

**MINUTES FOR THE TOWN OF SALISBURY'S ANNUAL FALL TOWN MEETING  
OCTOBER 28, 2019**

A quorum (125) being present, Moderator Jerry Klima called the Town Meeting to order at 7:06 p.m. The number of voters peaked at 166. Additionally, there were 13 non-voters present: Scott Carrigan, Thomas McEneney, Terry Kyrios, John Morris, Lisa DeMeo, James Sullivan, Liz Pettis, James Ryan, Karen Snow, Cheryl Gorniewicz, David Doyle, Robert Roy and Devan Braun.

Susan Tatro, Liz Wood, Joan McGilvray were checkers at the door with Assistant Town Clerk, Lynne Karpenko assisting. Reggie Santos and Brud Janvrin served as counters throughout the meeting.

Action was taken on the articles and Moderator Klima declared the meeting adjourned/dissolved at 8:13pm.

**ARTICLE ONE**

To see if the Town will vote to transfer the sum of \$200,000.00 from Free Cash to the Stabilization Fund; 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 One be approved as herein stated**

**Seconded & Carried unanimously**

**ARTICLE TWO**

To see if the Town will vote to transfer the sum of \$46,500.00 from Free Cash to FY2020 budget line item number 0100.0210.5850 (Police Department – Capital Outlay – Vehicles) for the purpose of purchasing and equipping a new patrol vehicle for the Police Department, including any incidental and related costs; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

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

**Motion: Ronalee Ray-Parrott**

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

**Seconded & carried unanimously**

**ARTICLE THREE**

To see if the Town will vote to transfer the sum of \$7,000.00 from Free Cash to FY2020 budget line item number 0100.0123.5305 (Town Manager Purchase of Services– Consulting Fees) for the purpose of funding the costs of an assessment center examination for the position of lieutenant in the Police Department; or to take any other action relative there.

ON PETITION OF THE TOWN MANAGER

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

**Motion: Wilma McDonald**

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

**Seconded & carried unanimously**

**ARTICLE FOUR**

To see if the Town will vote to transfer the sum of \$55,000.00 from Free Cash to FY2020 budget line item number 0100.0210.5815 (Police Department – Capital Outlay - Equipment) for the purpose of purchasing and installing six new parking kiosks at Salisbury Beach, including all incidental and related costs; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

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

**Motion: Donna Abdulla**

**I move that Four be approved as herein stated**

**Seconded & carried unanimously**

#### **ARTICLE FIVE**

To see if the Town will vote to transfer the sum of \$35,000.00 from Free Cash to FY2020 budget line item number 0100.0220.5111 (Fire Department – Personal Services – Full-Time Firefighters for the purpose of funding a new staffing plan for the Fire Department; 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 Five be approved as herein stated**

**Seconded & carried unanimously**

#### **ARTICLE SIX**

To see if the Town will vote to transfer the sum of \$15,000.00 from Free Cash to FY2020 budget line item number 0100.0123.5305 (Town Manager – Purchase of Services -- Consulting Fees) for the purpose of funding the design of a handicapped accessible entrance at the Fire Department headquarters building at 37 Lafayette Road, including all incidental and related costs; 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 Six be approved as herein stated**

**Seconded & carried unanimously**

#### **ARTICLE SEVEN**

To see if the Town will vote to authorize the Board of Selectmen to lease/purchase and equip a new dump truck for the Department of Public Works for a term in excess of three years in accordance with the provisions of G.L. c.44, §21C, and further, to transfer the sum of \$40,000.00 from Free Cash to FY2020 budget line item number 0100.0413.5850 (DPW – Capital Outlay – Vehicles) for the purpose of funding the first-year payment of a six-year lease/purchase agreement, including all incidental and related costs; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

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

**Motion: Ronalee Ray-Parrott**

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

**Seconded & carried unanimously (2/3 majority required)**

#### **ARTICLE EIGHT**

To see if the Town will vote to transfer the sum of \$10,000.00 from Free Cash to FY2020 budget line item number 0100.0413. 5850 (DPW – Capital Outlay – Vehicles) for the purpose of purchasing and installing a new dump body for an International dump truck utilized by the Department of Public Works, including all incidental and related costs; 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 unanimously**

#### **ARTICLE NINE**

To see if the Town will vote to transfer the sum of \$10,000.00 from Free Cash to FY2020 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

