

Finance Committee Report

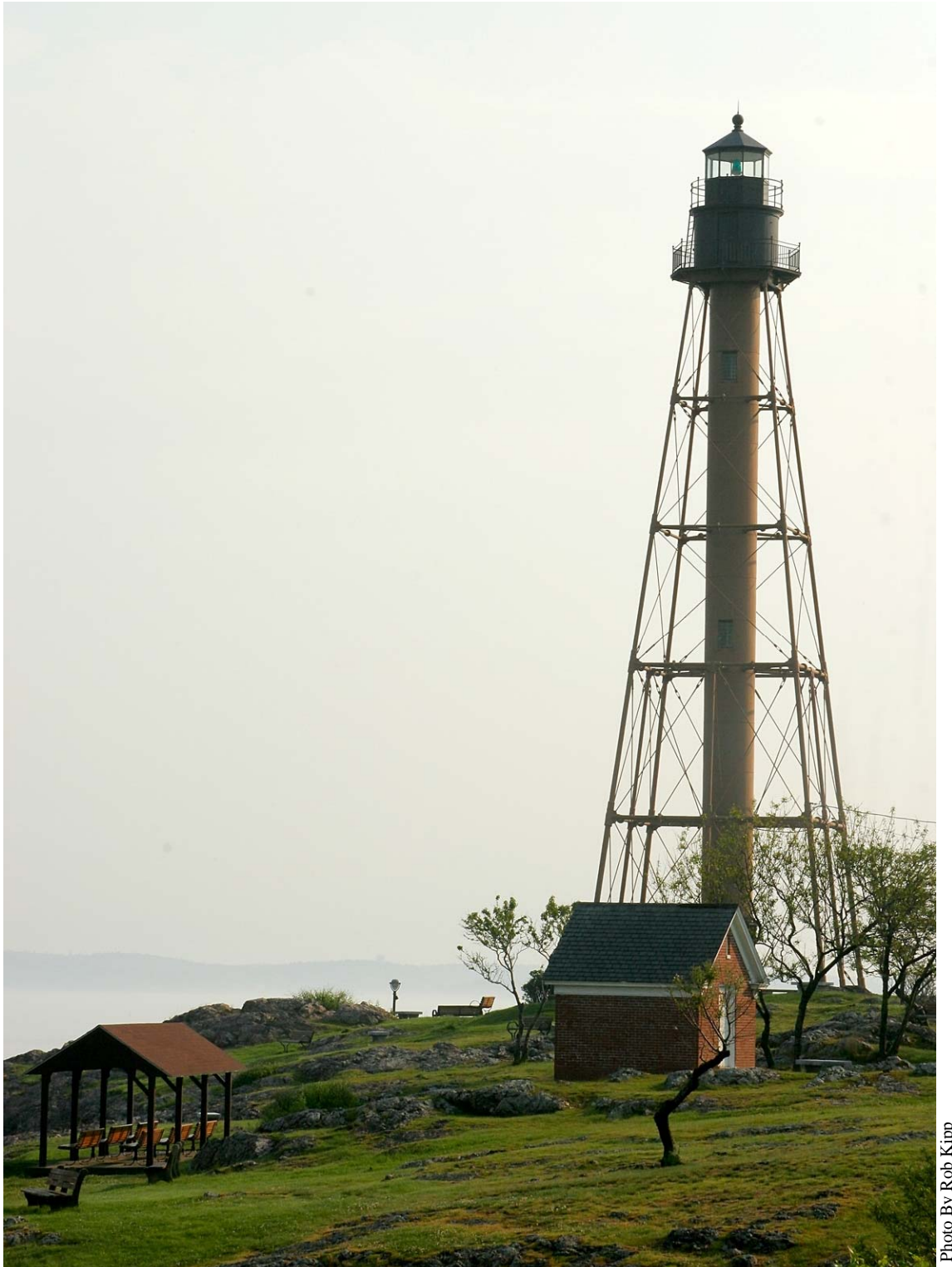


Photo By Rob Kipp

ANNUAL TOWN MEETING
MAY 6, 2013
MARBLEHEAD VETERANS MIDDLE SCHOOL
PERFORMING ARTS CENTER
MARBLEHEAD, MASSACHUSETTS

TO THE VOTERS OF MARBLEHEAD

The Finance Committee respectfully welcomes the opportunity to present this report and to make a series of recommendations concerning the Fiscal Year 2014 (FY14) budget for the Town of Marblehead, as well as other financial matters to be voted on at the 2013 Annual Town Meeting. The Finance Committee is pleased to report that we will present to you a balanced budget recommendation for the eighth consecutive year without proposing a general override of Proposition 2 ½ to achieve that balance.

The budget cycle commenced with a joint meeting of the Board of Selectmen and the Finance Committee on January 8, 2013, during which Town Administrator Jeff Chelgren and Finance Director John McGinn delivered the “State of the Town” fiscal analysis. Their breakdown offered a number of positive factors consistent with a well-managed budget: conservative revenue estimates, level-funded expense budgets, and no budget deficits across the Town departments and enterprises. The Town continues to enjoy a AAA bond rating, which is the result of the Town’s consistency regarding budget oversight, strong cooperation from the departments/schools on service levels within level funding expectations, and pro-active management of the largest cost drivers that impact all of the Town (energy reserve fund, health care insurance, and collective bargaining). As a result, despite declining Net State Aid and softening of Local Receipts since 2008, the Town has been able to work within the Property Tax Levy 2½% and new growth increases to steadily improve its annual Free Cash position. Free Cash has grown to approximately 8.5% of general fund revenues in line with prudent cash management levels recommended by the Massachusetts Association of Town Finance Committees. Marblehead remains one of the approximately 6% of Massachusetts communities with the S&P’s highest AAA rating.

The FY14 projections include three significant unresolved issues that could further impact the budget process:

1. Resolution of the FY14 state budget and the impact on State Aid
2. Impact of the Federal sequester cuts on State and local grant funding
3. Final Charter School enrollment from Marblehead

In order to develop the FY14 budget, the following conservative revenue and expense assumptions were made:

- The statutory 2½% increase on the Town’s tax levy and new growth combine to generate approximately 3.1% more tax revenues to fund municipal services
- Net State Aid is reduced by 5%, which includes the assumption for Charter School enrollment of 194 students
- Health insurance budget projected to increase 6%
- All existing contractual obligations and cost-of-living increases funded

Accordingly, **for the eighth straight year**, we were able to ask town departments to prepare level funded expense budgets that did not require them to propose cuts in personnel or services.

Our budget assumptions have also incorporated the following concerns:

- Approximately 50% of the Town's estimated local receipts come from automobile excise taxes. Since FY06, these revenues have declined approximately 6% but have stabilized in the last two years.
- In line with volatility of past utility and fuel costs, the Town's energy reserve is level funded at \$533,544 and should help cover fluctuations for FY14.

During the budget season, the Finance Committee formed smaller liaison groups to work with department heads, managers, administrators, and elected officials to review their respective budgets in a series of posted liaison meetings. The Finance Committee then held budget meetings to discuss and vote on recommendations of the individual department budgets. The Finance Committee then held an open public hearing on the Town Warrant, and we voted to make our recommendations, contained in this book, to Town Meeting.

Assuming Finance Committee recommendations on the various money articles are accepted by the Town Meeting, the FY14 budget, as presented in **Article 26** will be balanced.

The collaboration among town departments and schools was an essential component of being able to present you with a balanced budget. The Finance Committee would like to thank and commend all department heads, union representatives, appointed and elected boards, and involved citizens for all of their efforts this year.

We specifically wish to express our thanks to the Board of Selectman, the Town Administrator Jeff Chelgren, and the Finance Director John McGinn for the significant time, resources, and guidance that they dedicated to this budget process. We would also like to thank our colleagues on the Finance Committee for their devoted efforts during the FY14 budget cycle and expressly recognize our Secretary, Bob Ross, for his enduring support and guidance.

Respectfully submitted,

M. C. Moses Grader
Chairman, Marblehead Finance Committee

Patricia Moore
Vice Chairman, Marblehead Finance Committee

Benjamin Berman
Vice Chairman, Marblehead Finance Committee

Fiscal 2012 RESERVE FUND

The following is an accounting of funds entrusted to the Finance Committee for Fiscal 2011 Reserve Fund use.

Reserve Fund -- Fiscal 2012 ending June 30, 2012..... \$144,000.00

DEPARTMENTS FUNDS TRANSFERRED TO:

Town Counsel Expense.....	\$3,000.00
Planning Board Expense.....	3,600.00
Fire Expense.....	15,000.00
Fire Expense.....	5,000.00
Seler of Weights and Measures Expense..	250.00
Harbor Expense.....	13,264.00
Harbor Capital Outlays.....	30,000.00
Total Transferred	<u>\$70,114.00</u>
Returned to Treasury	<u><u>\$73,886.00</u></u>

Fiscal 2013 RESERVE FUND

The following detail represents funds voted to various departments by the Finance Committee from the Reserve Fund covering the period July 1, 2012 thru April 12, 2013.

Annual Town Meeting Appropriation May 7, 2012 \$144,000.00

DEPARTMENTS FUNDS TRANSFERRED TO:

Out of State Travel.....	\$1,900.00
Fire Expense.....	25,000.00
Park Expense.....	17,000.00
Total Transferred	<u>\$43,900.00</u>
Balance Remaining	<u><u>\$100,100.00</u></u>

Respectfully Submitted,
MARBLEHEAD FINANCE COMMITTEE

Moses Grader, Chairman
Patricia Moore Vice-Chairman
Benjamin Berman Vice-Chairman
Eric Cole
Richard Doron
Matthew Herring
Lisa Loudon
Paul Pruett
Robert Ross, Clerk

Article 1 Recite “Pledge of Allegiance”

To see if the Town will vote to begin Annual Town Meeting 2013 with the reciting of “Pledge of Allegiance to the Flag”. Sponsored by Joan Cutler, Fraffie Welch and others.

No recommendation under this article.

Article 2 Articles in Numerical Order

To see if the Town will vote to adopt an order requiring articles in the Warrant to be taken up in their numerical order, or take any action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That this article be adopted.

Article 3 Reports of Town Officers and Committees

To receive the report of the Town Accountant, the reports of the Town Officers, and special Committees, or take any action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That this article be adopted.

Article 4 Assume Liability

To see if the Town will assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws, for all damages that may be incurred by work to be performed by the Massachusetts Highway Department for the improvement, development, maintenance and protection of tidal and non tidal rivers and streams, harbors, tidewaters, foreshores and shores along a public beach in accordance with Section 11 of Chapter 91 of the General Laws and authorize the Selectmen to execute and deliver a bond of indemnity therefor to the Commonwealth, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That this article be adopted.

