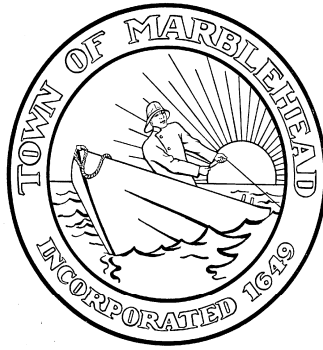


Cover photograph taken in the early 1900's, showing the Boston to Maine Railroad Depot, Pleasant Street. Built in 1889, razed in 1959. Today, the National Grand Bank and Miller's Plaza are located at this site.

Photograph courtesy of Warren Perry, from his personal collection of pictures.

**ANNUAL
TOWN REPORT
OF THE YEAR 2009**

MARBLEHEAD, MASSACHUSETTS



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BOARD OF SELECTMEN

The Board of Selectmen meets on the second and fourth Wednesday of each month at 7:30 PM in the Selectmen's Meeting Room in Abbot Hall. All meetings are open to the public. The board is composed of five members, each elected annually. Members of the Board of Selectmen are Chairman Jackie Belf-Becker, Harry C. Christensen Jr., Judith R. Jacobi, James E. Nye and William L. Woodfin II.

Repairs to the harbor side seawall repair were completed this year. The repairs included, spall and crack repairs to existing concrete seawall, mortar joint repairs to existing granite block seawall, applying concrete sealer over concrete seawall surface, installation of new catch basin hoods, and repairs to existing patches on existing concrete seawall.

In 2009 the Selectmen granted a license to Verizon to construct and operate an additional cable television system in the town.

The town received a grant from the Massachusetts Historic Commission's Preservation Fund to develop a master plan for the restoration and preservation of Old Burial Hill. The selectmen created and appointed an Old Burial Hill Oversight committee to assist with this effort.

With Town Meeting approved funding, as well as assistance from the Historical Commission the town was able to undertake significant work in Abbot Hall including the re-pointing of the interior masonry, new windows on the upper floor and restoration of the main doors.

The board reactivated the sister city relationship between Grasse, France and the Town of Marblehead. Grasse, France is a coastal community located in the southeast of France. The original sister city relationship was established in 1986.

Annual perambulation of town ways was held on May 16 this year. This is an annual event sponsored by the Board for Selectman and the Marblehead Conservancy to publicize the town ways by making the public aware of the existence and location of the ways.

As the local licensing authority, the selectmen renewed and/or issued the following licenses concerning its licensed serving establishments:

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Annual All Alcoholic Restaurant – (15)
Annual All Alcoholic – Package Store – (5)
Annual All Alcoholic Fraternal Club – (3)
Annual All Alcoholic Club – (3)
Season All Alcoholic Club – (2)
Annual Wine & Malt – Package – (1)
Annual Wine & Malt Restaurant (7 Day) – (3)
Annual Common Victualler – (40)
Annual Entertainment – (18)
Sunday Entertainment – (14)
Second Hand Dealers - (14)
Automatic Amusement Device – (15)
Annual Auto Class II – (1)
Annual Lodging – (3)
Underground storage tanks (19)

As the appeal board for Old and Historic Districts Commission the board of selectmen heard one appeal in 2009 at 17 Middle Street.

In 2009 the Board of Selectmen mourned the passing of several town volunteers and employees; William Doane, Local Building Inspector, Maureen Devaux, former Council on Aging board member, Dexter Gillis, Cemetery Commissioner, Sign Culler and Traffic Safety Committee member and Robert Orne former Dog Officer.

In 2009 several long-term employees retired including Fire Chief Barry Dixie, Tom Hamond Director of Recreation and Parks and Tree Warden and Douglas Saal, Town Engineer.

The board was pleased to appoint Jason Gilliland as the new Fire Chief, William Lanphear to replace Douglas Saal and Douglas Gordon as Tree Warden.

The board appreciates and thanks the many volunteers throughout the Town government and local philanthropic organizations that devote substantial amounts of their time working for the benefit of Marblehead as well as all of those who contributed financially to the various funds established for the benefit of the Town.

The board also thanks Anthony M. Sasso, Town Administrator; Rebecca Curran, Town Planner; and the office staff Deborah Fadden, Kyle Wiley and Jane Tricomi for all their assistance this past year and extend our best wishes and thanks to the all

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of the citizens of the Town of Marblehead whom we faithfully and conscientiously strive to represent.

Marblehead Forever!

Faithfully yours,

Jackie Belf-Becker, Chairman
Harry C. Christensen, Jr.
Judith R. Jacobi
James E. Nye
William L. Woodfin, II

MARBLEHEAD TOWN REPORT

**Commonwealth of Massachusetts,
County of Essex, ss
to Any Constable in the Town of Marblehead
Greeting:**

You are hereby required and directed in the name of the Commonwealth of Massachusetts to warn and give notice to the inhabitants of Marblehead, qualified to vote in elections and in town affairs, to meet at the Marblehead Veterans Middle School Auditorium, Duncan Sleigh Square, 217 Pleasant Street, Marblehead, MA, on Monday, the fourth day of May next A. D. 2009 (it being the first Monday in May) at 7:45 o'clock in the afternoon to act on the following articles in the Warrant for said meeting as follows:

Article 1 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, as requested by the Selectmen.

Article 2 Reports of Town Officers and Committees

To receive the report of the Town Accountant, the reports of the Town Officers, and special Committees and act thereon.

Article 3 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, as sponsored by the Board of Selectmen.

Article 4 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, as sponsored by Town Counsel.

Article 5 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

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execute and deliver a bond of indemnity therefor to the Commonwealth, or take any other action relative thereto, as sponsored by the Board of Selectmen.

Article 6 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.

Article 7 Payment in Lieu of Tax ("PILOT") Agreement

To vote to approve the payment in lieu of Tax ("PILOT") Agreement between the Town of Marblehead and Adventcare, Inc. with respect to the property known as the Lafayette Rehabilitation and Skilled Nursing Facility and located at 25 Lafayette Street, Marblehead, Massachusetts. Sponsored by the Board of Selectmen and the Board of Assessors.

Article 8 Available Funds Appropriate to Meet State Aid Revenue Cuts

To see if the Town will vote to appropriate the free cash balance in the hands of the Town Treasurer sufficient to offset the reductions in fiscal year 2009 state aid revenue, or take any other action relative thereto. Sponsored by the Finance Director.

Article 9 Reductions in Fiscal 2009 Expenses of Several Departments

To see what amounts of money the Town will reduce from existing fiscal year 2009 appropriations to be reduced from amounts appropriated in Article 44 of the May 2008 Annual Town Meeting in order to address the reductions in the fiscal year 2009 state aid revenue or take any other action relative thereto. Sponsored by the Finance Director.

Article 10 Proposed Establishment of Other Post Employment Benefits Liability Trust Fund

To see if the Town will vote to accept the provisions of Chapter 479 of the Acts of 2008. Sponsored by the Finance Director.

Article 11 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

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appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 12 Transfer of a portion of the unexpended proceeds of Seawall Project Bond Anticipation Notes to Village School Project

To see if the Town will vote to transfer a portion of the unexpended proceeds of outstanding bond anticipation notes that the Town issued pursuant to the vote of the Town passed May 9, 2007 (Article 52), which vote appropriated and authorized a borrowing of \$8,700,000 for the construction and/or reconstruction of the Ocean Avenue Causeway, to finance costs associated with the architectural, project management, and construction of the Village School project as authorized by the vote of the Town passed May 5, 2008 (Article 39), which vote appropriated and authorized a borrowing \$21,766,993 for such project, and to reduce the amount authorized to be borrowed pursuant to such vote by the amount of such transfer; or to take any other action relative thereto. Sponsored by the Finance Director.

Article 13 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.

Article 14 Fiscal 2009 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 2009 school budget, said sum to be added to Article 44, Item 101, Schools, as voted at Town Meeting in May 2008, or take any action relative thereto.
Sponsored by the School Committee.

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.

Article 16 Storm Drainage Construction

To see if the Town will vote to appropriate a sum of money for the construction or reconstruction of sewers for surface drainage purposes, and to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise,

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any land or easements necessary therefor, and to raise the money for such purposes 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.

Article 17 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.

Article 18 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.

Article 19 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.

Article 20 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 purchase 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.

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Article 21 Sidewalks

To see if the Town will vote to amend Chapter 162 Article III Section 162-9 of the Bylaw which now reads, "No person shall deposit or cause to be deposited any snow and/or ice on or against a fire hydrant or on any sidewalk or roadway." To be revised as follows:

Omit section 162-9 in its entirety and replace as follows:

Section 162-9 A. Purpose

To protect the health and safety of the citizens of Marblehead by requiring snow removal from sidewalks and in particular to assist school children, the elderly, and the general public from having to walk in the street or be injured on snow-filled sidewalks.

Section 162-9 B. Prohibition

No person shall deposit or cause to be deposited any snow and/or ice on or against a fire hydrant or on any sidewalk or roadway. This prohibition includes the requirement that property owners remove snow from their bordering and adjacent sidewalks, including curb cuts, within six hours after the snow ceases to fall if it ceases to fall in the daytime and before 12:00 noon if it ceases to fall in the nighttime.

Section 162-9 C. Penalty

Who so ever is found in violation of this Bylaw shall be fined \$25.00 for each offense. Every day that the sidewalk and adjacent areas remain unclear shall constitute a separate offense. The Building Commissioner and the Police Department shall enforce this Bylaw. Any appeal hereunder shall be taken to the Clerk of the District Court as set forth in G.L. c. 40 §21D or take any action relative thereto. Sponsored by Judith Bocock and others.

Article 22 Collective Bargaining (Fire)

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2010 with the International Association of Firefighters AFL/CIO CLC Local 2043, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 23 Collective Bargaining (Police)

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2010 with Town of Marblehead Police Officers Union, or take any action relative thereto. Sponsored by the Board of Selectmen.

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Article 24 Collective Bargaining (IUE/CWE – Local 1776)

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2010 with Local 1776 of the IUE/CWE, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 25 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 following 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.

Article 26 Proposed Reclassification and Pay Schedule (Seasonal and Temporary Personnel)

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 following 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.

Article 27 Pay Schedule and Reclassification (Traffic Supervisors)

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 following 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.

Article 28 Ratification of Salary Bylaw

To see if the Town will vote to ratify certain actions taken by the Compensation Committee under the 1955 Salary Bylaw, Section 3(e) as last amended. Or take any other action relative thereto, as sponsored by the Compensation Committee.

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Article 29 Compensation - Town Officers

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, as sponsored by the Board of Selectmen.

Article 30 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.

Article 31 Public consumption of Marijuana or Tetrahydrocannabinol

To see if the Town will amend Chapter 119 of the Town Bylaw by adopting the following Article IV:

Chapter 119 Peace and Good Order

Article IV PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL

§ 119-4 A. Prohibition on Use

1. Not in a Motor Vehicle: No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, §1) while in or upon any public building, vehicle controlled by the Town, recreational area, playground, park, beach, boat landing or launch, schoolhouse, school grounds, street, sidewalk, public way, passageway, bridge, stairs, parking lot, cemetery, bus stop, or any area or property owned or under the control of the Town, or any area accessible to the public.

2. In a Motor Vehicle: The consumption of marijuana or tetrahydrocannabinol is also prohibited in any motor vehicle in or on a public way whether or not the user is operating the vehicle or whether the vehicle is in operation at all.

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§ 119 –4 B. Violations and Penalties

1. Whoever violates this Bylaw shall be punished by a fine of three hundred dollars (\$300) for each offense. Any penalty imposed under this Bylaw shall be in addition to any civil penalty imposed under G.L. c. 94C, §32L. If a violator fails to pay the fine issued, he or she may be subject to civil contempt proceedings.

§ 119 – 4 C. Enforcement

1. Violations of any provision of this Bylaw may be processed pursuant to Chapter 40, section 21 D of the general laws of the Commonwealth and shall be in amount set forth above. Enforcement of this Bylaw under the Non-Criminal Disposition process shall be carried out by the Police Chief, and duly sworn Police Officers who shall have full enforcement powers.

Sponsored by the Police Chief.

Article 32 Regional Emergency Communications Center

To see if the Town will vote to direct the Board of Selectmen to enter into an intergovernmental agreement for a period of ten years to provide emergency and non-emergency police, fire and emergency medical services dispatch with other municipalities in Essex County based on a per capita chargeback through the Cherry Sheet, or take any other action thereon. Sponsored by the Board of Selectmen.

Article 33 Sex Offender Bylaw

To see if the Town will vote to require that no level two or level three sex offender may reside or be employed within one mile of any school, library, pediatrician's office, park, playground, nursery school or school bus stop. No level two or three sex offender may loiter within fifty feet of any school, library, pediatrician's office, park, playground, nursery school or school bus stop. Sponsored by Minora Collins and others.

Article 34 Support for Merger of North Shore Technical High School and Essex Agricultural High School

To see if the Town will vote to approve the merger of North Shore Technical High School and Essex Agricultural High School. Sponsored by the Board of Selectmen.

