

**ANNUAL FALL TOWN MEETING
OCTOBER 26, 2009
SALISBURY ELEMENTARY SCHOOL
7:30 PM**

A quorum (125) being present, Moderator Ronald Ray called the Annual Fall Town Meeting to order at 8:01 p.m. with the checklist showing 128 registered voters. The number of voters later peaked at 132. There were 16 non-voters present: Donald Levesque, Terry Kyrios, Lisa Pearson, Neil Harrington, Andrew Gould, Angeljean Chiaramida, David L'Esperance, Elizabeth Pettis, Thomas McEnaney, E.D. "Gene" Talford, David Capachietti, Donna Weiker, Theo (?) (illegible), Mark Ironfield, Deidra Ironfield, Jennifer Culbert.

Andrea Carroll, Josephine Kohan, Susan Tatro and Patricia York were checkers at the door with Assistant Town Clerk Christine Marshall assisting. Reggie Santos, David Colburn and Michael Gilbert Smith served as counters throughout the meeting.

ARTICLE ONE

To see if the Town will vote to transfer the sum of \$100,000.00 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 recommends approval

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

Seconded & carried by unanimous vote

ARTICLE TWO

To see if the Town will vote to transfer the sum of \$35,000.00 from line item number 2151.0150.5961 (Special Revenue account) to the Town's Stabilization Fund for the purpose of replacing funds previously appropriated from the Stabilization Fund under Article 3 of the May 14, 2007 Special Town Meeting Warrant for a recreational rail/trail grant that the Town received from the Commonwealth; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

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

Seconded & carried by unanimous vote

ARTICLE THREE

To see if the Town will vote to transfer the sum of \$72,100.00 from line item number 2151.0150.5961 (Special Revenue account) to the Town's Stabilization Fund for the purpose of replacing funds previously appropriated from the Stabilization Fund under Article 23 of the October 22, 2007 Town Meeting Warrant for a recreational rail/trail grant that the Town received from the State; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

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

Seconded & carried by unanimous vote

ARTICLE FOUR

To see if the Town will vote to amend its vote to adopt the FY10 general fund budget of the Town, taken at the Annual Town Meeting on May 18, 2009, by reducing the total amount to be raised and appropriated from \$17,850,182.00 to \$17,675,758.00 to fund the FY2010 annual operating budget of the Town, which includes \$8,461,333.00 to pay the Town's anticipated share of the Triton Regional School District's operating budget for FY2010, calculated in accordance with Mass. General Law Chapter 70, Section 6, and in accordance with the departmental breakdown of the budget dated October 8, 2009, which is on file with the Town Clerk; by increasing the sum of \$275,633.00 to \$289,578.00 to be transferred from the FY2010 Sewer Enterprise fund budget to the General Fund; and by increasing the sum of \$96,939.00 to \$119,016.00 to be transferred from the FY2010 Water Enterprise Fund to the General Fund; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

Motion: Henry Richenburg 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 \$2,500.00 from Free Cash to FY2010 budget line item number 0100.0161.5112 (Town Clerk - Election/Registrar Salaries) for the purpose of funding additional costs due to the special primary and final elections being held to fill a vacancy in the United States Senate; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

Motion: Fred Knowles 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 \$2,500.00 from Free Cash to FY2010 budget line item number 0100.0161.5299 (Town Clerk - Ballots) for the purpose of funding the cost of additional ballots due to the special primary and final elections being held to fill a vacancy in the United State Senate; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

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

Seconded & carried

ARTICLE SEVEN

To see if the Town will vote to transfer the sum of \$5,000 from Free Cash to FY2010 budget line item number 2100-0124-5399 (Other) for the purpose of funding the Easter Egg Hunt, the Ghost Trail Hayride, and a winter event for the youth of Salisbury; or to take any other action relative thereto.