Article 5 Accept Trust Property

To see if the Town will vote to accept certain trust property, gifts or grants to be administered by the Town or modify the terms thereof, or take any other action relative thereto. Sponsored by Town Counsel.

Recommendation: That this article be indefinitely postponed.

Article 6 Lease Town Property

To see if the Town will vote to authorize the appropriate Town Officers to let or lease such land, buildings or structures owned by the Town on such terms as they may determine, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That this article be adopted.

Article 7 Fiscal 2013 School Budget Additional Appropriation

To see if the Town will vote to appropriate or transfer from available funds a sum of money to fund additional expenses of the fiscal year 2013 school budget, said sum to be added to article 30, item 101, schools, as voted at Town Meeting in May 2012, or take any action relative thereto. Sponsored by the School Committee.

Recommendation to be made at Town Meeting.

Article 8 Unpaid Accounts

To see if the Town will vote to appropriate or transfer from available funds a sum of money to provide for the payment of any unpaid accounts brought forward from previous years, or take any other action relative thereto. Sponsored by the Finance Director.

Recommended: That the sum of \$65.00 be authorized to be paid from the following FY13 appropriations.

Highway Expense

65.00

Article 9 Revolving Funds

To see if the Town will vote to authorize various revolving funds as required by M.G.L. c 44 s.53E ½, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: To continue the authorization of the following revolving funds as required by M.G.L. C.44, §53E 1/2 as recommended by the Board of Selectmen.

1. **Historical Commission Gift Shop Revolving Fund in the amount of \$13,000 in fiscal 2014 for the use of the Historical Commission to be taken from Historical Commission revenues from the sale of items at the gift shop operated by said commission; said appropriation to be used for expenses of operating said gift shop; and expended by the Commission.**
2. **Recreation and Park Revolving Fund in the amount of \$300,000 in fiscal 2014 for the use of the Recreation and Park Commission to be taken from revenues in connection with recreation programs and activities including teen center, program fees, rentals, miscellaneous sales, promotional fees, \$5.00 of out of town parking fees charged on weekends and various recreational fund raising events; said appropriation to be used for the expense of said activities including equipment and promotions; and expended by the Commission.**
3. **Council on Aging Revolving Fund in the amount of \$250,000 in fiscal 2014 for the use of the Council on Aging Board of Directors to be taken from revenues in connection with the meals on wheels, and nutrition programs, mini-bus donations, trips, miscellaneous programs, instructional classes, recreational programs, games and tournaments, luncheons and entertainment, and other activities including program fees, fund raising, rentals, miscellaneous sales and promotional fees; said appropriation to be used for the expense of said activities and trips, including equipment and promotions; and expended by the Council on Aging Board of Directors.**
4. **Dog Officer/Animal Control Officer Revolving Fund in the amount of \$20,000 in fiscal 2014 for the use of the Dog Officer to be taken from revenues in connection with fees, reimbursements, deposits and refunds of animal medical expenses including spay and neuter expenses, miscellaneous other sales and various fund raising events; said appropriation to be used for the expense of said programs and activities including medical bills, animal food, pet supplies and equipment, and promotional expenses; and expended by the Dog Officer/ Animal Control Officer.**
5. **RAD Program Revolving Fund in the amount of \$7,500 in fiscal 2014 for the use of the Police Chief to be taken from revenues in connection with tuition, fees, reimbursements, miscellaneous sales, gifts and donations of the RAD program; said appropriation to be used for the expense of said program including salaries and expenses including equipment.**
6. **School Tuition Revolving Fund in the amount of \$46,500 in fiscal 2014 for the use of the School Committee to be taken from revenues in connection with tuition's from nonimmigrant foreign students; said appropriation to be used for the expenses of instruction including salaries, instructional supplies and equipment.**
7. **Commercial Waste Revolving Fund in the amount of \$450,000 in fiscal 2014 for the use of the Board of Health to be taken from revenues in connection with commercial waste disposal receipts; said fund to be expended for the cost of solid waste disposal.**
8. **Conservation Fines Revolving Fund in the amount of \$10,000 in fiscal 2014 for the use of the Conservation Commission to be taken from revenues in connection with receipts collected from fines assessed by the commission; said fund to be expended for remediation of wetlands violations and for the care and maintenance of lands under the control and jurisdiction of the Conservation Commission.**

9. **Sump Pump Improvement Revolving Fund in the amount of \$25,000 in fiscal 2014 for the use of the Sewer and Water Commission; to be taken from revenues in connection with receipts collected from money received as a result of permitting fees; said fund to be expended for the aid in removal of sump pumps currently tied into the sewer system.**
10. **Special Education Revolving Fund in the amount of \$500,000 in fiscal 2014 for the use of the School Committee; revenues to be taken from tuition collected for special education students tuition in to the Marblehead Public Schools and from funds collected to pay for the other special education contracted services for out of district special education students being provided service through the North Shore Special Education Consortium and other approved special education public and private placements; said funds to be expended on costs directly related to the special education programs provided to these out of district students.**
11. **Storm Water By-Law Revolving Fund in the amount of \$10,000 in fiscal 2014 for the use of the conservation Commission; to be taken from revenues in connection with receipts collected from application fees associated with the town's storm water management and erosion control regulations; said funds to be expended for expenses related to the enforcement and administration of the Storm water By-Law.**

Article 10 Walls and Fences

To see if the Town will vote to raise and appropriate a sum of money for the construction and reconstruction of walls and fences for the protection of highways and property, including engineering services in connection therewith; to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easements necessary therefor; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That the sum of \$6,000.00 be appropriated.

Article 11 Purchase of Equipment of Several Departments

To see if the Town will raise and appropriate any sums of money for the purchase of equipment for the several departments of the Town; to authorize the Board of Selectmen to trade old equipment as part of the purchase price; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Finance Committee.

Recommended: That the sum of \$452,565.00 be appropriated, and to meet this appropriation; \$35,525.00 is to be transferred from Water Retained Earnings, \$37,425 is to be transferred from Sewer Retained Earnings and \$379,615.00 is to be raised by taxation. To include the following:

Tree Department	Park Department
1 Bucket Truck	1 Pick-up Truck
Waste Collection Department	Police Department
1 Backhoe/Loader	3 Police Vehicles
1 Hauling Tractor	Sewer Department
Loader Tires	1 Utility Vehicle
Water Department	
1 Utility Vehicle	

Article 12 Capital Improvements for Public Buildings

To see if the Town will vote to raise and appropriate a sum of money for remodeling, reconstructing and making extraordinary repairs to existing Town buildings and the purchase of necessary equipment including computer hardware and software to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That the sum of \$165,955.00 be appropriated. \$160,000.00 to be raised by taxation and \$5,955.00 to be taken from the sale of lots fund.

Abbot Hall

Paint Various Offices

Mary Alley Building

Replace Windows

HVAC Modifications

Painting

Multiple Buildings

Replace Defibrillators

Police Department

Building Repairs

Park Department

Seaside Tennis Court Fence

Cemetery Department

Replace Windows and Doors

Lowering Device

Article 13 Water Department Construction

To see if the Town will vote to appropriate a sum of money to be expended by the Water and Sewer Commission for the construction, reconstruction and extending of water mains, replacement of water meters, appurtenances, engineering, consultants, surveys including revenue studies and other general Water Department purposes, and to authorize the Board of Water and Sewer Commissioners to acquire by purchase, eminent domain or otherwise any lands or easements necessary to take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Recommended: That the sum of \$603,335.00 be appropriated, to be taken from Water Retained Earnings

Article 14 Sewer Department Construction

To see if the Town will vote to appropriate a sum of money to be expended by the Water and Sewer Commission for the construction or reconstruction of sewers for sanitary purposes and for sewerage disposal, pump stations, original pumping equipment, metering equipment, safety equipment, replacement of said equipment, engineering, consultants, surveys, including revenue studies and other general Sewer Department purposes, and to authorize the Board of Water and Sewer Commissioners to acquire by purchase, eminent domain or otherwise any lands or easements necessary to take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Recommended: That the sum of \$527,721.00 be appropriated, to be taken from Sewer Retained Earnings.

Article 15 Water and Sewer Commission Claims

To see if the Town will vote to authorize the Water and Sewer Commission and the Board of Selectmen acting jointly to compromise any claims for damages or suits pending against the Town of Marblehead on account of acts which may have occurred during the construction of the water, sewer and storm water system or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Recommended: That this article be adopted.

Article 16 Storm Drainage Construction

To see if the Town will vote to appropriate a sum of money for the construction, reconstruction and maintenance of storm sewers for surface drainage purposes, and to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easements necessary therefor, and to raise the money for such purpose by the issue of bonds or notes or in any other manner; or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Recommended: That the sum of \$324,000.00 be appropriated.

Article 17 Proposed Reclassification and Pay Schedule (Administrative)

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Administrative Pay Schedule; to strike out the pay schedule as it relates to Administrative personnel, substitute in place thereof the new pay schedules and to transfer from available

Recommendation: That this article be adopted with a 2% cost of living increase effective July 1, 2013

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Traffic Supervisors Pay Schedule; to waive the pay schedule as it relates to Traffic Supervisor personnel, substitute in place thereof the new pay schedules and to transfer from available funds and/or appropriate a sum of money to make said new pay schedules effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Seasonal and Temporary Personnel Pay Schedules; strike out the pay schedules as they relate to seasonal and temporary personnel, substitute in place thereof the new pay schedules and to transfer from available funds and/or appropriate a sum of money to make said new pay schedules effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

To see if the Town will vote to revise the compensation of the Town Clerk as the Town by vote may determine and to transfer from available funds and/or appropriate a sum of money to make said revision effective or take any other action relative thereto. Sponsored by the Board of Selectmen.

Said amount to be in full compensation for services as Town Clerk. All fees received by the Town Clerk in their official capacity to be accounted for to the Town Revenue Officer.

Eligibility will be determined on November 30 each year and payment made to the official with the first regular payroll of December of that year. Only those in office on the determination date and qualified by their consecutive years of service, as described above, shall receive longevity pay for the calendar year.

Not less than 5 years	\$300.00
Not less than 10 years	400.00
Not less than 15 years	500.00
Not less than 20 years	600.00
Not less than 25 years	700.00
30 years and over	800.00

Article 21 Financial Assistance for Conservation

To see if the Town will vote to authorize the Conservation Commission and other proper officers of the Town to apply for financial assistance from public and private sources to be expended by the Conservation Commission for the purchase of vacant land and any other purpose, authorized by Section 8C of Chapter 40 of the General Laws as amended, or to reimburse the Town for sums of money expended for such purposes, or both, and to take any other action relative thereto. Sponsored by the Conservation Commission.

Recommended: That this article be adopted.

