

*Minutes of the August 27, 2018
Special Town Meeting
of the Town of Essex*



The August 27, 2018 Special Town Meeting of the Town of Essex, held at the Essex Elementary School, 12 Story Street, Cafetorium, was called to order at 7:30 p.m. by Moderator Jeffrey D. Jones. A quorum of 136 voters was present at the time the meeting was called to order.

The following people were appointed as Tellers: Vickie Cataldo, Elizabeth Guerin, Theresa Mansfield, and Susan Parady.

There were no objections to the Tellers appointed.

A motion was made and duly seconded to waive the reading of the warrant.

Approved Unanimously

A number of announcements were made including Town of Essex website update and introduction of voter cards for use in Town Meeting. The Moderator called for a moment of silence to honor the recent passing of Senator John McCain and then called for the attendance to recite the Pledge of Allegiance.

The Moderator requested the Finance Committee to declare their position on all monetary articles in the Warrant. Ben Buttrick, acting Chair of the Finance Committee, declared their approval of all monetary articles being voted on.

Motion made by Andrew Spinney, duly seconded, to vote on Articles 4 and 11 ahead of Article 1.

Approved Unanimously

NOTE: Articles 4 and 11 were voted at the beginning of the meeting but are in sequence in the minutes for ease of reference.

ARTICLE 1: OWNER'S PROJECT MANAGER FOR PUBLIC SAFETY BUILDING

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 an Owner's Project Manager (OPM) to assist the Town with the development and comparison of various options for the future renovation and/or replacement of the Town's existing public safety building, either at the existing site or at some other site, and either as a combined facility on one site or as separate police and fire facilities on separate sites; and further, to assist the Town with the procurement of architectural, engineering, construction and related services as necessary for the assessment of options and the ultimate design, project oversight, and construction of a chosen option; and further, to provide the Town with traditional OPM services during the development and implementation of any chosen option; or take any other action related thereto.

Motion: Lisa J. O'Donnell moved that the Town vote to transfer from the Sale of Real Estate Fund the sum of \$163,000 to retain the services of an Owner's Project Manager (OPM) to assist the Town with the development and comparison of various options for the future renovation and/or replacement of the Town's existing public safety building, either at the existing site or at some other site, and either as a combined facility on one site or as separate police and fire facilities on separate sites; and further, to assist the Town with the procurement of architectural, engineering, construction and related services as necessary for the assessment of options and the ultimate design, project oversight, and construction of a chosen option; and further, to provide the Town with traditional OPM services during the development and implementation of any chosen option. The motion was duly seconded.

Action: *Approved by the Majority*

ARTICLE 2: ENVIRONMENTAL ASSESSMENT FOR PUBLIC SAFETY BUILDING

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the environmental assessment by qualified engineers and related professionals of a site or sites that may be used in the future for public safety building construction or renovation, including but not limited to geotechnical suitability and contamination analysis and related advisory services; or take any other action relating thereto.

Motion: Peter Phippen moved that Article 2 be indefinitely postponed. The motion was duly seconded.

Action: *Approved Unanimously*

ARTICLE 3: REPAIRS TO EXISTING PUBLIC SAFETY BUILDING

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for renovations and repairs, furnishings and equipment for the existing fire and police headquarters building at 24 Martin Street, including the cost of any design, engineering, construction, installation and/or related services and everything incidental and related thereto; or take any other action related thereto.

Motion: Lisa J. O'Donnell moved that the Town transfer from the Building Capital Improvements Fund the sum of \$7,000 for the repair of the roof at the existing fire and police headquarters building at 24 Martin Street, including the cost of any design, engineering, construction, installation and/or related services and everything incidental and related thereto. The motion was duly seconded.

Action: *Approved by 2/3 Majority declared by the Moderator*

ARTICLE 4: PRISONER HOLDING CELL

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purchase, delivery, setup, furnishing, and complete operational outfitting of a self-contained prisoner holding cell for use by the Essex Police Department; or take any other action relating thereto.

Motion: Andrew Spinney moved that Article 4 be indefinitely postponed. The motion was duly seconded.

Action: *Approved Unanimously*

ARTICLE 5: SENIOR CITIZEN TRANSPORTATION SERVICES

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to contract for senior citizen transportation services; or take any other action relating thereto.

Motion: Andrew Spinney moved that the Town vote to transfer the sum of \$11,600 from the Van Driver Wages line item in the Fiscal Year 2019 Council on Aging budget to the Van Driver Expenses line item in the Fiscal Year 2019 Council on Aging budget, to contract for senior citizen transportation services. The motion was duly seconded.

Action: *Approved by the Majority*

ARTICLE 6: AMEND GENERAL BYLAW – PIGS AND PIGGERIES

To see if the Town will vote to amend Section 7-3.1 of the Town's General Bylaws, Pigs and Piggeries, Permit Required, which presently reads:

7-3.1 PERMIT REQUIRED. No individual or individuals, partnership, company or corporation shall keep pigs or swine within the limits of the town without first obtaining a permit from the Board of Selectmen. All permits shall expire on December 31 of each year unless sooner revoked. Any permit may be revoked at any time by the Board of Health for cause.

Permits will be granted for the keeping of no more than four pigs for home use only.

