

Minutes to the 198th
Annual Town Meeting
of the Town of Essex

May 1st 2017

The 198th Annual Town Meeting of the Town of Essex was called to order at 7:31 p.m. by Moderator Rolf P. Madsen. A quorum of over 160 voters was present at the time.

The following people were appointed as tellers: Holly Andrews, (Susan) Scottie Robinson, Michelle Kempskie, Laura Doyle, Tina Lane, Mary Wilhelm, Jeff and Patricia Soulard.

There were no objections to the tellers appointed.

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

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

Moderator Madsen also thanked all local officials who will not be seeking reelection at the 2017 Annual Town Election: Barry Ewing (Assessor), Susan Gould-Coviello (Selectboard), Jason Heath (Planning Board) and Beth Cairns (Housing Authority). Thank you for your service.

The 2017 Local Election shall be held on Monday, May 8th, 2017:

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 do this by vote on one ballot. The polls will be open on Monday, May 8, 2017 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 A SURVEYOR OF BARK AND LUMBER

Motion made by Lisa J. O'Donnell, 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 Susan Gould-Coviello, 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: FISCAL YEAR 2018 WAGE AND SALARY SCALE

Motion made by David Doane, duly seconded, that the Town vote to approve the Wage and Salary scale for fiscal year 2018 in accordance with the recommendations of the Personnel Board Report.

Voted Unanimously.

ARTICLE 4: FISCAL YEAR 2018 ELECTED OFFICERS SALARY AND COMPENSATION

Motion made by David Doane, 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 2018 in accordance with the recommendations of the Personnel Board Report.

Voted Unanimously.

ARTICLE 5: PAYMENTS TO MASSACHUSETTS WATER POLLUTION ABATEMENT TRUST

Motion made by Lisa J. O'Donnell, 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 2018 in accordance with the terms of repayment for Community Septic Management Program loan funds.

Voted Unanimously.

ARTICLE 6: GENERAL BYLAW CHANGE - ESTABLISHMENT OF REVOLVING FUNDS

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to establish the revolving funds described under Article 6 in the warrant for the fiscal year beginning on July 1, 2017 and to amend the Town of Essex General Bylaws relative to revolving funds as set forth under Article 6 of the warrant.

Voted Unanimously.

Text of Article 6 as it appears in the Warrant:

ARTICLE 6

To see if the Town will vote to establish the revolving funds set forth below for the fiscal year beginning on July 1, 2017 and to amend the [Town of Essex General Bylaws](#) by inserting a new section in Chapter II, pursuant to the provisions of [G.L. c.44, §53E½ as most recently amended by §86 of Chapter 218 of the Acts of 2016](#), establishing various revolving funds of the Town, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows:

2-26 Revolving Funds

There are hereby established in the Town of Essex pursuant to the provisions of [G.L. c.44, §53E½](#), the following Revolving Funds:

| Revolving Fund | Spending Authority | Revenue Source | Allowed Expenses |
|-----------------------------------|--------------------|--|---|
| 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 |
| Board of Health – Youth Triathlon | Board of Health | Donations, grants and fees collected | Purchase of supplies and services for |

| | | | |
|--|-----------------|--|--|
| | | for the youth triathlon | planning and execution of the Annual Youth Triathlon |
| 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 |
| 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 |

Expenditures from each revolving fund shall be subject to the limitations established by Town Meeting, and to any additional limitations as otherwise set forth in General Laws Chapter 44, §53E½; or act in relation thereto.

ARTICLE 7: ESTABLISHMENT OF LIMITATIONS ON REVOLVING FUNDS

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote, to establish limitations on expenditures from the revolving funds established by the Town set forth under Article 7 of the warrant.

Voted Unanimously.

Text of Article 7 as it appears in the Warrant:

ARTICLE 7

To see if the Town will vote, pursuant to the vote taken under Article 6 at this Town Meeting and pursuant to [G.L. c.44B, §53E ½ as most recently amended by §86 of Chapter 218 of the Acts of 2016](#), to establish limitations on expenditures from the revolving funds established by the [Town of Essex General Bylaws](#), Chapter II, Section 2-26, entitled, “Revolving Funds”, as follows:

| Revolving Fund | Spending Limit |
|--|----------------|
| Animal Control Officer | \$10,000 |
| Board of Health – Youth Triathlon | \$12,000 |
| Board of Health – Health, Safety and Emergency | \$10,000 |
| Board of Health – Public Health Nurse | \$12,000 |

; or act in relation thereto.

