

**Minutes to the 196th
Annual Town Meeting
of the Town of Essex**

May 4th 2015

The 196th Annual Town Meeting of the Town of Essex was called to order at 7:33 p.m. by Moderator Rolf P. Madsen. A quorum of over 200 voters was present at the time.

The following people were appointed as tellers: Carolyn Knowlton, John Bediz, Richard Ross, Anne Cameron, Westley Burnham, Lisa Randall, Anne Landry and Suzanne Lynch.

There were no objections to the tellers appointed.

The Moderator informed those in attendance that there was an error in the posting of the warrant. Per Essex bylaw, the warrant must be posted in three locations. It was not discovered until the day of the meeting that the warrant had not been posted in one of the three locations. The Moderator asked those in attendance if there were any objections to move forward.

There were no objections to move forward with the meeting.

The Board of Selectmen will be petitioning the Governor and the legislature for a special act to ratify the actions of this town meeting due to the warrant posting defect.

Motion made and duly seconded to waive the reading of the warrant.

There were no objections to waiving the reading of the warrant.

The 2015 Local Election shall be held on Monday, May 11th, 2015:

In the name of the Commonwealth of Massachusetts you are hereby directed and warned as the inhabitants of the Town of Essex, qualified to vote as the laws direct, of the Annual Town Election to bring to ballot for the following officers:

- Assessor for three years.
- Moderator for one year.
- Selectman for three years.
- Board of Health member for three years.
- Two Constables for one year.
- School Committee member for three years.
- Board of Library Trustee for three years.
- Planning Board members for five years.
- Housing Authority member to fill a vacancy for four years.

AND, to do this by vote on one ballot. The polls will be open on Monday, May 11, 2015 at 7:00 o'clock A.M. and will close at 8:00 o'clock P.M. at the Memorial Fire Station, 24 Martin Street, Essex.

ARTICLE 1: APPOINT SURVEYOR OF BARK AND LUMBER

Motion made by Jeffrey D. Jones, duly seconded, that the Town authorize the Board of Selectmen to appoint a Surveyor of Bark and Lumber.

Voted unanimously.

ARTICLE 2: REPORTS OF TOWN OFFICIALS, BOARDS AND COMMITTEES

Motion made by Lisa J. O'Donnell, duly seconded, that the Town receive the Reports of the Town Officials, Boards, and Committees contained in the Annual Town Report.

Voted unanimously.

ARTICLE 3: FY2016 WAGE AND SALARY SCALE

Motion made by Jeffrey D. Jones, duly seconded, that the Town vote to approve the Wage and Salary scale for fiscal year 2016 in accordance with the recommendations of the Personnel Board Report.

Voted unanimously.

ARTICLE 4: FY2016 ELECTED OFFICERS SALARY AND COMPENSATION

Motion made by Jeffrey D. Jones, duly seconded, that the Town fix the salary and compensation of each of the elected officers of the Town as required by Massachusetts General Law Chapter 41, Section 108, as amended, for fiscal year 2016 in accordance with the recommendations of the Personnel Board Report.

Voted unanimously.

ARTICLE 5: PAYMENTS TO MA WATER POLLUTION ABATEMENT TRUST

Motion made by Jeffrey D. Jones, duly seconded, that the Town vote to transfer from the Town Septic Betterment Fund the sum of \$26,194 for the purpose of making necessary payments to the Massachusetts Water Pollution Abatement Trust during fiscal year 2016 in accordance with the terms of repayment for Community Septic Management Program loan funds.

Voted unanimously.

ARTICLE 6: REVOLVING FUND FOR ANIMAL CONTROL OFFICER

Motion made by Jeffrey D. Jones, duly seconded, that the Town vote pursuant to Massachusetts General Laws chapter 44, section 53E ½ to reauthorize a revolving fund for the Animal Control Officer as set forth in Article 6 of the Warrant.

Voted unanimously.

ARTICLE 7: REVOLVING FUND FOR BOARD OF HEALTH YOUTH EXERCISE

Motion made by David Driscoll, duly seconded, that Article 7 be indefinitely postponed.