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

**Motion: Donna Abdulla**

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

**Seconded & carried unanimously**

#### **ARTICLE TEN**

To see if the Town will vote to transfer the sum of \$110,000.00 from Free Cash to FY2020 budget line item number 0100.0910.5199 (Insurance and Benefits – Personnel Salary Reserve) for the purpose of funding the General Fund costs of the first year of the collective bargaining agreements between the Town and: (1) AFSCME Local 939 (DPW); covering the period from FY2020 through FY2022; (2) AFSCME Local 939 (Police and Fire Signal Operators and Emergency Communications Officers) covering the period from FY2020 through FY2022; (3) New England PBA Local #15 (Police Patrolmen) from FY2020 through FY2022; and (4) New England PBA Local #35 (Police Superior Officers) covering the period from FY2020 through FY2022; 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 Ten be approved as herein stated**

**Seconded & carried unanimously**

#### **ARTICLE ELEVEN**

To see if the Town will vote to transfer the sum of \$30,000.00 from Free Cash to FY2020 budget line item number 0100.0241.5100 (Inspectional Services – Personal Services) for the purpose of providing additional staffing to enhance the efficiency of the Building Inspector/Board of Health functions; 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 Eleven be approved as herein stated**

**Seconded & carried unanimously**

#### **ARTICLE TWELVE**

To see if the Town will vote to appropriate \$59,227.28 from the PEG Access and Cable Related special revenue fund to support the provision of public, educational and governmental access cable television services. This amount represents 100% of Comcast's fourth quarter Franchise Fee payment to the Town for April - June 2019 that was received in August of 2019 per Section 7.2 of the Town's Cable TV Renewal License contract; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

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

**Motion: Ronalee Ray-Parrott**

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

**Seconded & carried unanimously**

#### **ARTICLE THIRTEEN**

To see if the Town will vote to transfer the sum of \$160,000.00 from Sewer Enterprise Fund Retained Earnings to FY2020 Sewer Enterprise Fund budget line number 6000.0440.5811 (Sewer Enterprise Fund – Lafayette Road Sewer Pump Station Land Purchase) for the purpose of acquiring land and interests therein as authorized by the vote taken under Article 5 of the May 20, 2019 Annual Town Meeting, including all incidental or related costs; or take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

**Warrant Advisory Committee voted 4 – 1 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 accept as a town way the roadway known as Driftway, as heretofore laid out by the Board of Selectmen and shown on a plan entitled "Plan of Land in Salisbury, MA Showing Street Acceptance at Driftway," dated October 4, 2019, 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 Driftway for all the purposes for which

public ways are used in the Town of Salisbury, and any drainage, utility, access, and/or other easements related thereto; or to take any other action relative thereto

ON PETITION OF THE TOWN MANAGER

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

**Motion: Donna Abdulla**

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

**Seconded & carried unanimously**

#### **ARTICLE FIFTEEN**

To see if the Town will vote to authorize the Board of Selectmen to grant to the Massachusetts Electric Company a permanent easement for access and 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 portion or portions of Driftway, being more particularly shown on a plan entitled "Plan of Land in Salisbury, MA Showing Utility Detail at Driftway," prepared by Millennium Engineering, Inc. and dated September 25, 2019, 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

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

**Motion: Freeman Condon**

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

**Seconded & carried unanimously**

#### **ARTICLE SIXTEEN**

To see if the Town will vote to transfer the sum of \$65,000.00 from Free Cash to FY2020 budget line item number 0100.0413.5208 (DPW – Purchase of Services -- Engineering) for the purpose of paying for engineering services related to a Complete Streets grant proposal to upgrade Driftway, including all incidental and related costs; 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 Sixteen be approved as herein stated**

**Seconded & Carried**

#### **ARTICLE SEVENTEEN**

To see if the Town will vote to amend the General Bylaws of the Town, Chapter 214, Signs, by amending the definition of "Electronic Message Board" in the list contained in §214-3 by inserting the text shown in bold and deleting the text shown in strike-through as follows:

##### **ELECTRONIC OUTDOOR ADVERTISING**

A use whereby an outdoor sign or billboard, whether double-faced, back-to-back, or V-shaped, with a screen(s) that is ~~200-100~~ square feet or larger, serves to advertise, direct or call attention to any business, article, substance, or service, or anything that is digitally or electronically projected, on or by a structure of any kind on real property or upon the ground itself, and that advertises services, products or commodities that are not available on said real property or parcel. Electronic Outdoor Advertising is a use to be regulated by the Zoning Bylaw and not the General Bylaw; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

