

**Minutes of the
Special Town Meeting
of the
Town of Essex**

The November 14, 2011 Special Town Meeting of The Town of Essex held at the Essex Elementary School Gymnasium was called to order at 7:35pm by Moderator Rolf P. Madsen. A quorum of over 220 voters were present at the time.

A moment of silence was observed in memory of Town officials and volunteers who have passed since our last meeting: (Alfred) Jay Sweet III and Donald Young.

Moderator Rolf P. Madsen, duly seconded, move that the reading of the Warrant be omitted as copies were available to the audience upon check in.

Voted Unanimously.

ARTICLE 1 – SHEET METAL PERMITS

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to amend Section 2-7A of the Town of Essex Bylaws by adding a category for Sheet Metal Permits and by establishing a fee of \$5.00 per \$1,000 of project value for residential work and a fee of \$10.00 per \$1,000 of value for commercial work. Two lines shall be added within the Building Fee Schedule subsection, directly following the “Stop Work Order” fee. The first line shall read “Sheet Metal Permits (residential) \$5.00 per \$1,000” and the second line shall read “Sheet Metal Permits (commercial) \$10.00 per \$1,000”.

Voted by the Majority.

ARTICLE 2 – TRANSFER FROM FREE CASH TO ITEM 751 SHORT TERM INTEREST

Motion made by Virginia Boutchie, duly seconded, that the Town vote to transfer from free cash the sum of \$2,315 to be added to Item 751 Short Term Interest in Article 11 of the May 2, 2011 Annual Town Meeting.

Voted Unanimously.

ARTICLE 3 – AMEND VOTE FOR SEWER ENTERPRISE FUND APPROPRIATION

Motion made by Jeffrey Soulard, duly seconded, that the Town vote to amend the vote taken under Article 13 of the May 2, 2011 Annual Town Meeting which, in part, read: "to appropriate the sum of \$1,896,801 for the Sewer Enterprise Fund Budget as follows: a) debt repayment, principal and interest - the sum of \$927,589 from sewer betterments and the sum of \$360,728 to be raised by taxation;" by a) increasing the amount from sewer betterments by \$67,038 to a new total of \$ 994,627 and b) decreasing the amount from taxation by \$67,038 to a new total of \$293,690.

Voted by the Majority.

ARTICLE 4 – PAYMENT OF FY2011 SHELLFISH BOAT BILL

Motion by Jeffrey Jones, duly seconded, that the Town vote to transfer from free cash the sum of \$116 to pay the Essex Marina for repairs to the shellfish boat engine that were made during fiscal year 2011.

Declared 9/10ths Vote.

ARTICLE 5 – UNEMPLOYMENT BENEFITS

Motion made by Virginia Boutchie, duly seconded, that the Town vote to transfer from free cash the sum of \$15,000 to the Unemployment Benefits line item of the fiscal year 2012 general budget.

Voted by the Majority.

ARTICLE 6 – FINANCE COMMITTEE RESERVE FUND

Motion made by Jeffrey Soulard, duly seconded, that the Town vote to transfer from free cash the sum of \$20,000 to replenish the Finance Committee's Reserve fund for fiscal year 2012.

Voted by the Majority.

ARTICLE 7 – PURCHASE OF A BUILDING FOR RELOCATION OF TOWN OFFICES

Motion made by Lisa O'Donnell, duly seconded, that the Town vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, real property in the Town of Essex known as 74 Martin Street and appearing as Lot 96 on Essex Assessors' Map 36 for the relocation of the Town offices from the present Town Hall at 30 Martin Street and to enter into all such agreements necessary in connection with such purpose, subject to terms and conditions as may be established by the Board of Selectmen; and further that the Town vote to appropriate the sum of \$1,600,000 for such acquisition and for the design, construction, reconstruction, renovation and improvement of such property for use as town offices, including the furnishing and equipping of such offices, moving expenses, site improvements, and all other costs incidental or related to the project; and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,600,000 under G.L. c.44, §7(3) and (3A) or any other enabling authority; and that the Board of Selectmen is authorized to take any other action necessary to carry out this project; provided, however, that said appropriation shall be contingent upon a vote at a Town election to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) amounts required to pay the principal of and interest on the borrowing authorized by this vote.

Standing counted vote.

Yes – 152

No – 73

Motion carries.

ARTICLE 8 – COMMUNITY PRESERVATION HISTORIC RESOURCES RESERVE

Motion made by Kimberly Drake, duly seconded, that the Town appropriate the sum of \$25,000 from the Community Preservation Fund Historic Resources Reserve for the historic preservation of cemetery stones at the ancient cemetery located at 28 Main Street, Assessors' Map 41, Lot 35, Essex, MA, such funds to be expended under the direction of the Historical Commission.

Voted by the Majority.

ARTICLE 9 – GRANT APPLICATION AUTHORIZATION FOR LIBRARY TRUSTEES

Motion made by Deborah French, duly seconded, that the Town vote to authorize the Board of Library Trustees of the T.O.H.P. Burnham Library to apply for, accept, and expend any State grants which may be available for a future Library renovation project.

Voted unanimously.

ARTICLE 10 – CONSULTANT FUNDING FOR CONOMO POINT

Motion made by Lisa O’Donnell, duly seconded, that the Town vote to transfer from free cash the sum of \$60,000 for the funding of a consultant to develop a subdivision plan, to obtain Planning Board approval of said plan, and to conduct any other work incidental or related thereto, including zoning bylaw development, for the portion of the Town’s property at Conomo Point north of Robbins Island Road, reporting to the Board of Selectmen, acting in their capacity as Conomo Point Commissioners.

