

Article 20. WELL #3

Motion by Damon W. Boutchie, duly seconded, that the Town vote to transfer from the Water Fund the sum of \$6,000 to do investigational work at Well #3, Centennial Grove Road, to determine if replacement and/or rehabilitation are feasible.

Voted unanimously.

Article 21. STATE AID TO HIGHWAYS

Motion by Herman A. Patrican, Jr., duly seconded, that the Town will vote to borrow the sum of \$107,678 to be repaid from funds available to it under Chapter 113, Section 2 (A) of the Acts of 1996, providing State Aid for maintaining, repairing, improving and constructing Town and County ways and bridges, sidewalks, bikeways, salt storage sheds, and public use of off-street parking relating to mass transportation, for engineering services and expenses, for care, repair, storage, replacement, purchase and long term leasing of road building machinery, equipment and tools, for the erection and maintenance of direction signs and warning signs.

Voted unanimously.

Article 22. CHEBACCO LAKE HEADWAY SPEED

Motion by Howard Altholtz, duly seconded, that the Town vote to amend the Town of Essex Bylaws by adding the following Section 4-13:

Chebacco Lake Headway Speed Regulations: Between the hours of 3:00 P.M. and 9:00 A.M. weekends and holidays and between the hours of 7:30 P.M. and 9:00 A.M. weekdays all motorboats may proceed at a maximum of headway speed (minimum speed necessary to maintain steerage (no wake) approximately 5mph). A fine not to exceed fifty dollars may be imposed for each offense.

Motion by Thomas A. Ellsworth, duly seconded, to terminate debate.

Voted unanimously.

Vote on Main Motion - Failed.

Article 23. PUBLIC PARTICIPATION - BYLAW CHANGE

Motion by Bruce E. Fortier, duly seconded, that the Town vote to amend the Town of Essex Bylaws by adding the following Section 2-23 Public Participation:

Subject to reasonable time constraints and the obligation of the Chairperson to maintain an orderly meeting, citizens of Essex shall, after being recognized, have a right to speak at public meetings of elected and appointed town bodies while issues of importance to them are being discussed. This is in addition to any general so-called "public comment" periods which may be set aside at the beginning or end of the meeting.

Motion by Robert V. Brophy, duly seconded, to terminate debate.

Voted by 2/3's.

Vote on Main Motion - Failed.

Article 24. CONOMO POINT LEASE RENEWAL

Motion by David L. Folsom, duly seconded, that the Town vote to not renew the current Conomo Point land leases which expire in the year 2011.

After lengthy discussion:

Motion by Bruce E. Fortier, duly seconded, to indefinitely postpone action on this article.

Motion by Sally Ann Rich, duly seconded, to terminate debate on the motion to indefinitely postpone.

Voted by 2/3s.

Vote on the motion to indefinitely postpone - Failed.

Motion by Thomas A. Ellsworth, duly seconded, to terminate debate on the main motion.

Voted unanimously.

Vote on Main Motion - Passed.

Article 25. CONOMO POINT PLANNING COMMITTEE PLAN DEVELOPMENT (PASSED)

Motion by James E. Witham, duly seconded, that the Town vote to direct the Conomo Point Planning Committee to develop a plan to retain part of the town owned land at Conomo Point for Town access to the waterfront and to ensure environmental protection and to sell other parts of the Town owned land at Conomo Point in keeping with the bylaws and the final Judgment with respect to pollution abatement.

After lengthy discussion:

Motion by D Bradford Story, duly seconded, to terminate debate.

Voted by 2/3's.

Standing vote on Main Motion:

Yes - 272

No - 175

Main Motion - Voted.

A motion was made and duly seconded to adjourn at 11:05 P.M. until Tuesday, May 6, 1997 at 7:30 P.M. at the Essex Elementary School.

Voted.

ADJOURNED SESSION OF ANNUAL TOWN MEETING

The adjourned session of the Annual Town Meeting was called to order at 7:30 P.M. on Tuesday, May 6, 1997 by Moderator David J. Lane. A quorum of 442 voters was present.

Article 26. BY-LAW CHANGE - CONOMO POINT PLANNING COMMITTEE (PASSED)

Motion by Gilbert E. Guerin, duly seconded, that the Town vote to amend the Town By-law 2-20 "Conomo Point Planning Committee" by deleting the second sentence in the first paragraph which reads "Said members shall be appointed without limit in number by any Annual Town Meeting, the warrant of which has an article specifying the such action is to be considered" and inserting in its place the sentence "The Committee shall consist of twelve members who shall be appointed by any Town Meeting, the warrant of which has an article specifying that such action is to be considered".

A motion by Samuel Hoar was ruled illegal by Moderator David J. Lane.

Motion by Melvin M. Barron, duly seconded, to indefinitely postpone action on this article.

Motion by D. Bradford Story, duly seconded, to terminate debate on the indefinite postponement.

Voted unanimously.

Vote on indefinite postponement - Failed.

Motion by Thomas A Ellsworth, duly seconded, to terminate debate on main motion.

Voted by 2/3's.

Standing Vote on MAIN MOTION.

Yes - 199

No - 185

Voted.

Article 27. CONOMO POINT PLANNING COMMITTEE

Motion by Gilbert E. Guerin, duly seconded, that the Town vote to reappoint the following current members of the Conomo Point Planning Committee:

Margaret Davies

Charles Burnham

Anthony Palumbo

David Landry

James Witham

Peter Perrigo

Edward Neal

David Folsom

Gilbert E. Guerin

Lufkin Point Rd

Southern Ave

60 Eastern Ave

73 Story St

23 Belcher St

71R Wood Dr

15 Western Ave

130 Eastern

16 Belcher St

ATM, 5/5/97

and to appoint three additional members - one from the Planning Board, one from