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

**Motion: Ronalee Ray-Parrott**

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

**Seconded & carried unanimously**

#### **ARTICLE EIGHTEEN**

To see if the Town will vote to transfer the care, custody, control and management of the parcel of land located at 38 Libby Avenue, identified as Lot No. 196 on Assessor's Map 32, and acquired by the Town by Foreclosure in a Tax Lien Case recorded with the Essex South District Registry of Deeds in Book 37542, Page 347, from the Tax Collector/Treasurer for tax title purposes to the Board of Selectmen for general municipal purposes and for the purpose of conveyance; and, further, to authorize the Board of Selectmen to convey all its right, title and interest in

said parcel or portions thereof on such terms and conditions and for such consideration as the Board of Selectmen deem appropriate; 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 by a declared 2/3 majority vote**

#### **ARTICLE NINETEEN**

To see if the Town will vote, pursuant to G.L. c. 43B, §10, to amend the Salisbury Town Charter as recommended by the Charter Review Committee in a document entitled, "Salisbury Home Rule Charter (As Amended by the 2019 Charter Review Committee)," as on file with the Town Clerk, including but not limited to: (1) making ministerial, non-substantive changes throughout, including the correction of punctuation, grammar, typographical errors, and misspellings, and also clarifying certain defined terms; (2) revising Section 3-2 to recognize the Board of Selectmen, pursuant to the enactment of Chapter 23 of the Acts of 2018, as the Town's liquor licensing authority, in addition to its other licensing responsibilities; (3) revising Section 4-2 to allow Town Meeting to designate by bylaw or vote appointing authority for positions not appearing in the Charter, rather than having such appointments all made by the Town Manager, and making such other revisions as set forth therein, with all text to be deleted shown in strikethrough and text to be inserted shown in bold; or to take any other action relative thereto.

ON PETITION OF THE CHARTER REVIEW COMMITTEE

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

**Motion: Donna Abdulla I move that Article Nineteen be approved as herein stated**

**Seconded & carried unanimously (2/3 majority vote required)**

#### **ARTICLE TWENTY**

To see if the Town will vote to amend the Town of Salisbury's bylaws by amending **Section 145-1 Definitions** to add:

1. To the definition of RENT, the following language: ", and excluding therefrom the consideration paid to a resident controlled nonprofit corporation organized pursuant to Chapter 180 of the General Laws, by a tenant thereof."
2. To the definition of RENTAL HOUSING AGREEMENT, the following language: " , and any agreement for occupancy of a mobile home park accommodation between a resident-controlled nonprofit corporation organized pursuant to Chapter 180 of the General Laws and a tenant thereof."
3. To the definition of TENANT, the following language; " , or who rents a mobile home park accommodation from a resident-controlled nonprofit corporation organized pursuant to Chapter 180 of the General Laws."

or to take any other action relative thereto.

ON PETITION OF TANYA CLIFFORD ET AL

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

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

**Seconded & carried unanimously**

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

To see if the Town will vote to amend the vote taken under Article 5 of the May 20, 2019 Annual Town Meeting warrant approving a borrowing for a sewer extension and construction project, and all incidental costs, as shown on a plan entitled "Town of Salisbury – Route 1 and Adjacent Areas Sewer Project" prepared by Weston & Sampson and dated April 2019, to also include Jak Len Drive, Bayberry Lane and a portion of Toll Road south of Jak Len Drive, and to increase the amount authorized to be borrowed by \$5,000,000, with all other authorizations approved under Article 5 to apply to the vote on this Article; or to take any other action relative thereto.

ON PETITION OF MARILYN FORD, ET AL

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

**Motion: Charles Takesian I move that Article Twenty-One be approved as herein stated**

**Seconded & carried by a hand-counted 2/3 majority vote**

**Yes-135**

**No-16**

**ARTICLE TWENTY-TWO**

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

**Motion: Reginal Santos**

**I move that the annual town meeting be adjourned**

**Seconded & Carried**

**Moderator Klima declared the annual town meeting adjourned at 8:13 pm**

**Respectfully Submitted,**

*/s/: Melinda J. Morrison*

**Melinda J. Morrison**

**Town Clerk**

**October 29, 2019**