ARTICLE 8: CONSIDER APPOINTMENTS TO THE CONOMO POINT PLANNING COMMITTEE

Motion made by Susan Gould-Coviello, duly seconded, that Article 8 be indefinitely postponed.

Voted Unanimously.

Motion made by Paul Pennoyer, duly seconded, that Article 37 be considered before Article #9.

Motion carries.

ARTICLE 37: ARTICLE PLACED ON WARRANT BY CITIZEN PETITION

Motion made by Paul Pennoyer, duly seconded, to see if the Town will vote to direct the Selectmen to seek voter approval of the Copley Wolff Design Group’s Master Plan for Northern Conomo Point (dated April 15, 2015) by the placement of an advisory question on the ballot for the 2018 annual Town Election.

Motion fails.

ARTICLE 9: TRANSFER PROPERTIES FROM PURPOSES OF LEASE TO GENERAL MUNICIPAL PURPOSES

Motion made by Lisa J. O’Donnell duly seconded, that the Town 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:

- 4 Conomo Lane, Map 108, Lot 23
- 8 Conomo Lane, Map 108, Lot 24
- 1 Robbins Island Road, Map 108, Lot 20

Declared 2/3rd vote.

ARTICLE 10: FINANCE COMMITTEE REPORT

Motion made by Mark McKenna, duly seconded, that the Town vote to appropriate the sum of \$6,680,226 as follows: a) raise by taxation the sum of \$794,782 for debt repayment, principal and interest; b) transfer from the Cemetery Sale of Lots Fund the sum of \$2,700 to the Cemetery Budget; c) transfer from the Cemetery Lot Care Fund the sum of \$4,675 to the Cemetery Budget; d) transfer from the Cemetery Perpetual Care Fund the sum of \$2,700 to the Cemetery Budget; e) transfer from the Wetlands Protection Fund the sum of \$4,000 to the Conservation Commission Budget; f) transfer from the Town Technology Fund the sum of \$1,000 to the Town Technology Budget; g) transfer from the Ambulance Fund the sum of \$50,000 to the Ambulance Budget; h) transfer from Free Cash the sum of \$200,000 to the Health Insurance Budget; and i) to raise by taxation the sum of \$5,620,369 to be allocated between the salaries and expenses of the Town according to the remaining budget items as indicated in the Finance Committee Report; 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.

Voted Unanimously.

ARTICLE 11: SEWER ENTERPRISE FUND BUDGET

Motion made by Paul Rullo, duly seconded, that the Town vote to appropriate the sum of \$2,070,513 for the Sewer Enterprise Fund Budget as follows: a) debt repayment, principal and interest – the sum of \$928,316 from sewer betterments 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 – \$788,286 from departmental receipts and the sum of \$25,000 from Sewer Enterprise free cash; all as indicated in the Finance Committee Report; and to authorize the Finance Committee to permit budget line item transfers within the Sewer Department from salary lines to salary lines and from expense lines to expense lines.

Voted Unanimously.

ARTICLE 12: FUNDING THE PURCHASE & INSTALLATION OF REPLACEMENT GRINDER PUMPS

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Sewer Enterprise Free Cash the sum of \$37,500 for the purpose of purchasing and installing replacement grinder pumps for the Town's sewer system, and all work incidental or related thereto.

Voted Unanimously.

ARTICLE 13: WATER ENTERPRISE FUND BUDGET

Motion made by Paul Rullo, duly seconded, that the Town vote to appropriate the sum of \$767,450 for the Water Enterprise Fund Budget as follows: a) debt repayment, principal and interest – the sum of \$12,755 from water betterments and the sum of \$34,210 from departmental receipts; and b) funds to be allocated between the salaries and expenses of the Water Department – \$720,485 from departmental receipts; all as indicated in the Finance Committee Report; and to authorize the Finance Committee to permit budget line item transfers within the Water Department from salary lines to salary lines and from expense lines to expense lines.