Voted unanimously.

**ARTICLE 8: REVOLVING FUND FOR BOARD OF HEALTH SAFETY, EMERGENCY
PLANNING, PREPARATION AND EDUCATION**

Motion made by David Driscoll, duly seconded, that the Town vote pursuant to Massachusetts General Laws chapter 44, section 53E ½ to reauthorize a revolving fund for the Board of Health as set forth in Article 8 of the Warrant.

Voted unanimously.

ARTICLE 9: REVOLVING FUND FOR BOARD OF HEALTH PUBLIC HEALTH NURSE

Motion made by David Driscoll, duly seconded, that the Town vote pursuant to Massachusetts General Laws chapter 44, section 53E ½ to reauthorize a revolving fund for the Board of Health as set forth in Article 9 of the Warrant.

Voted unanimously.

ARTICLE 10: APPOINTMENTS TO THE CONOMO POINT PLANNING COMMITTEE

Motion made by Mark Lynch, duly seconded, that Article 10 be indefinitely postponed.

Voted unanimously.

ARTICLE 11: SUPPORT OF PLAN FOR NORTHERN AREA OF CONOMO POINT

Motion made by Mark Lynch, duly seconded, that the Town vote to provide its non-binding support for the plan for use of the northern area of Conomo Point that has been developed by the Board of Selectmen, acting in their capacity as Conomo Point Commissioners, the Conomo Point Planning Committee, and the Town's consulting landscape architect, as presented at this meeting.

Motion carries.

ARTICLE 12: RETENTION OF APPRAISER FOR RENTAL VALUATION FOR CONOMO POINT NORTH OF CLAMMER'S BEACH

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to raise and appropriate the sum of \$25,000 to enable the Board of Selectmen, acting as Conomo Point Commissioners, to retain the services of a Massachusetts Certified General Appraiser with a MAI designation from the Appraisal Institute and to approve Article 12 as set forth in the Warrant.

Motion carries.

ARTICLE 13: FUND MANAGEMENT OF PROPERTY AT CONOMO POINT

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to raise and appropriate the sum of \$50,000 for the management of property at Conomo Point including but not limited to renovation, demolition, and contents management of structures and maintenance of all outdoor areas.

Motion carries.

ARTICLE 14: FUNDING RENOVATIONS TO TOWN HALL AND LIBRARY

Motion made by Lisa J. O'Donnell, duly seconded, that the Town vote to transfer from the Sale of Real Estate Fund the sum of \$4,200,000 to make further renovations to the Town Hall and Library building at 30 Martin Street and to approve Article 14 as set forth in the Warrant.

Motion carries.

ARTICLE 15: FINANCE COMMITTEE REPORT

Motion made by Jeffrey Soulard, duly seconded, that the Town vote to appropriate the sum of \$6,401,472 as follows: a) raise by taxation the sum of \$904,327 for debt repayment, principal and interest; b) transfer from the Cemetery Sale of Lots Fund the sum of \$3,000 to the Cemetery Budget; c) transfer from the Cemetery Lot Care Fund the sum of \$7,400 to the Cemetery Budget; d) transfer from the Cemetery Perpetual Care Fund the sum of \$3,000 to the Cemetery

Budget; e) transfer from the Wetlands Protection Fund the sum of \$4,000 to the Conservation Commission Budget; f) transfer from free cash the sum of \$400,000 to the Health Insurance Budget; g) transfer from the Ambulance Fund the sum of \$50,000 to the Ambulance Budget; and h) to raise by taxation the sum of \$5,029,745 to be allocated between the salaries and expenses of the Town according to the remaining budget items as indicated in the Finance Committee Report.

Motion carries.

ARTICLE 16: SEWER ENTERPRISE FUND TRANSFER FOR REMAINDER OF FY15

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Sewer Enterprise free cash the sum of \$5,000 to the Sewer Enterprise Fund - City of Gloucester Sewer Contract line item and the sum of \$12,500 to the Sewer Enterprise Fund - Maintenance line item for the remainder of fiscal year 2015.

Voted unanimously.

