

A TRUE COPY ATTEST
Melinda J. Mansour
TOWN CLERK
TOWN OF SALISBURY

WARRANT FOR THE ANNUAL TOWN MEETING
May 17, 2021
SALISBURY ELEMENTARY SCHOOL

To: Timothy Hunter, Constable of Salisbury

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 in the Hilton Senior Center/Council on Aging on Lafayette Road on the 11th of May, 2021, from 10:00 AM until 8:00 PM to act on Article One of this Warrant, and also to meet in the Salisbury Elementary School, 100 Lafayette Road, Salisbury, Massachusetts, on Monday, May 17, 2021, at 7:30 PM., to then and there act on the remaining Articles in this Warrant.

ARTICLE ONE

Election of Officers – Tuesday, May 11, 2020

Two Selectmen (three-year terms)

One Triton Regional School Committee Member from Salisbury (Three-year term)

One Triton Regional School Committee Member from Newbury (Three-year term)

Two Triton Regional School Committee Members from Rowley (One three-year term and one two-year term)

ARTICLE TWO

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

ARTICLE THREE

To hear the report of the Warrant Advisory Committee and to raise and appropriate \$30,677,232.00 to fund the FY2022 annual operating budget of the Town, which includes \$14,348,069.00 to pay the Town's anticipated share of the Triton Regional School District's operating budget for FY2022, calculated in accordance with Mass. General Law Chapter 70, Section 6, and in accordance with the attached departmental breakdown of the budget; to appropriate \$3,000,000.00 to fund the FY2022 Sewer Enterprise Fund budget; to appropriate \$2,850,000.00 to fund the FY2022 Water Enterprise Fund budget; to transfer the sums of \$420,670.00 from the FY2022 Sewer Enterprise Fund budget and \$195,608.00 from the FY2022 Water Enterprise Fund budget to the General Fund; and to transfer the sums of \$20,000.00 from the Municipal Waterways Improvement and Maintenance Fund and \$56,785.00 from the Waterways Permit Fees Fund to the General Fund; and to transfer \$20,000.00 from the Conservation Commission Revolving Fund to the General Fund to fund a portion of the FY2022 salary and benefits of the Town's Conservation Agent; and to transfer \$25,000.00 from the Health Department Revolving

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Fund to the General Fund to fund a portion of FY2022 Health Department regulation enforcement costs; and to transfer \$20,000.00 from the Recycle Center Revolving Fund to the General Fund to fund a portion of the FY2022 Recycle Center's operational and maintenance costs; or to take any other action relative thereto.

ARTICLE FOUR

To see if the Town will vote to accept as a town way the roadway known as Jak-Len Drive, as heretofore laid out by the Board of Selectmen and shown on a plan entitled "Plan of Land in Salisbury, MA showing Jak-Len Drive, Salisbury, MA Street Acceptance Plan" dated February 3, 2021, prepared by Millennium Engineering, Inc. (3 sheets), and on file with the Town Clerk, and to authorize the Board of Selectmen to acquire on behalf of the Town, by gift, purchase, and/or eminent domain, the fee to and/or easements in Jak-Len Drive for all purposes for which public ways are used in the Town of Salisbury, and any drainage, utility, access, and/or other easements related thereto; or take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE FIVE

To see if the Town will vote to accept as a town way the roadway known as Liberty Street, as heretofore laid out by the Board of Selectmen and shown on a plan entitled "Roadway Acceptance Plan of Land in Salisbury, MA showing Liberty Street," dated February 26, 2021, prepared by Hancock Associates (2 sheets), and on file with the Town Clerk, and to authorize the Board of Selectmen to acquire on behalf of the Town, by gift, purchase, and/or eminent domain, the fee to and/or easements in Liberty Street for all purposes for which public ways are used in the Town of Salisbury; and any drainage, utility, access, and/or other easements related thereto; or take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE SIX

To see if the Town will vote to authorize the Board of Selectmen to take by eminent domain, for title clearing purposes, the parcel of Town-owned land located at 92 Main Street, Salisbury, and shown as "LOT 48 0.751 Acres (32,713 S.F.)" on a plan entitled "Plan of Land in Salisbury, MA Prepared for Town of Salisbury", dated April 19, 2012, prepared by Donohoe and Parkhurst, Inc., recorded with the Essex South District Registry of Deeds in Plan Book 452, Page 19, and to accept any confirmatory deeds and/or other instruments related thereto; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE SEVEN