Article 22 North Shore Regional Vocational School District

To see if the Town will vote to approve the gross operating and maintenance budget of the North Shore Technical High School for the fiscal year commencing July 1, 2013 and appropriate a sum of money for the Town's assessment of the same, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That the sum of \$153,405.00 be appropriated.

Article 23 Essex North Shore Agricultural and Technical School District

To see if the Town will vote to appropriate a sum of money to pay the Town's share of the costs associated with the design, construction, and furnishing of the Essex North Shore Agricultural and Technical School District's new District High School facility for the fiscal year commencing July 1, 2013; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That the sum of \$15,594.00 be appropriated.

Article 24 Other Post Employment Benefits Trust Fund

To see if the Town will vote, in accordance with Section 20 of Chapter 32B of the Massachusetts General Laws, to appropriate a sum for the Other Post Employment Benefits (OPEB) Trust Fund; or take any action relative thereto. Sponsored by the Finance Director.

Recommended: That the sum of \$250,000 be appropriated into the Town's Other Post Employment Benefits Liability Trust Fund and that the Town Treasurer be authorized to invest funds in this Trust with the Massachusetts Health Care Security Trust or the Pension Reserves Investment Trust.

Article 25 Available Funds appropriate to Reduce Tax Rate

To see if the Town will vote to appropriate free cash balance in the hands of the Town Treasurer, including any surplus or part of surplus in the Electric Light Department for use of the Assessors in making the tax rate or take any other action relative thereto. Sponsored by the Finance Director.

Recommended: That the sum of \$4,886,000.00 be appropriated for the use of the Assessors in making the Tax Rate.

From Free Cash	\$ 4,556,000.00
From Electric Surplus	<u>330,000.00</u>
	<u>\$ 4,886,000.00</u>

Article 26 Expenses of Several Departments

To see what sums of money the Town will raise and appropriate, including appropriations from Federal Revenue Sharing moneys, to defray the necessary and usual expenses of the several departments of the Town for the fiscal year beginning July 1, 2013 or take any other action relative thereto. Sponsored by the Finance Department.

TABLE OF ESTIMATED APPROPRIATIONS
(Required by Mass. General Laws, Chapter 41, Section 60)

Fiscal 2012		Fiscal 2013			Fiscal 2014			
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated	Item No.		Departmental Requests	Recommended
GENERAL GOVERNMENT								
100.00	100.00	100.00		100.00	1	Moderator		
						Officials Expense	100.00	100.00
5,500.00	5,500.00	5,500.00	2,750.00	2,750.00	2	Selectmen		
341,171.00	339,041.87	332,128.00	165,061.50	167,066.50	3	Officials Expense	5,500.00	5,500.00
98,163.00	65,178.54	92,163.00	27,170.54	64,992.46	4	Salaries	340,173.00	340,173.00
7,000.00	3,850.00	7,000.00		7,000.00	5	Expense	92,163.00	92,163.00
2,000.00		3,900.00	2,280.63	1,619.37	6	Zoning Board Legal Services	7,000.00	7,000.00
						Out of State Travel	2,000.00	2,000.00
453,834.00	413,570.41	440,691.00	197,262.67	243,428.33			446,836.00	446,836.00
Finance Committee								
8,310.00	8,310.00	8,477.00	4,238.48	4,238.52	7	Salaries	8,647.00	8,647.00
5,585.00	2,673.00	5,585.00	268.00	5,317.00	8	Expense	5,585.00	5,585.00
175.00	104.00	175.00		175.00	9	Local Travel	175.00	175.00
14,070.00	11,087.00	14,237.00	4,506.48	9,730.52			14,407.00	14,407.00
144,000.00		144,000.00		144,000.00	10	Reserve Fund	144,000.00	144,000.00
70,114.00		1,900.00		1,900.00		Less Transfers		
73,886.00		142,100.00		142,100.00		Net		
Finance								
641,231.00	639,147.25	656,339.00	311,330.53	345,008.47	12	Salaries	626,664.00	626,664.00
246,205.00	237,360.19	246,205.00	78,051.15	168,153.85	13	Expense	268,310.00	268,310.00
887,436.00	876,507.44	902,544.00	389,381.68	513,162.32			894,974.00	894,974.00
Assessor								
300.00	300.00	300.00		300.00	17	Officials Expense	300.00	300.00
178,166.00	178,015.74	185,904.00	91,955.88	93,948.12	18	Salaries	190,959.00	190,959.00
33,785.00	33,382.70	33,785.00	23,318.56	10,466.44	19	Expense	103,785.00	103,785.00
400.00	390.50	400.00		400.00	20	Local Travel	400.00	400.00
212,651.00	212,088.94	220,389.00	115,274.44	105,114.56			295,444.00	295,444.00
Town Counsel								
2,000.00	2,000.00	2,000.00	1,000.00	1,000.00	29	Salaries	2,000.00	2,000.00
65,932.00	60,415.72	62,932.00	22,565.00	40,367.00	30	Expense	62,932.00	62,932.00
67,932.00	62,415.72	64,932.00	23,565.00	41,367.00			64,932.00	64,932.00
Parking Tickets								
10,484.00	5,379.05	10,484.00	1,661.14	8,822.86	35	Expense	10,484.00	10,484.00
Town Clerk								
155,519.00	154,112.59	158,732.00	73,941.46	84,790.54	39	Salaries	161,222.00	161,222.00
9,037.00	8,709.11	9,037.00	1,665.05	7,371.95	40	Expense	9,037.00	9,037.00
164,556.00	162,821.70	167,769.00	75,606.51	92,162.49			170,259.00	170,259.00

Fiscal 2012		Fiscal 2013			Item No.		Fiscal 2014	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated			Departmental Requests	Recommended
18,000.00	15,411.05	22,750.00	10,774.36	11,975.64	43	Election & Registration		
21,865.00	21,668.19	21,865.00	9,131.46	12,733.54	44	Salaries	13,250.00	13,250.00
39,865.00	37,079.24	44,615.00	19,905.82	24,709.18		Expense	21,865.00	21,865.00
							35,115.00	35,115.00
5,275.00	5,275.00	1,675.00	1,248.05	426.95	50	Planning Board		
						Expense	1,675.00	1,675.00
88,516.00	86,647.97	90,159.00	45,347.74	44,811.26	55	Public Buildings		
101,100.00	98,340.34	101,100.00	41,179.92	59,920.08	56	Salaries	92,904.00	92,904.00
400.00	176.00	400.00	38.25	361.75	57	Expense	101,100.00	101,100.00
						Local Travel	400.00	400.00
190,016.00	185,164.31	191,659.00	86,565.91	105,093.09			194,404.00	194,404.00
4,300.00	2,785.00	4,300.00		4,300.00	59	Town Reports	4,300.00	4,300.00
40,000.00	40,000.00	43,000.00	30,000.00	13,000.00	60	Town Audit	43,000.00	43,000.00
2,164,405.00	2,014,273.81	2,248,495.00	944,977.70	1,303,517.30		TOTAL GENERAL GOVERNMENT	2,319,930.00	2,319,930.00

PUBLIC SAFETY

3,047,579.00	2,880,440.77	3,102,714.00	1,538,679.05	1,564,034.95	62	Police Department		
187,399.00	187,319.98	187,399.00	135,441.24	51,957.76	63	Salaries	3,169,810.00	3,169,810.00
10,000.00	581.66	10,000.00		10,000.00	64	Expense	175,899.00	175,899.00
						Indemnif. of Officers	10,000.00	10,000.00
3,244,978.00	3,068,342.41	3,300,113.00	1,674,120.29	1,625,992.71			3,355,709.00	3,355,709.00
2,856,164.00	2,736,419.55	2,929,103.00	1,419,347.68	1,509,755.32	68	Fire Department		
163,308.00	163,206.11	145,408.00	96,475.41	48,932.59	69	Salaries	3,002,141.00	3,002,141.00
3,019,472.00	2,899,625.66	3,074,511.00	1,515,823.09	1,558,687.91		Expense	160,408.00	160,408.00
							3,162,549.00	3,162,549.00
443,502.00	408,173.51	454,308.00	210,070.68	244,237.32	73	Building Inspection		
9,755.00	9,444.59	9,755.00	5,604.68	4,150.32	74	Salaries	469,203.00	469,203.00
3,000.00	3,000.00	3,000.00	1,801.32	1,198.68	75	Expense	24,755.00	24,755.00
						Local Travel	3,500.00	3,500.00
456,257.00	420,618.10	467,063.00	217,476.68	249,586.32			497,458.00	497,458.00
500.00	406.35	250.00	50.00	200.00	80	Sealer of Weights & Measures		
						Expense	250.00	250.00
2,400.00	2,400.00	2,400.00	1,200.00	1,200.00	86	Animal Inspector		
6,723,607.00	6,391,392.52	6,844,337.00	3,408,670.06	3,435,666.94		Salaries	2,400.00	2,400.00
						TOTAL PUBLIC SAFETY	7,018,366.00	7,018,366.00

EDUCATION

28,838,012.00	28,702,981.96	30,079,749.00	12,496,636.18	17,583,112.82	101	Schools	30,942,936.00	30,942,936.00
28,838,012.00	28,702,981.96	30,079,749.00	12,496,636.18	17,583,112.82		TOTAL SCHOOLS	30,942,936.00	30,942,936.00

Fiscal 2012		Fiscal 2013			Item No.	Fiscal 2014	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated		Departmental Requests	Recommended

SCHOOL RECEIPTS AND REIMBURSEMENTS -- FISCAL 2012

	Funds Received for General Purposes or Reserved for Appropriation	Funds Received to be Expended without Appropriation
School Chapter 70 Aid	\$4,548,961.00	
Charter School Aid.....	503,512.00	
Charter School Capital Facility.....	508,044.00	
Charter School Assessment.....	-1,840,553.00	
School Choice Assessment.....	-32,150.00	
Essex Agricultural Assessment.....	-24,544.00	
Revolving Funds		
All Day Kindergarten		\$418,403.00
Athletic Programs		55,687.43
Fine Arts.....		14,351.62
Guidance Services Fund		5,831.50
Industrial Arts.....		36.00
Insurance Reimbursement.....		2,198.92
Lost Books		1,361.94
School Building Rent		114,912.00
School Lunch - State & Federal		151,339.61
School Lunch - Sale of Lunches		505,422.12
School Lunch General Fund Transfer..		135,000.00
School User Fees		236,191.52
School Tuition.....		57,693.00
Special Education Tuition.....		482,920.14
Federal, State and Private Grants		
Academic Support Services.....		10,100.00
Cable TV Grant.....		50,000.00
Circuit Breaker.....		485,769.00
Ed Jobs.....		307,622.00
Essential School Health.....		82,820.00
Metco	12,900.00	390,046.00
Quality Full day Kindergarden.....		135,024.00
Race to the Top.....		26,385.00
RTTT Vertical SIF.....		7,950.00
School Community Partnership.....		13,522.11
SPED 94-142.....		706,114.00
SPED Childhood Allocation.....		19,156.00
SPED Program Improvement.....		37,258.00
Teacher Quality.....		50,077.00