ARTICLE 17: WATER ENTERPRISE FUND TRANSFER FOR REMAINDER OF FY15

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Water Enterprise free cash the sum of \$12,000 to the Water Enterprise Fund - Maintenance line item for the remainder of fiscal year 2015.

Voted unanimously.

ARTICLE 18: SEWER ENTERPRISE FUND APPROPRIATION

Motion made by Paul Rullo, duly seconded, that the Town vote to appropriate the sum of \$2,007,272 for the Sewer Enterprise Fund Budget as follows: a) debt repayment, principal and interest – the sum of \$940,361 from sewer betterments, the sum of \$100,000 from Sewer Enterprise free cash, and the sum of \$328,911 to be raised by taxation; and b) funds to be allocated between the salaries and expenses of the Sewer Department – \$598,000 from departmental receipts and the sum of \$40,000 from Sewer Enterprise free cash; all as indicated in the Finance Committee Report.

Voted unanimously.

ARTICLE 19: WATER ENTERPRISE FUND APPROPRIATION

Motion made by Paul Rullo, duly seconded, that the Town vote to appropriate the sum of \$735,872 for the Water Enterprise Fund Budget as follows: a) debt repayment, principal and interest – the sum of \$12,620 from water betterments and the sum of \$37,500 from departmental receipts; and b) funds to be allocated between the salaries and expenses of the Water Department – \$685,752 from departmental receipts; all as indicated in the Finance Committee Report.

Voted unanimously.

ARTICLE 20: MANCHESTER ESSEX REGIONAL SCHOOL DISTRICT ASSESSMENT

Motion made by Ann Cameron, duly seconded, that the Town vote to raise and appropriate the sum of \$7,228,425 to fund the Town's assessment from the Manchester Essex Regional School District – said sum to be calculated solely in accordance with the "Agreement Between the Towns of Essex and Manchester-by-the-Sea, Massachusetts with Respect to the Formation of a Regional School District", as most recently amended, by invoking and approving the provision found in paragraph four of Massachusetts General Laws chapter 71, section 16B allowing District members "to

reallocate the sum of their required local contributions to the district in accordance with the regional agreement”, for the fiscal year beginning July first, two thousand fifteen.

Voted unanimously.

ARTICLE 21: ESSEX NORTH SHORE AGRICULTURAL AND TECHNICAL SCHOOL DISTRICT ASSESSMENT

Motion made by George Harvey, duly seconded, that the Town vote to raise and appropriate the sum of \$208,958 to pay the Town’s share of the operating and capital costs of the Essex North Shore Agricultural and Technical School District for the fiscal year commencing July 1, 2015.

Voted unanimously.

ARTICLE 22: MAGNETIC WATER FLOW METERS

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Water Enterprise free cash the sum of \$10,500 for the purpose of purchasing and installing magnetic water flow meters for use in the Town’s public water supply wells, and any elements incidental thereto.

Voted unanimously.

ARTICLE 23: MAINTENANCE/OUTFITTING OF PUMPS IN SEWER PUMP STATION

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Sewer Enterprise free cash the sum of \$40,000 for the purpose of purchasing or repairing and installing a pump or pumps for use in the Town’s sewer pump stations, and any elements incidental thereto.

Voted unanimously.

ARTICLE 24: PURCHASE AND EQUIPPING OF A PICKUP TRUCK WITH SNOW PLOW

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Water Enterprise free cash the sum of \$37,000 for the purchase and equipping of a pickup truck, with snowplow, for use by the Water Department; and to authorize the Board of Public Works and/or the Board of Selectmen to take other action as necessary to effectuate the purposes of this vote.

Voted unanimously.

ARTICLE 25: PURCHASE AND EQUIPPING OF A UTILITY TRUCK WITH CRANE AND SNOWPLOW

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Sewer Enterprise free cash the sum of \$52,000 for the purchase and equipping of a utility truck, with crane and snowplow, for use by the Sewer Department; and to approve Article 25 as set forth in the Warrant.

Voted unanimously.