No such permit shall be granted by the Board of Selectmen without first having a public hearing, notices of which shall be posted at the town hall and at each of the post offices in the town at least seven days before time and place of hearing.

By adding the following new provision as a fourth paragraph:

The provisions of Section 7-3 of the Town's General Bylaws, shall not apply to the keeping of one pig if the pig is kept as a household pet on residential premises and the pig weighs less than 275 pounds; provided, however, that the owner or keeper shall comply with any requirements established by the Board of Health. Nothing in Section 7-3 is intended to limit or restrict the authority of the Board of Health to exercise its independent authority to regulate the keeping of any number of pigs and piggeries in the Town of Essex.

; or take any other action relating thereto.

Main Motion: Andrew Spinney moved that the Town vote to amend Section 7-3.1 of the Town's General Bylaws, Pigs and Piggeries, Permit Required, as shown under Article 6 in the warrant. The motion was duly seconded.

Motion 1: Edward Neal moved to amend the proposed new provision as follows:

“The provisions of Section 7-3 of the Town's General Bylaws, shall not apply to the keeping of one pig if the pig is kept as a household pet on residential premises and the pig weighs less than 275 pounds. Keeping of said one pig shall be regulated by regulations adopted by the Board of Health adequate to protect the public water supply and prevent the creation of a nuisance.” The motion was duly seconded.

Action on Motion 1: *Failed by the Majority*

Motion 2: John Guerin moved to amend the proposed new provision as follows:

“The provisions of Section 7-3 of the Town’s General Bylaws, shall not apply to the keeping of one pig if the pig is kept on residential premises and the pig weighs less than 275 pounds; provided, however, that the owner or keeper shall comply with any requirements established by the Board of Health. Nothing in Section 7-3 is intended to limit or restrict the authority of the Board of Health to exercise its independent authority to regulate the keeping of pigs and piggeries in the Town of Essex.”
The motion was duly seconded.

Action on Motion 2: *Approved by the Majority*
Action on main Motion: *Approved by the Majority*

ARTICLE 7: REPAIRS AND EQUIPMENT FOR CENTENNIAL GROVE COTTAGE

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for repairs and renovations, furnishings and equipment for the Centennial Grove Cottage and its adjacent garage, including the cost of any design, engineering, construction, installation and/or related services and everything incidental and related thereto, in order to prepare the buildings for use by the Essex Youth Commission for youth programming and for storage, respectively. Said funds shall be expended by the Board of Selectmen in consultation with the Youth Commission; or take any other action relating thereto.

Motion: Stacie Capotosto moved that the Town vote to transfer from Free Cash the sum of \$14,500 for repairs and renovations, furnishings and equipment for the Centennial Grove Cottage and its adjacent garage, including the cost of any design, engineering, construction, installation and/or related services and everything incidental and related thereto. Said funds shall be expended by the Board of Selectmen. The motion was duly seconded.

Action: *Approved by the Majority*

ARTICLE 8: ADD VOIP TELEPHONE EXPENSE LINE TO FY19 POLICE BUDGET

To see if the Town will vote to create a VOIP telephone expense line in the Police Department Budget for fiscal year 2019, and to raise and appropriate, transfer from available funds, or borrow a sum of money to add to the new expense line; or take any other action relating thereto.

Motion: Peter Phippen moved that the Town vote to amend the vote taken under Article 6 of the May 7, 2018 Annual Town Meeting by adding a VOIP telephone expense line in the Police Department Budget for fiscal year 2019 and to transfer the sum of \$4,750 from Free Cash to this new VOIP Telephone line item. The motion was duly seconded.

Action: *Approved by the Majority*

ARTICLE 9: REPLACE FIRE DEPARTMENT’S BASE RADIO TRANSMITTER

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to replace the Fire Department’s base radio transmitter, including all costs for removing and disposing of the old transmitter and installing the new transmitter; or take any other action relating thereto.

Motion: Daniel Doucette moved that the Town vote to transfer from Free Cash the sum of \$16,000 to replace the Fire Department’s base radio transmitter, including all costs for removing and disposing of the old transmitter, if necessary, and installing the new transmitter. The motion was duly seconded.

Action: *Approved Unanimously*

ARTICLE 10: TRANSFER FUNDS FROM SEWER FREE CASH FOR FY19

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow sums of money to: a) be added to the Finance Committee’s Reserve fund for fiscal year 2019, and b) be added to the Wastewater Department’s sewer maintenance line item for fiscal year 2019; or take any other action related thereto.

Motion: Paul Rullo moved that the Town vote to transfer from Sewer Free Cash the total sum of \$38,150, with the sum of \$19,150 to be added to the Finance Committee’s Reserve fund for fiscal year 2019, and with the sum of \$19,000 to be added to the Wastewater Department’s sewer maintenance line item for fiscal year 2019. The motion was duly seconded.

Action: *Approved Unanimously*

ARTICLE 11: UNPAID BILLS FROM PAST FISCAL YEARS

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

Motion: Andrew Spinney moved that Article 11 be indefinitely postponed. The motion was duly seconded.

Action: *Approved Unanimously*

Motion made by the Moderator at 8:19 pm, duly seconded, to dissolve the meeting.

Action: *Approved Unanimously*

A true copy:

Attest: _____
Pamela B. Thorne, Town Clerk