ON PETITION OF THE PARKS AND RECREATION COMMITTEE

Warrant Advisory Committee unanimously recommends approval

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

Seconded

Motion: David Proctor I move that line 2 be amended by deleting line item number "2100-0124-5399" and replacing it with line item number "0100-0124-5399"

Seconded and carried

Main motion as amended carried

ARTICLE EIGHT

To see if the Town will vote to transfer the sum of \$5,000.00 from FY2010 budget line item number 0100.0210.5130 (Police Department - Overtime) to FY2010 budget line item number 0100.0220.5287 (Fire Department - Employee Training) to cover the cost of Fire Departments details for special events at Salisbury Beach; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

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

Seconded & carried

ARTICLE NINE

To see if the Town will vote to transfer the sum of \$15,000.00 from Free Cash to FY2010 budget line item number 0100.0123.5305 (Town Manager - Consulting) for the purpose of hiring a consultant to negotiate potential easement agreements with property owners relative to the Blackwater Creek flood control project; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

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

Seconded & carried

ARTICLE TEN

To see if the Town will vote to transfer the sum of \$30,000.00 from Free Cash to FY2010 budget line item number 0100.0413.5850 (DPW - Capital Equipment) for the purpose of constructing and installing a crane at the town pier; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

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

Seconded & carried

ARTICLE ELEVEN

To see if the Town will vote to transfer the sum of \$10,000.00 from Free Cash to FY2010 budget line item number 0100.0295.5230 (Harbormaster - Equipment Repair and Maintenance) for the purpose of building and installing four new floats at the town pier; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

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

Seconded & carried

ARTICLE TWELVE

To see if the Town will vote to transfer the sum of \$10,000.00 from Free Cash to FY09 budget line item number 0100.0123.5798 (Town Manager - Other Charges and Expenses) for the purpose of funding a fuel assistance program for Salisbury residents; and further to authorize the Town Manager to enter into a grant agreement with a non-profit entity and/or establish an advisory committee to administer the program; and further that any assistance granted be done solely on the basis of financial hardship; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

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

Seconded & carried

After Article Seventeen, Henry Richenburg moved to reconsider Article Twelve

Motion: Henry Richenburg I move that Article Twelve be reconsidered.

Seconded and carried by a hand count vote of 124 YES, -0- NO to reconsider

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

Seconded

Motion: Henry Richenburg I move that "FY09" in the first line of Article Twelve be changed to "FY10"

Seconded and carried

Main Motion as amended carried

ARTICLE THIRTEEN

To see if the Town will vote to authorize a revolving fund for the Health Department as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2010. 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 FY2010, 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, 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 recommends 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 accept as a public way a way known as Garafalo Drive, as heretofore laid out by the Board of Selectmen and shown on a plan entitled "Street Acceptance Plan in Salisbury, MA Showing Garafalo Drive, prepared for the Town of Salisbury, 5 Beach Road, Salisbury, MA 01952 dated August 27, 2009, and prepared by

Millennium Engineering Inc., a copy of which is on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire, on behalf of the Town, by purchase, gift or eminent domain, the fee or an easement in said public way and any drainage and related easements necessary to use said road for all purposes for which public ways are used in the Town of Salisbury; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

Planning Board recommends approval

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

Seconded & carried

ARTICLE FIFTEEN

To see if the Town will vote to accept as a public way a way known as Catherine Way, as heretofore laid out by the Board of Selectmen and shown on a plan entitled "Street Acceptance Plan in Salisbury, MA Showing Catherine Way, prepared for the Town of Salisbury, 5 Beach Road, Salisbury, MA 01952 dated April 3, 2009, and prepared by Millennium Engineering Inc., a copy of which is on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire, on behalf of the Town, by purchase, gift or eminent domain, the fee or an easement in said public way and any drainage and related easements necessary to use said road for all purposes for which public ways are used in the Town of Salisbury; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