To see if the Town will vote to create a special purpose stabilization fund, pursuant to the provisions of Mass. General Laws Chapter 40, Section 5B, to be known as the Capital Stabilization Fund, to provide funding for capital improvements, including but not limited

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to municipal facilities and infrastructure, equipment and vehicle purchases, building repairs and improvement projects, and all incidental and related costs; and, further, to transfer the sum of \$100,000.00 from Free Cash to said fund; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE EIGHT

To see if the Town will vote to authorize the Board of Selectmen to grant to the Massachusetts Electric Company an easement to install, construct, reconstruct, repair, replace, add to, maintain and operate, for the transmission of high and low voltage electric current, an Underground Electric Distribution System in, through, under, over, across and upon a parcel of land situated on the southerly side of Beach Road, and the westerly side of Cable Avenue, being more particularly shown as Town of Salisbury Assessors Map 32, Lot 52; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE NINE

To see if the Town will vote to authorize the Board of Selectmen to grant to the Massachusetts Electric Company an easement to install, construct, reconstruct, repair, replace, add to, maintain and operate, for the transmission of high and low voltage electric current, an Underground Electric Distribution System in, through, under, over across and upon a parcel of Town-owned land situated on the northerly side of Broadway, and the easterly side of Beach Road, being more particularly shown on Assessors Map 32 as Lot 387; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TEN

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, for general municipal purposes, two parcels of land located on the easterly side of North End Boulevard, shown as Lot 128D and 128E on Land Court Plan No. 3200-30, filed at the Essex South Registry District of the Land Court with Certificate of Title No 4820, identified on Assessors Map 34 as Lot 200, containing 230 square feet, more or less, and described in Certificate of Title No. 80807; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE ELEVEN

To see if the Town will vote to appropriate the sum of \$5,100,000.00 for the purpose of funding the Ring's Island Resiliency project, which project is intended to provide resiliency against flooding in the Ring's Island neighborhood, including engineering and construction costs and all incidental and related costs; and as funding therefor, to authorize the Treasurer, with approval of the Board of Selectmen, to borrow said sum under the provisions of General Laws Chapter 44, Sections 7 or 8, or any other enabling

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authority, a portion of which sum may be reimbursed by the Executive Office of Energy and Environmental Affairs through its Municipal Vulnerability Preparedness (MVP) grant program; to authorize the Board of Selectmen to file, on behalf of the Town of Salisbury, any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under the MVP grant program; to authorize the Board of Selectmen to enter into all agreements and contracts and execute any and all instruments as may be necessary or convenient on behalf of the Town of Salisbury to effectuate said project; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any such 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; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWELVE

To see if the Town will authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Commonwealth of Massachusetts to convey certain state-owned property to 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 which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments; or take any other action relative thereto.

The petition for special legislation shall take the following form:

AN ACT AUTHORIZING THE CONVEYANCE OF CERTAIN STATE PROPERTY TO THE TOWN OF SALISBURY

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. Notwithstanding the provisions of sections 32 to 37, inclusive, of Chapter 7C of the General Laws or any general or special law to the contrary, the Commissioner of Capital Asset Management and Maintenance, in consultation with the Commissioner of Mental Health, may convey to the Town of Salisbury Affordable Housing Trust Fund, for affordable housing purposes, the parcel of land located at 39 Beach Road in the Town of Salisbury, and described in a deed recorded with the Essex South District Registry of Deeds in Book 10025, page 114, for affordable housing purposes.

SECTION 2. Notwithstanding any general or special law to the contrary, the Salisbury Affordable Housing Trust shall be responsible for all costs and expenses of the conveyance of the land pursuant to Section 1 of this act as determined by the Commissioner of Capital Asset Management and Maintenance, which shall

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include, but not be limited to, the costs of any engineering, surveys, recording fees and deed preparation related to the conveyance of said parcel to the Salisbury Affordable Housing Trust.