Voted Unanimously.

ARTICLE 14: DESIGN & PRECONSTRUCTION ANALYSIS OF WATER SYSTEM DISINFECTION METHOD

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Water Enterprise Free Cash the sum of \$70,000 for design and pre-construction analysis to potentially change the Town's water system disinfection method, including but not limited to a change from chlorine gas to sodium hypochlorite.

Voted Unanimously.

ARTICLE 15: FUNDING THE MANCHESTER-ESSEX REGIONAL SCHOOL DISTRICT BUDGET

Motion made by Ann Cameron, duly seconded, that the Town vote to raise and appropriate the sum of \$7,593,144 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 seventeen.

Voted Unanimously.

ARTICLE 16: FUNDING THE ESSEX NORTH SHORE AGRICULTURAL & TECHNICAL SCHOOL DISTRICT BUDGET

Motion made by Lisa O'Donnell, duly seconded, that the Town vote to raise and appropriate the sum of \$360,777 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, 2017.

Voted Unanimously.

ARTICLE 17: AUTHORIZATION TO BORROW FUNDS FROM COMMUNITY SEPTIC MANAGEMENT PROGRAM

Motion made by David Driscoll, duly seconded, that the Town vote to borrow a sum of up to \$1,000,000 for purposes of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements between the Board of Health and residential property owners for repayment of project and financing costs by such property owners; including without limitation, the payment of all costs thereof as defined in Section 1 of Chapter 29C of the Massachusetts General Laws; and to meet with appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow such sum or sums of money under G.L. c. 44 or any other enabling authority, which amount may be borrowed through the Community Septic Management Program offered through the Massachusetts Clean Water Trust, or otherwise; provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and further to authorize the Board of Selectmen to take any other action necessary to carry out this project.

Voted Unanimously.

ARTICLE 18: ESSEX BICENTENNIAL CELEBRATION FUND

Motion made by Dawn Burnham, duly seconded, that the Town vote to transfer from Free Cash the sum of \$10,000 to be added to the Essex Bicentennial Celebration Fund.

Voted Unanimously.

ARTICLE 19: BYLAW CHANGE – ESTABLISHMENT OF USER FEES FOR THE DUMP

Motion made by Trescott Dewitt, duly seconded, that the Town vote to amend Chapter VII of the Town's General Bylaws, as it relates to the establishment of user fees for use of the Town Dump, by amending Section 7-2 as set forth under Article 19 of the warrant.

Motion Fails.

Article 19 as appears in the Warrant:

ARTICLE 19

To see if the Town will vote to amend Chapter VII of the [Town's General Bylaws](#), as it relates to the establishment of user fees for use of the Town Dump, by amending Section 7-2 as shown below, with additions shown in **bold** and deletions shown in ~~striketrough~~:

7-2 TOWN DUMP REGULATIONS. The Department of Public Works Commissioners shall formulate and post regulations concerning the use of the Town Dump, **which shall include the power to impose user fees.** ~~The power to impose user fees shall be reserved to the Annual Town Meeting.~~

; or take any other action relating thereto.

ARTICLE 20: AUTHORIZATION TO INCREASE TRANSFER STATION FEES

Motion made by Trescott Dewitt, duly seconded, that the Town vote to increase the various Town transfer station bulk item disposal fees by \$5 each and to increase Town transfer station sticker fee by \$10 for non-senior citizens and by \$5 for senior citizens (those 65 years of age or older).

Motion Carries.

ARTICLE 21: BYLAW CHANGE – PENALTIES FOR NON-PAYMENT OF TAXES

Motion made by Lisa J. O'Donnell, duly seconded, that the Town vote to amend Chapter IV of the Town's General Bylaws, as it relates to penalties for non-payment of taxes and other fees, by amending Section 4-13(a) as set forth under Article 21 of the warrant.

Motion Carries.

