Minutes of the Special Town Aleeting of the Town of Essex

The November 18, 2013 Special Town Meeting of The Town of Essex held at the Essex Elementary School Cafeteria was called to order at 7:39 pm by Moderator Rolf P. Madsen. A quorum of over 195 voters were present at the time.

Following the salute to our National Flag, a moment of silence was observed in memory of Town officials and volunteers who have passed since our last meeting: Mildred Oliver, William (Bill) Lundy, Roger Ball, Cynthia Cameron, Elizabeth (Tootie) Angelson and Annette Osborn.

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.

The following people were appointed as tellers: Carolyn Knowlton, Martha Thompson, Genevieve Guerin, Ellen Hull, Sandy Ginn, Elizabeth Guerin, Helen Brown and Lee Bresnahan.

There were no objections to the tellers appointed.

ARTICLE 1 – RENOVATION TO TOWN HALL AND LIBRARY

Motion made by Lisa O'Donnell, duly seconded that the Town transfer from free cash the sum of \$260,000 for renovations to the Town Hall and Library building at 30 Martin Street in order to improve health, safety, and the working environment.

Motion carries.

ARTICLE 2 – MEMBERSHIP WITH THE NORTHEAST MOSQUITO CONTROL AND WETLANDS MANAGEMENT DISTRICT

Motion made by Lisa O'Donnell, duly seconded, that the Town vote to renew its membership and to participate in the Northeast Massachusetts Mosquito Control and Wetlands Management District for a minimum of three years, pursuant to Chapter 258 of the Acts of 1958, as amended by Chapter 410 of the Acts of 1996, G.L. c. 252, ss. 5 and 5A, and other applicable laws, subject to an assessment through a reduction in Cherry Sheet revenue in an amount to be determined annually by the District Commissioners, and to authorize the Board of Selectmen and the Board of Health to enter into all agreements and to execute any and all instruments as may be necessary to affect this vote.

Motion fails.

ARTICLE 3 – ENGINEERING CONSULTANT TO REVIEW THE FEDERAL CHANNEL WITHIN THE ESSEX RIVER

Motion made by Lisa O'Donnell, duly seconded, that the Town vote to transfer from free cash the sum of \$30,000 for an engineering consultant to review the present status of the encroachment of structures into the Federal Channel of the Essex River and to work with Town officials and other stakeholders to eliminate encroachments, draft plans for realignment of the Federal Channel, draft plans for reconfiguration of the Federal Channel, and take any other actions to provide all other precursors necessary to apply to the Army Corps of Engineers, the Federal Legislature, or any other entity for Federal dredging assistance against an encroachment-free backdrop, and to authorize the Board of Selectmen to enter into all agreements and to execute any and all instruments as be necessary to affect this vote.

Motion carries.

ARTICLE 4 – ZONING BYLAW AMENDMENT: USES REQUIRING A SPECIAL PERMIT

Motion made by Westley Burnham, duly seconded, that the Town vote to amend Section 6-3.4.2 of the Town of Essex Zoning Bylaws, Uses Requiring Special Permit, by adding a use to be known as "Medical Marijuana Treatment Center/Registered Marijuana Dispensary" as subsection "m" of said Section, and further, to amend Section 6-2.2 of the Town of Essex Zoning Bylaws, Definitions, by adding the definition of "Medical Marijuana Treatment Center or Registered Marijuana Dispensary" as shown in the warrant after the definition of "Lot Measurements" in said Section.

Standing Counted Vote: Yes: 118

No: 35

Motion carries.

ARTICLE 5 – ACCEPTANCE OF M.G.L. Ch. 40 § 6A: ADVERTISING TOWN RESOURCES

Motion made by Jeffrey Jones, move that the Town vote to accept G.L. c. 40, § 6A to allow the annual appropriation of a sum of money for the purpose of advertising the Town's resources, advantages, and attractions; and to raise and appropriate the sum of \$5,000 for said purposes for fiscal year 2014.

Voted by the majority.

ARTICLE 6 – CONTRACT FOR YOUTH SUMMER CAMP SERVICES

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to authorize the Board of Selectmen to enter into a contract for up to ten years for the provision of youth summer camp services.