Article 35 North Shore Technical High School Building Project

To see if the Town will vote to approve the indebtedness authorized by the Regional District School Committee of the North Shore Regional Vocational School District

MARBLEHEAD TOWN REPORT

for the purpose of the construction of a new North Shore Technical High School, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 36 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 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.

Article 37 Facilities Permit

To see if the Town will vote that the Marblehead Facilities Permit be of 3 options: 1. As current, allowing access to the Transfer Station and Devereux Beach; 2. Allowing access to the Transfer Station only at a reduced fee; 3. Allowing access to Devereux Beach only at a reduced fee. Fees to be determined by the Board of Health. Sponsored by James Terlizzi and others.

Article 38 Proposed Demand Fee Level for Delinquent Taxes

To see if the Town will vote to charge for each written demand issued by the Town Collector a fee of fifteen dollars to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective as of July 1, 2009. Sponsored by the Finance Director.

Article 39 Zoning Bylaw Change

To see if the town will vote to amend the zoning Bylaw as follows: (bold text added)

a. Article II Definitions 200-7 Meaning of words. DECK first sentence *which presently reads* "An unroofed outdoor area whether of wood or other material, whose floor is more than two feet above mean grade." *To read instead* " An unroofed outdoor **structure** whether of wood or other material, **with a floor which** is more than two feet above **existing grade at any point.**"

b. Article 200-9 Interpretation of zone district boundaries D. Shoreline and Harborfront District Boundaries *Add a new paragraph* **(5) In any shoreline district the side yard setback requirement shall be applied to the property line(s) that is most perpendicular to the direction of the shoreline.**

Or take any other action relative thereto. Sponsored by the Planning Board.

Article 40 Smart Growth Overlay District

To see if the the Town will vote to amend the Marblehead Zoning Bylaw by adding a new § 200-44 entitled "Smart Growth Overlay District" to read as follows:

§200-44. Smart Growth Overlay District (SG)

MARBLEHEAD TOWN REPORT

A. Purposes. The purposes of the Smart Growth Overlay District are: (1) To encourage smart growth development within Marblehead, especially in the downtown. (2) To promote low impact, green, and sustainable development that is pedestrian friendly. (3) To ensure high quality site planning, architecture and landscape design that is consistent with the distinct visual character and identity of downtown Marblehead and Vinnin Square and provides development with safety, convenience and amenities appropriate to its residential and mixed-use nature. (4) To establish development standards that ensure context-sensitive design and creative site planning in the reuse of existing buildings and construction of new buildings. (5) To provide for diversified housing stock at a variety of costs in close proximity to the local bus lines, including affordable housing, that meets the needs of the Town's population and promotes diversity. (6) To generate positive tax revenue, and to benefit from the financial incentives provided by M.G.L. Ch. 40R, while providing the opportunity for housing choice among households of varying incomes, ages and sizes.

B. Scope and Authority. The SG is established pursuant to the authority of M.G.L. Ch. 40R and 760 CMR 59.00, and shall be deemed to overlay the parcels as shown on the Zoning Map of the Town of Marblehead, as amended. At the option of the owner, development of land within the SG may be undertaken by means of a Plan Approval pursuant to the zoning controls set forth in this § 200-44 or by complying with all applicable zoning controls set forth in the Zoning Bylaw of the Town of Marblehead (Underlying Zoning). Development Projects proceeding under this § 200-44 shall be governed solely by the provisions of this § 200-44 and shall be deemed exempt from the standards and/or procedures of the Underlying Zoning.

C. Establishment and Delineation of Smart Growth Overlay District and Sub-Districts. Within the SG, there are Sub-Districts identified as SG School / Pleasant Sub-District and SG Vinnin Square Sub-District. The boundaries of the SG and the Sub-Districts are delineated SG and labeled "Smart Growth Overlay District and Sub-Districts" on the Official Zoning Map of the Town of Marblehead in the office of the Town Clerk.

D. Definitions. All definitions are as they appear in the Marblehead Zoning Bylaw in effect as of the date of adoption of this Bylaw, 2009, with the exception of the following terms which are not defined in the Underlying Zoning. As used in this § 200-44, the following terms shall have the meanings set forth below. To the extent that there is any conflict between this § 200-44, or the administrative rules referenced in § 200-44(K), and M.G.L. Ch. 40R and / or 760 CMR 59.00, *et seq.*, the latter shall control: ADMINISTERING AGENCY – A qualified housing organization designated by the Marblehead Board of Selectmen with the power to monitor and to enforce compliance with the provisions of this Bylaw related to Affordable Units, including but not limited to computation of rental and sales prices; income eligibility of households applying for Affordable Units; administration of an approved housing

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marketing and resident selection plan; and recording and enforcement of an Affordable Housing Restriction for each Affordable Unit in the SG.

AFFORDABLE HOUSING RESTRICTION – A deed restriction of an Affordable Homeownership Unit meeting the requirements in M.G.L. Ch. 184 § 31 and the requirements of this Bylaw. **AFFORDABLE RENTAL UNIT** – A dwelling unit required to be rented to an Eligible Household in accordance with the requirements of this Bylaw.

AFFORDABLE HOMEOWNERSHIP UNIT – A dwelling unit required to be sold to an Eligible Household in accordance with the requirements of this Bylaw.

APPLICANT – A landowner or other petitioner that files a Plan for a Development Project subject to the provisions of the SG. **APPROVING AUTHORITY** – The Planning Board of the Town of Marblehead acting as the authority designated to review projects and issue approvals under this Bylaw.

AS-OF-RIGHT DEVELOPMENT – A Development Project allowable under this Bylaw without recourse to a special permit, variance, zoning amendment, or other form of zoning relief. A Development Project that is subject to the Plan Review requirement of this

Bylaw shall be considered an As-of-Right Development. **DHCD** – The Massachusetts Department of Housing and Community Development (DHCD) or any successor agency.

DESIGN STANDARDS – The document entitled Marblehead Smart Growth Overlay District Design Standards, as amended, approved by DHCD [INSERT DATE OF DHCD APPROVAL], 2009 pursuant to M.G.L. Chapter 40R, § 10. The Design Standards are applicable to all Development Projects within the SG that are subject to Plan Review by the Approving Authority.

DEVELOPMENT LOT – One or more Lots meeting the dimensional requirements of this Bylaw which are designated as a Development Lot on a Plan for a Development Project proposed within the SG and for which Plan Approval is required under the provisions of this Bylaw. The lots comprising a Development Lot need not be in the same ownership but within the initial application the Applicant must demonstrate site control of all land subject to modification pursuant to the requested permit.

DEVELOPMENT PROJECT – A residential or mixed-use development undertaken under this § 200-44. The limits of a Development Project shall be identified in the SG in the Plan which is submitted to the Approving Authority for Plan Review.

ELIGIBLE HOUSEHOLD – An individual or household whose annual income is below eighty percent (80%) of the area-wide Median Household Income as determined by the United States Department of Housing and Urban Development (HUD), adjusted for household size, with income computed using HUD's rules for attribution of income to assets.

HOUSEHOLD INCOME, MEDIAN – The median income, adjusted for household size, as reported by the most recent information from, or calculated from regulations promulgated by, the United States Department of Housing and Urban Development (HUD).

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MIXED-USE DEVELOPMENT PROJECT – A building with a minimum of 25% of the floor area on the street level devoted to nonresidential uses and including residential units. A minimum of 50% of the total gross floor area in a Mixed-Use Development Project shall be devoted to residential uses. MULTI-FAMILY DWELLING – A residential or mixed-use building containing more than three Dwelling Units designed for occupancy by the same number of families as the number of Dwelling Units. NON-RESIDENTIAL USE – Office, Retail or Restaurant Use, inclusive, or some combination of the same. OFFICE – A place of business of a professional organization or the administration facility of a commercial or industrial organization. PLAN – A plan depicting a proposed Development Project for all or a portion of the SG and which is submitted to the Approving Authority for its review and approval in accordance with the provisions of this Bylaw. PLAN APPROVAL – The Approving Authority’s authorization for a proposed Development Project based upon a finding of compliance with this Bylaw and Design Standards after the conduct of a Plan Review. PLAN REVIEW – The review procedure established by § J of this Bylaw and administered by the Planning Board of the Town of Marblehead as the Approving Authority. PUBLIC PARK – The public open space owned by the Town of Marblehead and located on Assessors Parcel 129-19-0. RENOVATION – Physical improvement that adds to the value of the real property. Painting, ordinary repairs, and other normal maintenance do not constitute a renovation. SETBACK – Please refer to ARTICLE V Dimensional Regulations § 200-15. B.(3) of the Marblehead Zoning Bylaw in effect as of the date of adoption of this Bylaw. SG – The Smart Growth Overlay District, an overlay zoning district adopted pursuant to M.G.L. Ch. 40R, in accordance with the procedures for zoning adoption and amendment as set forth in M.G.L. Ch. 40A and approved by the Department of Housing and Community Development pursuant to M.G.L. Ch. 40R and 760 CMR 59.00. SUB-DISTRICT – A specific and defined area of land within the SG that is subject to specific requirements for allowable uses or dimensional requirements that may differ from the requirements for allowable uses or dimensional requirements in other specific and defined areas within the SG. UNDERLYING ZONING – The zoning requirements adopted pursuant to M.G.L. Ch. 40A that are otherwise applicable to the geographic area in which the SG is located, as said requirements may be amended from time to time. UNDULY RESTRICT – A provision of the SG or a Design Standard that adds unreasonable costs or unreasonably impairs the economic feasibility of a proposed Development Project in the SG. UNRESTRICTED UNIT – A Dwelling Unit that is not restricted as to rent, price or eligibility of occupants. ZONING BYLAW – The Zoning Bylaw of the Town of Marblehead, Massachusetts, adopted in accordance with and pursuant to the provisions of M.G.L. Ch. 40A. ZONING MAP – The Zoning Map of the Town of Marblehead, Massachusetts, adopted in accordance with and

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pursuant to the provisions of M.G.L. Ch. 40A. **E. Permitted Uses.** The following uses shall be permitted in the following Sub-Districts As-of-Right upon Plan Approval, and at residential densities specified in Table G. Table of Dimensional and Density Requirements pursuant to the provisions of this Bylaw:

Residence Uses	SG Pleasant St Sub district	SG Vinnin Square Sub district
Multi-Family Dwelling	No	Yes
Mixed Use Development Project	Yes	Yes

Uses that are not included as allowable uses pursuant to this Bylaw but allowable pursuant to the Underlying Zoning must be permitted pursuant to the Underlying Zoning. Mixed-Use Development Projects that include a non-residential component only allowable by Special Permit must apply for and receive a Special Permit pursuant to the Underlying Zoning prior to exercising a Plan Approval pursuant to this Bylaw. **F. Prohibited Uses or Activities in the SG.** (1) Non-Residential Use, except for those uses permitted pursuant to the Underlying Zoning or in a Mixed Use Development Project. (2) Any use prohibited by the Underlying Zoning in effect as of the date of adoption of this Bylaw. (3) Any use not listed in § E of this Bylaw is expressly prohibited; provided, however, that uses permitted in the Underlying Zoning district are permitted subject to the permitting requirements and performance standards in the Zoning Bylaw and other applicable regulations. **G. Dimensional and Other Requirements.** (1) New buildings within the SG shall be subject to the bulk, dimensional and density requirements in Table G. Table of Dimensional and Density Requirements:

Sub district min	Min lot area	Max Res density	Min Frontage	Min open area
SG School/Pleasant Sub-District	10,000	30	35	N
SG Vinnin Square Sub-District	10,000	30	35	(2)
Sub district min	Min front setback	Min side setback	Min rear setback	Max height
SG School/Pleasant Sub-District	N	(1)	(1)	45
SG Vinnin Sq Sub-District	N	(1)	(1)	40

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Notes: N – None (1) – Except as to any boundary abutting any other business district, six feet; as to any boundary abutting any residential district, nine feet. May be reduced at the discretion of the Plan Approval Authority. (2) – One square foot of open land area (in addition to the areas of required parking spaces for such lot) for each two square feet of gross floor area.

(2) **Building Renovation.** Renovation of existing buildings may maintain existing building footprints, and may only expand such footprints insofar as such expansion is in compliance with the required dimensional requirements for new buildings. Renovation building projects need not meet Setback requirements applicable to new construction, but renovated buildings may not cross lot lines or Sub-District boundaries. (3) **Fractional Units.** When the application of the allowable densities specified in Table G. Table of Dimensional and Density Requirements results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number. (4) **Adjacency to Public Park.** Where a Development Project is proposed on a Development Lot located immediately adjacent to a Public Park, the allowable as-of-right density shall be calculated based on the combined land area of the proposed Development Lot and the land area of the Public Park. **H. Off-Street Parking.** (1) Off-street parking for the non-residential portion of mixed-use buildings shall be provided in order to meet or exceed the minimum requirements in § 200-17 (B-D) of the Zoning Bylaw in effect as of the date of adoption of this Bylaw. (2) Off-street parking for Dwelling Units in the SG School/Pleasant Sub-District shall be provided in order to meet or exceed the following minimum requirements: (3) Off-street parking for Dwelling Units in the SG Vinnin Square Sub-District shall be provided in order to meet or exceed two (2) parking spaces per Dwelling Unit. Dwelling Unit (1 bedroom) 1.0 spaces; Dwelling Unit (2 bedrooms) 1.5 spaces; Dwelling Unit (3 bedrooms) 2.0 spaces; Dwelling Unit (4 bedrooms) 2.5 spaces. (4) **Fractional Spaces.** When the application of the minimum required parking standards in this Section H results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number. (5) **Location of parking.** Any surface parking lot shall be located at the side or rear of a building, relative to any public right-of-way or public open space. In no case shall surface parking for new construction be permitted within the required front setbacks. Sub-surface parking is allowed. (6) The Approving Authority may grant a Plan Approval making such modifications in the parking standards or prescribe safeguards and conditions as it shall warrant appropriate, provided that it finds that it is impractical to meet the standards and that such modifications are appropriate by reason of the proposed use and will not result in or worsen parking or traffic problems in the SG.