Planning Board recommends approval

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

Seconded & carried

ARTICLE SIXTEEN

To see if the Town will vote to authorize the Board of Selectmen to execute a boundary line agreement with Lucinda McCarty to establish the common boundary line between the Town-owned property located on First Street and described in deeds recorded with Essex South District Registry of Deeds in Book 5206, Page 179, Book 5210, Page 172, and Book 4898, Page 327, and the property owned by Lucinda McCarty located at 30 First Street and described in a deed recorded in Book 21475, Page 338, as shown on a plan on file with the Town Clerk, and to release any interest the Town may have in land owned by Lucinda McCarty and to accept, for general municipal purposes, any interest in land that Lucinda McCarty may have in land owned by the Town, and further to grant Lucinda McCarty a non-exclusive access easement on the Town-owned property, all on such terms and conditions as the Selectmen deem appropriate; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

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

Seconded & carried

ARTICLE SEVENTEEN

To see if the Town will vote to petition the General Court for legislation authorizing the Salisbury Board of License Commissioners to convert a seasonal license for the sale of all alcoholic beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises; 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 that shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF SALISBURY TO CONVERT A SEASONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES TO AN ANNUAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES

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 17 and 17B of chapter 138 of the General Laws, the licensing authority of the Town of Salisbury may convert one currently-issued seasonal license for the sale of all alcoholic beverages to be drunk on the premises located at 4 Ocean Front North to an annual license for the sale of all alcoholic beverages to be drunk on the premises located at 4 Ocean Front North. An annual license granted under this act shall be subject to all of said chapter 138, except said sections 17 and 17B.

(b) The licensing authority in the Town of Salisbury shall not approve the transfer of the license to any other person, organization, corporation or location but it may be re-issued to a new applicant at the same location if an applicant for the license files with the licensing authority a letter from the Department of Revenue indicating that the license is in good standing with the Department and that all applicable taxes have been paid.

(c) If the license granted under this section is cancelled, revoked or no longer in use, it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto, to the Salisbury licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this act.

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

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously recommends approval

Motion: Fred Knowles I move that Article Seventeen be approved as herein stated
Seconded

Motion: Kevin McCann To amend Article Seventeen as follows: To include Sweetheart Corp. of 99 Bridge Road Salisbury to convert a seasonal liquor license for sale of alcoholic beverages to be drunk on premises, to an annual liquor license for sale of alcoholic beverages to be drunk on premises. A and B the same.

Seconded and ruled out of order by the Moderator

Main motion carried by majority vote

Following Article Seventeen, Henry Richenburg moved to reconsider Article Twelve. Please see Article Twelve for action on this Article

ARTICLE EIGHTEEN

To see if the Town will vote to amend the Zoning By-law of the Town of Salisbury in order to protect the Town's water supply and to maintain compliance with the water supply protection requirements of the Massachusetts Department of Environmental Protection by:

- (1) deleting Article IX. Water Resource District in its entirety;
- (2) inserting a new Article IX. Water Resource District in lieu thereof; and
- (3) amending the Official Zoning Map of the Town of Salisbury by adding a new Water Resource District as an overlay district as shown on the map entitled "Water Resource District Overlay Salisbury, MA" dated April 10, 2009, and deleting the Water Resource District map dated May 1987.
- (4)

Copies of the proposed new Article IX. Water Resource District of the Zoning By-law and of the map entitled "Water Resource District Overlay Salisbury, MA" dated April 10, 2009, are available for review in the office of the Town Clerk; or to take any other action relative thereto.

