tetrahydrocannabinol) by deleting paragraph B and inserting the following:

B. No person shall, while in or on any public way or in any place to which the public has right of access, or upon any way or in any place accessible to the public, possess an open container of marijuana or marijuana products in the passenger area of any motor vehicle.

C. The Term "Open Container" shall be defined as follows: Any marijuana or marijuana containing products that are removed or not contained in any packaging or sealed container found on a person or within the passenger compartment of a motor vehicle. The motor vehicle's trunk, locked glove compartment, locked center console compartment, truck bed, or the living quarters of a house coach or house trailer are not considered the passenger's compartment of a vehicle for the purposes of this bylaw.

D. This bylaw may be enforced through any lawful means in law or in equity, including, but not limited to, noncriminal disposition pursuant to MGL c. 40, § 21D, by the Board of Selectmen, the Town Manager, or their duly authorized agents, or any police officer. The fine for violation of this bylaw shall be \$300.00 for each offense.

or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE SEVENTEEN

To see if the Town will vote to amend Chapter 170, Section 170-22 of the General Bylaws of the Town (Parking Violations) by deleting "twenty-dollar fine" and replacing it with "twenty-five dollar fine" and inserting the following in paragraph B:

- (15) Any motor vehicle parked within posted Emergency Vehicle Areas
- (16) Any motor vehicle parked overnight when overnight parking when restricted
- (17) Any unoccupied vehicle parked in an area restricted to Live Parking Only
- (18) Any motor vehicle parked with an expired or invalid license plate
- (19) Any motor vehicle parked with an expired inspection sticker

or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE EIGHTEEN

To see if the Town will vote to amend the Zoning Bylaws of the Town, Chapter 300, §300-3 (Applicability) by inserting the text shown in bold as follows:

Article I

300-3 Applicability

Except as herein provided, or as specifically exempted by the Zoning Act, the provisions of this bylaw shall apply to the erection, construction, reconstruction, alteration, or use of buildings and structures or use of land. **This zoning by-law shall not apply to the Town of Salisbury and the Town of Salisbury may use any land in the Town for any municipal purpose in accordance with the following conditions and procedures:**

- A. All reasonable efforts shall be made to ensure compliance with all of the zoning bylaw's applicable provisions to the maximum extent feasible.
- B. Prior to construction of any principal use or principal structure, or the expansion of any existing principal use or principal structure, the Town Manager, or designee, shall conduct a meeting for purpose of presenting the proposed project and receiving public input. All abutters within 300 feet of the subject property shall receive notification, via mail, of such meeting and a notice of such meeting shall be placed in a local newspaper.
- C. The construction of any new or the expansion of any existing accessory use or structure shall be exempt from the meeting requirement, but still require notice to all abutters within 300 feet of the subject property.

or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE NINETEEN

To see if the Town will vote to amend the Zoning Bylaws of the Town, Chapter 300, by amending the list of definitions contained in Article I, §300-5 (Definitions) by inserting the text shown in bold and deleting the text shown in strike-through, as shown on the amended List of Definitions, a copy of which is on file with the Town Clerk; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY

To see if the Town will vote to amend the Zoning Bylaws of the Town, Chapter 300, Article VI (Administration and Enforcement), §300-26 (Duties of Building Inspector), sub-sections (E) and (F), by inserting the text shown in bold and deleting the text shown in strike-through as follows:

§300-26. Duties of Building Inspector

E. An individual permanent file for each application **filed** by ~~street~~ **Assessor's Map and Parcel/Lot** for a permit **as** provided for by this bylaw shall be established at the time the application is made. Said file shall contain one copy of the application and all supporting documents, maps, and plans; notations regarding pertinent dates and fees, and the like; as appropriate, one copy of the resolution of the ZBA in acting on the application; and the date the permit applied for was issued or denied by the Building Inspector.

