

2019

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
- Two Planning Board members for five years
- Two Housing Authority members for five years

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

Shall the Town of Essex be allowed to exempt from the provisions of proposition two and one half, so called, the amounts required to pay for the bonds to be issued in order to construct a new public safety facility at the site consisting of 11 John Wise Avenue (Map 128, Lot 90) and a portion of 0 Spring Street (Map 128, Lot 102) that abuts John Wise Avenue including planning, engineering, design, equipping, and furnishing costs, to include the costs of a Project Manager and a Project Designer, and including all construction and/or renovation costs, including the costs of landscaping, site work and paving, moving, demolition and disposal of any existing structures and materials, assessment, containment and/or removal of any hazardous materials, and any and all other costs incidental or related to the project?

_____ Yes

_____ No

AND, to do this by vote on one ballot. The polls will be open on Monday, May 13, 2019 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 6, 2019 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 2020 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 2020 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 Clean Water Trust during fiscal year 2020 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 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 7

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 8

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 9

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 the remainder of fiscal year 2019; 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 for the purpose of funding the Sewer Enterprise Fund for fiscal year 2020; or take any other action relating thereto.

ARTICLE 11

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 the remainder of fiscal year 2019; 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 sum of money for the purpose of funding the Water Enterprise Fund for fiscal year 2020; or take any other action relating thereto.

ARTICLE 13

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 nineteen; or take any other action relating thereto.

ARTICLE 14

To see if the Town will vote to 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, 2019; or take any other action relating thereto.

ARTICLE 15

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or any combination thereof, a sum of money to construct a new public safety facility at the site consisting of 11 John Wise Avenue (Map 128, Lot 90) and a portion of 0 Spring Street (Map 128, Lot 102) that abuts John Wise Avenue, including planning, engineering, design, equipping, and furnishing costs, to include the costs of a Project Manager and a Project Designer, and including all construction and/or renovation costs, including the costs of landscaping, site work and paving, moving, demolition and disposal of any existing structures and materials, assessment, containment and/or removal of any hazardous materials, and any 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, be authorized to borrow said sum under M.G.L. Chapter 44, Section 7, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefor; 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 M.G.L. Chapter 44, Section 20, as amended, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and further, to authorize the Board of Selectmen, and any other appropriate officials of the Town, to apply for and accept any forms of financial assistance that may be available to the Town on account of this project, including from the United States Department of Agriculture (USDA) and its Rural Development programs, and in connection therewith to enter into any necessary agreements and otherwise to contract with the USDA for a loan and/or grant; and further, to authorize the Board of Selectmen to enter into all agreements and execute on behalf of the Town any and all documents as may be necessary or convenient to effectuate the purposes of this Article; provided, however, that this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by G.L. c.59, §21C (Proposition 2½) the amounts required to pay the principal of and interest on the borrowing authorized by this vote; or to take any other action relating thereto.

ARTICLE 16

To see if the Town will vote to transfer certain parcels of Town-owned real property at Conomo Point , including 0 Cogswell Road (Map 110, Lot 38) and 0 Sumac Drive (Map 110, Lot 7), which are currently held for purposes of lease, from the Board of Selectmen, acting as

Conomo Point Commissioners, to the Board of Selectmen, acting as Conomo Point Commissioners, for general municipal purposes and purposes of conveyance; and to authorize the Board of Selectmen, acting as Conomo Point Commissioners, to convey said parcels on such terms and for such consideration as the Board deems in the best interests of the Town, and further, 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 conveyances; or take any other action relating thereto.

ARTICLE 17

To see if the Town will vote, in accordance with the provisions of Massachusetts General Laws, Chapter 59, Section 5, Clause Forty-First A, to adopt as the maximum gross receipts amount to qualify for a senior real estate tax deferral, the same maximum gross receipts amount to qualify for the senior circuit breaker tax credit as a non-head of household, as may be amended from time to time by the Commissioner of Revenue, in accordance with Massachusetts General Laws, Chapter 62, Section 6, Subsection k, which amount is currently, \$58,000, or take any other action relating thereto.

ARTICLE 18

To see if the Town will vote to amend the General Bylaws, to add a new Section 2-27, to be titled "Town Clerk Fees", as follows, or take any other action relating thereto:

2-27 Town Clerk Fees

The fees of the Town Clerk shall be as follows:

Type of Service or Certificate	Fee
birth certificate	\$10
marriage certificate	\$10
death certificate	\$10
marriage intentions	\$20
business certificate	\$25
correcting birth record error	\$25
entering delayed birth record	\$25
business cert. change/discontinuance	\$10
correcting death record	\$25
recording out of state marriage	\$25
correcting error in marriage record	\$25
recording grant of pole location, etc.	\$150

The fee for any service or certificate of the Town Clerk which is not expressly enumerated herein, or in any other provision of the Town's Bylaws or any other applicable law, shall be in the amount set forth in M.G.L. c.262, §34, as may be amended from time-to-time.

ARTICLE 19

To see if the Town will vote to accept the provisions of M.G.L. c.64N, §3 to impose a local sales tax on the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment at the rate of 3% of the total sales price received by the marijuana retailer as consideration for the sale of marijuana or marijuana products; or take any other action relating thereto.

ARTICLE 20

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to design, engineer and construct repairs, upgrades, improvements and/or replacements to the municipal water system, and anything incidental or related thereto; or take any other action relating thereto.

ARTICLE 21

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to design, engineer and construct repairs, upgrades, improvements and/or replacements to the municipal sewer system and anything incidental or related thereto; 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 be used as a match to a State grant program for the design and/or construction of renovations and improvements to the Conomo Point seawall system, or 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 for designing, permitting, and constructing pavement markings relative to on and off-street parking and wayfinding signage in the downtown area, or anything incidental or related thereto; or take any other action relating thereto.

ARTICLE 24

To see if the Town will vote to appropriate or reserve from the Community Preservation Fund, including fiscal year 2020 estimated annual revenues, a sum or sums of money for Community Preservation projects or purposes, including, acquisition, creation and preservation of open space; acquisition, creation, preservation, rehabilitation, and restoration of land for recreational use; acquisition, preservation, rehabilitation, and restoration of historic resources; acquisition, creation, preservation and support of community housing; and for the rehabilitation and restoration of open space or community housing acquired under the Community Preservation Act, all as may be recommended by the Community Preservation Committee; or take any other action relating thereto.

ARTICLE 25

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 2019; or take any other action relating thereto.

ARTICLE 26

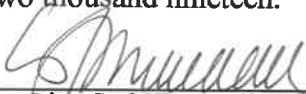
To see if the Town will vote to transfer from available funds a sum of money to be used to replenish the Finance Committee's Reserve Fund for the remainder of fiscal year 2019; or take any other action relating thereto.

ARTICLE 27

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money 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.

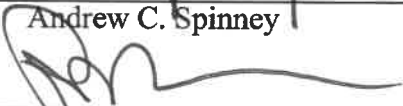
Given under our hand this 25th day of March, two thousand nineteen.



Lisa J. O'Donnell, Chairman



Andrew C. Spinney



Peter D. Phippen

BOARD OF SELECTMEN
TOWN OF ESSEX