SECTION 3. This act shall take effect upon its passage.

ON PETITION OF THE TOWN MANAGER

ARTICLE THIRTEEN

To see if the Town will vote to accept the provisions of MGL Chapter 59, §2A(a), which provides that any improvements to real estate during the period beginning January 2 and ending on June 30 of the fiscal year preceding that to which the tax relates shall be deemed part of such real property on the January 1 assessment date for that year, such adoption to become effective on July 1, 2022; or to take any other action relative thereto.
ON PETITION OF THE TOWN MANAGER

ARTICLE FOURTEEN

To see if the Town will vote to accept the provisions of MGL Chapter 138, §33B, which authorizes those granted licenses by the local liquor licensing authority for the sale of alcoholic beverages to be drunk on the premises to sell such alcoholic beverages between the hours of 10:00 AM and 12:00 noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday; or to take any other action relative thereto.
ON PETITION OF THE TOWN MANAGER

ARTICLE FIFTEEN

To see if the Town will vote to amend Chapter 59 of the General Bylaws of the Town (Business Registration) by deleting the language shown in strike-through and inserting the language shown in bold as follows:

§59-1. Business Registration Required.

No corporation, foreign or domestic (and no person, partnership or association not required by law to obtain a license for the conduct of its business), shall within the Town of Salisbury conduct any retail or wholesale business involving the sale or rental of goods without first having registered ~~annually~~ with the Board of Selectmen **and obtained approval of the Board for a general license for the operation of such business. The issuance of any license pursuant to this Chapter shall be subject to any reasonable condition(s) the Board of Selectmen may vote to impose upon it.**

This bylaw shall not apply to licenses approved by the Board of Selectmen under Chapter 12 and Chapter 23 of the General Bylaws of the Town, nor to any business

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seeking additional licenses, such as Entertainment, Sunday, Common Victualer, or Parking Lot licenses.

§59-2. Inspections.

Prior to the commencement of a new business, relocation of an existing business, or a change of business, the premises shall be inspected by the ~~Electrical and Building Commissioner~~ **Inspectors**, Fire Chief **Department**, and Health **Department Agent**, as necessary.

§59-3. License **Additional Approvals** Required.

All such businesses ~~need not~~ **are to** be licensed annually with ~~such licenses issued by the Board of Selectmen,~~ **but the owners of such businesses shall notify the Board in writing and shall be required to receive approval from the Board for any amendment to their license that materially changes the operation of their business, including but not limited to a change of ownership or change of hours. In addition, if any business licensed pursuant to Section 59-1 is subject to any conditions imposed by the Board of Selectmen, the licensee shall not be relieved of the obligation to comply with such conditions except upon successful written appeal to the Board of Selectmen. The Board of Selectmen shall be notified in writing if any business that receives a license pursuant to this chapter closes permanently.**

§59-4. Business certificate.

A current business certificate is required to be on file with the Town Clerk, **pursuant to MGL Chapter 110, §5.**

§59-5. Fees.

Initial license fees are to shall be determined by the Board of Selectmen. **There shall be no fees for any amendments to an existing business license approved under this Chapter.**

§59-6. Failure to Pay Fee.

- A. Failure to comply with this bylaw ~~by April 1 of any calendar year~~ shall be subject to a fine in the amount of \$25 for each ~~succeeding~~ calendar month in which such **initial** license fee is not paid.
- B. Any police officer of the Town shall be considered an enforcing person for purposes of noncriminal enforcement of this bylaw under MGL c. 40, §21D, and §1-6 of the general bylaws of the Town; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

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ARTICLE SIXTEEN

To see if the Town will vote to (a) amend Chapter 200, §200-1 of the General Bylaws of the Town (Revolving Funds) by deleting the language shown in strike-through and inserting the language shown in bold; (b) amend §200-2 to establish the annual spending limits for certain revolving funds in accordance with G.L. Chapter 44, §53E ½ as set forth below, with such updated expenditure limits to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 in any year, to increase the same for the ensuing fiscal year; provided, however, that at the request of the entity authorized to expend such funds the Board of Selectmen may increase such limit for that fiscal year only; and (c) to transfer the sum of \$3,805.00 from FY2021 General Fund line item number 0101.0123.5306.3117 (2020 Salisbury Days) to the Community Events Revolving Fund; or to take any other action relative thereto.