Fiscal 2012		Fiscal 2013			Fiscal 2014			
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated	Item No.		Departmental Requests	Recommended
Title 1.....				212,264.00				
Donation Funds								
	Bell School Donation.....			11,201.27				
	Bell School Technology Donation.....			23,416.80				
	Coffin/Gerry Donation.....			31,083.01				
	Glover School Donation.....			15,074.25				
	High School Donation.....			8,409.26				
	Veterans School Donation.....			2,102.38				
	Village School Donation.....			48,964.25				
			\$3,676,170.00	\$4,855,707.13				
			\$8,531,877.13					
PUBLIC WORKS & FACILITIES								
Engineering								
108,829.00	108,821.82	111,615.00	55,315.91	56,299.09	105	Salaries	114,813.00	114,813.00
10,395.00	7,323.68	10,395.00	1,442.57	8,952.43	106	Expense	10,395.00	10,395.00
500.00		500.00		500.00	107	Local Travel		
119,724.00	116,145.50	122,510.00	56,758.48	65,751.52			125,208.00	125,208.00
Source:								
6,000.00		6,000.00				Conservation Wetlands Fee		6,000.00
113,724.00		116,510.00				Taxation		119,208.00
119,724.00		122,510.00						125,208.00
Highway								
734,284.00	721,648.02	745,683.00	376,891.60	368,791.40	112	Salaries	771,295.00	771,295.00
87,084.00	77,930.16	87,084.00	49,004.66	38,079.34	113	Expense	87,084.00	87,084.00
821,368.00	799,578.18	832,767.00	425,896.26	406,870.74			858,379.00	858,379.00
33,750.00	30,273.82	33,750.00	21,369.16	12,380.84	116	Maintain Streets and Sidewalks	33,750.00	33,750.00
100,000.00	89,812.08	100,000.00	14,517.76	85,482.24	117	Snow Removal	100,000.00	100,000.00
128,820.00	117,832.67	128,820.00	51,257.90	51,790.51	118	Street Lighting	128,820.00	128,820.00
1,083,938.00	1,037,496.75	1,095,337.00	513,041.08	582,295.92			1,120,949.00	1,120,949.00
Waste Collection								
288,354.00	282,769.70	283,364.00	142,062.31	141,301.69	126	Salaries	295,578.00	295,578.00
1,668,655.00	1,451,488.09	1,687,655.00	678,023.71	1,009,631.29	127	Expense	1,708,535.00	1,708,535.00
1,512.00	1,386.00	1,512.00	756.00	756.00	128	Local Travel		
1,958,521.00	1,735,643.79	1,972,531.00	820,842.02	1,151,688.98			2,004,113.00	2,004,113.00
Drains								
100,650.00	97,254.51	102,048.00	49,692.46	52,355.54	132	Salaries	105,015.00	105,015.00
5,150.00	4,138.12	5,150.00	1,631.15	3,518.85	133	Expense	5,150.00	5,150.00
105,800.00	101,392.63	107,198.00	51,323.61	55,874.39			110,165.00	110,165.00

Fiscal 2012		Fiscal 2013			Item No.	Fiscal 2014	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated		Departmental Requests	Recommended
300.00	300.00	300.00		300.00	141	Cemetery	
305,775.00	302,299.55	306,070.00	148,554.12	157,515.88	142	Officials Expense	300.00
21,846.00	20,338.00	21,846.00	16,206.09	5,639.91	143	Salaries	303,668.00
327,921.00	322,937.55	328,216.00	164,760.21	163,455.79		Expense	21,846.00
							325,814.00
277,921.00		278,216.00				Source	
50,000.00		50,000.00				Taxation	300,814.00
327,921.00		328,216.00				Perpetual Care	25,000.00
							325,814.00
237,916.00	228,656.28	244,300.00	122,802.58	121,497.42	148	Tree Department	
51,578.00	36,290.60	51,578.00	31,136.15	20,441.85	149	Salaries	250,195.00
289,494.00	264,946.88	295,878.00	153,938.73	141,939.27		Expense	51,578.00
3,885,398.00	3,578,563.10	3,921,670.00	1,760,664.13	2,161,005.87			301,773.00
						TOTAL PUB. WORKS & FAC.	3,988,022.00

HUMAN SERVICES

400.00	400.00	400.00		400.00	153	Health Dept.	
134,939.00	130,095.70	123,725.00	60,620.76	63,104.24	154	Officials Expense	400.00
13,055.00	11,838.70	13,055.00	7,398.86	5,656.14	155	Salaries	131,724.00
2,100.00	1,364.75	2,100.00	257.46	1,842.54	157	Expense	13,055.00
4,000.00	4,000.00	4,000.00	4,000.00		158	Local Travel	1,632.00
154,494.00	147,699.15	143,280.00	72,277.08	71,002.92		HAWC	4,000.00
							150,811.00
60,000.00	60,000.00	60,000.00	18,526.52	41,473.48	162	Mental Health	
193,818.00	189,200.06	218,294.00	112,850.61	105,443.39	164	Contractual Services	60,000.00
3,459.00	3,006.64	3,459.00	1,740.50	1,718.50	165	Council on Aging	
197,277.00	192,206.70	221,753.00	114,591.11	107,161.89		Salaries	224,559.00
						Expense	3,459.00
							228,018.00
57,357.00	57,357.00	58,267.00	29,082.68	29,184.32	175	Veterans Benefits	
1,243.00	1,180.90	1,243.00	177.47	1,065.53	176	Salaries	59,638.00
1,100.00	237.00	1,100.00	182.83	917.17	177	Expense	1,243.00
19,000.00	18,785.36	19,000.00	5,695.20	13,304.80	178	Local Travel	1,100.00
78,700.00	77,560.26	79,610.00	35,138.18	44,471.82		Benefits	19,000.00
490,471.00	477,466.11	504,643.00	240,532.89	264,110.11			80,981.00
						TOTAL HUMAN SERVICES	519,810.00

Fiscal 2012		Fiscal 2013			Fiscal 2014			
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated	Item No.		Departmental Requests	Recommended
CULTURE AND RECREATION								
Library								
746,403.00	731,808.37	754,691.00	370,486.16	384,204.84	185	Salaries	775,365.00	775,366.00
245,295.00	245,295.00	251,154.00	126,253.90	124,900.10	186	Expense	252,677.00	252,677.00
100.00	86.65	100.00		100.00	187	Local Travel	100.00	100.00
991,798.00	977,190.02	1,005,945.00	496,740.06	509,204.94			1,028,142.00	1,028,143.00
Park Department								
559,878.00	547,514.77	571,120.00	297,429.95	273,690.05	190	Salaries	581,163.00	581,163.00
171,590.00	165,605.57	171,590.00	79,057.45	92,532.55	191	Expense	171,590.00	171,590.00
46,093.00	37,354.72	46,093.00	13,722.00	32,371.00	192	Facility Expense	46,093.00	46,093.00
777,561.00	750,475.06	788,803.00	390,209.40	398,593.60			798,846.00	798,846.00
1,950.00	1,900.80	5,500.00		5,500.00	210	Memorial & Veterans Day	5,650.00	5,650.00
1,771,309.00	1,729,565.88	1,800,248.00	886,949.46	913,298.54		TOTAL CULTURE & RECREATION	1,832,638.00	1,832,639.00
DEBT SERVICE								
2,525,000.00	2,524,366.00	2,845,000.00	2,845,000.00		214	Maturing Debt	2,866,000.00	2,866,000.00
1,789,596.25	1,786,736.26	1,508,446.58	840,609.09	667,837.49	215	Interest	1,877,970.36	1,877,970.36
4,314,596.25	4,311,102.26	4,353,446.58	3,685,609.09	667,837.49		TOTAL DEBT SERVICE	4,743,970.36	4,743,970.36
MISCELLANEOUS								
1,881,112.00	1,881,112.00	1,881,112.00	1,881,112.00		217	Contributory Retirement	2,099,464.00	2,099,464.00
480,000.00	468,091.27	510,000.00	206,261.89	303,738.11	218	Medicare	540,000.00	540,000.00
285,000.00	285,000.00	300,000.00	300,000.00		219	Workmens Compensation	315,000.00	315,000.00
11,454,905.00	9,925,459.09	10,522,087.00	4,777,650.27	5,744,436.73	221	Group Insurance	10,929,580.00	10,929,580.00
475,888.00	216,606.40	475,888.00	269,368.08	206,519.92	222	Other Insurance	475,888.00	475,888.00
195,242.00	159,118.88	110,770.00	4,963.20	105,806.80	223	Salary Reserve	110,770.00	110,770.00
116,324.00	108,315.13	115,575.00	57,786.82	57,788.18	224	NonContributory Retirement	118,094.00	118,094.00
533,544.00	175,091.57	533,544.00		533,544.00	225	Energy Reserve	533,544.00	533,544.00
15,422,015.00	13,218,794.34	14,448,976.00	7,497,142.26	6,951,833.74		TOTAL MISCELLANEOUS	15,122,340.00	15,122,340.00