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The Approving Authority may impose conditions of use or occupancy appropriate to such modifications. (7) Where the Development Lot consists of more than a single lot, the lots, in combination, shall be treated as the Development Lot, may be contiguous or non-contiguous, and at the discretion of the Approving Authority, may be considered as one lot for the purpose of calculating parking requirements. (8) Shared use of required parking. At the discretion of the Approving Authority, shared use may be made of required parking spaces by intermittent use establishments such as churches, assembly halls, or theaters whose peak parking demand is only at night or on Sundays and by other uses whose peak demand is only during the day. In order for such shared parking to be eligible to satisfy required off-street parking standards in whole or in part, prior to Plan Approval a formal agreement shall be made in writing by the owners of the uses involved concerning the number of spaces involved, substantiation of the fact that such shared use is not overlapping or in conflict, and the duration of the agreement. Required spaces shall be within 300 feet of the main entrance to the principal buildings served by the shared parking. (9) The Approving Authority may require additional visitor parking beyond the maximum required spaces per unit if deemed appropriate given the design, layout, use and/or density of the proposed Development Project. (10) Construction Standards. Each parking space shall be at least nine feet wide and 20 feet long and shall be designed with appropriate means of vehicular access to a street as well as maneuvering areas. Access and maneuvering areas shall not be obstructed or used for the parking of motor vehicles. Parking shall be designed and constructed to comply with all applicable disability access requirements including but not limited to the Americans with Disabilities Act (ADA) and the Massachusetts Architectural Access Board (AAB). **I. Design Standards.** To ensure that new development shall be of high quality, and shall meet the standards envisioned by the Town of Marblehead in adopting this Bylaw, the Approving Authority shall adopt the Design Standards governing the issuance of Plan Approvals for Development Projects within the SG and shall file a copy with the Town Clerk. In addition to the standards set forth in this Bylaw, the physical character of Development Projects within the SG shall comply with such Design Standards. In the event of any conflict between this Bylaw and the Design Standards, this Bylaw shall govern and prevail. **J. Affordable Housing.** (1) Number of affordable units. Twenty percent (20%) of all Dwelling Units constructed in a Development Project shall be Affordable Units provided, however, that twenty-five percent (25%) of all rental dwelling units in a Development Project shall be Affordable Units. For Development Projects in which all of the Dwelling Units are limited to occupancy by elderly persons and/or by persons with disabilities, twenty-five percent (25%) of the Dwelling Units shall be Affordable Units, whether the Dwelling Units are rental or ownership units. (2) Fractional Units. When the

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application of the percentages specified above results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number. (3) Affordable Units shall comply with the following requirements: (a) The monthly rent payment for an Affordable Rental Unit, including utilities and parking, shall not exceed thirty percent (30%) of the maximum monthly income permissible for an Eligible Household, with price determined assuming a Family size equal to the number of bedrooms in the unit plus one unless other affordable program rent limits approved by DHCD shall apply; (b) For an Affordable Homeownership Unit the monthly housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, insurance, and parking, shall not exceed thirty percent (30%) of the maximum monthly income permissible for an Eligible Household, assuming a Family size equal to the number of bedrooms in the Dwelling Unit plus one; and (c) Affordable Units required to be offered for rent or sale shall be rented or sold to and occupied only by Eligible Households. (4) Design and construction. (a) Design. Affordable Units must be comparable in initial construction quality and exterior design to the Unrestricted Units. However, nothing in this section is intended to limit a homebuyer's rights to renovate a Dwelling Unit under applicable law. The Affordable Units must have access to all on-site amenities. The total number of bedrooms in the Affordable Units shall, insofar as practicable, be proportionate to the total number of bedrooms in all units in the Development Project. (b) Timing. All Affordable Units must be constructed and occupied not later than concurrently with construction and occupancy of Unrestricted Units. For any Development Project that is approved in phases, the proportion of Affordable Units shall be consistent across all phases.

(5) Age/Disability. At the Applicant's option, the Development Project may include the imposition of deed restrictions on age or disability to permit the Development Project to be exclusively for the elderly and/or persons with disabilities provided, however, that any such restrictions may not be applicable to the District as a whole.

(6) Affordable housing restriction. Each Affordable Unit shall be subject to an Affordable Housing Restriction which is recorded with the Essex County Registry of Deeds or Land Court Registry District of Essex County. The Affordable Housing Restriction shall provide for the implementation of the requirements of this Bylaw. All Affordable Housing Restrictions must include, at minimum, the following: (a) Description of the Development Project, including whether the Affordable Unit will be rented or owner-occupied. (b) A description of the Affordable Unit by address and number of bedrooms. (c) The term of the Affordable Housing Restriction shall be the longest period customarily allowed by law but shall be no less than thirty (30) years. (d) The name and address of the Administering Agency with a

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designation of its power to monitor and enforce the Affordable Housing Restriction. In a case where the Administering Agency cannot adequately carry out its administrative duties, upon certification of this fact by the Marblehead Board of Selectmen or by DHCD such duties shall devolve to and thereafter be administered by a qualified housing entity designated by the Marblehead Board of Selectmen or, in the absence of such timely designation, by an entity designated by the DHCD. (e) Reference to a housing marketing and resident selection plan, to which the Affordable Unit is subject, and which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process. The housing marketing and selection plan may provide for preferences in resident selection to the extent consistent with applicable law. The plan shall designate the household size appropriate for a unit with respect to bedroom size and provide that preference for such unit shall be given to a household of the appropriate size. (f) A requirement that buyers or tenants will be selected at the initial sale or initial rental and upon all subsequent sales and rentals from a list of Eligible Households compiled in accordance with the housing marketing and selection plan. (g) Reference to the formula pursuant to which rent of a rental unit or the maximum resale price of a homeownership unit will be set. (h) A requirement that only an Eligible Household may reside in an Affordable Unit and that notice of any lease or sublease of any Affordable Unit to another Eligible Household shall be given to the Administering Agency. (i) Provision for effective monitoring and enforcement of the terms and provisions of the Affordable Housing Restriction by the Administering Agency. (j) Provision that the restriction on an Affordable Homeownership Unit shall run in favor of the Administering Agency and the Town of Marblehead, in a form approved by municipal counsel, and shall limit initial sale and re-sale to and occupancy by an Eligible Household. (k) Provision that the restriction on Affordable Rental Units in a rental Development Project or rental portion of a Development Project shall run with the rental Development Project or rental portion of a Development Project and shall run in favor of the Administering Agency and the Town of Marblehead, in a form approved by municipal counsel, and shall limit rental and occupancy to an Eligible Household. (l) Provision that the owner(s) or manager(s) of Affordable Rental Unit(s) shall file an annual report to the Administering Agency, in a form specified by that agency certifying compliance with the provisions of this Bylaw and containing such other information as may be reasonably requested in order to ensure affordability. (m) A requirement that residents in Affordable Units provide such information as the Administering Agency may reasonably request in order to ensure affordability eligibility and compliance. (n) Designation of the priority of the Affordable Housing Restriction over mortgages and other restrictions. (7) Administration. The Administering Agency shall ensure the following: (a) Prices of Affordable Homeownership Units

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are properly computed; rental amounts of Affordable Rental Units are properly computed. (b) Income eligibility of households applying for Affordable Units is properly and reliably determined. (c) The housing marketing and resident selection plan conforms to all requirements and is properly administered. (d) Sales and rentals are made to Eligible Households chosen in accordance with the housing marketing and resident selection plan with appropriate unit size for each household being properly determined and proper preference being given. (e) Affordable Housing Restrictions meeting the requirements of this section are recorded with the Essex County Registry of Deeds or Land Court Registry District of Essex County. (8) The housing marketing and selection plan may make provision for payment by the Applicant of reasonable costs to the Administering Agency to develop, advertise, and maintain the list of Eligible Households, to conduct the housing lottery, and to monitor and enforce compliance with affordability requirements over time. **K. Administration.** The Approving Authority shall adopt and file with the Town Clerk administrative rules relative to the application requirements and contents for Plan Review. Such administrative rules and any amendment thereto must be approved by the Massachusetts Department of Housing and Community Development. The Plan Review process encompasses the following: (1) Pre-application review. The Applicant is encouraged to participate in a pre-application with the Approving Authority at a regular meeting(s) of the Approving Authority. The purpose of the preapplication review is to obtain the advice and direction of the Approving Authority prior to filing the application. At the preapplication review the Applicant shall outline the proposal and seek preliminary feedback from the Approving Authority, other municipal review entities, and other members of the public. The Applicant is also encouraged to request a site visit by the Approving Authority and/or its designee in order to facilitate pre-application review. (2) Application procedures. (a) An application for Plan Approval shall be filed by the Applicant with the Town Clerk and a copy of the application including the date of filing certified by the Town Clerk shall be filed forthwith with the Approving Authority. The Applicant shall also file the required number of copies of the application with the Building Inspector and with the Approving Authority. Said filing shall include any required forms provided by the Approving Authority. (b) As part of any application for Plan Approval, the Applicant must submit the following documents to the Approving Authority and the administering Agency: (1) Evidence that the Development Project complies with the cost and eligibility requirements of § J. Affordable Housing; (2) Development Project plans that demonstrate compliance with the requirements of § J. Affordable Housing; and (3) A form of Affordable Housing Restriction that satisfies the requirements of § J. Affordable Housing. (c) Review fees. The Applicant shall be required to pay for reasonable consulting fees to provide peer review of the application for the benefit of the

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Approving Authority. Such fees shall be held by the Town of Marblehead in an interest-bearing escrow account, and shall be used only for expenses associated with the use of outside consultants employed by the Approving Authority in reviewing the Plan application. Any surplus funds remaining after the completion of such review, including any interest accrued, shall be returned to the Applicant forthwith. (d) Upon receipt by the Approving Authority, applications for Site Approval shall be distributed to the Board of Selectmen, Board of Health, Fair Housing Committee, Building Inspector, Conservation Commission, Zoning Board of Appeals, Department of Public Works, the Fire and Police Departments and the Water and Sewer Commission. Any reports from these parties shall be submitted to the Approving Authority within sixty (60) days of filing of the application. (e) Within thirty (30) days of filing of an application with the Approving Authority, the Approving Authority or its designee shall evaluate the proposal with regard to its completeness and shall submit an advisory report in writing to the Applicant certifying the completeness of the application. Where an application is found to be incomplete, the Approving Authority or its designee shall provide a statement outlining required items that were missing from the application. The Board or its designee shall forward to the Applicant, with its report, copies of all recommendations received to date from other boards, commissions or departments. (3) Public hearing. The Approving Authority shall hold a public hearing and review all applications according to the procedure specified in M.G.L. Ch. 40R § 11. (4) Prior to the granting of any Plan Approval for a Development Project, the Applicant must demonstrate, to the satisfaction of the Administering Agency or, in the event that an Administering Agency has not yet been named, to the satisfaction of the Approving Authority, that the method by which such affordable rents or affordable purchase prices are computed shall be consistent with state or federal guidelines for affordability applicable to the Town of Marblehead. (5) Plan Approval decision. (a) The Approving Authority shall make a decision on the Plan application by majority vote of its members, and shall file said decision with the Town Clerk, within 120 days of the receipt of the application by the Town Clerk. The time limit for public hearings and taking of action by the Approving Authority may be extended by written agreement between the Applicant and the Approving Authority. A copy of such agreement shall be filed with the Town Clerk. (b) Failure of the Approving Authority to take action within 120 days or extended time, if applicable, shall be deemed to be an approval of the application. (c) An Applicant who seeks approval because of the Approving Authority's failure to act on an application within the 120 days or extended time, if applicable, must notify the Town Clerk in writing, within fourteen (14) days from the expiration of said time limit for a decision, of such approval and that a copy of that notice has been sent by the Applicant to parties in interest by mail and that each such notice specifies that appeals, if any, shall be