Motion made by Bruce Fortier that the motion is not within the scope of the article.
Moderator declares that the motion is in scope.

Motion made by Bruce Fortier, duly seconded, that the meeting vote to postpone action on this article until such time as the Town may have voted to rescind its 1999 vote to retain all of its property north of Robbins Island Road for public use at the expiration of the leases and, further, until the Selectmen’s secret plan for the future of Conomo Point has been revealed in writing.

Standing counted vote.

Yes – 69

No – 144

Motion fails.

Debate and discussion ensued.

Motion made by David Lane, duly seconded, to move the question.

Declared 2/3rd vote.

Vote on the original motion.

Voted by the Majority.

ARTICLE 11 – FUNDING FOR PROFESSIONAL APPRAISAL SERVICES

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to transfer from free cash the sum of \$17,000 for professional appraisal services concerning the future lease and/or sale of Town property at Conomo Point, said services to be contracted by the Board of Selectmen, acting in their capacity as the Conomo Point Commissioners.

Voted Unanimously.

ARTICLE 12 – BYLAW AMENDMENT

Motion made by Jeffrey Jones, duly seconded, that the Town vote to amend Section 2-13.13 of its General Bylaws, “Procedure for Sale or Lease of Property at Conomo Point”, by deleting the words “reserved for future use” from Section 4 of said bylaw and replacing them with the text shown under Article 12 of the warrant.

Voted by the Majority.

ARTICLE 13 – NOMINATIONS FOR CONOMO POINT PLANNING COMMITTEE

Motion made by Susan Gould Coviello, duly seconded, to open the floor for nominations for the single vacancy on the Conomo Point Planning Committee.

Andrew St.John is nominated by Lisa O'Donnell

David Earl is nominated by Walter Mears

The nomination of David Earl is found to be out of order under the Town's Bylaws Section 2-20.

Walter Mears is nominated by David Earl.

Standing Counted Vote:

Andrew St.John – 61

Walter Mears – 85

Walter Mears was voted by the meeting to occupy the single vacancy.

ARTICLE 14 – TOWN HALL COPIER

Motion made by Lisa O'Donnell, duly seconded, that the Town vote to appropriate a total of \$5,450 for the purchase of a new copy machine for Town Hall by making transfers from the following available funds: \$1,427.00 from Article 2 of the November 3, 2008 Special Town Meeting; \$550 from Article 2 of the November 9, 2009 Special Town Meeting; \$2,064.57 from Article 13 of the November 15, 2010 Special Town Meeting; \$490.00 from Article 3 of the November 15, 2010 Special Town Meeting; \$800 from Article 28 of the May 7, 2007 Annual Town Meeting; and \$118.43 from Article 6 of the September 11, 2006 Special Town Meeting.

Voted unanimously.

ARTICLE 15 – SET UP/EQUIP POLICE MODULAR OFFICE SPACE

Motion made by Jeffrey Jones, duly seconded, that the Town vote to transfer from free cash the sum of \$20,000 to set up, serve with all necessary utilities, and equip a modular office space unit for the Police Department and to renovate space within the existing police station for office space and an interview room.

Voted unanimously.

ARTICLE 16 – PURCHASE OF A POLICE CRUISER

Motion made by Jeffrey Jones, duly seconded, that the Town vote to transfer from free cash the sum of \$31,000 to purchase a fully-equipped police cruiser, and to authorize the Board of Selectmen to enter into a purchase agreement on such terms and conditions as the Board deems in the best interest of the Town in order to replace one of the existing police cruisers; and to authorize the Board of Selectmen to dispose of the vehicle replaced by the new cruiser by sale or trade and to take other action as necessary to effectuate the purposes of this vote.

Voted unanimously.

ARTICLE 17 – PURCHASE NEW RADIO REPEATER UNIT AND DEPARTMENTAL RADIOS

Motion made by Daniel Doucette, duly seconded, that the Town vote to transfer from free cash the sum of \$9,000 to replace the Town's Police Department radio repeater unit and the sum of \$31,000 to replace police, fire, and department of public works radios.

Voted unanimously.

ARTICLE 18 – TOWN EVENTS REVOLVING FUND

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to transfer from free cash the sum of \$10,000 to fund any labor or expenses associated with major events held in the Town, including but not limited to increased police, fire, and department of public works staffing, disposal of refuse, and necessary contracted services, all at the discretion of the Board of Selectmen.

Voted by the Majority.

ARTICLE 19 – SCADA MAINTENANCE

Motion made by Paul Rullo, duly seconded, that the Town vote to transfer from Sewer Enterprise Free cash the sum of \$7,000 for maintenance of the Wastewater Department's Supervisory Control and Data Acquisition (SCADA) System.

Voted Unanimously.

ARTICLE 20 – NEW SOFTWARE PURCHASE FOR WATER AND SEWER BILLING

Motion made by Paul Rullo, duly seconded, that the Town vote to appropriate the total sum of \$20,000 for the purchase and maintenance of new billing software for the Water and Wastewater Department, by making transfers from the following available funds: \$10,000 from Water Enterprise Free Cash and \$10,000 from Sewer Enterprise Free Cash.

Voted Unanimously.

A motion was made and duly seconded to dissolve the Special Town Meeting at 11:10pm.

Voted Unanimously.

A true copy.

Attest: _____

Christina J. Wright
Town Clerk