Fiscal 2012		Fiscal 2013			Item No.	Fiscal 2014		
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated		Departmental Requests	Recommended	
ENTERPRISE								
597,054.00	582,872.20	638,713.00	293,249.84	345,463.16	227	Sewer Salaries	624,683.00	624,683.00
555,651.00	510,310.30	550,504.00	228,508.96	321,995.04	228	Expense	603,459.00	603,459.00
2,165,332.00	2,064,414.00	2,165,332.00	1,523,781.00	641,551.00	230	South Essex Sewer District	2,219,466.00	2,219,466.00
3,318,037.00	3,157,596.50	3,354,549.00	2,045,539.80	1,309,009.20			3,447,608.00	3,447,608.00
						Source		
3,318,037.00		3,354,549.00				Sewer Receipts		3,447,608.00
3,318,037.00		3,354,549.00						3,447,608.00
						Water		
585,669.00	572,467.11	638,501.00	294,470.65	344,030.35	231	Salaries	601,504.00	601,504.00
537,807.00	440,255.14	572,712.00	218,126.31	354,585.69	232	Expense	577,754.00	577,754.00
1,816,156.00	1,816,156.00	1,901,258.00	912,876.00	988,382.00	235	Metropolitan Water	2,024,840.00	2,024,840.00
2,939,632.00	2,828,878.25	3,112,471.00	1,425,472.96	1,686,998.04			3,204,098.00	3,204,098.00
						Source:		
		3,112,471.00				Water Receipts		3,204,098.00
						Light		
Revenue			Revenue		236	Operating Expenditures	Revenue	
						Harbor		
342,776.00	328,688.10	292,753.00	152,257.68	140,495.32	238	Salaries	316,003.00	316,003.00
321,671.00	321,237.63	311,253.00	135,131.08	176,121.92	239	Expense	370,201.00	370,201.00
280,000.00	193,129.68	250,000.00	60,765.30	189,234.70	241	Outlays	105,000.00	105,000.00
944,447.00	843,055.41	854,006.00	348,154.06	505,851.94			791,204.00	791,204.00
						Source		
694,447.00		604,006.00				Harbor Receipts		686,204.00
250,000.00		250,000.00				Harbor Retained Earnings		105,000.00
944,447.00		854,006.00						791,204.00
7,202,116.00	6,829,530.16	7,321,026.00	3,819,166.82	3,501,859.18		TOTAL ENTERPRISE	7,442,910.00	7,442,910.00
70,811,929.25	67,253,670.14	71,522,590.58	34,740,348.59	36,782,241.99		TOTAL BUDGETS	73,930,922.36	73,930,923.36
SPECIAL ARTICLES								
624,615.00	605,256.05					Art 10, 2011 - Purchase of Equipment		
182,300.00	142,700.93		18,051.65			Art 11, 2011 - Capital Improvements for Public Buildings		
450,585.00	8,096.66		100,291.63			Art 16, 2011 - Water Construction		
440,928.00	278,968.13		172,599.76			Art 17, 2011 - Sewer Construction		
324,000.00	272,338.15		51,661.85			Art 18, 2011 - Surface Drain Construction		
86,339.00	86,032.00					Art 22, 2011 - NS Tech School District		
770,600.00	140,258.98					Art 32, 2011 - Landfill Remediation, New Facility		
		507,641.00	345,261.50			Art 12, 2012 - Purchase of Equipment		

Fiscal 2012		Fiscal 2013			Item No.	Fiscal 2014	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated		Departmental Requests	Recommended
		161,500.00	72,011.64		Art 13, 2012 - Capital Improvements for Public Buildings		
		801,423.00			Art 15, 2011 - Water Construction		
		665,344.00			Art 16, 2011 - Sewer Construction		
		324,000.00	124,322.08		Art 18, 2012 - Surface Drain Construction		
		102,213.00	75,993.00		Art 22, 2012 - NS Tech School District		
					Fiscal 2014 Special Articles		
					Art 10, 2013 - Walls and Fences	6,000.00	6,000.00
					Art 11, 2013 - Purchase of Equipment	452,565.00	452,565.00
					Art 12, 2013 - Capital Improvements for Public Building	165,955.00	165,955.00
					Art 13, 2013 - Water Construction	603,335.00	603,335.00
					Art 14, 2013 - Sewer Construction	527,721.00	527,721.00
					Art 16, 2013 - Surface Drain Construction	324,000.00	324,000.00
					Art 22, 2013 - NS Tech School District	153,405.00	153,405.00
					Art 23, 2013 - Essex North Agricultural Tech District	15,594.00	15,594.00
					Art 24, 2013 - Other Post Employment Benefits Trust	250,000.00	250,000.00
					Art 31, 2013 - Abbot Hall Clock Tower	2,465,966.00	2,465,966.00
					Art 34, 2013 - Landfill Regulatory Compliance	114,600.00	114,600.00
					Art 37, 2013 - Landfill Closure/Takings/Design	1,165,000.00	1,165,000.00
2,879,367.00	1,533,650.90	2,562,121.00	960,193.11		TOTAL SPECIAL ARTICLES	6,244,141.00	6,244,141.00
					Less: Bond Issue	3,630,966.00	3,630,966.00
2,879,367.00	1,533,650.90	2,562,121.00	960,193.11			2,613,175.00	2,613,175.00
70,811,929.25	67,253,670.14	71,522,590.58	34,740,348.59		Total Depart. Budgets(Above)	73,930,922.36	73,930,923.36
73,691,296.25	68,787,321.04	74,084,711.58	35,700,541.70		TOTAL BUDGETS AND ARTICLES	76,544,097.36	76,544,098.36

Article 27 Supplemental Expenses of Several Departments

To see what sums of money the Town will raise and appropriate, including appropriations from Federal Revenue Sharing moneys, to defray the supplemental expenses of the several departments of the Town for the fiscal year beginning July 1, 2013, or take any other action relative thereto. Sponsored by the Finance Department.

Recommendation: That this article be indefinitely postponed.

Article 28 School Department Computers, Support Equipment and Technology

To see if the Town will vote to appropriate a sum of money for the purpose of purchasing computers, technology infrastructure, support software and equipment and necessary accessory furnishings and to raise the money for these purposes by the issuance of bonds or notes or in any other manner, or take any other action relative thereto. Sponsored by the School Committee.

Recommendation to be made at Town Meeting.

Article 29 Schools Construction and/or Renovation Program

To see if the Town will vote to appropriate a sum of money for the purpose of remodeling, construction, purchasing technology software and equipment, furnishing or making extraordinary repairs, including all professional feasibility studies, design, architectural and engineering fees, to the Gerry, Coffin, Bell, Eveleth, Glover, Village, Veterans Middle and High School and/or any other schools and their respective playing fields, and to raise the money for these purposes by the issue of bonds or notes by the transfer of an unused/prior appropriation and borrowing authority for such purposes, or in any other manner, or take any other action relative thereto. Sponsored by the School Committee

Recommendation to be made at Town Meeting.

Article 30 Amend Bylaw, Cemeteries

To see if the Town will amend Chapter 206, Cemeteries, of the Town of Marblehead Bylaws as follows:

- 1) Amend §206-1. A Cemetery Commissioners *which presently reads as follows:*

§ 206-1. A Cemetery Commissioners.

A. The Town Board of Cemetery Commissioners and election of members are set by MGL c. 114, § 22. Duties of the Cemetery Commissioners are set by MGL c. 114, § 23.

To instead read as follows (bold text added):

A. The Town Board of Cemetery Commissioners and election of members are set by MGL c. 114 §22. Duties of the Cemetery Commissioners are set by MGL c. 114 §23. **The Cemetery Commission shall comply with all applicable laws regarding the conduct of a public body in the Town of Marblehead and the Commonwealth of Massachusetts including but not limited to the provisions of MGL. c. 268A's, the "Conflict of Interest Law", biannual ethics review and test, and the Sexual Harassment Policy of the Town of Marblehead as well as the Code of Conduct adopted by the Cemetery Commission.**

- 2) Amend §206-3.A and C Purchase of burial rights *which presently reads as follows:*

§ 206-3.A and C Purchase of burial rights.

A. Burial rights in the Marblehead Cemetery are for the residents of Marblehead or taxpayers only. This means that when you purchase these burial rights you do so with the understanding that they are to be used for members of your family. When a plot is purchased, only the exclusive right of burial is secured, not the land itself. Rights purchased in the Marblehead

Cemetery are not transferable. If the owner finds the same cannot be used, he shall release them back to the Town and receive the original purchase price for the same.

C. Residents purchasing burial rights in the Marblehead Cemetery will have just two interments to a grave, with the understanding that at least one will be for the interment of ashes, or three cremains maximum will be allowed per grave site with a dimension of three feet by 10 feet. Only one flush-type marker properly inscribed will be allowed to be placed on said grave site.

To instead read as follows (bold text added)

A. In order to be permitted to burial rights in Marblehead, one must be a resident of Marblehead. Pre-need burial rights in the Marblehead Cemetery are for Marblehead residents of five years or more who pay taxes on the property in which they reside. A Marblehead resident who rents shall only be permitted to have his/her estate purchase burial rights in the Marblehead Cemetery upon the death of the resident. Burial rights purchased, are done so by the Purchaser with the agreement and limitation that said burial rights are to be used solely for members of the Purchaser's family. When a plot is purchased, only the exclusive right of burial is secured, not the land itself. Rights purchased in the Marblehead Cemetery are not transferable. If the owner finds same cannot be used, he shall release them back to the Town and receive the original purchase price for same.

C. Residents purchasing burial rights in the Marblehead Cemetery will have just three interments per grave. Three cremations maximum shall be permitted per grave site with a dimension of three feet by ten feet or one full burial and two cremations shall be permitted. Notwithstanding the foregoing, those purchasing burial rights in the AM section shall be restricted to two cremations only.

3) Amend §206-4.G General Rules *which presently reads as follows:*

§ 206-4.G General Rules:

G. Persons within the cemetery shall use only the avenues, roads and paths, and no one is permitted to walk upon or across lots or lawns unless it is necessary to do so to gain access to one's own lot.

To instead read as follows (bold text added)

G. The scattering of cremated remains shall not be permitted anywhere within cemetery grounds. Fines shall be assessed as follows:

A fine equal to the then current charge, including applicable miscellaneous fees, consistent with the cost of a cremation burial.

All unpaid fines shall be liens placed upon any lot where ashes are found scattered.

Lots upon which fines are outstanding shall be closed to further use until the fine is paid in full.

4) Amend §206-5. Veterans lot *which presently reads as follows:*

§ 206-5. Veterans lot.

The section in the cemetery called "veterans lots" may be used for the interment of any resident veteran, with the opening and container charge only, predicated on and subject to available space in said veterans lot and subject to the rules and regulations. Said space will be set aside for the burials of honorably discharged veterans residing in the Town at the time of their enlistment into the service and/or at the time of their death, proof having been established by the Veterans Agent and subject to the approval of the Superintendent. The lifting of the turf for flower beds is prohibited on any veteran's grave.

To instead read as follows (bold text added)

The section in the Cemetery called "Veterans Lots" may be used for the interment of any resident veteran, with the opening and container charge only. Predicated on and subject to available space in said Veterans Lot and subject to **these** Rules and Regulations. Said space will be set aside for the burials of Honorably Discharged veterans residing in the town at the time of their enlistment into the service and/or at the time of their death. Proof having been established by the **Town of Marblehead** Veterans Agent and subject to the approval of the Superintendent.

A spouse's ashes shall be allowed to be interred with the deceased veteran. The standard grave opening fees shall apply to the spouses internment. Inscription for the spouse is allowed on the reverse of the upright marble stone. Family's of the deceased shall be responsible for the payment and arrangement of said inscription. The lifting of the turf for flower beds is prohibited by the United States Government on any veteran's grave in a designated veteran section.

Floral arrangements accompanying the casket or urn at the time of burial will be placed on the completed grave. Natural cut flowers may be placed on graves at any time of the year. They will be removed when they become unsightly or when it becomes necessary to facilitate cemetery operations and maintenance. Containers such as pots, baskets, etc. are prohibited. Privately owned, permanent in-ground flower containers are prohibited.