Voted by the majority.

ARTICLE 7 – REMOVAL OF DIRECT FIRE ALARM WIRING FROM UTILITY POLES

Motion made by Daniel Doucette, duly seconded, that the Town vote to transfer from free cash the sum of \$3,000 for the removal from utility poles of direct fire alarm wiring and equipment that is no longer needed.

Voted unanimously.

ARTICLE 8 – RETENTION OF A CONSULTANT FOR PUBLIC SAFETY COMMITTEE

Motion made by Robert Jerin, duly seconded, that the Town vote to transfer from free cash the sum of \$5,000 to allow the Board of Selectmen to retain the services of a consultant to assist the Essex Public Safety Committee in carrying out the Committee's charge.

Voted by the majority.

ARTICLE 9 - PURCHASE OF ELECTRONIC CONTROL DEVICES FOR POLICE DEPT.

Motion made by Susan Gould-Coviello, duly seconded, that the Town vote to transfer from free cash the sum of \$8,400 to purchase electronic control devices for the Police Department.

Motion carries.

ARTICLE 10 - RETAIN CONSULTANT SERVICES TO UPDATE OPEN SPACE PLAN

Motion made by Julie Scofield, duly seconded, that this article be indefinitely postponed.

Voted unanimously.

ARTICLE 11 – TRANSFER FREE CASH TO TOWN'S OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND

Motion made by Jeffrey Soulard, duly seconded, that the Town transfer from free cash the sum of \$15,000 to the Town's Other Post-Employment Benefits (OPEB) Trust Fund.

Voted unanimously.

ARTICLE 12 - FUND A DEFICIT IN THE EMERGENCY MEDICAL DISPATCH GRANT FUND

Motion made by Jeffrey Soulard, duly seconded, that the Town vote to transfer from free cash the sum of \$1,920 to the Emergency Medical Dispatch reimbursable grant fund, to fund a deficit.

Voted unanimously.

ARTICLE 13 – FUND AN ANTICIPATED DEFICIT IN ASSESSORS' OVERLAY ACCOUNT Motion made by Richard Cairns, duly seconded, that Article 13 be indefinitely postponed.

Voted unanimously.

ARTICLE 14 - ADD TO THE CONOMO POINT LEGAL BUDGET FOR FY2014

Motion made by Jeffrey Jones, duly seconded, that the Town vote to transfer from free cash the sum of \$150,000 to be added to the Conomo Point Legal Budget for fiscal year 2014.

Motion carries.

ARTICLE 15 – TOWN'S STABILIZATION FUND

Motion made by Jeffrey Jones, duly seconded, that Article 15 be indefinitely postponed.

Voted unanimously.

ARTICLE 16 – UNPAID BILLS FROM PAST FISCAL YEARS

Motion made by Jeffrey Soulard, duly seconded, that Article 16 be indefinitely postponed.

Voted unanimously.

A motion was made and duly seconded to dissolve the Special Town Meeting at 10:02 pm.

Voted unanimously.

Attached to these minutes:

Exhibit A: (Article 4) Full text of Article 4 as written in the warrant.

A true copy.		
	Attest:	
	Christina J. Wright	
	Town Clerk	

EXHIBIT A

I hereby certify that the following is a true copy of the text of Article 4 of the November 18, 2013 Special Town Meeting as written in the Warrant:

ARTICLE 4

To see if the Town will vote to amend Section 6-3.4.2 of the Town of Essex Zoning Bylaws, Uses Requiring Special Permit, by adding a use to be known as "Medical Marijuana Treatment Center/Registered Marijuana Dispensary" as subsection "m" of said Section, and further, to amend Section 6-2.2 of the Town of Essex Zoning Bylaws, Definitions, by adding the following definition after the definition of "Lot Measurements" in said Section:

Medical Marijuana Treatment Center or Registered Marijuana Dispensary:

; or take any other action relating thereto.

a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products ("MIPs"), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, Medical Marijuana Treatment Center or Registered Marijuana Dispensary refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

A true copy.	
	Attest:
	Christina J. Wright
	Town Clerk