

**ANNUAL FALL TOWN MEETING
OCTOBER 22, 2012
SALISBURY ELEMENTARY SCHOOL**

A quorum (125) being present, Moderator Ronald Ray called the Annual Town Meeting to order at 7:09 p.m. with the checklist showing 130 registered voters; the final tally totalled 144 registered voters. There were 18 non-voters present: Donald Levesque, Terry Kyrios, Lisa Pearson, Neil Harrington, Angeljean Chiamida, Elizabeth Pettis, Thomas McEnaney, John W. Morris, David Lovering, Cheryl Gorniewicz, Robert Roy, Heidi Roy, Mary Morse, Keith Forget, Antoine Marinescu, Lori Frost, Devin Lapia, Joyce Tomaselli.

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 Moderator announced that, due to a clerical error, there is no Article Nine

Prior to acting on the Articles, Moderator Ray introduced Police Chief Thomas Fowler.

ARTICLE ONE

To see if the Town will vote to transfer the sum of \$14,000.00 from Free Cash to FY2013 budget line item number 0100.0210.5230 (Police Department – Equipment Repair and Maintenance) for the purpose of purchasing twelve (12) portable radios and associated equipment necessary to bring the Police Department into compliance with the Federal Communications Commission (FCC) mandate that all municipalities convert from wide-band radio systems to narrow-band by December 31, 2012; 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 One be approved as herein stated

Seconded & carried

ARTICLE TWO

To see if the Town will vote to transfer the sum of \$8,000.00 from Free Cash to FY2013 budget line item number 0100.0220.5235 (Fire Department – Vehicle Repair and Maintenance) for the purpose of funding necessary repairs to Fire Department vehicles for the remainder of the fiscal year; 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 Two be approved as herein stated

Seconded & carried

ARTICLE THREE

To see if the Town will vote to transfer the sum of \$11,000.00 from Free Cash to FY2013 budget line item number 0100.0220.5230 (Fire Department – Equipment Repair and Maintenance) for the purpose of purchasing pagers and associated equipment necessary to bring the Fire Department into compliance with the Federal Communications Commission (FCC) mandate that all municipalities convert from wide-band radio systems to narrow-band by December 31, 2012; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Jerry Klima I move that Article Three be approved as herein stated

Seconded & carried

ARTICLE FOUR

To see if the Town will vote to transfer the sum of \$25,000.00 from Free Cash to FY2013 budget line item number 0100.0210.5293 (Police Department – Meter Purchase and Repair) for the purpose of replacing broken parking meters at Salisbury Beach; 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 Four be approved as herein stated

Seconded & carried

ARTICLE FIVE

To see if the Town will vote to transfer the sum of \$148,000.00 from Free Cash to FY2013 budget line item number 0100.0910.5199 (Insurance and Benefits – Personnel Salary Reserve) for the purpose of funding the retroactive costs of collective bargaining agreements between the Town and New England Police Benevolent Association Local No. 15 and Local No. 35 covering the periods FY2010 and FY2011 through FY2013; 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 transfer the sum of \$58,000.00 from Free Cash to the Town's 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: Henry Richenburg I move that Article Six be approved as herein stated

Seconded

Hand count taken (2/3 required) 128 YES, -0- NO

Carried by unanimous vote

ARTICLE SEVEN

To see if the Town will vote to transfer the sum of \$25,000.00 from Free Cash to the Town's Other Post-Employment Benefits Liability Trust Fund, which was authorized by Article Thirteen of the May 16, 2011 Annual Town Meeting, for the purpose of partially funding the estimated actuarial unfunded liability for health insurance costs for current and future retirees of the Town; 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 transfer the sum of \$10,300.00 from Free Cash to FY2013 budget line item number 0100.0910.5740 (Insurance and Benefits – General Liability Insurance) for the purpose of funding the Town's general liability insurance costs for the remainder of the fiscal year; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Jerry Klima I move that Article Eight be approved as herein stated