Permanent plantings, artificial flowers, statues, vigil lights, wind chimes, breakable objects and similar items are prohibited. The Department of Veterans Affairs does not permit adornments that are considered offensive, inconsistent with the dignity of the cemetery or considered hazardous to cemetery personnel, including but not limited to items incorporating beads or wires which in the opinion of the Cemetery Department may become entangled in mowers or other equipment and cause injury.

Unauthorized items will be removed from graves and surrounding areas and will be disposed of in a proper manner.

Christmas wreaths and other seasonal adornments may be placed on graves from Dec. 1 through Jan. 20. Said adornments shall not be secured to headstones or markers.

5) Amend §206-7. Hour glass pool area *which presently reads as follows:*

§ 206-7. Hour glass pool area.

A. There will be a restriction on memorial sizes.

B. There will be no planting without clearance through the Superintendent.

C. There will be no decorations in said area without office clearance. Memorial restrictions will be obtained from the office.

To instead read as follows (bold text added)

§ 206-7. Hour glass pool **and AM sections**

A. The hour glass pool and AM sections shall be restricted to flat markers only.

B. There will be no in ground planting without approval through the Superintendent.

C. There shall be no decorations in the hour glass pool area without prior approval from the Superintendent.

6) Amend §206-9.A and L Decoration of plots *which presently reads as follows:*

§ 206-9.A and L Decoration of plots.

A. There will be no plantings of trees, evergreens, shrubs, rosebushes, etc., allowed on any lots. No plantings of any kind will be allowed on the graves and the turf must not be

disturbed. It is not allowable to outline a plot with anything, including curbing, railings, bushes or plants. It is not allowed to build mounds on any grave.

L. There is available a Flower Endowment Fund established for grave decorations for perpetuity. Decorations will be placed by the Superintendent at Memorial Day, Christmas or on stated dates by the endower. A consultation should be held with the Superintendent as to the amounts needed to be endowed, etc.

To instead read as follows (bold text added)

A. There **shall** be no trees, evergreens, shrubs, rosebushes, **hosta or similar vegetation planted** on any lot. No plantings of any kind **shall be permitted on** the graves and **in addition** the turf **shall** not be disturbed. It is not allowable to outline a plot with anything, including curbing, railings, bushes or plants. It is not allowed to build mounds on any grave.

L. A Flower Endowment Fund **has been** established for grave decorations for perpetuity. **Plot owners or family members may choose to participate in the Flower Endowment Fund by application with the Cemetery Department. The Cemetery Department shall make public a schedule of the rates to be paid for participation in the Endowment Fund.** Decorations will be placed by the **Department at Memorial Day, and Christmas.**

or take any action relative thereto. Sponsored by the Cemetery Commission.

No recommendation under this article.

Article 31 Abbot Hall Clock Tower

To see if the Town will vote to appropriate a sum of money to fund repairs to the Abbot Hall Clock Tower, including, but not limited to, brick re-pointing and structural repairs; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That the sum of \$2,465,966.00 be appropriated subject to a Proposition 2 ½ override.

Article 32 Animals

To see if the Town will vote to amend Chapter 13 of the Town of Marblehead bylaw entitled "ANIMALS," in order that it be consistent with the recent revisions by the Massachusetts Great and General Court to the Massachusetts Animal Control Law as follows:

Item 1. In Article III of said Chapter, entitled "Dogs" amend Section 13-7, entitled "Dog Bites", which presently reads:

If any dog shall bite any person and it be certified by an examining physician to the Dog Officer that the skin of such person has been broken, such dog shall thereafter be permanently restrained by its owner or keeper, unless such injury shall have been occasioned to the body of a person who, at the time such injury was sustained, was committing a trespass or other tort, or was teasing, tormenting or abusing such dog.

To read instead:

If any dog shall bite any person and it be certified by an examining physician to the **Animal Control** Officer that the skin of such person has been broken, such dog shall thereafter be permanently restrained by its owner or keeper, unless such injury shall have been occasioned to the body of a person who, at the time such injury was sustained, was committing a trespass or other tort, or was teasing, tormenting or abusing such dog.

Item 2.

In Article III of said Chapter, entitled "Dogs" amend section 13-7, entitled "Female dogs in

heat”, which presently reads:

If the Dog Officer determines that a female animal in heat, even when confined, is attracting other animals, thus causing a disturbance or damage to neighboring property or public area, he may require the owner or keeper to keep said animal, while in heat, in a kennel, or to remove it from the area so that the nuisance is abated.

To read instead:

If the **Animal Control** Officer determines that a female animal in heat, even when confined, is attracting other animals, thus causing a disturbance or damage to neighboring property or public area, he may require the owner or keeper to keep said animal, while in heat, in a kennel, or to remove it from the area so that the nuisance is abated.

Item 3. In Article III of said Chapter, entitled “Dogs,” amend Section 13-8, entitled “Confinement of dogs running at large; disposition; fees,” Subsection A, which presently reads:

- A. If any dog is at large in the Town of Marblehead in violation of § 13-5 of this By-Law, then in addition to the imposition of fines as set forth in said § 13-5, the Dog Officer, or his duly appointed assistants, may seek out, catch and confine any such dog. The Dog Officer shall confine any such dog until claimed by the owner and the owner makes payment for any fines, administrative fees and kenneling costs. If such fines, fees and/or costs have not been paid and/or if the dog has not been claimed by the owner within 10 days following the commencement of such confinement, then the Dog Officer may dispose of any such dog in a manner consistent with the provisions in Section 151A of M.G.L. Chapter 140. During the period of such confinement the dog shall be confined in a place suitable for such detention as provided in said Section 151A. Nothing herein shall be construed to authorize the Dog Officer, or his assistants, to enter upon private property to seek out or catch any dog, except with the consent of the owner of such private property.

To read instead:

- A. If any dog is at large in the Town of Marblehead in violation of § 13-5 of this By-Law, then in addition to the imposition of fines as set forth in said § 13-5, the **Animal Control** Officer, or his duly appointed assistants, may seek out, catch and confine any such dog. The **Animal Control** Officer shall confine any such dog until claimed by the owner and the owner **pays to the Animal Control Officer a penalty of \$40 for each day that the dog has been held.** If such **penalty has** not been paid and/or if the dog has not been claimed by the owner within **7** days following the commencement of such confinement, then the **Animal Control** Officer may dispose of any such dog in a manner consistent with the provisions in Section 151A of M.G.L. Chapter 140. During the period of such confinement the dog shall be confined in a place suitable for such detention as provided in said Section 151A. Nothing herein shall be construed to authorize the **Animal Control** Officer, or his assistants, to enter upon private property to seek out or catch any dog, except with the consent of the owner of such private property.

Item 4. Also in Article III of said Chapter, amend Section 13-10, entitled “Licensing and registration of dogs,” which presently reads in its entirety:

- A. License and registration required. All dogs kept, harbored, or maintained by their owner or keepers in the Town of Marblehead shall be licensed and registered if over three months of age. Dog licenses shall be issued by the Town Clerk upon the payment of a license fee of \$15 for each male, male neutered, female, female spayed. The owner or keeper shall state at the time application is made for such license and upon printed forms provided for such purpose his or her name and address, and the name, breed, color and sex of each dog owned or kept by the applicant.
- B. Tag and collar. Upon the payment of the license fee, the Clerk shall issue to the applicant a license certificate and tag for each dog so licensed. At the option of the Town Clerk, the shape of the tag may be changed every year and shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate. Every owner or keeper shall be required to provide each dog with a collar to which the license tag shall be affixed, and shall see that the collar and tag are constantly worn. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving the Town before the expiration of the license period.
- C. Licensing period. The licensing period shall be from January 1 to December 31 of each calendar year.
- D. Penalty. Whosoever violates any of the provisions of this By-Law shall be punished by a fine of \$25 for each offense. Each 30 days that such violation is permitted shall constitute a separate offense.
- E. Applicability of other laws. Notwithstanding the provisions of this By-Law, all other provisions of General Laws Chapter 140, Sections 136A through 174D not inconsistent with this By-Law shall be applicable.

To read instead:

- A. License and registration required. All dogs kept, harbored, or maintained by their owner or keepers in the Town of Marblehead shall be licensed and registered if over six months of age. Dog licenses shall be issued by the Town Clerk upon the payment of a license fee of \$15 for a spayed or neutered dog or upon the payment of a license fee of \$20.00 for an intact dog. The owner or keeper shall state at the time application is made for such license and upon printed forms provided for such purpose his or her name and address, and the name, breed, color and sex of each dog owned or kept by the applicant. For a spayed or neutered dog, a veterinarian's certificate shall be provided to the Town Clerk upon application for a license as proof that the dog is spayed or neutered; provided, however, that the Town Clerk, in his or her discretion, may accept such alternative forms of proof as are specified in Section 139 of M.G.L. Chapter 140, where a veterinarian's certificate cannot be obtained.
- B. Certificate of vaccination. No dog license shall be issued hereunder unless the Town Clerk is presented with a veterinarian's certification that the dog has been vaccinated in accordance with § 13-15 of this By-Law. Notwithstanding the foregoing, a license shall be issued for any dog transferred from another municipality with the Commonwealth

upon presentation to the Town Clerk of the original license and tag of such dog and payment of the license fee required by this § 13-10.

- C.** Tag and collar. Upon the payment of the license fee, the Clerk shall issue to the applicant a license certificate and tag for each dog so licensed. At the option of the Town Clerk, the shape of the tag may be changed every year. **The tag** shall have stamped thereon **the name of the Town**, the year for which it was issued and the number corresponding with the number on the certificate. Every owner or keeper shall be required to provide each dog with a collar to which the license tag shall be affixed, and shall see that the collar and tag are constantly worn. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving the Town before the expiration of the license period.
- D.** Licensing period. The licensing period shall be from January 1 to December 31 of each calendar year.
- E.** Penalty. Whosoever violates any of the provisions of **§ 13-10** this By-Law shall be punished by a fine of **\$50** for each offense. Each 30 days that such violation is permitted shall constitute a separate offense.
- F.** Applicability of other laws. Notwithstanding the provisions of this By-Law, all other provisions of General Laws Chapter 140, Sections 136A through **174E** not inconsistent with this By-Law shall be applicable.

Item 5. In Article V of said Chapter, entitled "Rabies Vaccination," amend Section 13-15, entitled "Vaccination of dogs and cats required," which presently reads in its entirety:

- A. Whoever is the owner or keeper of a dog or cat six months of age or older shall cause such dog or cat to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Massachusetts Department of Public Health. Such owner or keeper shall procure a veterinarian's certification that such dog or cat has been so vaccinated and setting forth the date of such vaccination and the duration of immunity, or a notarized letter from a veterinarian that a certification was issued, or a metal rabies tag bearing an expiration date indicating that such certification is still in effect.
- B. Unvaccinated dogs and cats brought into the Town shall be vaccinated within 30 days after acquisition or entry into the Town or upon reaching the age of six months, whichever comes later.
- C. Vaccinated dogs and cats shall be revaccinated periodically in accordance with rules and regulations adopted and promulgated by the Massachusetts Department of Public Health.

