

**Selectmen's Meeting
Town Hall – Lahey Building**

April 4, 2016

Present: Chairman Lisa J. O'Donnell, Selectman David A. Doane, Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Chairman O'Donnell called the meeting to order at 9:00 a.m. in Lahey Building at 74 Martin Street and announced that the Board would hear public comment. There was no one present from the public to offer any comment.

Mr. Zubricki said that after the Annual Town Meeting and Election Warrant had been signed on March 28, 2016, the Community Preservation Chair had suggested more streamlined ballot language for the Community Preservation Act surcharge increase ballot question contained therein. Mr. Zubricki reviewed the change with those present, explaining that Town Counsel had reviewed that suggestion and with minor changes, had approved this alternative version. Deliberation ensued.

Subsequently, a motion was made, seconded, and unanimously voted to re-open the Annual Town Meeting and Election Warrant dated March 28, 2016. A motion was made, seconded, and unanimously voted to revise the wording regarding the sole ballot question involving the Community Preservation Act surcharge. A motion was made, seconded, and unanimously voted to close the revised Warrant. And, a motion was made, seconded, and unanimously voted to approve and sign the revised Warrant, dated April 4, 2016, which is attached hereto.

A motion was made, seconded, and unanimously voted to transmit to the Town Clerk the revised ballot language, dated April 4, 2016.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 9:15 a.m.

Prepared by: _____
Pamela J. Witham

Attested by: _____
David A. Doane

2016

Commonwealth of Massachusetts
Town of Essex

Warrant for Annual Town Meeting and Election

Essex, ss:

To either of the Constables of the Town of Essex;

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn 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:

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

AND, to bring in their votes on the following question:

Shall the Town amend its acceptance of sections 3 to 7, inclusive, of chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?

SUMMARY:

In 2007, the Town accepted the Community Preservation Act, which established a dedicated funding source for: open space, including land for recreational use; historic resources; and community housing. The Town of Essex originally approved a surcharge of 0.5% on the annual tax levy on real property. Increasing the surcharge to 1.5%, as approved by the November 16, 2015 Town Meeting, would make additional funding available for community preservation purposes, and would make the Town eligible for a higher level of matching funds from the State. If this question is approved, the increase in the surcharge would take effect in Fiscal Year 2017.

AND, to do this by vote on one ballot. The polls will be open on Monday, May 9, 2016 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.

AND, you are hereby directed to notify and warn the inhabitants of the Town of Essex, qualified to vote as the laws direct, to meet in said Essex at the Essex Elementary School, 12 Story Street, on Monday, May 2, 2016 at 7:30 p.m. and there and then to act on the following Articles, viz:

ARTICLE 1

To see if the Town will vote to determine the manner of electing or choosing all other Town Officers usually elected or chosen at the Annual Town Meeting and take any appropriate action to elect such officers.

ARTICLE 2

To hear and receive the Reports of the Town Officials and Committees, and also to consider and receive any Reports contained in the Annual Town Report; or take any other action relating thereto.

ARTICLE 3

To see if the Town will amend or revise the Wage and Salary scale for fiscal year 2017 in accordance with the recommendations of the Personnel Board Report, a copy of which is on file in the Town Clerk's office and is incorporated herein by reference; or take any other action relating thereto.

ARTICLE 4

To see if the Town will vote to 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 2017 in accordance with the recommendations of the Personnel Board Report, a copy of which is on file in the Town Clerk's office and is incorporated herein by reference; or take any other action relating thereto.

ARTICLE 5

To see if the Town will vote to transfer from the Town Septic Betterment Fund a sum of money for the purpose of making necessary payments to the Massachusetts Water Pollution Abatement Trust during fiscal year 2017 in accordance with the terms of repayment for Community Septic Management Program loan funds; or take any other action relating thereto.

ARTICLE 6

To see if the Town will vote pursuant to Massachusetts General Laws chapter 44, section 53E ½ to authorize the following revolving funds for fiscal year 2017; or take any other action relating thereto:

Revolving Fund	Spending Authority	Revenue Source	Allowed Expenses	Spending Limit
Animal Control Officer	Board of Selectmen	Payments from dog owners seeking to claim impounded dogs	Compensating the ACO for the care of impounded dogs and reimbursing the ACO for all associated expenses	\$10,000
Board of Health – Youth Triathlon	Board of Health	Donations, grants and fees collected for the youth triathlon	Purchase of supplies and services for planning and execution of the Annual Youth Triathlon	\$12,000
Board of Health – Health, Safety and Emergency	Board of Health	Donations, grants and fees collected for the purpose of health, safety and/or emergency planning, preparation and education	Purchase of supplies and services for the purpose of health, safety and/or emergency planning, preparation and education	\$10,000
Board of Health – Public Health Nurse	Board of Health	Medicare and other reimbursements relating to contracted labor, pharmaceuticals and other reimbursements relating to the services of the Public Health Nurse	Purchasing supplies and pharmaceuticals for the Public Health Nurse and for Public Health nurse labor	\$12,000

ARTICLE 7

To see if the Town will vote, pursuant to Town of Essex Bylaws, Chapter II, Section 2-20 to consider appointments to the Conomo Point Planning Committee, including the appointment of new members, or the reappointment or termination of current members of the Committee; or take any other action relating thereto.

ARTICLE 8

To see if the Town will vote to transfer some or all of the numbered lots depicted on the approved Definitive Subdivision Plan entitled "Central Conomo Point Subdivision, Robbins Island Portion, Essex, MA" which is on file with the Essex Town Clerk, from the Conomo Point Commissioners for purposes of lease to the Board of Selectmen, acting as Conomo Point Commissioners, for general municipal and conveyance purposes, and further, to authorize the Board of Selectmen, acting as Conomo Point Commissioners, to convey any or all of said lots, after said plan has been duly recorded with the Registry of Deeds, and to authorize the Board of Selectmen, acting as Conomo Point Commissioners, to enter into all agreements and to execute any and all instruments as may be necessary or convenient on behalf of the Town to affect said conveyance, subject to terms and conditions as the Board of Selectmen, acting as Conomo Point Commissioners, deem appropriate; or take any other action relating thereto.

ARTICLE 9

To see if the Town will vote to authorize the Board of Selectmen, serving in their capacity as Conomo Point Commissioners, to lease all or any portions of its property at Conomo Point for such number of years, not to exceed twenty (20), for such consideration and upon such terms and conditions as the Board of Selectmen, acting as Conomo Point Commissioners, deem to be in the best interests of the Town; or take any other action relating thereto.

ARTICLE 10

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to retain the services of a design consultant to develop final construction plans for waterfront access and related improvements for the Town's property at Conomo Point, north of the Southern Conomo Point Subdivision, including but not limited to the development of design plans for the project, the preparation bid documents, the oversight of the actual construction of such improvements, and all work incidental or related thereto; and for the construction of such waterfront access and related improvements and all costs incidental or related thereto; or take any other action relating thereto.

ARTICLE 11

To see if the Town will vote to transfer the following, Town-owned properties from the Board of Selectmen, acting as Conomo Point Commissioners, which properties are currently held for purposes of lease, to the Board of Selectmen, acting as Conomo Point Commissioners, for general municipal purposes:

5 Beach Circle, Map 108, Lot 82
9 Beach Circle, Map 108, Lot 80
4 Conomo Lane, Map 108, Lot 23
8 Conomo Lane, Map 108, Lot 24
103 Conomo Point Road, Map 108, Lot 85
1 Robbins Island Road, Map 108, Lot 20
0 Conomo Point, Map 108, Lot 64
138 Conomo Point Road, Map 108, Lot 61
153 Conomo Point Road, Map 108, Lot 41

; or take any other action relating thereto.

ARTICLE 12

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, a sufficient sum of money to fund and implement a collective bargaining agreement between the Town and the American Federation of State, County, and Municipal Employees, Local 2905, AFL-CIO; or take any other action relating thereto.

ARTICLE 13

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, a sufficient sum of money to fund and implement a collective bargaining agreement between the Town and the Police Benevolent Association of Essex, Massachusetts Coalition of Police, International Union of Police Associations, AFL-CIO; or take any other action relating thereto.

ARTICLE 14

To hear and act upon the Report of the Finance Committee and to vote to raise and appropriate or transfer from available funds a sum of money for the Town charges and expenditures for the ensuing year, and to authorize the Finance Committee to permit budget line item transfers within a department from salary lines to salary lines and from expense lines to expense lines; or take any other action relating thereto.

ARTICLE 15

To see if the Town will vote to transfer from available funds a sum of money for the purpose of funding the Sewer Enterprise Fund for the remainder of fiscal year 2016; or take any other action relating thereto.

ARTICLE 16

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the Sewer Enterprise Fund for fiscal year 2017; or take any other action relating thereto.