Seconded & carried

*****Due to a clerical error, there is no Article Nine

ARTICLE TEN

To see if the Town will vote to transfer the sum of \$15,000.00 from Free Cash to FY2013 budget line item number 0100.0435.5815 (Beach Services – Capital Outlay – Equipment) for the purpose of purchasing an automated parking kiosk for the Town parking lot at Salisbury Beach; 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 authorize a revolving fund for the Department of Public Works as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2013. This revolving fund would be to accept receipts from rental and other fees charged to tenants of the former Memorial School and the former Spalding School. The receipts would be expended, not to exceed \$50,000 in FY2013, by the Director of Public Works, to pay for capital repairs and improvements to the former Memorial School and the former Spalding School; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Henry Richenburg

I move that Article Eleven be approved as herein stated

Seconded & carried

ARTICLE TWELVE

To see if the Town will vote to petition the General Court for special legislation, as set forth below, which will amend the definition of “low or moderate income housing” set forth in MGL Ch. 40B, §20 as it applies to the Town of Salisbury to include certain mobile or manufactured homes; 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. The Board of Selectmen is hereby authorized to approve amendments within the scope of the general public objectives of this petition; or to take any other action relative thereto.

AN ACT RELATIVE TO AFFORDABLE HOUSING IN THE TOWN OF SALISBURY

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

SECTION 1. (a) Notwithstanding sections 20 through 23, inclusive, of chapter 40B of the General Laws and any regulations promulgated thereunder, any manufactured home as defined in section 32Q of chapter 140 of the General Laws, or any other dwelling unit built on a chassis and containing complete electrical, plumbing and sanitary facilities, and designed to be installed on a temporary or permanent foundation for permanent living quarters, having been situated continuously on the same parcel in the Town of Salisbury for twenty years or more as of January 1, 2012, and having been assessed as a mobile or manufactured home by the Salisbury Board of Assessors, shall be considered “low or moderate income housing,” as defined in section 20 of chapter 40B of the General Laws.

SECTION 2. This act shall take effect upon its passage.

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 & carried by majority vote

ARTICLE THIRTEEN

To see if the Town will vote to transfer the sum of \$5,000.00 from FY2013 budget line item number 0100.0210.5166 (Police Department – Schooling) to FY2013 budget line item number 0100.0210.5287 (Police Department – Employee Training) for the purpose of providing additional organizational and management training opportunities for members of the Police Department through the remainder of the fiscal year; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Jerry Klima

I move that Article Thirteen be approved as herein stated

Seconded & carried

ARTICLE FOURTEEN

To see if the Town will vote to transfer the sum of \$7,500.00 from Free Cash to FY2013 budget line item number 0100.0213.5305 (Town Manager – Consulting Services) for the purpose of funding the costs of an assessment center evaluation process for the rank of sergeant within the Police Department; 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 Fourteen be approved as herein stated

Seconded & carried

ARTICLE FIFTEEN

To see if the Town will vote to transfer the sum of \$5,000.00 from Free Cash to FY2013 budget line item number 0100.0213.5305 (Town Manager – Consulting Services) for the purpose of funding costs associated with defending the Town in an arbitration hearing relative to a former employee of the Police Department; 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 & carried

ARTICLE SIXTEEN

To see if the Town will vote to transfer the sum of \$9,400.00 from Free Cash to FY2013 budget line item number 0100.0213.5305 (Town Manager – Consulting Services) for the purpose of funding costs associated with retaining an expert witness in a tax abatement appeal case; 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 Sixteen be approved as herein stated

Seconded & carried

ARTICLE SEVENTEEN

It is moved that 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 monthly 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 MAKAREWICZ ET AL

Warrant Advisory Committee not to approve by a vote of 4 to 1

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

Town Counsel rendered an opinion that if approved, this warrant would be advisory, not binding, since it did not amend or change an existing bylaw.

Motion: Donald Beaulieu I move to indefinitely postpone this Article

Seconded

Hand count taken: 75 YES, 57 NO

Motion carried to indefinitely postpone

ARTICLE EIGHTEEN

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

Motion: Henry Richenburg To adjourn the meeting

Seconded & carried

Moderator Ray declared the Annual Fall Town Meeting adjourned at 7:51 pm

Respectfully submitted,

Wilma M. McDonald
Town Clerk
October 23, 2012