To read instead:

- A. Whoever is the owner or keeper of a dog or cat six months of age or older shall cause such dog or cat to be vaccinated against rabies by a licensed veterinarian using a **licensed** vaccine **according to the manufacturer's directions**. Such owner or keeper shall procure a veterinarian's certification that such dog or cat has been so vaccinated and setting forth the date of such vaccination and the duration of immunity, **certification that the dog or cat is exempt from vaccination** or a notarized letter from a veterinarian that **either of these** certifications was issued.

- B. Unvaccinated dogs and cats brought into the Town shall be vaccinated within 30 days after acquisition or entry into the Town or upon reaching the age of six months, whichever comes later.
- C. Vaccinated dogs and cats shall be revaccinated **at intervals recommended by the vaccine manufacturer.**
- D. The Town Clerk may grant an exemption from the foregoing vaccination requirement for any dog or cat that: (1) is in transit; (2) was brought into the Commonwealth temporarily for the sole purpose of display in a show or for exhibition; or (3) has been declared exempt by the Board of Health upon presentation of a veterinarian's certificate stating that inoculation is inadvisable for a specified period of time due to an infirmity, other physical condition or regimen of therapy.**

or take any action relative thereto. Sponsored by the Town Clerk.

No recommendation under this article.

Article 33 Amend Sign Bylaw - Chapter 148. SIGNS

To see if the Town will amend the sign bylaw as follows (*bold text added*)

Item 1. Amend Article I. General Provisions § 148-1. Purpose - which currently reads:

Article I. General Provisions § 148-1. Purpose. Pursuant to the authority conferred upon the Town by General Laws, Chapter 93, Section 29, and Chapter 143, Section 3, and all acts in amendment thereof and in addition thereto, and by every other law or power it hereto in any manner enabling the Town of Marblehead adopts this By-Law, which shall be known as the Sign By-Law, for the regulation and restriction of all billboards, signs and other advertising devices within the Town, including illuminated signs and illuminated advertising devices whether or not under the cover of a roof, and whether or not inside or outside an exterior wall.

To read instead: (bold text added)

Article I. General Provisions § 148-1. Purpose. Pursuant to the authority conferred upon the Town by General Laws, Chapter 93, Section 29, and Chapter 143, Section 3, and all acts in amendment thereof and in addition thereto, and by every other law or power it hereto in any manner enabling the Town of Marblehead adopts this By-Law, which shall be known as the Sign By-Law, for the regulation and restriction of all billboards, signs and other advertising devices within the Town, including illuminated signs and illuminated advertising devices whether or not under the cover of a roof, **temporary or permanent** and whether or not inside or outside an exterior wall. **Signs not visible from the public right of ways are not governed by this by-law. Public signs erected, owned and maintained by any local state or federal governmental agency or organization are not subject to the rules and regulations of this bylaw.**

Item 2. Amend Article I § 148-2. Permit Requirements. By adding the following paragraphs and re-alphabetize as appropriate)

The following shall become paragraph B.

B. Signs in Business 1 zoning district. Each application with respect to a sign within a B-1 district must be reviewed by the Design Review Board.

Existing paragraphs B, C, D, and E, shall become C, D, E and F respectively.

Add the new paragraph G.

G. Removal for Violation – The building commissioner shall order the removal of any sign erected or maintained in violation of this article. Thirty (30) days notice in writing

shall be given to the owner of such sign or to the owner of the building, structure, or premises on which such sign is located to remove the sign or to bring into compliance with this article. Failing said removal, the building commissioner shall impose the penalty set forth in section 148-3 hereof.

Item 3. Amend Article II. Definitions § 148-5. Definitions. By changing the following definitions as follows:

Amend the first sentence of the definition of Business area which presently reads:

BUSINESS AREA -Any area included within a district zoned primarily for business or commercial purposes, including the Unrestricted District, under the Zoning By-Law.

To read as follows: (bold text added)

BUSINESS AREA -Any area included within a district zoned primarily for business or commercial purposes, including the **Business One (B-1), Business Residential (B-R), Business (B) or** Unrestricted District, under the Zoning By-Law.

Amend the definition of Erected which presently reads

ERECTED The word "erected" shall include the words attached, built, constructed, reconstructed, altered, enlarged, and moved.

To read as follows: (bold text added)

ERECTED The word "erected" shall include the words attached, built, constructed, reconstructed, altered, enlarged, **replaced** and moved.

Amend the definition of person which presently reads

PERSON The word "person" shall include one or more individuals, a partnership, an association and a corporation.

To read as follows (bold text added)

PERSON The word "person" shall include one or more individuals, a partnership, an association and a corporation **and any other nongovernmental public or private entity.**

Amend the definition of Residential Area which presently reads

RESIDENTIAL AREA A residential area is any area situated within a district zoned primarily for residential purposes under the Zoning By-Law. It includes: Expanded Residence, Limited Single Residence, Single Residence, General Residence, Central Residence.

To read as follows (bold text added)

RESIDENTIAL AREA A residential area is any area situated within a district zoned primarily for residential purposes under the Zoning By-Law. It includes: Expanded **Single** Residence, **Shoreline Expanded Single Residence, Shoreline** Single Residence, Single Residence, General Residence, **Shoreline General Residence,** Central Residence **Shoreline Central Residence.**

Amend the definition of sign which presently reads

SIGN The word "sign" shall include any letter, word, symbol, drawing, picture, design or device within public view that advertises, calls attention to, or indicates any premises, person or activity, whatever the nature of the material or manner of composition or construction, and whether exterior to a building or interior to a building but designed and to be visible through a door or window.

To read as follows (bold text added)

SIGN The word "sign" shall include any letter, word, symbol, drawing, picture, design or device within public view that advertises, calls attention to, or indicates any premises, person or activity, whatever the nature of the material or manner of composition or construction, and whether exterior to a building or interior to a building and **located** to be visible through a door or window.

The definition of banners under the heading sign types which presently reads

BANNERS — A sign of lightweight fabric or similar material that is mounted to a pole or a building by a permanent frame at one or more edges. Decorative residential flags, national, state and municipal flags, official flag of any institution or business shall not be considered banners.

To read as follows

BANNERS — A sign of lightweight fabric or similar material that is mounted **parallel to a building** at two or more edges.

The definition of projecting sign under the heading sign types which presently reads

PROJECTING SIGNS — Any sign affixed to a building or wall that extends more than 12 inches beyond the surface of the building or wall. A projecting sign may be either perpendicular or parallel to a wall and may have a message on not-more than one face.

To read as follows (bold text added)

PROJECTING SIGNS — Any sign **of rigid non flexible material**, affixed to a building or wall that extends more than 12 inches beyond the surface of the building or wall. A projecting sign is perpendicular to a wall and may have a message on more than one face. **Only one side of a projecting sign shall be counted in computing the total square footage of the sign.**

The definition of window sign which presently reads

WINDOW SIGNS — Any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the interior face of window panes or glass, and is visible from the exterior of the window.

To read as follows (bold text added)

WINDOW SIGNS — Any sign, picture, symbol or combination thereof, designed to **conceal or** communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the interior face of window panes or glass, and is visible from the exterior of the window.

Add the following new definitions where appropriate in alphabetical order:

DESIGN REVIEW BOARD – The design review board is a town board appointed in accordance with §200-45 (B) and whose responsibility is, in addition to other duties, to review all signs, sign applications in the Business One (B-1) zoning district.

DIRECTORY SIGN – A directory of the occupant or tenant of a building affixed to the exterior wall of the building at each entrance to the building. Such directory shall not exceed an area determined on the basis of one square foot for each occupant or tenant of the building.

FLAGS – A sign of lightweight fabric or similar material that is mounted to a pole or a building by a permanent frame at one edge. Decorative residential flags, national, state and municipal flags, official flag of any institution or business shall not be regulated by this article.

HISTORICAL SIGNS - Signs placed on a building indicating any verified historic date, event, person associated with the building, place or property.

REAL ESTATE SIGNS – Temporary signs installed by owners of a property or their agents that indicate an intent to sell or lease the property on which the sign is located.

TRADESMAN SIGN - Temporary signs which are permitted during the construction of a building or project that may be erected on the premises identifying the building, the owner, the contractors, the architects or the engineers.

Item 4. Remove the language from Article I, section 148.2 permit requirements, paragraph E. Existing Signs and relocate it to Article II, section 148.5 definitions placed in alphabetical order.

Item 5. Amend Article III. Regulations and Restrictions § 148-7. Business areas. Paragraph A. Signs. (a) Location. which presently reads

(a) Location. The sign shall be affixed to a building, except as hereinafter provided. A sign attached to a building shall be securely affixed to one of the walls or a roof of the building. If affixed to the roof, it shall be parallel with the front walls of the store. No sign, whether affixed to a wall or roof of a building, shall project above the highest line of the main roof of the building, provided, however, that if the sign is attached to a wall having a parapet extending above the highest line of such roof, then the sign may reach, but may not project above the top of the parapet wall. In addition, projecting signs require the permission of the Board of Selectmen if they project over Town property.

To read instead

(a) Location. The sign shall be affixed to a building, except as hereinafter provided. A sign attached to a building shall be securely affixed to one of the walls of the building. No sign, whether affixed to a wall or roof of a building, shall project above the highest line of the main roof of the building, provided, however, that if the sign is attached to a wall having a parapet extending above the highest line of such roof, then the sign may reach, but may not project above the top of the parapet wall. In addition, projecting signs require **authorization** of the Board of Selectmen **prior to installation** if they project over Town property.

Item 6. Amend Article III. Regulations and Restrictions paragraph (b) Size.

Which presently reads

	Height	Length	Total s.f.
Awning sign			
Valence	3/4 valence	1/2 valence	n/a
Face	n/a	n/a	10 s.f.
Banners	n/a	n/a	15 s.f.
Freestanding	n/a	n/a	10 s.f.
Incidental	n/a	n/a	3 s.f.
Off-premises	Per Board of Appeals	Per Board of Appeals	Per Board of Appeals
Projecting	n/a	n/a	6 s.f.
Transom	2' 0"	Full length storefront	n/a
Temporary	May not exceed	storefront dimensions	
Wall-mounted	2' 0"	3/4 storefront	n/a
Window signs	n/a	n/a	10 s.f.