ARTICLE 17

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the Water Enterprise Fund for fiscal year 2017; or take any other action relating thereto.

ARTICLE 18

To see if the Town will vote to approve the Gross Operating and Maintenance Budget of the Manchester-Essex Regional School District, and raise and appropriate or transfer from available funds a sum of money for the Town's assessment from the 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 sixteen; or take any other action relating thereto.

ARTICLE 19

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$147,959, which represents its apportioned share of the Manchester Memorial Elementary School feasibility study, authorized by the Manchester Essex Regional School District (MERSD), for the purpose of paying costs of the Manchester Memorial Elementary School feasibility study, for the school located at 43 Lincoln Street in Manchester-by-the-Sea, Massachusetts, and further described in a deed recorded in Book 3507 pages 137 and 138 in the Essex South Registry of Deeds and depicted on Map 47, lot 6 of the Town of Manchester by the Sea Assessors' maps, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of MERSD School Building Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the

District may receive from the MSBA for the Study shall be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA; or take any other action relating thereto.

ARTICLE 20

To see if the Town will raise and appropriate or transfer from available funds a sum of money 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, 2016; or take any other action relating thereto.

ARTICLE 21

To see if the Town will raise and appropriate or transfer from available funds a sum of money for the payment of payroll tax assessments from the Massachusetts Department of Revenue and the Internal Revenue Service; or take any other action relating thereto.

ARTICLE 22

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to demolish or secure a structure or structures at the property or properties located at 0 Southern Avenue (Map 136, Lot 114), 5 Southern Avenue (Map 136, Lot 113), 9 Southern Avenue (Map 136, Lot 112), and 11 Southern Avenue (Map 136, Lot 111), and to dispose of any contents therein or thereupon, to purchase and erect a security fence and to do anything incidental or related thereto; or take any other action relating thereto.

ARTICLE 23

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be added to the Essex Bicentennial Celebration Fund; or take any other action relating thereto.

ARTICLE 24

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to retain the services of a designer to develop design plans and cost estimate options for the preservation and/or repair and/or the demolition and replacement of the Folsom Pavilion at the Centennial Grove and to assist with the preparation bid documents, the oversight of actual construction, and all work incidental or related thereto; or take any other action relating thereto.

ARTICLE 25

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase furnishings and fixtures for the Town Hall/Library at 30 Martin Street; or take any other action relating thereto.

ARTICLE 26

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase a fully-equipped dump truck for the Department of Public Works and to authorize the Board of Selectmen to dispose of any truck replaced by this purchase, by sale or trade, and to take any other actions necessary to effectuate the purposes of this vote; or take any other action relating thereto.

ARTICLE 27

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase a thermal imaging camera for use by the Harbormaster Department; or take any other action relating thereto.

ARTICLE 28

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase a power stretcher for use by the Ambulance Department; or take any other action relating thereto.

ARTICLE 29

To see if the Town will vote to appropriate or reserve from the Community Preservation Fund, including fiscal year 2017 estimated annual revenues, a sum or sums of money for Community Preservation projects or purposes, including, but not limited to, acquisitions of interests in land, all as recommended by the Community Preservation Committee; or take any other action relating thereto.

ARTICLE 30

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow, a sum of money for the Essex Strategic Planning Committee to accomplish public involvement and outreach with respect to the ongoing development and implementation of the Essex Strategic Plan; or take any other action relating thereto.

ARTICLE 31

To see if the Town will vote to transfer from available funds a sum of money to be used to defray operational expenses of the various Town departments for the remainder of fiscal year 2016; or take any other action relating thereto.

ARTICLE 32

To see if the Town will vote to transfer from available funds a sum of money to be used to replenish the Finance Committee's Reserve Fund for the remainder of fiscal year 2016; or take any other action relating thereto.

ARTICLE 33

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the payment of unpaid bills from past fiscal years; or take any other action relating thereto.

And you are hereby directed to serve this Warrant by posting attested copies; one at the Post Office, one at the Town Hall, and one at the Essex Elementary School, in said Essex, seven days at least before the time for holding said meeting.

Given under our hand this 4th day of April, two thousand sixteen.

Lisa J. O'Donnell, Chairman

Susan Gould-Coviello

David Doane

BOARD OF SELECTMEN
TOWN OF ESSEX

Return of the Warrant:

Date: _____

I have served this warrant by posting attested copies thereof – one at the Post Office; one at the Town Hall; and, one at the Essex Elementary School in said Essex; at least seven days before the time for holding said meeting.

Constable