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made pursuant to M.G.L. Ch. 40R and shall be filed within twenty (20) days after the date the Town Clerk received such written notice from the Applicant that the Approving Authority failed to act within the time prescribed. (d) The Approving Authority's findings, including the basis of such findings, shall be stated in a written decision of approval, conditional approval or denial of the Plan Approval application. The written decision shall contain the name and address of the Applicant, identification of the land affected and its ownership, and reference by date and title to the plans that were the subject of the decision. (e) The decision of the Approving Authority, together with the detailed reasons therefore, shall be filed with the Town Clerk, the Board of Appeals and the Building Inspector. A copy of the decision shall be mailed to the Applicant and to the owner if other than the Applicant by the Approving Authority certifying that a copy of the decision has been filed with the Town Clerk and that all plans referred to in the decision are on file with the Approving Authority. A notice of the decision shall be sent to parties in interest and to persons who requested a notice at the public hearing. (f) Effective date. If twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the Town Clerk shall so certify on a copy of the decision. If the application is approved by reason of the failure of the Approving Authority to timely act, the Town Clerk shall make such certification on a copy of the application. A copy of the decision or application shall be recorded with the title of the land in question in the Essex County Registry of Deeds or the Essex Land Registry District, and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The responsibility and the cost of said recording and transmittal shall be borne by the Applicant. (6) Criteria for approval. The Approving Authority shall approve the Development Project upon finding that it complies with the requirements of the SG and applicable Design Standards. (7) Criteria for conditional approval. The Approving Authority may impose conditions on a Development Project as necessary to ensure compliance with this § 200-44 and applicable Design Standards, or to mitigate any extraordinary adverse impacts of the Development Project on nearby properties, insofar as such conditions are compliant with the provisions of M.G.L. Ch. 40R and applicable regulations and do not Unduly Restrict opportunities for development. The Approving Authority may require construction of an approved Development Project to be phased for the purpose of coordinating the Development Project with any mitigation required to address extraordinary adverse Development Project impacts on nearby properties. (8) Criteria for denial. The Approving Authority may deny an application for Plan Approval pursuant to this Bylaw if the Board finds one or more of the following: (a) The Development Project does not meet the conditions and requirements set forth in the SG Zoning

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and applicable Design Standards. (b) The Applicant failed to submit information and fees required by the SG Zoning and necessary for an adequate and timely review of the design of the Development Project or potential Development Project impacts. (c) It is not possible to adequately mitigate significant adverse Development Project impacts on nearby properties by means of suitable conditions. (9) Time limit. A project approval shall remain valid and shall run with the land indefinitely provided that construction has commenced within two (2) years after the decision issues, which time shall be extended by the time required to adjudicate any appeal from such approval. Said time shall also be extended if the project proponent is actively pursuing other required permits for the project or if there is good cause for the failure to commence construction, or as may be provided in an approval for a multi-phase Development Project. (10) Appeals. Pursuant to M.G.L. Ch. 40R, § 11, any person aggrieved by a decision of the Approving Authority may appeal to the Superior Court, the Land Court department, or the Housing Court department within twenty (20) days after the Plan decision has been filed in the office of the Town Clerk. **L. Waivers.** The Approving Authority may authorize waivers in the Plan Approval with respect to the dimensional and other standards set forth in this § 200-44 and in the Design Standards upon a finding that such waiver will allow the Development Project to achieve the density, affordability and/or physical character allowable under this Bylaw. However, the Approving Authority may not waive any portion of the Affordable Housing requirements in § J. Affordable Housing except insofar as such waiver results in the creation of a number of Affordable Units in excess of the minimum number of required Affordable Units. **M. Fair Housing Requirement.** All Development Projects within the SG shall comply with applicable federal, state and local fair housing laws. **N. Annual Update.** On or before July 31 of each year, the Board of Selectmen shall cause to be filed an Annual Update with the Department of Housing and Community Development (DHCD) in a form to be prescribed by DHCD. The Annual Update shall contain all information required in 760 CMR 59.07, as may be amended from time to time, and additional information as may be required pursuant to M.G.L. Ch. 40S and accompanying regulations. The Town Clerk shall maintain a copy of all updates transmitted to DHCD pursuant to this Bylaw, with said copies to be made available upon request for public review. **O. Notification of Issuance of Building Permits.** Upon issuance of a residential building permit within the SG, the Building Inspector shall cause to be filed an application to the DHCD in a form to be prescribed by DHCD, for authorization of payment of a one-time density bonus payment for each residential building permit pursuant to M.G.L. Ch. 40R. The application shall contain all information required in 760 CMR 59.06 (2), as may be amended from time to time, and additional information as may be required pursuant to M.G.L. Ch. 40S and accompanying regulations. The Town Clerk shall maintain a

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copy of all such applications transmitted to DHCD pursuant to this Bylaw, with said copies to be made available upon request for public review. **P. Date of effect.** The effective date of this Bylaw shall be the date on which such adoption is voted upon by Town Meeting pursuant to the requirements of M.G.L. Ch. 40A § 5 and M.G.L. Ch. 40R; provided, however, that an Applicant may not proceed with construction pursuant to this Bylaw prior to the receipt of final approval of this Bylaw and accompanying Zoning Map by both the Department of Housing and Community Development and the Office of the Massachusetts Attorney General. **Q. Severability.** The provisions of this section are severable. If any provision of this section is held invalid, the other provisions shall not be affected but shall remain in full force. (A copy hereof is available at the office of the Town Clerk)
Or take any other action relative thereto. Sponsored by the Planning Board.

Article 41 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 action relative thereto. Sponsored by the Board of Health.

Article 42 Disposal Area Remediation / Stoneybrook Rd.

To see if the Town will vote to raise and appropriate a sum of money to be expended by the Board of Health for disposal area remediation as it relates to Stoneybrook Road and private property(s) on Stoneybrook Rd., some of which abut land owned by the Town of Marblehead and to determine whether this appropriation shall be raised by borrowing or otherwise; or take any action relative thereto. Sponsored by the Board of Health.

Article 43 Litchman Terrace Open Space

To see if the Town will vote to transfer the care, custody, management and control of a portion of the following described parcel of land known as Parcel 29 on Marblehead Assessor's Map 136 which is owned by the Town of Marblehead to the Marblehead Conservation Commission for Open Space purposes. Said entire parcel of land is described as a certain parcel of land owned by the Town of Marblehead containing 1.153 acres and lying between a proposed road off Turner Road to the northwest and Litchman is bounded as follows:

NORTHWEST by said proposed road (45 feet in width) off Turner Road;
NORTHEAST by land now or Bryan C. and Sara W. Segee (12 Turner Road),
Steven J. Elliott and Jane L. Knight (10 Turner Road), Sharon A. Trainor (76 Green

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Street), Linda W. Boynton (72 Green Street), Vlad Farfel (68 Green Street) and Robert L. and Michele McKay (66 Green Street);
SOUTHEAST by Litchman Terrace;
SOUTHWEST by land now or formerly of Paul and Sophia Moroz (24 Taft Street), Joanne N. Jauron (22 Taft Street), Lewis W. II and Kristine E. Farrar (20 Taft Street), Martha M. Stiles (18 Taft Street), William J. and Constance M. Willis (16 Taft Street) and Louise M. Antoniolli (14 Taft Street)
The parcel of land described above is identified by the term "Reservation" on a plan entitled "Town of Marblehead, Turner Estate, Lot Plan" dated October 22, 1941, R. O. Burlingham, Town Engineer, recorded with Essex South District Registry of Deeds, Plan Book 73, Plan 82. The "Reservation" parcel shown on the 1941 plan has been modified by the layout of Litchman Terrace in 1969 as shown on plan entitled "Town of Marblehead, Litchman Terrace Layout (In Part)" dated September 24, 1968, George H. Clark, Jr., Town Engineer, on file in the Office of the Town Engineer, Marblehead, MA 01945.

Said portion of land to be transferred to the Conservation Commission shall include the above description but shall not include a portion of the parcel of land which consists of a 40-ft wide strip of land running parallel to and adjacent to Litchman Terrace as shown on Plan entitled "Town Land off Litchman Terrace, Marblehead, MA 01945" dated January 2009 on file in the Office of the Town Engineer, Marblehead, MA 01945. Said strip of land to be excluded contains about 4,000 square feet (0.09 acres) and is to remain under the care, custody, management and control of the Marblehead Board of Selectmen, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 44 Land Acquisition, Naugus Avenue

To see if the Town of Marblehead will vote to acquire for recreation purposes a fee simple interest in certain parcel(s) of land totaling approximately three acres, commonly known as the WESX property, located on Naugus Avenue, owned by ATCO Inc. which are shown on Marblehead Assessors Maps as Map 176 Lot 16, which land shall be held in the care and custody of the Board of Selectmen for recreation purposes; that a sum of money be appropriated for such purpose and to raise such appropriation, the Treasurer be authorized to borrow under and pursuant to Chapter 44, Section 7 and 8C, of the General Laws or any other enabling authority, and to issue bonds or notes of the Town therefor; provided that the amount authorized to be borrowed hereunder shall be contingent upon the vote of the Town Election to exempt from the provisions of Proposition 2-1/2, so called, the amount required to satisfy the obligations, including principal and interest, under the bonds; and further that the Board of Selectmen shall be authorized to file on

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behalf of the Town of Marblehead any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts or the United States under the Self-Help Act (Chapter 132A, Section 11) and/or any other state or federal programs including those in aid recreation land acquisition and to receive and accept such grants and reimbursements, including grants from private parties, for this purpose and/or any others in any way connected with the scope of this Article; and the Board of Selectmen shall be authorized to enter into all agreements and to execute any and all instruments as may be necessary on behalf of The Town of Marblehead to affect said purchase, or take any other action in relation thereto. Sponsored by Board of Selectmen.

Article 45 School Department Computer, Support Equipment, and Technology Infrastructure.

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.

Article 46 Schools Construction and or Renovation Program

To see if the Town will vote to appropriate a sum of money for the purpose of remodeling, constructing, 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 or in any other manner, or take any other action relative thereto. Sponsored by the School Committee.

Article 47 Fiscal 2009 Expenses of Several Departments

To see what sums of money the Town will raise and appropriate, to defray the necessary and usual expenses of the several departments of the Town for the fiscal year beginning July 1, 2008, to be added to Article 44 of the May 2008 Annual Town Meeting, or take any other action relative thereto, as sponsored by the Finance Department.

Article 48 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.

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Article 49 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, 2009, or take any other action relative thereto, as sponsored by the Finance Department.

Article 50 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, 2009, or take any other action relative thereto, as sponsored by the Finance Department.

You are hereby further required and directed to notify and warn the Inhabitants of the Town of Marblehead aforesaid who are qualified to vote in elections and in Town affairs to subsequently meet at the several designated polling places in their respective precincts in said Marblehead to wit:

In Precinct 1 - Polling Place –

OLD TOWN HOUSE

In Precinct 2 - Polling Place –

STAR OF THE SEA COMMUNITY CENTER

In Precinct 3 - Polling Place –

STAR OF THE SEA COMMUNITY CENTER

In Precinct 4 - Polling Place –

STAR OF THE SEA COMMUNITY CENTER

In Precinct 5 - Polling Place –

MARBLEHEAD COMMUNITY CENTER

In Precinct 6 - Polling Place –

MARBLEHEAD COMMUNITY CENTER

In Precinct 7 - Polling Place –

MARBLEHEAD COMMUNITY CENTER

on Monday, the 11th day of May next A.D. 2009 (it being the second Monday in May) at 7 o'clock in the forenoon then and there to bring into the precinct officers of their respective precincts their votes on one ballot for the following-named Town Officers to wit:

5 Selectmen

1 Assessor

1 Cemetery Commissioner

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1 Board of Health
1 Housing Authority
1 Library Trustee for 1 year unexpired term
2 Library Trustees
2 Electric Light Commissioners
1 Moderator
2 Planning Board
5 Recreation & Park Commissioners
1 School Committee
1 Water and Sewer Commissioner

For these purposes the polls will be open at each and all of said precincts at 7 o'clock in the forenoon and will be closed at 8 o'clock in the afternoon at each and all of said precincts and you are directed to serve this Warrant by posting attested copies thereof at Abbot Hall and ten (10) other conspicuous places in Town as required by the Bylaws not later than thirty (30) days after being closed.

Hereof fail not and make due return of this Warrant or a certified copy thereof with our doings thereon, to each of the several precinct wardens at the time and place of meetings aforesaid and to the Town Clerk as soon as may be before the said meetings.

Given under our hands at Marblehead aforesaid this **11th day of February 2009.**

JACKIE BELF-BECKER, Chairman
HARRY C. CHRISTENSEN, JR.
JUDITH R. JACOBI
JAMES E. NYE
WILLIAM L. WOODFIN, II
Selectmen of Marblehead

A True Copy

Attest: Cabot W. Dodge, Constable

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TOWN OF MARBLEHEAD TOWN MEETING MAY 4TH, 2009

Pursuant to the warrant the inhabitants assembled at the Veterans Middle School Performing Art Center.

At 7:50 PM a quorum being present the Moderator called the meeting to order.

**ARTICLE 1 Articles in Numerical Order
VOTED**

That the articles be taken up in their numerical order.

**ARTICLE 2 Reports of Town Officers and Committees
VOTED**

To receive the report of the Town Accountant, the reports of the Town Officers, and Special Committees.

**ARTICLE 3 Lease Town Property
VOTED**

To allow the Board of Selectmen and School Committee to let or lease such land, buildings or structures owned by the Town on such terms as they may determine.