Article 21 as appears in the Warrant:

ARTICLE 21

To see if the Town will vote to amend Chapter IV of the [Town's General Bylaws](#), as it relates to penalties for non-payment of taxes and other fees, by amending Section 4-13(a) as shown below, with additions shown in **bold** and deletions shown in ~~striketrough~~:

(a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually, **and may periodically**, furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges ~~for not less than a twelve month period~~, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

; or take any other action relating thereto.

ARTICLE 22: AUTHORIZATION TO PETITION BEACON HILL FOR SPECIAL LEGISLATION –
APPOINTMENT OF RETIRED POLICE OFFICERS TO PERFORM DETAILS

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth under Article 22 of the warrant, to allow police officers retiring from the Town of Essex to work police details; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

Voted Unanimously.

Article 22 as appears in the Warrant:

ARTICLE 22

To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court for special legislation, as set forth below, to allow police officers retiring from the Town of Essex to work police details; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT RELATIVE TO THE APPOINTMENT OF RETIRED POLICE OFFICERS IN THE TOWN OF ESSEX.

Be it enacted, etc., as follows:

SECTION 1. Subject to the approval of the Board of Selectmen, the Chief of Police may appoint to serve at his pleasure, as he deems necessary, retired Town of Essex police officers as special police officers for the purpose of performing police details or any police duties arising therefrom or during the course of police detail work, whether or not related to the detail work. Such retired police officers must have been regular full time Town of Essex police officers who voluntarily retired from the town and not elsewhere based upon superannuation. The special police officers shall be subject to the same maximum age restriction as applied to regular police officers under chapter 32 of General Laws. Such special police officers must, prior to their appointment, pass a medical examination by a physician chosen by the town, to determine that they are capable of performing the essential duties of a special police officer, the cost of which shall be borne by the special police officers, and shall provide certification to the town that they are covered by personal health insurance.

SECTION 2. Special police officers appointed under this act shall not be subject to chapter 31 of the General Laws or to section 99A of chapter 41 of the General Laws.

SECTION 3. Special police officers appointed under this act shall, when performing the duties under section 1, have the same power to make arrests and to perform other police functions as do regular police officers of the town of Essex.

SECTION 4. Special police officers shall be appointed for an indefinite term to serve at the pleasure of the Police Chief, subject to removal by the Police Chief at any time with a 14-day written notice.

SECTION 5. Special police officers appointed under this act shall be subject to the rules and regulations, policies and procedures and requirements of the Chief of Police of the town of Essex, including restrictions on the type of detail assignments, requirements regarding medical examinations to determine continuing capability to perform the duties of a special police officer, requirements for training, requirements for firearms qualifications and licensing requirements, regarding uniforms and equipment. Compliance with all requirements will be at no cost to the town of Essex. Special police officers appointed under this act shall not be subject to section 96B of chapter 41 of the General Laws.

SECTION 6. Special police officers appointed under this act shall be sworn before the town clerk who shall keep a record of all such appointments.

SECTION 7. Special police officers appointed under this act shall be subject to sections 100 and 111F of chapter 41 of the General Laws. The amount payable under said section 111F of said chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as a special police officer less than 52 weeks prior to the incapacity. In no event shall payment under said section 111F of said chapter 41 exceed, in any calendar year, the limitation on earning contained in paragraph (b) of section 91 of chapter 32 of the General Laws. Payment under said section 111F of said chapter 41 shall terminate either when a physician designated by the town determines that the disability no longer exists or when a special police officer reaches the age of 65. In the event the age limitation applicable to regular police officers serving a town is increased from 65 years of age, the termination of benefits under said section 111F of said chapter 41, as provided here in to special police officers, shall terminate at such a higher age limit, but in no event shall the benefits extend beyond the age of 70 for any special police officer. Special police officers appointed under this act shall not be subject to section 85H or 85H1/2 of said chapter 32, nor eligible for any benefits pursuant thereto.

SECTION 8. Appointment as a special police officer under this act shall entitle any individual appointed as such to assignment to any detail. Special police officers shall be paid the detail rate applicable to regular full time officers but shall not be entitled to any other town benefits. Special police officers appointed under this act shall not be eligible for unemployment nor shall the town be liable for unemployment benefits, under chapter 151A of the General Laws, for any reason, including police detail assignment determinations made by the town or removal of an individual as a special police officer.