F. The Building Inspector shall prepare a monthly report for the Board of selectmen. Said report shall cite all actions taken by the Building Inspector, including all referrals made by him, and the action taken by him consequent thereon. A copy of this monthly report shall also be transmitted by the Building Inspector to the Board of Assessors, Planning Board and ZBA at the same time it is transmitted to the Board of Selectmen. **The Building Inspector shall provide the Assessing Department with a copy of or access to print a copy of each permit issued within seven days after the granting of each permit.**

or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY-ONE

To see if the Town will vote to amend the Zoning Bylaws of the Town, Chapter 300, by amending Article XIII (Inclusionary Housing Requirements) §300-75 (Applicability) and §300-79(A) (Housing contribution payments in lieu of on-site units), by inserting the text shown in bold and deleting the text shown in strike-through as follows:

§300-75. Applicability

A. The requirements of this Article XIII shall apply to:

- (1) Any **residential development** ~~multifamily or mixed-use development in a single structure or multiple structures or any residential development requiring a special permit from the Planning Board resulting in a net increase of three or more dwelling units on any parcel or contiguous parcels comprising a proposed development site.~~
- (2) A finding, **special permit**, or variance from the Zoning Board of Appeals **and/or Planning Board** that results in a net increase of three or more dwelling units, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or nonresidential **structure(s) or space**, whether on one or more contiguous parcels **comprising a proposed development site.**
- (3) Any subdivision of land, **including but not limited to divisions as a result of MGL c. 41, §§81K to 81GG (Subdivision Control Law) and/or MGL c. 41, §81P (Approval Not Required)** for residential development **or mixed-use development** that **result in a net increase** would permit construction of three or more dwelling units ~~in a conventional subdivision filed with the Planning Board under MGL c. 41, §§81K to 81GG (Subdivision Control Law)~~ **on any parcel or contiguous parcels comprising a proposed development site.**

B. **Development shall be defined as any effort to improve land on a single parcel, or on one or more contiguous parcels, creating housing in which the parcels are under common ownership or common control, as determined by the Building Inspector.** Development shall not be segmented to avoid compliance with this section. Segmentation shall mean one or more divisions of land that cumulatively result in a net increase of three or more lots or dwelling units above the number existing **five years** ~~36 months~~ prior to an application to develop any parcel or set of contiguous parcels held in common ownership or under common control on or after the effective date of this Article XIII.

C. Motel, hotel, **or cabin** units shall not be considered as **dwelling** ~~housing~~ units under this bylaw. If requested by the Planning Board or the Zoning Board of Appeals, based on advice from the Assessor, the Building Inspector shall determine, in writing, the number of pre-existing, legal **dwelling** ~~housing~~ units on a development site.

§300-79. Housing contribution payments in lieu of on-site units.

A. Approval. The inclusionary housing payment may be met if the developer makes a binding, written agreement with the Town of Salisbury (with appropriate payment security ~~arrangements~~) to make affordable housing contribution

payments to the Affordable Housing Trust Fund in lieu of building affordable housing units that is approved by:

- (1) The Planning Board in the case of **any** mixed-use multifamily **development**, and **any** multifamily residential development, any residential development requiring a special permit, or **any** a conventional subdivision; or
- (2) The Zoning Board of Appeals in the case of **any** residential developments **requiring a finding, special permit or variance or any mixed-use development** requiring a funding, **special permit** or variance.

or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY-TWO

To see if the Town will vote to amend the Zoning Bylaws of the Town, Chapter 300, by amending §300-12 (300 Attachment 1), the Table of Use Regulations, by inserting the text shown in bold and deleting the text shown in strike-through, as shown on the amended Table of Use Regulations, a copy of which is on file with the Town Clerk; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY-THREE