ARTICLE 26: LEASE TO PURCHASE A FRONT END LOADER

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Free Cash the sum of \$32,598 to lease for a term of more than three years with an option to purchase and to fully equip a front end loader for use by the Department of Public Works, and to authorize the Board of Selectmen to enter into a purchase or lease/purchase agreement on such terms and conditions as the Board deems in the best interest of the Town; and further to authorize the Board of Selectmen to take other action as necessary to effectuate the purposes of this vote.

Voted unanimously.

ARTICLE 27: OIL TO GAS CONVERSION IN MUNICIPAL BUILDINGS

Motion made by Lisa J. O'Donnell, move that the Town vote to indefinitely postpone Article 27.

Voted unanimously.

ARTICLE 28: PURCHASE UPDATED RADIOS FOR POLICE DEPARTMENT

Motion made by Jeffrey D. Jones, duly seconded, that the Town vote to transfer from Free Cash the sum of \$17,000 to purchase updated radios for the Essex Police Department.

Voted unanimously.

ARTICLE 29: PURCHASE AN EXTRACTION AND DRYING SYSTEM FOR
FIREFIGHTER TURNOUT GEAR

Motion made by Daniel Doucette, duly seconded, that the Town vote to transfer from Free Cash the sum of \$15,000 to purchase and install an extraction and drying system for firefighter turnout gear.

Voted unanimously

ARTICLE 30: PURCHASING A NEW EQUIPPED AMBULANCE

Motion made by Daniel Doucette, duly seconded, that the Town vote to transfer from the Ambulance Fund the sum of \$230,000 for the purchase of a new, equipped ambulance.

Voted unanimously.

ARTICLE 31: PURCHASE AND INSTALLATION OF A RESCUE DOOR IN
HARBORMASTER BOAT

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to transfer from the Waterways Fund the sum of \$6,000 to purchase and install a rescue door in the Harbormaster boat.

Voted unanimously

ARTICLE 32: COMMUNITY PRESERVATION FUND APPROPRIATIONS

Motion made by Kimberly Drake, duly seconded, that the Town appropriate or reserve from Fiscal Year 2016 Community Preservation Fund estimated annual revenues, or other available funds, all as specified on the Community Preservation Act Town Meeting Handout, the amounts recommended by the Community Preservation Committee for Open Space Reserve, Historic Resources Reserve, Community Housing Reserve, Budgeted Reserve, administrative expenses, and specific projects.

Voted unanimously.

Selectmen may, in their judgment and discretion so require; said lease to be for a term of ten years beginning on July 1, 2015.

Voted unanimously.

ARTICLE 38: AUTHORIZATION OF LEASE OF TOWN PROPERTY (MAP 41 LOT 35)

Motion made by Lisa J. O'Donnell, duly seconded, that the Town vote to authorize the Board of Selectmen to lease a certain lot of Town-owned land with the buildings thereon commonly known as the "Legion Hall" located at 28 Main Street (Assessors' Map 41, Lot 35) to a lessee which will use the property primarily for the archiving and/or display of historical materials and artifacts of the shipbuilding industry of the Town of Essex for a term of ten years beginning on July 1, 2015, and upon such other terms and conditions as the Selectmen may, in their judgment and discretion so require.

Voted unanimously.

ARTICLE 39: FREE CASH TRANSFER TO SNOW AND ICE BUDGET

Motion made by Jeffrey Soulard, duly seconded, that the Town vote to transfer from Free Cash the sum of \$115,000 to the Snow and Ice Budget for fiscal year 2015.

Voted unanimously.

ARTICLE 40: REPLENISH FINANCE COMMITTEE RESERVE FUND

Motion made by Jeffrey Soulard, duly seconded, that Article 40 be indefinitely postponed.

Voted unanimously.

ARTICLE 41: UNPAID BILLS FROM PREVIOUS FISCAL YEARS

Motion made by Jeffrey Soulard, duly seconded, that Article 41 be indefinitely postponed.

Voted unanimously.

A motion was made and duly seconded to dissolve the meeting at 10:08 p.m.

Voted unanimously.

A true copy.

Attest: _____
Christina J. Wright, Town Clerk