**ARTICLE 4 Accept Trust Property
VOTED**

That this article be indefinitely postponed.

**ARTICLE 5 Assume Liability
VOTED**

To see if the Town will assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws as most recently amended by Chapter 5, Acts of 1995, for all damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts 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 II of

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Chapter 91 of the General Laws and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth.

ARTICLE 6

Unpaid Accounts

VOTED

To appropriate the sum of \$646.00 to provide the payment of any unpaid accounts brought forward from previous years, to be transferred from the following grants, revolving funds or Article 44, May 2008 Annual Town Meeting - Expenses of Several Departments as follows:

Item 064 Police Indemnification	24.00
Item 191 Park Expense	32.00
Item 239 Harbor Expense	590.00

ARTICLE 7

Payment in Lieu of Tax ("PILOT") Agreement

VOTED

To approve the payment in lieu of Tax ("PILOT") Agreement between the Town of Marblehead and Adventcare, Inc. with respect to the property known as the Lafayette Rehabilitation and Skilled Nursing Facility and located at 25 Lafayette Street, Marblehead, Massachusetts.

ARTICLE 8

Available Funds Appropriate to Meet State Aid Revenue Cuts

VOTED

To appropriate the sum of \$138,107 from certified free cash to offset the reductions in fiscal year 2009 state aid revenue.

ARTICLE 9

Reductions in Fiscal 2009 Expenses of Several Departments

VOTED

That this article be indefinitely postponed.

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ARTICLE 10 Proposed Establishment of Other Post Employment Benefits Liability Trust Fund

VOTED

To accept the provisions of Chapter 479 of the Acts of 2008 **“AN ACT PROVIDING FOR THE ESTABLISHMENT OF OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUNDS IN MUNICIPALITIES AND CERTAIN OTHER GOVERNMENTAL UNITS.”**

ARTICLE 11 Walls and Fences

VOTED

That this article be indefinitely postponed.

ARTICLE 12 Transfer of a portion of the unexpended proceeds of Seawall Project Bond Anticipation Notes to Village School Project

VOTED

To transfer \$2,135,380.00 of the unexpended proceeds of outstanding bond anticipation notes of the Town issued pursuant to the vote of the Town passed May 9, 2007 (Article 52), which vote appropriated and authorized a borrowing of \$8,700,000 for the construction and/or reconstruction of the Ocean Avenue Causeway, to finance costs associated with the architectural, project management, and construction of the Village School project as authorized by the vote of the Town passed May 5, 2008 (Article 39), which vote appropriated and authorized a borrowing of \$21,766,933 for such project, and to reduce the amount authorized to be borrowed pursuant to such vote by the amount of such transfer.

ARTICLE 13 Revolving Funds

VOTED

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

1. Historical Commission Gift Shop Revolving Fund in the amount of

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\$13,000 in fiscal 2010 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 2010 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 2010 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

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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 2010 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 2010 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 \$50,000 in fiscal 2010 for the use of the School Committee to be taken from revenues in connection with tuition's from nonimmigrant foreign students; said appropriation to

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be used for the expenses of instruction including salaries, instructional supplies and equipment.

7. Commercial Waste Revolving Fund in the amount of \$450,000.00 in fiscal 2010 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 \$10,000.00 in fiscal 2010 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 2010 for the use of 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 \$450,000 in fiscal 2010 for the use of the School Committee; revenues to be taken from tuition

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collected for special education students tuitioned 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 2010 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 14

Fiscal 2009 School Budget Additional Appropriation VOTED

That this article be indefinitely postponed.

ARTICLE 15

Water and Sewer Commission Claims VOTED

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 and sewer system.

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ARTICLE 16

Storm Drainage Construction

VOTED

That \$324,000.00 is appropriated from taxation for the construction and reconstruction of sewers for surface drainage purposes, including engineering services in connection therewith, to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easement necessary; to be expended by the Water and Sewer Commission.

ARTICLE 17

Sewer Department Construction

VOTED

That the sum of \$691,899.00 is appropriated from sewer retained earnings to be expended by the Water and Sewer Commission for the construction or reconstruction of sewers for sanitary purposes and for sewage disposal, pump stations, original pumping station equipment, metering equipment, safety equipment, replacement of said equipment, engineering, consultants and 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.

ARTICLE 18

Water Department Construction

VOTED

That the sum of \$941,664.00 is appropriated from water retained earnings 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.

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ARTICLE 19

Purchase of Equipment of Several Departments VOTED

That the sum of \$468,730.00 be appropriated, and to meet this appropriation; \$25,614.62 is to be transferred from Article 32, 2004 Purchase of Equipment, \$27,500.00 to be transferred from Sewer Retained Earnings, \$36,000.00 to be transferred from the Cemetery Sale of Lots Fund and \$379,615.38 is to be raised by taxation. To include the following:

Police Department
2 Police Vehicles

Cemetery Department
1 Pick-up Truck (2)

Fire Department
1 Utility Vehicle

Park Department
1 Riding Mower
1 Dump Truck

Highway Department
2 Trucks with Sanders

Sewer Department
1 Utility Vehicle (1)

Tree Department
1 Stump Grinder

1. From Sewer Retained Earnings
2. From Cemetery Sale of Lots Fund

ARTICLE 20

Capital Improvements for Public Buildings VOTED

That the sum of \$176,594.00 be appropriated. \$160,000.00 to be raised by taxation and \$16,594.00 to be taken from the Cemetery Sale of Lots Fund.

Mary Alley Building
Install New Ceiling Tiles
Install New Light Fixtures
Paint Halls and 16 Offices

Abbot Public Library
Entrance Relocation
Carpet Cleaning

Community Center
Repair Roof

Fire Department
New Turnout Gear
Hoses and Nozzels

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Vine St. Garage
Repair Roof

Cemetery
Expansion of Lots

Hobb's Building
Replace Roof

Highway Department
New HVA Units
Replace Widows

Transfer Station
Replace Hopper

ARTICLE 21

Sidewalks

VOTED

That this article be indefinitely postponed.

ARTICLE 22

Collective Bargaining (Fire)

VOTED

That this article be indefinitely postponed.

ARTICLE 23

Collective Bargaining (Police)

VOTED

That this article be indefinitely postponed.

ARTICLE 24

Collective Bargaining (IUE/CWE - Local 1776)

VOTED

That this article be indefinitely postponed.

ARTICLE 25

**Proposed Reclassification and Pay Schedule
(Administrative)**

VOTED

That this article be indefinitely postponed.

ARTICLE 26

**Proposed Reclassification and Pay Schedule
(Season and Temporary Personnel)**

VOTED

That this article be indefinitely postponed.

ARTICLE 27

**Pay Schedule and Reclassification
(Traffic Supervisors)**

VOTED

That this article be indefinitely postponed.

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ARTICLE 28

Ratification of Salary By-Law

VOTED

To ratify certain actions taken by the Compensation Committee under section 3(e) of the 1955 Salary By-Law as last amended and amend the classifications of the positions as follows:

1. Reclassify positions in the Administrative Pay Schedule:
 - a. Assistant DPW Director from Group 53 to 54
 - b. Assistant Director of Accounting from Group 54 to Group 55.
 - c. Payroll Administrator from Group 52 to Group 53.
2. Reclassify and change job title in the Administrative Pay Schedule:
 - a. Town Engineer from Group 56 to Group 55 with the new title of Engineering and Conservation Administrator.

ARTICLE 29

Compensation - Town Officers

VOTED

That the yearly compensation of the Town Officer named in this article be as follows:

Town Clerk	\$66,899.52
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Said amount to be in full compensation for services as Town Clerk. All fees received by the Town Clerk in his official capacity to be accounted for to the Town Revenue Officer.

That the Town Clerk as elected and having served in that position or as a regular full-time employee for five consecutive years, and for each applicable additional five years on such basis, shall be paid longevity pay annually, in addition to his weekly salary.

Eligibility will be determined on November 30 each year and payment made to the official with the first regular

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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.

Annual longevity Pay Schedule	Town Clerk
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 30

Financial Assistance for Conservation

VOTED

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.

ARTICLE 31

Public consumption of Marijuana or

Tetrahydrocannabinol

VOTED

To amend Article 31 as follows:

After the word “consume” in the second line of paragraph 1, insert the following: **(hereinafter collectively referred to as “Consumption”)**

Voted to amend Chapter 119 of the Town Bylaw by adopting the following Article IV: Chapter 119 Peace and Good Order, PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL, as amended, as follows:

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Chapter 119 Peace and Good Order Article IV PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL

§ 119-4 A. Prohibition on Use

1. Not in a Motor Vehicle: No person shall smoke, ingest, or otherwise use or consume (hereinafter collectively referred to as “Consumption”) marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, §1) while in or upon any public building, vehicle controlled by the Town, recreational area, playground, park, beach, boat landing or launch, schoolhouse, school grounds, street, sidewalk, public way, passageway, bridge, stairs, parking lot, cemetery, bus stop, or any area or property owned or under the control of the Town, or any area accessible to the public.
2. In a Motor Vehicle: The consumption of marijuana or tetrahydrocannabinol is also prohibited in any motor vehicle in or on a public way whether or not the user is operating the vehicle or whether the vehicle is in operation at all.

§ 119 –4 B. Violations and Penalties

1. Whoever violates this Bylaw shall be punished by a fine of three hundred dollars (\$300) for each offense. Any penalty imposed under this Bylaw shall be in addition to any civil penalty imposed under G.L. c. 94C, §32L. If a violator fails to pay the fine issued, he or she may be subject to civil contempt proceedings.

§ 119 – 4 C. Enforcement

1. Violations of any provision of this Bylaw may be processed pursuant to Chapter 40, section 21 D of the general laws of the Commonwealth and shall be in amount set forth above. Enforcement of this Bylaw under the Non-Criminal Disposition process shall be carried out by the Police Chief, and duly sworn Police Officers who shall have full enforcement powers.

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- ARTICLE 32** **Regional Emergency Center Communications Center
VOTED**
That this article be indefinitely postponed.
- ARTICLE 33** **Sex Offender By-Law
VOTED**
That this article be indefinitely postponed.
- ARTICLE 34** **Support for Merger of North Shore Technical High
School and Essex Agricultural High School
VOTED**
That this article be indefinitely postponed.
- ARTICLE 35** **North Shore Technical High School Building Project
VOTED**
That this article be indefinitely postponed.
- ARTICLE 36** **North Shore Regional Vocational School District
VOTED**
To approve the gross operating and maintenance budget of the North Shore Regional Vocational School District and appropriate the sum of \$135,020.00 for the town's assessment of the same to be expended by the School Committee.
- ARTICLE 37** **Facilities Permit
VOTED**
That this article be indefinitely postponed.
- ARTICLE 38** **Proposed Demand Fee Level for Delinquent Taxes
VOTED**
To charge for each written demand issued by the Town Collector a fee of fifteen dollars (\$15.00) to be added to and collected as part of the tax, as authorized by Massachusetts General Laws Chapter 60, Section 15, effective as of July 1, 2009.

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ARTICLE 39

Amend Zoning By-Law COUNTED VOTE

For	Against
306	3

To amend the zoning by law as follows: (bold text added)

- a. Article II Definitions 200-7 Meaning of words. DECK first sentence *which presently reads* “An unroofed outdoor area whether of wood or other material, whose floor is more than two feet above mean grade.” *To read instead* “An unroofed outdoor **structure** whether of wood or other material, **with a** floor **which** is more than two feet above **existing grade at any point.**”
- b. Article 200-9 Interpretation of zone district boundaries D. Shoreline and Harborfront District Boundaries *Add a new paragraph (5)* **In any shoreline district the side yard setback requirement shall be applied to the property line(s) that is most perpendicular to the direction of the shoreline.**

ARTICLE 40

Smart Growth Overlay District UNANAMOUSLY VOTED

To propose that the Town of Marblehead vote to amend the Marblehead Zoning Bylaw by adding a new § 200-44 entitled “Smart Growth Overlay District” to read as follows:

§200-44. Smart Growth Overlay District (SG)

A. Purposes. The purposes of Smart Growth Overlay Districts are:

- (1) To promote low impact, green, and sustainable development that is pedestrian friendly.
- (2) To ensure high quality site planning, architecture and landscape design that is consistent with SG’s visual character and identity of the Town of Marblehead.

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- (3) To establish development standards that ensure context-sensitive design and creative site planning in the reuse of existing buildings and construction of new buildings.
- (4) To provide for diversified housing stock at a variety of costs in close proximity to the local bus lines, including affordable housing, that meets the needs of the Town's population and promotes diversity.
- (5) To generate positive tax revenue, and to benefit from the financial incentives provided by M.G.L. Ch. 40R, while providing the opportunity for housing choice among households of varying incomes, ages and sizes.