To see if the Town will vote to supplement the vote approved under Article 20 of the October 23, 2017 Annual Fall Town Meeting, and raise and appropriate, transfer from available funds, and/or borrow the sum of \$700,000.00, for the purpose of undertaking the Partridge Brook Park Phase II project, as authorized and described more particularly in the vote taken under Article 20 of the October 23, 2017 Annual Fall Town Meeting, said vote having dedicated and designated for active and passive recreational purposes in perpetuity under the provisions of G.L. c. 45, §3 the parcels of land shown on Assessors Map 22 as Parcels 20 and 21 and the recreational facilities thereon; and, as funding therefor, to authorize the Treasurer, with approval of the Board of Selectmen, to borrow said funds under G.L. c. 44, §§7, 8C, 12, or any other enabling authority, and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and further, to authorize the Board of Selectmen to file and accept, on behalf of the Town of Salisbury, any and all applications for grants and/or reimbursements from the Commonwealth of Massachusetts, including, without limitation, under the Parkland Acquisitions and

Renovation for Communities (PARC) Program, and/or any other state or federal programs in any way connected with the scope of this article, and to enter into all agreements and execute any and all instruments as may be necessary or convenient to affect such project; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY-FOUR

To see if the Town will vote to adjust the exemption authorized by MGL Chapter 549, Section 5K, as amended by Section 43 of Chapter 188 of the Acts of 2010, by authorizing the Board of Selectmen to amend the existing senior citizen real property tax work-off program to allow a maximum abatement that is equivalent to 62.5 hours times the current minimum wage of the Commonwealth, not to exceed \$1,000.00 in a given tax year, and to increase the annual cost of said program not to exceed 62.5 hours times the current minimum wage times twenty applicants, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2018; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY-FIVE

To see if the Town will vote to adjust the exemption authorized by MGL Chapter 549, Section 5N, as amended by Section 8A of Chapter 108 of the Acts of 2012, by authorizing the Board of Selectmen to amend the existing veteran real property tax work-off program to allow a maximum abatement that is equivalent to 62.5 hours times the current minimum wage of the Commonwealth, not to exceed \$1,000 in a given tax year and to increase the annual cost of said program not to exceed 62.5 hours times the current minimum wage times twenty applicants, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2018; or take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY-SIX

To see if the Town will vote to accept the provisions of MGL Chap. 59, Section 5, Clause 17E, which authorizes an annual increase in the amount of the exemption granted to senior citizens, surviving spouses and surviving minors under General Laws chapter 59, Section 5, Clause 17D, by up to 100% of the percentage increase in the U. S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index (CPI) for the previous year as determined by the Commissioner of Revenue, and to fix that annual increase at 100% of CPI, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2018; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY-SEVEN

To see if the Town will vote to adjust the exemption under MGL Chap. 59, Section 5, Clause 41C, as amended by Section 51 of Chapter 184 of the Acts of 2002, by increasing the exemption amount by 100% from \$500 to \$1,000, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2018; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY-EIGHT

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation dissolving the Ring's Island Water District and merging such district with the Town, as set forth below; 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 within the scope of the general objectives of the petition, or take any other action relative thereto:

AN ACT AUTHORIZING THE TOWN OF SALISBURY TO ASSUME CONTROL OF THE RING'S ISLAND WATER DISTRICT

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Ring's Island water district established by chapter 298 of the acts of 1936 ("district") is hereby dissolved and, without further conveyance or other act, all assets, liabilities, obligations and indebtedness as well as the powers and duties of the district are hereby merged and transferred to the town of Salisbury ("town") acting by and through its board of selectmen acting as the board of water commissioners ("board of water commissioners"). Except as provided in sections 4 and 5 of this act, all district funds shall be transferred to the town water enterprise fund, or in the absence of said fund, to the town general fund. The town shall be the lawful successor of the district in every respect.

SECTION 2. The district board of water commissioners, the office of district treasurer, and all other district officers and positions are hereby abolished and the tenure of any incumbent commissioner or district officer or employee terminated.