SECTION 9. Retired Essex police officers, serving as special police officers under this act, shall be subject to the limitations on hours worked and on payments to retired town employees under paragraph (b) of section 91 of chapter 32 of the General Laws.

SECTION 10. This act shall take effect upon its passage.

; or take any other action related thereto.

ARTICLE 23: DEVELOPMENT OF A MASTER PLAN FOR CENTENNIAL GROVE

Motion made by Lisa J. O'Donnell, duly seconded, that the Town vote to transfer from Free Cash the sum of \$35,000 to retain the services of engineers and designers to develop a Master Plan for the Centennial Grove.

Motion Carries.

ARTICLE 24: VISUAL RENDERINGS OF POTENTIAL NEW PUBLIC SAFETY BUILDING

Motion made by Lisa J. O'Donnell, duly seconded, that the Town vote to transfer from free cash the sum of \$10,000 to produce visual renderings of public safety building options as set forth under Article 24 of the warrant.

Motion Carries.

Article 24 as appears in the Warrant:

ARTICLE 24

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to produce visual renderings of public safety building options including at the current public safety building site and at the corner of Martin Street and Shepard Memorial Drive, opposite the existing fire and police headquarters building; or take any other action relating thereto.

ARTICLE 25: TRANSFER FROM FREE CASH TO ASSESSOR'S OVERLAY ACCOUNT

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to transfer from Free Cash the sum of \$83,386 to be added to the Assessors' Overlay Account for the abatement of uncollectible taxes that accrued after the expiration of former leaseholds at Conomo Point.

Voted Unanimously.

ARTICLE 26: NEW GENERATOR AT ESSEX SENIOR CENTER

Motion made by Michele French, duly seconded, that the Town vote to transfer from Free Cash the sum of \$20,000 for the purchase and installation of a new generator for the Essex Senior Center.

Voted Unanimously.

ARTICLE 27: PURCHASE OF MUNICIPAL LIGHTING FACILITIES & EQUIPMENT

Motion made by Matthew Coogan, duly seconded, that the Town vote to acquire from National Grid all of the municipal street lighting facilities and equipment, municipal flood lighting and area lighting facilities and equipment, consisting of luminaires, lamps, ballasts, photocells, dedicated poles where applicable, foundations, conduits, dedicated manholes where applicable, and other underground equipment, where applicable, that are not part of the electric distribution system, and the rights appurtenant thereto, owned by National Grid and located in the Town of Essex; to transfer from Free Cash the sum of \$14,000 for said acquisition; and to authorize the Board of Selectmen to execute any and all documents necessary to effectuate this Article.

Voted Unanimously.

ARTICLE 28: FIBER OPTIC NETWORK FOR TOWN BUILDINGS

Motion made by David Doane, duly seconded, that Article 28 be indefinitely postponed

Voted Unanimously.

ARTICLE 29: NEW COPIER FOR TOWN HALL

Motion made by David Doane, duly seconded, that the Town vote to transfer from Free Cash the sum of \$7,000 to purchase a new copier for Town Hall and to authorize the Board of Selectmen to dispose of the old copier, by sale or trade.

Voted Unanimously.

ARTICLE 30: FORESTRY TRUCK FOR FIRE DEPARTMENT

Motion made by Daniel Doucette, duly seconded, that the Town vote to transfer from Free Cash the sum of \$130,000 to purchase and equip a new, four-wheel drive Forestry vehicle for the Fire Department; and, further, to authorize the Board of Selectmen to dispose of the old vehicle replaced by this new vehicle by sale or trade.

Voted Unanimously.

ARTICLE 31: COMPLETION OF SENIOR CENTER WELLNESS ROOM

Motion made by Michele French, duly seconded, that the Town vote to transfer from Free Cash the sum of \$6,200 to complete the construction of a Wellness Room at the Essex Senior Center and all costs incidental thereto.

Voted Unanimously.