ON PETITION OF THE BOARD OF SELECTMEN ACTING AS WATER COMMISSIONERS

Warrant Advisory Committee unanimously recommends approval

Planning Board unanimously recommends approval

Motion: Jerry Klima I move that Article Eighteen be approved as herein stated
Seconded & carried by unanimous vote

ARTICLE NINETEEN

To see if the Town will vote to approve a zoning amendment that would amend §300-5 of the Town of Salisbury Zoning Bylaw by amending the definition of "Dwelling, Attached" to read in full as follows:

"DWELLING, ONE-FAMILY, ATTACHED - A dwelling unit attached to an existing structure which is not residential in use, but otherwise allowed under this bylaw, provided that not more than one such one-family attached dwelling is permitted on any lot in the Commercial (C) and Commercial II (C-2) zoning districts."

and would amend §300-58 of the Town of Salisbury Zoning Bylaw by adding the word "detached" after the word "single-family" in the first sentence thereof.
or to take any other action relative thereto.

ON PETITION OF THE ZONING REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Planning Board unanimously recommends approval

Motion: Edwin Hunt I move that Article Nineteen be approved as herein stated
Seconded & carried by unanimous vote

ARTICLE TWENTY

To see if the Town will vote to amend the Zoning-By-law of the Town of Salisbury to permit additional residential development in a new Outer Village Residential Overlay District in neighborhoods near Salisbury Square by

- (1) adding a new ARTICLE XIIIC entitled Outer Residential Overlay District as shown on the document entitled ARTICLE XIIIC. Outer Village Residential Overlay District, which is on file with the Town Clerk; and
- (2) amending the Official Zoning Map of the Town of Salisbury by adding a new Outer Village Residential Overlay District, as shown on the Map entitled "Outer Village Residential Overlay District" dated August 26, 2009, which is on file with the Town Clerk,

or to take any other action relative thereto.

ON PETITION OF THE ZONING REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Planning Board unanimously recommends approval

Motion: Henry Richenburg 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 amend the Zoning By-law of the Town of Salisbury for parking requirements

1. by adding Article XXI, Off-Street Parking Standards, to the Zoning By-laws, which is on file with the Town Clerk; and
2. deleting the "minimum number of parking spaces required per unit" line from the Dimension Control Table per §300-14, and
3. amending Article 1, §300-5. Definitions, by amending the definition of PARKING SPACE by removing the words "on-site" and replacing the word "pavement" with "material", so that the new definition would read as follows:
PARKING SPACE: An off-street space having an area of not less than 200 square feet, in a configuration of 20 feet by 10 feet, plus access and maneuvering space, whether inside or outside a structure, for exclusive use as a parking stall for one motorized vehicle, and further being surfaced with durable material"

or to take any other action relative thereto.

ON PETITION OF THE ZONING REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Planning Board unanimously recommends approval

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

Seconded

Motion: David E. Sheafer I move to amend this Article by deleting in 300-140ii the words "Commercial Development in the" so it reads "ii. Beach Commercial District"

Seconded

Motion: David Colburn I move that this Article be indefinitely postponed

Seconded and carried to indefinitely postpone

ARTICLE TWENTY-TWO

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 2009 Charter Review Committee)," which document is on file with the Town Clerk, by making ministerial, non-substantive changes thereto, including the insertion of editorial notations and the correction of punctuation, grammar, typographical errors, and misspellings, as follows: Article 1, Sections 1-6 and 1-7; Article 2 heading and footnote, Sections 2-2 through 2-10, including a footnote in Section 2-3; Article 3, Sections 3-1 through 3-4; Article 4, Sections 4-1, 4-1 footnote, 4-2, and 4-4; Article 5, Sections 5-1 through 5-7, including a footnote in Section 5-2; Article 6, Sections 6-2 through 6-8; and Article 7, Sections 7-5 through 7-11; or to take any other action relative thereto

ON PETITION OF THE 2009 CHARTER REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Motion: Robert Carroll I move that Article Twenty-Two be approved as herein stated

Seconded & carried by unanimous vote

ARTICLE TWENTY-THREE

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 2009 Charter Review Committee)," which document is on file with the Town Clerk, to insert a definition of the word "electronically" in the definition section of the Charter, Article 7, Section 7-5(d) and re-letter the remaining sections of Section 7-5(d) accordingly, and further, by revising the following sections of the Charter to require certain documents or notices to be made available to the public in an electronic format: Article 2, Section 2-3(b) (recommendations of the Warrant Advisory Committee) and 2-7(c) (notice of a special town meeting); Article 6, Sections 6-3 (notice of availability of budget), 6-6 (notice of public hearing on budget), and 6-9 (statements summarizing the budget, capital improvement program, and related warrant articles; Article 7, Sections 7-9(c) (rules and journals of multiple member bodies) and 7-10 (notice of vacancies); or to take any other action relative thereto.