SECTION 3. There shall be established in the town of Salisbury a special account to be known as the Ring's Island Water Main Replacement Fund ("fund"). Such fund shall be appropriated by majority vote of town meeting only for the replacement of the water main located in the town under Bridge Road from the Town's gate valve at the intersection of route 110 (School Street) and route 1 (Bridge Road) to the intersection of route 1 and First Street, including but not limited to design, construction, site preparation, and any incidental and related costs. Upon declaration by the board of water commissioners that all costs and debt service obligations related to the

replacement of the water main have been paid in full, all remaining monies in the fund shall thereupon be transferred without further appropriation to the town water enterprise fund, or in the absence of said enterprise fund, to the town general fund.

SECTION 4. All monies held in escrow pursuant to an agreement between the district and the town shall be deposited into the fund.

SECTION 5. The board of water commissioners is hereby authorized to assess a separate charge upon the users located in the district for a portion of the replacement cost of the Bridge Road water main ("charge"), subject to the limitations below. The charge, which shall not exceed \$30,000 annually, shall be assessed and collected pursuant to an agreement between the district and the town ("agreement"). The authorization provided herein for assessment of the charge shall terminate upon the payment in full of all costs of replacing the Bridge Road water main, including all debt incurred for the water main replacement, or such earlier date as may be determined by the board of water commissioners, but in no event shall the charge extend beyond 25 years. Receipts received by the town under this section shall be deposited without further appropriation in the fund. The town shall annually appropriate to the fund a sum of money in accordance with the agreement

SECTION 6. Chapter 298 of the acts of 1936, chapter 435 of the acts of 1938, chapter 186 of the acts of 1958 and chapter 118 of the acts of 2005 are hereby repealed.

SECTION 7. This act shall take effect beginning the first day of the fiscal year commencing at least 90 days following passage of the act.

or to take any other action relative thereto
ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY-NINE

To see if the Town will vote to authorize the Board of Selectmen to grant to the Massachusetts Electric Company an easement for the transmission of high and low voltage electric current as part of an Underground Electric Distribution System in, through, under, over, across and upon a parcel of the Town-owned land located on the easterly side of Lafayette Road, being more particularly shown on Town Assessors Map 22 as Lot 20; or to take any other action relative thereto.
ON PETITION OF THE TOWN MANAGER

ARTICLE THIRTY


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

And you are hereby directed to serve this Warrant by posting attested copies in at least ten (10) public places in Town over two consecutive Sundays before the time of said meeting.

Hereof fail not and make due return of this Warrant with your doings thereon, to the Town Clerk at the time and place of said meeting.

Given under our hands this 5 Day of October, 2018.


BOARD OF SELECTMEN



Ronalee Ray-Parrott, Chairman




Wilma Mahoney McDonald, Vice Chairman



Donna Abdulla



Chuck Takesian

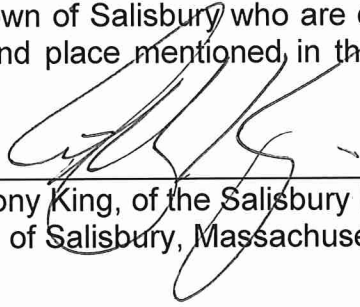


Freeman Condon

Pursuant to this Warrant so directed by the Honorable Board of Selectmen of the Town of Salisbury, in and for, to me, Anthony King, Constable of the Town of Salisbury Police Department, in and for have on this date, the 5 Day of October, 2018, posted a copy of this notice in the ten (10) following places:

- | | |
|--------------------------------|--------------------------------|
| 1. Town Hall | 2. Marie's Restaurant |
| 3. Public Library | 4. Salisbury Housing Authority |
| 5. US Post Office | 6. William Hilton Center |
| 7. Salisbury Elementary School | 8. Police Station |
| 9. Center Fire Station | 10. Municipal Center |

I hereby warn the inhabitants of the Town of Salisbury who are qualified legally to vote in Town affairs, to meet at the time and place mentioned in the said Warrant for the purpose therein expressed.



Anthony King, of the Salisbury Police Department
Town of Salisbury, Massachusetts