ARTICLE 32: ZONING BYLAW CHANGE – WATER RESOURCE PROTECTION DISTRICT

Motion made by Kimberly Drake, duly seconded, that the Town vote to amend the Essex Zoning Bylaw by deleting Section 6-10.3.3.a.13, which contains certain prohibited uses in the Water Resource Protection Overlay District, and which currently reads:

13. Residential development which renders impervious more than 15 percent of a building lot (including the portion of any new street abutting the lot) or which has a lot area of less than 40,000 square feet (excluding wetlands) for each dwelling unit;

and inserting in its place a new Section 6-10.3.3.a.13, to include a new prohibited use in the Water Resource Protection Overlay District, so that it reads as follows:

13. Land use which renders impervious more than 15 percent of a lot, except as allowed by Section 6-10.3.3.b.7.

Declared 2/3rd Vote.

ARTICLE 33: COMMUNITY PRESERVATION FUND

Motion made by Kimberly Drake, duly seconded, that the Town appropriate or reserve revised amounts from Fiscal Year 2017 Community Preservation Fund estimated annual revenues and from Fiscal Year 2018 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.

COMMUNITY PRESERVATION ACT TOWN MEETING HANDOUT

RESERVES

To revise the vote taken at the 2016 Annual Town Meeting to reserve Community Preservation Fund FY2017 Estimated Annual Revenues by transferring from the Fund Balance of the Community Preservation Fund the additional sums shown, for **total reservations for FY2017** equivalent in each case to 10% of the FY2017 Estimated Annual Revenues, as follows:

| | 2016 ATM | Add'l Transfer | Revised Amount |
|----------------------------------|-----------------|-------------------------------|-----------------|
| Open Space – FY2017 | \$ 6,219 | \$9,924 | \$16,143 |
| Historic Resources – FY2017 | \$ 6,219 | \$9,924 | \$16,143 |
| Community Housing – FY2017 | \$ 6,219 | \$9,924 | \$16,143 |
| <u>Budgeted Reserve – FY2017</u> | <u>\$40,423</u> | <u>\$ 0</u> | <u>\$40,423</u> |
| | | | |
| <i>Original Total – FY2017</i> | \$59,080 | <i>Revised Total – FY2017</i> | \$88,852 |

And also, to transfer from Community Preservation Fund **FY2018 Estimated Annual Revenues** and reserve the following sums:

| | |
|-----------------------------|-----------|
| Open Space – FY2018 | \$ 18,260 |
| Historic Resources – FY2018 | \$ 18,260 |
| Community Housing – FY2018 | \$ 18,260 |
| Budgeted Reserve – FY2018 | \$118,688 |
| | |
| Total – FY2018 | \$173,468 |

APPROPRIATIONS:

To appropriate from Community Preservation Fund FY2018 Estimated Annual Revenues the following:

Administrative Expenses – FY2018 \$9,130

Specific Projects

And further, to appropriate \$33,210 from the Community Preservation Fund as set forth below:

| <u>Department/Organization</u> | <u>Purpose</u> | <u>Source and Amount</u> |
|--------------------------------|------------------------------|-----------------------------------|
| Historical Commission | Cemetery Fence and Plaque | FY17 Budgeted Reserve \$33,210 |

ARTICLE 34: TRANSFER OF FUNDS TO DEFRAY OPERATIONAL EXPENSES

Motion made by, Mark McKenna, duly seconded, that Article 34 be indefinitely postponed.

Voted Unanimously.

ARTICLE 35: TRANSFER FROM SEWER ENTERPRISE FREE CASH TO FINANCE COMMITTEE RESERVE FUND

Motion made by Mark McKenna, duly seconded, that the Town vote to transfer from Sewer Enterprise Free Cash the sum of \$20,000 to be used to replenish the Finance Committee's Reserve Fund for the remainder of fiscal year 2017.

Motion Carries.

ARTICLE 36: UNPAID BILLS FROM PREVIOUS FISCAL YEARS

Motion made by Mark McKenna, duly seconded, that Article 36 be indefinitely postponed.

Voted Unanimously.

Note to reader: Article 37 was visited prior to Article 9.

A motion was made and duly seconded to dissolve the meeting at 9:35 p.m.

Voted unanimously.

A true copy.

Attest: _____

Christina J. St.Pierre, Town Clerk