To read instead

	Height	Length	Total s.f.
Awning sign			
Valance	75%	50%	n/a
Face	n/a	n/a	10 s.f.
Banners and Flags	n/a	n/a	15 s.f.
Freestanding	n/a	n/a	10 s.f.
Incidental	n/a	n/a	3 s.f.

Off-premises	Per Board of Appeals	Per Board of Appeals	Per Board of Appeals
Projecting	n/a	n/a	6 s.f.
Transom	2' 0"	Full length storefront	n/a
Tradesman	n/a	n/a	10 s.f
Wall-mounted	2' 0"	75%	n/a
Window signs	n/a	n/a	10 s.f.

Item 7. Amend Article III. Regulations and Restrictions § 148-7. Business areas. Paragraph A. Signs. (c) number

(c) Number. There shall not be more than three exterior sign(s) for each store, excluding incidental signs, whether affixed to the building or projecting out from the face of the building, except that if the store has a direct entrance into the store in a wall other than the storefront, there may be an additional sign affixed to such wall, and if the store has a wall, other than the storefront, that faces upon street or parking area, there may be an additional sign affixed to such wall, whether or not such wall contains an entrance to the store; provided, however, that no store shall have more than two additional signs in any event. Additional signs shall prescribe to the size regulations in Subsection A(1)(b), Size. In addition to the foregoing sign or signs, there may be one directory sign of the occupants or tenants of the building affixed to the exterior wall of the building at each entrance to the building. Such directory shall not exceed an area determined on the basis of one square foot for each occupant or tenant of the building.

To read as follows (bold text added)

(c) Number. There shall not be more than three exterior sign(s) for each store, excluding incidental signs, except that if the store, that faces upon an additional street or parking area, there may be an additional sign affixed to such wall, provided, however, that no store shall have more than two additional signs in any event. In addition to the foregoing sign or signs, there may be one directory sign of the occupants or tenants of the building

Item 8. Amend Article III. Regulations and Restrictions § 148-7. Business areas. Paragraph(2) which presently reads: [2]

During the construction of a building a standing sign may be erected on the premises identifying the building, the owner, the contractors, the architects or the engineers, but such sign shall not exceed 20 square feet in surface area nor 10 feet in any dimension. Such sign shall be removed promptly after the completion of the building.

To read as follows (bold text added) [2] During the construction of a building a tradesman sign may be erected on the premises identifying the building, the owner, the contractors, the architects or the engineers. Such sign shall be removed promptly after the substantial completion by the trade of the building, project or service.

Item 9. Amend Article III. Regulations and Restrictions § 148-7. Business areas. Paragraph(h) which presently reads (h)

Maintenance. All signs, whether erected before or after the effective date of this By-Law, shall be maintained in a safe condition to protect the safety of the public.

To read as follows (bold text added) (h) Maintenance. All signs, whether erected before or after the effective date of this By-Law, shall be maintained in a safe condition and its original aesthetic condition to protect the safety of the public.

Item 10. Amend Article III. Regulations and Restrictions §148-7 (i) Flags or Banners paragraph (2) by removing the following paragraph

[2] Such a flag or banner may not exceed three feet by five feet.

And

Amend Article III. Regulations and Restrictions §148-7 (i) Flags or Banners paragraph (3)
[3] When displayed, the height of the bottom of such a flag or banner shall not be less than seven feet from the path of travel.

To read instead (bold text added)

[3] When displayed, the height of the bottom of such a flag or banner shall not be less than seven feet from the **ground**.

Renumber §148-7 (i) accordingly.

Item 11. Amend Article IV Administration Obsolete and Nonconforming Signs paragraph A obsolete signs which presently reads

A. Obsolete signs. The Building Commissioner may order the removal of any sign which remains on the premises after the occupant using said sign no longer occupies the premises after the expiration of 30 days notice sent by registered or certified mail, return receipt requested, to the occupant and the assessed owner of the premises. In the event that a sign on leased premises is owned by the landlord of the premises, the sign may remain on the premises for six months from the date that the tenant ceases to occupy the premises provided that the landlord removes all lettering from said sign.

To read as follows: (bold text added)

A. Obsolete signs. The Building Commissioner may order the removal of any sign which remains on the premises after the occupant using said sign no longer occupies the premises after the expiration of 30 days notice sent by registered or certified mail, return receipt requested, to the occupant and the assessed owner of the premises. In the event that a sign on leased premises is owned by the landlord of the premises, the sign may remain on the premises for **30 days** from the date that the tenant ceases to occupy the premises provided that the landlord removes all lettering from said sign.

Or take any other action relative thereto. Sponsored by the design review board

No recommendation under this article.

Article 34 Landfill Regulatory Compliance Activities

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Health for continued water quality monitoring, soil gas monitoring, risk assessment, engineering, and any other services related to the old landfill; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Health.

Recommended: That the sum of \$114,600.00 be appropriated.

Article 35 Landfill Investigation and Assessment

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Health for continued water quality monitoring, soil gas monitoring, risk assessment, engineering, and any other services necessary in determining the extent of soil removal or other clean-up or remediation necessary related to the old landfill; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Health.

Recommendation: That this article be indefinitely postponed.

Article 36 Landfill Closure / Temporary Construction Takings:

To see if the Town will vote to purchase, acquire or take by eminent domain temporary construction easements in connection with the closure of the former landfill, in a portion of the properties located at the following addresses:

- **46 C Peach Highlands**, and more particularly described in a deed found at Book 13919, Page 60, recorded at the Essex South Registry of Deeds, said easement containing 15,700 square feet +/-.

- **12 Blueberry Road**, more particularly described in a deed found at Book 27065, Page 113, and recorded in the Essex South Registry of Deeds, said easement containing 1,000 square feet +/-.
- **26 Blueberry Road**, more particularly described in a deed found at Book 11595, Page 293, and recorded in the Essex South Registry of Deeds, said easement containing 750 square feet +/-.
- **24 Blueberry Road**, more particularly described in a deed found at Book 7418, Page 355, and recorded in the Essex South Registry of Deeds, said easement containing 800 square feet +/-.
- **24 Tioga Way**, more particularly described in a deed found at Book 26619, Page 329, and recorded in the Essex South Registry of Deeds, said easement containing 2,640 square feet +/-.
- **80 Hoods Lane**, more particularly described in a deed found at Book 13313, Page 575, and recorded in the Essex South Registry of Deeds, a portion of which is also described in a deed recorded with said District's Land Registration Office as Document No. 314275, shown on Certificate of Title No. 66307, said easement containing 2,805 square feet +/-.
- **8 Woodfin Terrace**, more particularly described in a deed found at Book 5592, Page 105, and recorded in the Essex South Registry of Deeds, said easement containing 4,265 square feet +/-.
- **32 Tioga Way**, more particularly described in deeds found at Book 7503, Page 598, and Book 23362, Page 531, and recorded in the Essex South Registry of Deeds, said easement containing 750 square feet +/-.
- **40 Tioga Way**, more particularly described in deeds found at Book 15394, Page 574, Book 16509, Page 216, and Book 16509, Page 218, and recorded in the Essex South Registry of Deeds, said easement containing 4,015 square feet +/-.
- **204 Beacon Street**, more particularly described in a deed found at Book 9222, Page 60, and recorded in the Essex South Registry of Deeds, said easement containing 1,300 square feet +/-.
- **165 Green Street**, more particularly described in deeds found at Book 9824, Page 497, and Book 16792, Page 163, and recorded in the Essex South Registry of Deeds, said easement containing 1,000 square feet +/-.

Plans setting forth all of the foregoing temporary construction easements by Kleinfelder and dated January 17, 2013 are on record at the Office of the Town Clerk; and to raise and appropriate a sum of money, either by appropriation, borrowing or otherwise, to fund said purchase or taking, along with all legal costs; and to otherwise authorize the Board of Selectmen to enter into any voluntary easements or execute any documents relative to the foregoing properties to effectuate the purpose of this article, or take any action relative thereto. Sponsored by the Board of Health and the Board of Selectmen.

No recommendation under this article.

Article 37 Landfill Closure / Temporary Construction Takings / Remediation;

To see if the Town will vote to purchase, acquire or take by eminent domain, temporary construction and remediation easements and to raise and appropriate a sum of money, either by appropriation, borrowing or otherwise, to fund said purchase or taking, along with all legal costs, costs of remediation, costs of engineering and costs of settlement in connection with the capping and clean-up related to the historic operations of the former landfill, the property and/or building(s) located at the following addresses:

- **151 Green Street**, more particularly described in a deed recorded in the Essex County Registry of Deeds at Book 30341 Page 146 and which easement area includes 59,440 square feet, more or less.

and to further authorize the Board of Selectmen to enter into any voluntary easements or execute any documents relative to the foregoing property to effectuate the purpose of this article. Plans setting forth all of the foregoing temporary construction easement by Kleinfelder and dated January 17, 2013 are on record at the Office of the Town Clerk; or take any action relative thereto. Sponsored by the Board of Health and the Board of Selectmen.

Recommended: That the sum of \$1,165,000.00 be appropriated subject to a Proposition 2 ½ override.

Article 38 Annual Meeting Dates

To see if the Town will vote to amend Chapter 174-1, Annual meeting dates of the Town of Marblehead's Bylaws *which currently reads:*

The Annual Town Meeting shall be held on the first Monday of May at 7:45 p.m. in each year at a place designated by the Board of Selectmen. The annual meeting for the election of Town officers shall be held on the second Monday in May in each year. The Board of Selectmen in the warrant for the election of Town officers shall specify when the polls will be opened and when the polls will be closed in accordance with the provisions of Section 64 of Chapter 54 of the General Laws and amendments thereto

To read instead:

The Annual Town Meeting shall be held on the first Monday of May at **7:00** p.m. in each year at a place designated by the Board of Selectmen. The annual meeting for the election for Town officers shall be held on the **Tuesday after the** second Monday in May in each year. The Board of Selectmen in the warrant for the election of Town officers shall specify when the polls will be opened and when the polls will be closed in accordance with the provisions of Section 64 of Chapter 54 of the General Laws and amendments thereto. Or take any other action relative thereto. Sponsored by the Town Clerk.

No recommendation under this article.

Article 39 Amend Zoning Bylaw, Playstructure

To see if the Town will vote to amend the Marblehead Zoning Bylaw, §200 – 15B(3), to allow children's play structures to be placed within the yard setbacks five (5) feet from the property line, including those with roofs, and /or platforms more than two (2) feet above existing grade. Sponsored by Farida Peters-Abadi and others.

No recommendation under this article.

Article 40 Fair use of Leaf Blowers in the Town of Marblehead

To see if the Town will vote to curtail the serious public health risks they pose, the use of gasoline-powered leaf blowers or electrical leaf blowers powered by gasoline generators will be limited to only the months of April, May, October and November in the Town of Marblehead. Sponsored by Rita March and others.

No recommendation under this article.