B. Scope and Authority. A SG is established pursuant to the authority of M.G.L. Ch. 40R and 760 CMR 59.00, and shall be deemed to overlay the parcels as shown on the Zoning Map of the Town of Marblehead, as amended. At the option of the owner, development of land within a SG may be undertaken by means of a Plan Approval pursuant to the zoning controls set forth in this § 200-44 or by complying with all applicable zoning controls set forth in the Zoning Bylaw of the Town of Marblehead (Underlying Zoning). When a building permit is issued for any Development Project for which Plan Approval has been granted, all of the land shown on the Plan which was submitted pursuant to Section 200-44K of this By-Law shall be developed pursuant to this Section 200-44 and shall not be developed pursuant to the Underlying Zoning. Development Projects proposed pursuant to this § 200-44 shall be subject to all other applicable local, state and federal regulations.

C. Establishment and Delineation of Smart Growth Overlay Districts. There are two Districts identified as SG Pleasant Street District (assessor map 129 parcel 20) and SG Vinnin Square District (assessor map 1 parcel 1).

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The boundaries of the two Districts are delineated as SG Pleasant Street District and SG Vinnin Square District on the Zoning Map.

- D. Definitions.** All definitions are as they appear in Section 200-7 of the Marblehead Zoning Bylaw in effect as of the date of adoption of this Bylaw, (INSERT DATE OF BYLAW ADOPTION) 2009, with the exception of the following terms:

CONSTRUCTION, START OR COMMENCEMENT
NONCONFORMING BUILDING OR LOT
NONCONFORMING USE
SITE PREPARATION

As used in this § 200-44, the following terms shall have the meanings set forth below. To the extent that there is any conflict between this § 200-44 and M.G.L. Ch. 40R and / or 760 CMR 59.00, *et seq.*, the latter shall control:

AFFORDABLE HOMEOWNERSHIP UNIT – An Affordable Housing unit required to be sold to an Eligible Household in accordance with the requirements of this Bylaw.

AFFORDABLE HOUSING – Housing that is affordable to and occupied by Eligible Households.

AFFORDABLE HOUSING RESTRICTION – A deed restriction of Affordable Housing meeting the requirements in M.G.L. Ch. 184 § 31 and the requirements of this Bylaw.

AFFORDABLE RENTAL UNIT – An Affordable Housing unit required to be rented to an Eligible Household in accordance with the requirements of this Bylaw.

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APPLICANT – A landowner or other petitioner that files a Plan for a Development Project subject to the provisions of the SG.

APPROVING AUTHORITY – The Planning Board of the Town of Marblehead acting as the authority designated to review projects and issue approvals under this Bylaw.

AS-OF-RIGHT DEVELOPMENT – A Development Project allowable under this Bylaw without recourse to a special permit, variance, zoning amendment, or other form of zoning relief. A Development Project that is subject to the Plan Review requirement of this Bylaw shall be considered an As-of-Right Development.

DHCD – The Massachusetts Department of Housing and Community Development (DHCD) or any successor agency.

DESIGN STANDARDS – The document entitled Marblehead Smart Growth Overlay District Design Standards, as amended, approved by DHCD May 1, 2009 pursuant to M.G.L. Chapter 40R, § 10. The Design Standards are applicable to all Development Projects within a SG that are subject to Plan Review by the Approving Authority.

DEVELOPMENT LOT – One or more Lots meeting the dimensional requirements of this Bylaw which are designated as a Development Lot on a Plan for a Development Project proposed within a SG and for which Plan Approval is required under the provisions of this Bylaw. The lots comprising a Development Lot need not be in the same ownership but within the application review period the Applicant must demonstrate site control of all land shown on the Plan.

DEVELOPMENT PROJECT – A residential or mixed-use development undertaken under this § 200-44. The

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limits of a Development Project shall be identified on the Plan which is submitted to the Approving Authority for Plan Review.

ELIGIBLE HOUSEHOLD – An individual or household whose annual income is below eighty percent (80%) of the area-wide Median Household Income as determined by the United States Department of Housing and Urban Development (HUD), adjusted for household size, with income computed using HUD's rules for attribution of income to assets.

HOUSEHOLD INCOME, MEDIAN – The median income, adjusted for household size, as reported by the most recent information from, or calculated from regulations promulgated by, the United States Department of Housing and Urban Development (HUD).

MIXED-USE DEVELOPMENT PROJECT – A development that includes a building or buildings with a minimum of 25% of the floor area on the street level devoted to one or more Non-Residential use. A minimum of 50% of the total gross floor area in a Mixed-Use Development Project shall be devoted to residential uses.

MONITORING AGENT– A qualified housing organization designated by the Marblehead Board of Selectmen with the power to monitor and to enforce compliance with the provisions of this Bylaw related to Affordable Housing units, including but not limited to computation of rental and sales prices; income eligibility of households applying for Affordable Housing units; administration of an approved housing marketing and resident selection plan; and recording and enforcement of an Affordable Housing Restriction for each Affordable Housing unit in a SG.

MULTI-FAMILY DEVELOPMENT PROJECT – A residential development that contains a building or buildings(s) with more than three Dwelling Units.

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NON-RESIDENTIAL USE – A use that is listed as an allowed Retail and Consumer Service Use or an allowed Institutional and Recreational Use in the B1 Zoning District, without need for a special permit, in the Zoning Bylaws, Table 1 Land Use Regulations, in effect as of the date of adoption of this § 200-44.

OFFICE – A place of business of a professional organization or the administration facility of a commercial or industrial organization.

PLAN – Plans depicting a proposed Development Project for all or a portion of the SG and which is submitted to the Approving Authority for its review and approval in accordance with the provisions of this Bylaw and the Design Standards.

PLAN APPROVAL – The Approving Authority's authorization for a proposed Development Project based upon a finding of compliance with this Bylaw and Design Standards after the conduct of a Plan Review.

PLAN REVIEW – The review procedure established by § K of this Bylaw and administered by the Planning Board of the Town of Marblehead as the Approving Authority.

RENOVATION – Physical improvement that adds to the value of the real property. Painting, ordinary repairs, and other normal maintenance do not constitute a renovation.

SETBACK – Please refer to ARTICLE V Dimensional Regulations § 200-15. B.(3) of the Marblehead Zoning Bylaw in effect as of the date of adoption of this Bylaw.

SG or DISTRICT – The Smart Growth Overlay District, an overlay zoning district adopted pursuant to M.G.L. Ch. 40R, in accordance with the procedures for zoning adoption and amendment as set forth in M.G.L. Ch. 40A

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and approved by the Department of Housing and Community Development pursuant to M.G.L. Ch. 40R and 760 CMR 59.00.

UNDERLYING ZONING – The zoning requirements adopted pursuant to M.G.L. Ch. 40A that are otherwise applicable to the geographic area in which the SG is located, as said requirements may be amended from time to time.

UNDULY RESTRICT – A provision of the SG or a Design Standard that adds unreasonable costs or unreasonably impairs the economic feasibility of a proposed Development Project in a SG.

UNRESTRICTED UNIT – A Dwelling Unit that is not restricted as to rent, price or eligibility of occupants.

ZONING BYLAW – The Zoning Bylaw of the Town of Marblehead, Massachusetts, adopted in accordance with and pursuant to the provisions of M.G.L. Ch. 40A.

ZONING MAP – The Zoning Map of the Town of Marblehead, Massachusetts, adopted in accordance with and pursuant to the provisions of M.G.L. Ch. 40A.

- E. Permitted Uses.** The following uses shall be permitted in the following Districts As-of-Right upon Plan Approval, and at residential densities specified in Table G. Table of Dimensional and Density Requirements:

Table E. Allowable Uses		
Residence Uses	SG Pleasant Street District	SG Vinnin Square District
Multi-Family Development Project	No ¹	Yes
Mixed Use Development Project	Yes	Yes
¹ The Approving Authority may grant a waiver pursuant to § L of this Bylaw to allow a Multi-Family Development Project in the SG Pleasant Street District upon a finding that the inclusion of a non-residential use at the street level would Unduly Restrict opportunities for development.		

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F. Prohibited Uses or Activities in the SG.

- (1) Any use prohibited by the Underlying Zoning in effect as of the date of adoption of this Bylaw.
- (2) Any use not listed in § E of this Bylaw is expressly prohibited.
- (3) Non-Residential Uses permitted as-of-right pursuant to the Underlying Zoning are permitted pursuant to this Bylaw as part of a Mixed Use Development Project.

G. Dimensional and Other Requirements.

- (1) New buildings within the SG shall be subject to the bulk, dimensional and density requirements in Table G. Table of Dimensional and Density Requirements:

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Table G. Table of Dimensional and Density Requirements.								
District	Min. Lot Area (sq. ft.)	Max. Residential Density (units/acre)	Min. Frontage (linear ft.)	Min. Front Setback (linear ft.)	Min. Side Setback (linear ft.)	Min. Rear Setback (linear ft.)	Min. Open Area (%)	Max . Ht. (ft.)
SG Pleasant Street District	10,000	51	35	N	(1)	(1)	N	50
SG Vinnin Square District	10,000	30	35	N	(1)	(1)	(2)	42
Notes: N – None (1) – Except as to any boundary abutting any other business district, six feet; as to any boundary abutting any residential district, nine feet. May be reduced at the discretion of the Approving Authority. (2) – One square foot of open land area (in addition to the areas of required parking spaces for such lot) for each two square feet of gross floor area.								

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- (2) Building Renovation. Renovation of existing buildings may maintain existing building footprints, and may only expand such footprints insofar as such expansion is in compliance with the required dimensional requirements for new buildings.
- (3) Portions of the Lot in the SG Vinnin Square District are located in the Town of Swampscott and in the City of Salem. If a Development Project proposed in the SG Vinnin Square District includes development in another municipality, allowable density in the Town of Marblehead will be calculated based on the area of land within the Town of Marblehead.
- (4) Fractional Units. When the application of the allowable densities specified in Table G. Table of Dimensional and Density Requirements results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number.
- (5) Signage. Commercial signage proposed within a Mixed-Use Development Project shall be subject to the procedures and requirements of the Marblehead Sign By-Law, Chapter 148 of the Marblehead General By-Laws, in effect as of the date of adoption of this Bylaw.
- (6) Noise. An Application proposing the installation of exterior venting air conditioners, ventilators, blowers and similar equipment shall be required to demonstrate to the Approving Authority that the noise produced by such equipment will not be in excess of 60 decibels at 20 feet in any direction, or the distance to the nearest building having a residential use, whichever is the lesser. Upon construction and occupancy, noise from the Development Project, including resulting from air

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conditioners, ventilators, blowers and similar equipment, shall at all times comply with this requirement.

- (7) Stormwater. Proposed Development Projects shall be subject to Marblehead By-law chapter 195 Stormwater Management and Erosion Control, in effect as of the date of adoption of this § 200-44, as applicable.

H. Off-Street Parking.

- (1) Off-street parking in the Districts shall be provided in order to meet or exceed the following minimum requirements:

Table H. Off-Street Parking Minimum Required Parking		
Use	Vinnin	Pleasant
Dwelling Unit (1 bedroom)	2.0 spaces	1.0 spaces
Dwelling Unit (2 bedrooms)	2.0 spaces	1.5 spaces
Dwelling Unit (3 bedrooms)	2.0 spaces	2.0 spaces
Dwelling Unit (4 bedrooms)	2.0 spaces	2.5 spaces
Non-residential Use	1.0 space /300 square feet	1.0 space /500 square feet

- (2) Fractional Spaces. When the application of the minimum required parking standards in this § H results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number.
- (3) Location of parking. Any surface parking lot shall be located at the side or rear of a building, relative to any public right-of-way or public open space. In no case shall surface parking for new construction be permitted within the required front setbacks. Sub-surface parking that requires blasting may be disallowed if the Approving Authority finds, based on the results of a geotechnical

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analysis, that it is not possible to mitigate any extraordinary adverse impact of blasting on nearby properties.

- (4) The Approving Authority may grant a Plan Approval making such modifications in the parking standards or prescribe safeguards and conditions as it shall warrant appropriate, provided that it finds that it is impractical to meet the standards and that such modifications are appropriate by reason of the proposed use and will not result in or worsen parking or traffic problems in or in proximity to the SG. The Approving Authority may impose conditions of use or occupancy appropriate to such modifications.
- (5) Shared use of required parking. At the discretion of the Approving Authority, shared use may be made of required parking spaces by intermittent use establishments such as churches, assembly halls, or theaters whose peak parking demand is only at night or on Sundays and by other uses whose peak demand is only during the day. In order for such shared parking to be eligible to satisfy required off-street parking standards in whole or in part, prior to Plan Approval a formal agreement shall be made in writing by the owners of the uses involved concerning the number of spaces involved, substantiation of the fact that such shared use is not overlapping or in conflict, and the duration of the agreement. Required spaces shall be within 300 feet of the main entrance to the principal buildings served by the shared parking.
- (6) The Approving Authority may require additional visitor parking beyond the maximum required spaces per unit if deemed appropriate given the design, layout, use and/or density of the proposed Development Project.

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- (7) Construction Standards. Each parking space shall be at least nine feet wide and 20 feet long and shall be designed with appropriate means of vehicular access to a street as well as maneuvering areas. Access and maneuvering areas shall not be obstructed or used for the parking of motor vehicles. Parking shall be designed and constructed to comply with all applicable disability access requirements including but not limited to the Americans with Disabilities Act (ADA) and the Massachusetts Architectural Access Board (AAB).