ON PETITION OF THE 2009 CHARTER REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Motion: Robert Carroll I move that Article Twenty-Three be approved as herein stated

Seconded

Motion: Kevin Henderson I move that in Section 7-9, multiple member bodies be appointed by Selectmen

Seconded and withdrawn

Motion: Gordon Blaney, Jr. I move that references to G.L. be changed to M.G.L.

No second

Main motion carried by unanimous vote

ARTICLE TWENTY-FOUR

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 2009 Charter Review Committee)," which document is on file with the Town Clerk, as follows: Article 2, Section 2-2 (authorizing the Deputy Moderator to fill an unexpected vacancy in the Town Moderator position through the next regular election); Article 2, Section 2-4 (authorizing the Annual Town Meeting to be convened in the month of June, in addition to the months of March, April and May); Article 2, Section 2-8 (requiring that multimember bodies be notified in writing at least once annually of the requirement to attend Town Meetings); Article 3, Section 3-2(c) (in the section on the appointing authority of the Board of Selectmen, deleting reference to the Pike School Trustees and a sewer advisory board and inserting authority to appoint an affordable housing trust); or to take any other action relative thereto.

ON PETITION OF THE 2009 CHARTER REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Motion: Robert Carroll I move that Article Twenty-Four be approved as herein stated

Seconded & carried by unanimous vote

ARTICLE TWENTY-FIVE

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 2009 Charter Review Committee)," which document is on file with the Town Clerk, as follows: Article 3, Section 3-1(g) (2) (providing that the number of registered voters needed to petition for a recall be measured "as of the last regular election"); Section 3-1(g) (3) (extending the deadline for holding a special recall election); Article 7, Section 7-7 (revising the requirement that the Board of Selectman appoint a By-Law Review Committee at least once in every 5 years in each year ending in 5 or 0, to years ending in 4 or 9, so as to allow the By-Law Review Committee to take advantage of the recommendations of the prior Charter Review Committee); or to take any other action relative thereto.

ON PETITION OF THE 2009 CHARTER REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Motion: Robert Carroll I move that Article Twenty-Five be approved as herein stated

Seconded & carried by unanimous vote

ARTICLE TWENTY-SIX

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 2009 Charter Review Committee)," which document is on file with the Town Clerk, as follows: Article 3, Section 3-4 (clarifying that the Triton Regional District Committee shall be constituted as set forth in the Regional District Agreement and inserting reference to the Whittier Regional Vocational Technical School Committee); and Article 6, Section 6-2 (requiring the Whittier Regional Vocational School District to submit a proposed budget to the Town in accordance with the Regional School District Agreement, and eliminating superfluous wording); or to take any other action relative thereto.

ON PETITION OF THE 2009 CHARTER REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Motion: Robert Carroll 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, 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 2009 Charter Review Committee)," which document is on file with the Town Clerk, as follows: Article 4, Section 4-2(s) (authorizing the Town Manager to sign all grant agreements other than those requiring a financial commitment by the Town, which agreements shall be signed by the Board of Selectmen); Section 4-1 (eliminating reference to the Town of Salisbury Salary Administration Plan as it relates to the office of the Town Manager and changing the timing of the Town Manager's annual performance review to be in accordance with the Town Manager's contract); and Article 5, Section 5-6 (eliminating superfluous wording concerning the appointment of the Director of Public Works and the duties and responsibilities of the Dept. of Public Works); or to take any other action relative thereto.