§200.1. Establishment

<u>Program</u>	<u>Authorized Representative or Board to Spend</u>	<u>Department Receipts</u>	<u>Purpose</u>
Parks and Recreation Commission	Parks and Recreation Commission	Charges for Activities	To pay for activities sponsored by the Parks and Rec Commission and a portion of the salary and benefits of the Recreation Director
Planning Board – Arts Stroll/Community Gardens Community Events	Expenditure by the Planning Director in conjunction with the Town Manager Recreation Director, in Conjunction with the Parks and Recreation Commission	Receipts from vendors, related to the Town's Annual Art Stroll and lease/license fees from users of the Town's community gardens sponsors and participants in community events	To pay for costs and expenses associated with administering and promoting the annual Art Stroll and payment of the utility charges of the Town's community gardens. community events

§200-2. Expenditure Limitations

B. Annual spending limits for such revolving funds shall be set as follows:

<u>Program or Purpose</u>	<u>Spending Limit</u>
Parks and Recreation Committee	\$25,000 \$100,000
Planning Board – Arts Stroll/Community Gardens Community Events	\$30,000 \$100,000

ON PETITION OF THE TOWN MANAGER

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ARTICLE SEVENTEEN

To see if the Town will vote to transfer the sum of \$577,500.00 from Sewer Enterprise Fund Retained Earnings to FY2022 Sewer Enterprise Fund Budget line item numbers 6000.0440.5910 (Long-Term Debt Principal) and 6000.0440.5915 (Long-Term Debt Interest) for the purpose of paying the second year debt service costs for Lafayette Road Sewer Construction general obligation bonds issued September 10, 2020; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE EIGHTEEN

To see if the Town will vote to transfer the sum of \$165,000.00 from the Ring's Island Water Main Replacement special revenue fund to FY2022 Water Enterprise Fund budget line item numbers 7000.0450.5910 (Long-Term Debt Principal) and 7000.0450.5915 (Long-Term Debt Interest) for the purpose of paying second year debt service costs for Bridge Road Water Main general obligation bonds issued September 10, 2020; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE NINETEEN

To see if the Town will vote to transfer the sum of \$15,000.00 from the Ring's Island Water Main Replacement special revenue fund to FY2022 Water Enterprise Fund budget line item number 7000.0450.5925 (Short-Term Debt Interest) for the purpose of paying debt service costs for Bridge Road Water Main general obligation bond anticipation notes maturing September 10, 2021; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

ARTICLE TWENTY

To see if the Town will vote to (establish a bylaw, amend the Town of Salisbury's general/ zoning) by: raise minimum parking fine from \$25. to \$50.; or to take any other action relative thereto.

ON PETITION OF KAREN SMITH ET AL

ARTICLE TWENTY-ONE

To see if the Town will vote to (establish a bylaw, amend the Town of Salisbury's general/ zoning) by: May 15 – September 15 (beach season/beach area) All parking fines doubled. (Beach area defined as [No. End Blvd., Railroad, Atlantic & Cable Avenues; And all side streets off of these streets]); or to take any other action relative thereto.

ON PETITION OF KAREN SMITH ET AL

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TOWN OF SALISBURY

ARTICLE TWENTY-TWO

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 30 day of April, 2021.

BOARD OF SELECTMEN
TOWN OF SALISBURY, MASSACHUSETTS

Donna Abdulla
Donna Abdulla, Chairman

Wilma M. McDonald
Wilma McDonald, Vice Chairman

Freeman J. Condon
Freeman J. Condon

Chuck Takesian
Chuck Takesian

Ronalee Ray-Parrott
Ronalee Ray-Parrott

Pursuant to this Warrant so directed by the Honorable Board of Selectmen of the Town of Salisbury, in and for, to me, Timothy Hunter, Constable of the Town of Salisbury, in and for have on this date, the 30 day of April, 2021, 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.

Timothy Hunter
Timothy Hunter, Constable
Town of Salisbury, Massachusetts