I. Design Standards. To ensure that new development shall be of high quality, and shall meet the standards envisioned by the Town of Marblehead in adopting this Bylaw, the Approving Authority shall adopt the Marblehead Smart Growth Overlay District Design Standards as approved by DHCD on May 1, 2009 governing the issuance of Plan Approvals for Development Projects within the SG and shall file a copy with the Town Clerk. In addition to the standards set forth in this Bylaw, the physical character of Development Projects within the SG shall comply with such Design Standards. In the event of any conflict between this Bylaw and the Design Standards, this Bylaw shall govern and prevail.

- (1) The Approving Authority may adopt, by simple majority vote, amendments to the Design Standards.
- (2) Before adopting any amendment to the Design Standards, the Approving Authority shall submit the proposed amendment to DHCD for approval. Any amendment to the Design Standards shall not take effect until approved by DHCD and filed with the Town Clerk.
- (3) Any amendment to the Design Standards must be objective and not subjective and may only address the scale and proportions of buildings, the alignment, width, and grade of streets and sidewalks, the type and location of infrastructure, the location of building and garage

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entrances, off street parking, the protection of significant natural site features, the location and design of on-site open spaces, exterior signs, and buffering in relation to adjacent properties. DHCD may, at its discretion, require any amendment to the Design Standards to contain graphics illustrating a particular standard or definition in order to make such standard or definition clear and understandable.

- (4) An application for Plan Approval that has been submitted to the Town Clerk pursuant to Section 200-44 K shall not be subject to any Design Standard that has not been approved by DHCD and filed with the Town Clerk.

J. Affordable Housing.

- (1) Number of Affordable Housing units. Twenty percent (20%) of all Dwelling Units constructed in a Development Project shall be Affordable Housing units provided, however, that twenty-five percent (25%) of all rental dwelling units in a Development Project shall be Affordable Housing units. For Development Projects in which all of the Dwelling Units are limited to occupancy by elderly persons and/or by persons with disabilities, twenty-five percent (25%) of the Dwelling Units shall be Affordable Housing units, whether the Dwelling Units are rental or ownership units.
- (2) Fractional Units. When the application of the percentages specified in sub-section J(1) results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number.
- (3) Affordable Housing units shall comply with the following requirements:

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- (a) The monthly rent payment for an Affordable Rental Unit, including utilities and parking, shall not exceed thirty percent (30%) of the maximum monthly income permissible for an Eligible Household, with price determined assuming a Family size equal to the number of bedrooms in the unit plus one unless other affordable program rent limits approved by DHCD shall apply;
 - (b) For an Affordable Homeownership Unit the monthly housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, insurance, and parking, shall not exceed thirty percent (30%) of the maximum monthly income permissible for an Eligible Household, assuming a Family size equal to the number of bedrooms in the Dwelling Unit plus one; and
 - (c) Affordable Housing units required to be offered for rent or sale shall be rented or sold to and occupied only by Eligible Households.
- (4) Design and construction.
- (a) Design. Affordable Housing units must be comparable in initial construction quality and exterior design to the Unrestricted Units. However, nothing in this section is intended to limit a homebuyer's rights to renovate a Dwelling Unit under applicable law. The Affordable Housing units must have access to all on-site amenities. The total number of bedrooms in the Affordable Housing units shall be at least proportionate to the total number of bedrooms in all units in the Development Project.
 - (b) Timing. All Affordable Housing units must be constructed and occupied not later than concurrently with construction and occupancy

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of Unrestricted Units. For any Development Project that is approved in phases, the proportion of Affordable Housing units shall be consistent across all phases.

- (5) Affordable housing restriction. Each Affordable Housing unit shall be subject to an Affordable Housing Restriction which is recorded with the Essex County Registry of Deeds or Land Court Registry District of Essex County. The Affordable Housing Restriction shall provide for the implementation of the requirements of this Bylaw. All Affordable Housing Restrictions must include, at minimum, the following:
- (a) Description of the Development Project, including whether the Affordable Housing unit will be rented or owner-occupied.
 - (b) A description of the Affordable Homeownership Unit, if any, by address and number of bedrooms; and a description of the overall quantity and number of bedrooms and number of bedroom types of Affordable Rental Units in a Project or portion of a Project which are rental. Such restriction shall apply individually to the specifically identified Affordable Homeownership Unit and shall apply to a percentage of rental units of a rental Project or the rental portion of a Project without specific unit identification.
 - (c) The term of the Affordable Housing Restriction shall be the longest period customarily allowed by law but shall be no less than thirty (30) years.
 - (d) The name and address of the Monitoring Agent with a designation of its power to monitor and enforce the Affordable Housing Restriction. In a case where the Monitoring Agent cannot adequately carry out its administrative duties, upon certification of this fact by the Marblehead Board of Selectmen or by DHCD such duties

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- shall devolve to and thereafter be administered by a qualified housing entity designated by the Marblehead Board of Selectmen.
- (e) Reference to a housing marketing and resident selection plan, to which the Affordable Housing unit is subject, and which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process. If approved by DHCD, the housing marketing and selection plan may provide for preferences in resident selection. The plan shall designate the household size appropriate for a unit with respect to bedroom size and provide that preference for such unit shall be given to a household of the appropriate size.
 - (f) A requirement that buyers or tenants will be selected at the initial sale or initial rental and upon all subsequent sales and rentals from a list of Eligible Households compiled in accordance with the housing marketing and selection plan.
 - (g) Reference to the formula pursuant to which rent of a rental unit or the maximum resale price of a homeownership unit will be set.
 - (h) A requirement that only an Eligible Household may reside in an Affordable Housing unit and that notice of any lease or sublease of any Affordable Housing unit to another Eligible Household shall be given to the Monitoring Agent.
 - (i) Provision for effective monitoring and enforcement of the terms and provisions of the Affordable Housing Restriction by the Monitoring Agent.
 - (j) Provision that the restriction on an Affordable Homeownership Unit shall run in favor of the Monitoring Agent and the Town of Marblehead, in a form approved by municipal counsel, and shall limit initial sale and re-sale to and occupancy by an Eligible Household.

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- (k) Provision that the restriction on Affordable Rental Units in a rental Development Project or rental portion of a Development Project shall run with the rental Development Project or rental portion of a Development Project and shall run in favor of the Monitoring Agent and the Town of Marblehead, in a form approved by municipal counsel, and shall limit rental and occupancy to an Eligible Household.
 - (l) Provision that the owner(s) or manager(s) of Affordable Rental Unit(s) shall file an annual report to the Monitoring Agent , in a form specified by that agent certifying compliance with the provisions of this Bylaw and containing such other information as may be reasonably requested in order to ensure affordability.
 - (m) A requirement that residents in Affordable Housing units provide such information as the Monitoring Agent may reasonably request in order to ensure affordability eligibility and compliance.
 - (n) Designation of the priority of the Affordable Housing Restriction over mortgages and other restrictions.
- (6) Administration. The Monitoring Agent shall ensure the following:
- (a) Prices of Affordable Homeownership Units are properly computed; rental amounts of Affordable Rental Units are properly computed.
 - (b) Income eligibility of households applying for Affordable Housing units is properly and reliably determined.
 - (c) The housing marketing and resident selection plan conforms to all requirements and is properly administered.
 - (d) Sales and rentals are made to Eligible Households chosen in accordance with the

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- housing marketing and resident selection plan with appropriate unit size for each household being properly determined and proper preference being given.
 - (e) Affordable Housing Restrictions meeting the requirements of this section are recorded with the Essex County Registry of Deeds or Land Court Registry District of Essex County.
- (7) The housing marketing and selection plan may make provision for payment by the Applicant of reasonable costs to the Monitoring Agent to develop, advertise, and maintain the list of Eligible Households, to conduct the housing lottery, and to monitor and enforce compliance with affordability requirements over time.

K. Administration. The Approving Authority shall adopt and file with the Town Clerk administrative rules relative to the application requirements and contents for Plan Review. Such administrative rules may be included as a separate section within the approved Design Standards. Such administrative rules and any amendment thereto must be approved by the Massachusetts Department of Housing and Community Development. The Plan Review process encompasses the following, as may be supplemented by the administrative rules:

- (1) Pre-application review. The Applicant is encouraged to participate in a pre-application review with the Approving Authority at a regular meeting(s) of the Approving Authority. The purpose of the pre-application review is to obtain the advice and direction of the Approving Authority prior to filing the application, including determining whether additional technical analyses listed in § K(2)(c) may be required. At the pre-application review the Applicant shall outline the proposal and seek preliminary feedback from the Approving Authority, other municipal review entities, and other members of the public. The Applicant is also encouraged to request a site visit by the Approving

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Authority and/or its designee in order to facilitate pre-application review.

(2) Application procedures.

- (a) An application for Plan Approval shall be filed by the Applicant with the Town Clerk and a copy of the application including the date of filing certified by the Town Clerk shall be filed forthwith with the Approving Authority. The Applicant shall also file the required number of copies of the application with the Building Inspector and with the Approving Authority. Said filing shall include any required forms provided by the Approving Authority.
- (b) As part of any application for Plan Approval, the Applicant must submit the following documents to the Approving Authority and the Administering Agency:
 - (1) Evidence that the Development Project complies with the cost and eligibility requirements of § J (3). Affordable Housing;
 - (2) Development Project plans that demonstrate compliance with the requirements of § J (4). Affordable Housing; and
 - (3) A form of Affordable Housing Restriction that satisfies the requirements of § J (5). Affordable Housing.
- (c) As part of any application for Plan Approval, the Applicant may be required to submit one or more of the following technical analyses to the Approving Authority:
 - (1) Surface and water pollution. A report on the impact of stormwater runoff on adjacent and downstream surface water bodies, subsurface groundwater and the water table.

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- (2) Soils. The potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development.
 - (3) Geotechnical Analysis. If sub-surface blasting is proposed an analysis by a certified geotechnical engineer shall be required in accordance with M.G.L. Ch. 148 showing whether such blasting will have any extraordinary adverse impacts on nearby property.
 - (4) Traffic impact. A report on existing street capacities, estimated average daily traffic generation, composition, peak hour levels and directional flows resulting from the proposed development, proposed methods to mitigate the estimated traffic impact and methodology and sources used to derive existing data and estimations.
 - (5) Sample board. Identification of all major exterior materials, colors and finishes.
 - (6) Noise. Documentation as necessary to demonstrate that the noise produced by exterior venting air conditioners, ventilators, blowers and similar equipment will not be in excess of 60 decibels at 20 feet in any direction, or the distance to the nearest building having a residential use, whichever is the lesser.
- (d) Review fees. The Applicant shall be required to pay for reasonable consulting fees to provide peer review of the application for the benefit of the Approving Authority. Such fees shall be held by the Town of Marblehead in an interest-bearing escrow account, and shall be used only for expenses associated with the use of outside consultants employed by the Approving Authority in reviewing the Plan application. Any surplus funds remaining after the completion of such review, including any

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- interest accrued, shall be returned to the Applicant forthwith.
- (e) Upon receipt by the Approving Authority, applications for Plan Approval shall be distributed to the Board of Selectmen, Board of Health, Fair Housing Committee, Building Inspector, Conservation Commission, Zoning Board of Appeals, Department of Public Works, the Fire and Police Departments and the Water and Sewer Commission. Any reports from these parties shall be submitted to the Approving Authority within sixty (60) days of filing of the application.
 - (f) Within thirty (30) days of filing of an application with the Approving Authority, the Approving Authority or its designee shall evaluate the proposal with regard to its completeness and shall submit an advisory report in writing to the Applicant certifying the completeness of the application. Where an application is found to be incomplete, the Approving Authority or its designee shall provide a statement outlining required items that were missing from the application. The Approving Authority or its designee shall forward to the Applicant, with its report, copies of all recommendations received to date from other boards, commissions or departments.
- (3) Public hearing. The Approving Authority shall hold a public hearing and review all applications according to the procedure specified in M.G.L. Ch. 40R § 11.
- (4) Prior to the granting of any Plan Approval for a Development Project, the Applicant must demonstrate, to the satisfaction of the Monitoring Agent or, in the event that a Monitoring Agent has not yet been named, to the satisfaction of the Approving Authority, that the method by which such affordable rents or affordable purchase prices are computed shall be consistent with state or

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federal guidelines for affordability applicable to the Town of Marblehead.

(5) Plan Approval decision.