Warrant Advisory Committee unanimously recommends approval

Motion: Robert Carroll I move that Article Twenty-Seven be approved as herein stated

Seconded & carried by unanimous vote

ARTICLE TWENTY-EIGHT

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 2009 Charter Review Committee)," which document is on file with the Town Clerk, by revising Article 7, Section 7-9(g) to read as follows: Composition of Multiple Member Bodies – All multiple member bodies, when established, shall be composed of voters in the Town of Salisbury and have an odd number of members. Whenever the terms of office of a multiple member body extend for more than one year, such terms of office shall be so arranged that as nearly an equal number of terms as is possible will expire each year. Town employees shall not serve on multiple member bodies that provide policies or guidance to the employee's Town agency. Notwithstanding the foregoing, town employees and non-voters may serve on the Board of Assessors, the Beach Overlay District Design Review Committee, Ad Hoc committees, and as advisory (non-voting) members of other multiple member bodies; or to take any other action relative thereto.

ON PETITION OF THE 2009 CHARTER REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Motion: Robert Carroll I move that Article Twenty-Eight be approved as herein stated

Seconded

Motion: Reginald Santos I wish to amend lines ten and eleven to read "Full Time Town employees shall not serve on Multiple member bodies that provide policies or guidance to the employee's agency."

Seconded & hand count taken: 59 YES, 36 NO

Amendment carries

Motion: Larry Cuddire I move to amend Article 28 to delete the words in line 12 THE BOARD OF ASSESSORS. The amended sentence would read: Notwithstanding the foregoing, town employees and non-voters may serve on the Beach Overlay District Design Review

Committee, Ad Hoc committees, and as advisory (non-voting) members of other multiple member bodies.

Seconded & hand count taken: 20 YES, 65 NO

Amendment is defeated

Motion: Kevin Henderson I move to amend this Article by adding after Composition of Multiple Member Bodies the sentence, "All multiple member bodies, when established, shall be appointed by majority vote of the Selectmen."

Seconded & ruled out of order

Main motion as once amended carried by a hand count vote of 72 YES, 1 NO

ARTICLE TWENTY-NINE

To see if the Town will vote to rescind the vote taken under Article 21 of the May 16, 1977 Annual Town Meeting creating a Board of Trustees to operate the Pike School, terminate the terms of any current Trustees and otherwise abolish said board and authorize the Town of Salisbury Historical Commission to assume all responsibilities for the operation and/or use of the Pike School, expend the remaining balance of funds available to the Pike School Trustees, insofar as those funds are expended exclusively for the operation and/or use of the Pike School, and apply for and expend grants, and receive and expend funds for the operation and/or use of the Pike School; provided further that the Town of Salisbury Historical Commission shall be the lawful successor of the Pike School Board of Trustees and no contracts or liabilities then in force shall be affected by abolition of the Pike School Board of Trustees, and that all departmental equipment, personal property and records under the care, custody and control of the Pike Board of Trustees shall be transferred to and be under the control and direction of said Historical Commission; or to take any other action relative thereto.

ON PETITION OF THE 2009 CHARTER REVIEW COMMITTEE

Warrant Advisory Committee unanimously recommends approval

Motion: Robert Carroll I move that Article Twenty-Nine be approved as herein stated

Seconded & carried

ARTICLE THIRTY

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

Moderator Ray explained that he had forgotten to appoint a Deputy Moderator at the Annual Town Meeting in May. He put the name of Reginald Santos into nomination and called for a vote. Mr. Santos was appointed Deputy Moderator by majority vote.

Motion: Fred Knowles I move that we adjourn

Seconded & carried

Moderator Ray declared the meeting adjourned at 9:50 p.m.

Respectfully submitted,

Wilma M. McDonald, Town Clerk

October 27, 2009