- (a) The Approving Authority shall make a decision on the application for Plan Approval by a simple majority vote and shall file said decision with the Town Clerk, within 120 days of the receipt of the application by the Town Clerk. The time limit for public hearings and taking of action by the Approving Authority may be extended by written agreement between the Applicant and the Approving Authority. A copy of such agreement shall be filed with the Town Clerk.
- (b) Failure of the Approving Authority to take action within 120 days or extended time, if applicable, shall be deemed to be an approval of the application.
- (c) An Applicant who seeks approval because of the Approving Authority's failure to act on an application within the 120 days or extended time, if applicable, must notify the Town Clerk in writing, within fourteen (14) days from the expiration of said time limit for a decision, of such approval and that a copy of that notice has been sent by the Applicant to parties in interest by mail and that each such notice specifies that appeals, if any, shall be made pursuant to M.G.L. Ch. 40R and shall be filed within twenty (20) days after the date the Town Clerk received such written notice from the Applicant that the Approving Authority failed to act within the time prescribed.
- (d) The Approving Authority's findings, including the basis of such findings, shall be stated in a written decision of approval, conditional approval or denial of the Plan Approval

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- application. The written decision shall contain the name and address of the Applicant, identification of the land affected and its ownership, and reference by date and title to the plans that were the subject of the decision.
- (e) The decision of the Approving Authority, together with the detailed reasons therefore, shall be filed with the Town Clerk, the Board of Appeals and the Building Inspector. A copy of the decision shall be mailed to the Applicant and to the owner if other than the Applicant by the Approving Authority certifying that a copy of the decision has been filed with the Town Clerk and that all plans referred to in the decision are on file with the Approving Authority. A notice of the decision shall be sent to parties in interest and to persons who requested a notice at the public hearing.
 - (f) Effective date. If twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the Town Clerk shall so certify on a copy of the decision. If the application is approved by reason of the failure of the Approving Authority to timely act, the Town Clerk shall make such certification on a copy of the application. A copy of the decision or application shall be recorded with the title of the land in question in the Essex County Registry of Deeds or the Essex Land Registry District, and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The responsibility and the cost of said recording and transmittal shall be borne by the Applicant.
- (6) Criteria for approval. The Approving Authority shall approve the Development Project upon finding that it

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complies with the requirements of the SG and applicable Design Standards.

- (7) Criteria for conditional approval. The Approving Authority may impose conditions on a Development Project as necessary to ensure compliance with this § 200-44 and applicable Design Standards, or to mitigate any extraordinary adverse impacts of the Development Project on nearby properties, insofar as such conditions are compliant with the provisions of M.G.L. Ch. 40R and applicable regulations and do not Unduly Restrict opportunities for development. The Approving Authority may require construction of an approved Development Project to be phased for the purpose of coordinating the Development Project with any mitigation required to address extraordinary adverse Development Project impacts on nearby properties.
- (8) Criteria for denial. The Approving Authority may deny an application for Plan Approval pursuant to this Bylaw if the Board finds one or more of the following:
 - (a) The Development Project does not meet the conditions and requirements set forth in the SG and applicable Design Standards.
 - (b) The Applicant failed to submit information and fees required by the SG and necessary for an adequate and timely review of the design of the Development Project or potential Development Project impacts.
 - (c) It is not possible to adequately mitigate significant adverse Development Project impacts on nearby properties by means of suitable conditions.
- (9) Time limit. A Plan Approval shall remain valid and shall run with the land indefinitely provided that construction has commenced within two (2) years after the decision issues, which time shall be extended by the time required

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to adjudicate any appeal from such approval. Said time shall also be extended if the project proponent is actively pursuing other required permits for the project or if there is good cause for the failure to commence construction, or as may be provided in an approval for a multi-phase Development Project.

- (10) Appeals. Pursuant to M.G.L. Ch. 40R, § 11, any person aggrieved by a decision of the Approving Authority may appeal to the Superior Court, the Land Court department, or the Housing Court department within twenty (20) days after the Plan decision has been filed in the office of the Town Clerk.

- L. Waivers.** The Approving Authority may at its discretion authorize waivers in the Plan Approval with respect to the dimensional and other standards set forth in this § 200-44 and in the Design Standards upon a finding that such waiver will allow the Development Project to achieve the density, affordability and/or physical character allowable under this Bylaw. However, the Approving Authority may not waive any portion of the Affordable Housing requirements in § J. Affordable Housing except insofar as such waiver results in the creation of a number of Affordable Housing units in excess of the minimum number of required Affordable Housing units.
- M. Fair Housing Requirement.** All Development Projects within the SG shall comply with applicable federal, state and local fair housing laws.
- N. Annual Update.** On or before July 31 of each year, the Board of Selectmen shall cause to be filed an Annual Update with the Department of Housing and Community Development (DHCD) in a form to be prescribed by DHCD. The Annual Update shall contain all information required in 760 CMR 59.07, as may be amended from time to time, and additional information as may be

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required pursuant to M.G.L. Ch. 40S and accompanying regulations. The Town Clerk shall maintain a copy of all updates transmitted to DHCD pursuant to this Bylaw, with said copies to be made available upon request for public review.

- O. Notification of Issuance of Building Permits.** Upon issuance of a residential building permit within the SG, the Building Inspector shall cause to be filed an application to the DHCD in a form to be prescribed by DHCD, for authorization of payment of a one-time density bonus payment for each residential building permit pursuant to M.G.L. Ch. 40R. The application shall contain all information required in 760 CMR 59.06 (2), as may be amended from time to time, and additional information as may be required pursuant to M.G.L. Ch. 40S and accompanying regulations. The Town Clerk shall maintain a copy of all such applications transmitted to DHCD pursuant to this Bylaw, with said copies to be made available upon request for public review.
- P. Date of effect.** The effective date of this Bylaw shall be the date on which such adoption is voted upon by Town Meeting pursuant to the requirements of M.G.L. Ch. 40A § 5 and M.G.L. Ch. 40R; provided, however, that an Applicant may not proceed with construction pursuant to this Bylaw prior to the receipt of final approval of this Bylaw and accompanying Zoning Map by both the Department of Housing and Community Development and the Office of the Massachusetts Attorney General.
- Q. Severability.** The provisions of this section are severable. If any provision of this section is held invalid, the other provisions shall not be affected but shall remain in full force.

And to further amend the Zoning Bylaw § 200-8 (A) to add to the list of Zone districts the following:

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“SG Smart Growth Overlay District”

- Or take any other action relative thereto.
- ARTICLE 41** **Landfill Regulatory Compliance Activities**
VOTED
That the sum of \$242,400.00 is appropriated 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; \$114,600 to be raised by taxation and \$127,800 subject to a proposition 2 ½ capital outlay expenditure override.
Provided; that the appropriation in the amount of \$127,800 shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by G.L.c.59, section 21C (Proposition 2 ½) amounts required for said capital outlay expenditures.
- ARTICLE 42** **Disposal Area Remediation/Stoneybrook Rd.**
VOTED
That the sum of \$505,000.00 is appropriated to be expended by the Board of Health for disposal area remediation as it relates to Stoneybrook Road and private property(s) on Stoneybrook Rd., some of which abut land owned by the Town of Marblehead; provided; that this vote shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by G.L.c.59, section 21C (Proposition 2 ½) amounts required for said capital outlay expenditures.
- ARTICLE 43** **Litchmans Terrace Open Space**
VOTED
To transfer the care, custody, management and control of a portion of the following described parcel of land known as Parcel 29 on Marblehead Assessor’s Map 136 which is owned by the Town of Marblehead to the Marblehead Conservation Commission for Open Space Purposes. Said entire parcel of land is described as a certain parcel of land owned by the Town of Marblehead containing 1.153 acres and lying between a proposed

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road off Turner Road to the northwest and Litchman is bounded as follows:

NORTHWEST by said proposed road (45 feet in width) off Turner Road;

NORTHEAST by land now or Bryan C. and Sara W. Segee (12 Turner Road), Steven J. Elliott and Jane L. Knight (10 Turner Road), Sharon A. Trainor (76 Green Street), Linda W. Boynton (72 Green Street), Vlad Farfel (68 Green Street) and Robert L. and Michele McKay (66 Green Street);

SOUTHEAST by Litchman Terrace;

SOUTHWEST by land now or formerly of Paul and Sophia Moroz (24 Taft Street), Joanne N. Jauron (22 Taft Street), Lewis W. II and Kristine E. Farrar (20 Taft Street), Martha M. Stiles (18 Taft Street), William J. and Constance M. Willis (16 Taft Street) and Louise M. Antonioli (14 Taft Street)

The parcel of land described above is identified by the term "Reservation" on a plan entitled "Town of Marblehead, Turner Estate, Lot Plan" dated October 22, 1941, R. O. Burlingham, Town Engineer, recorded with Essex South District Registry of Deeds, Plan Book 73, Plan 82. The "Reservation" parcel shown on the 1941 plan has been modified by the layout of Litchman Terrace in 1969 as shown on plan entitled "Town of Marblehead, Litchman Terrace Layout (In Part)" dated September 24, 1968, George H. Clark, Jr., Town Engineer, on file in the Office of the Town Engineer, Marblehead, MA 01945.

Said portion of land to be transferred to the Conservation Commission shall include the above description but shall not include a portion of the parcel of land which consists of a 40-ft wide strip of land running parallel to and adjacent to Litchman Terrace as shown on Plan entitled "Town Land off Litchman Terrace, Marblehead, MA 01945" dated January 2009 on file in the Office of the Town Engineer, Marblehead, MA 01945. Said strip of land to be excluded contains about 4,000 square feet

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(0.09 acres) and is to remain under the care, custody, management and control of the Marblehead Board of Selectmen.

ARTICLE 44

Land Acquisition, Naugus Avenue VOTED

That this article be indefinitely postponed.

ARTICLE 45

School Department Computer, Support Equipment, and Technology Infrastructure VOTED

That this article be indefinitely postponed.

ARTICLE 46

Schools Construction and or Renovation Program VOTED

That this article be indefinitely postponed.

ARTICLE 47

Fiscal 2009 Expenses of Several Departments VOTED

That this article be indefinitely postponed.

ARTICLE 48

Available Funds Appropriated to Reduce the Tax Rate VOTED

That the sum of \$4,222,169.00 be appropriated for the use of the Assessors in making the Tax Rate.

From Free Cash	\$3,892,169.00
From Electric Surplus	<u>330,000.00</u>
	\$4,222,169.00

ARTICLE 49

Expenses of Several Departments Item 1 Moderator VOTED:

That the sum of \$100.00 be and hereby is appropriated for the Moderator as follows:

Item	1	Officials Expense	\$100.00
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ARTICLE 49

Expenses of Several Departments Items 2 3 4 5 6 Selectmen

MARBLEHEAD TOWN REPORT

VOTED:

That the sum of \$428,871.00 be and hereby is appropriated for the Selectmen as follows:

Item 2	Officials Expense	\$ 5,500.00
Item 3	Salaries & Wages	322,208.00
Item 4	Expense	92,163.00
Item 5	Zoning Board Legal Services	7,000.00
Item 6	Out of State Travel	<u>2,000.00</u>
		\$428,871.00

ARTICLE 49

Expenses of Several Departments

Items 7 8 9 Finance Committee

VOTED:

That the sum of \$13,747.00 be and hereby is appropriated for the Finance Committee as follows:

Item 7	Salaries & Wages	\$ 7,987.00
Item 8	Expense	5,585.00
Item 9	Local Travel	<u>175.00</u>
		\$13,747.00

ARTICLE 49

Expenses of Several Departments

Item 10 Reserve Fund

VOTED:

That the sum of \$144,000.00 be and hereby is appropriated for the Reserve Fund.

ARTICLE 49

Expenses of Several Departments

Items 12 13 Finance Department

VOTED:

That the sum of \$866,046.00 be and hereby is appropriated for the Finance Department as follows:

Item 12	Salaries & Wages	\$ 619,841.00
Item 13	Expense	<u>246,205.00</u>
		\$ 866,046.00

ARTICLE 49

Expenses of Several Departments

Items 17 18 19 20 Assessor

VOTED:

That the sum of \$202,439.00 be and hereby is appropriated for the Assessor as follows:

MARBLEHEAD TOWN REPORT

Item 17	Officials Expense	\$ 300.00
Item 18	Salaries & Wages	167,954.00
Item 19	Expense	33,985.00
Item 20	Local Travel	<u>200.00</u>
		\$ 202,439.00

ARTICLE 49

Expenses of Several Departments

Items 29 30 Town Counsel

VOTED:

That the sum of \$64,932.00 be and hereby is appropriated for the Town Counsel as follows:

Item 29	Salaries & Wages	\$ 2,000.00
Item 30	Expense	<u>62,932.00</u>
		\$ 64,932.00

ARTICLE 49

Expenses of Several Departments

Item 35 Parking Clerk

VOTED:

That the sum of \$10,484.00 be and hereby is appropriated for the Parking Clerk Department as follows:

Item 35	Expense	\$ 10,484.00
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ARTICLE 49

Expenses of Several Departments

Items 39 40 Town Clerk

VOTED:

That the sum of \$154,725.00 be and hereby is appropriated for the Town Clerk as follows:

Item 39	Salaries & Wages	\$147,188.00
Item 40	Expense	<u>7,537.00</u>
		\$154,725.00

ARTICLE 49

Expenses of Several Departments

Items 43 44 Election and Registration

VOTED:

That the sum of \$33,565.00 be and hereby is appropriated for the Election and Registration as follows:

Item 43	Salaries & Wages	\$ 12,950.00
Item 44	Expense	<u>20,615.00</u>
		\$ 33,565.00

MARBLEHEAD TOWN REPORT

ARTICLE 49

Expenses of Several Departments

Item 50 Planning Board

VOTED:

That the sum of \$1,675.00 be and hereby is appropriated for the Planning Board as follows:

Item 50	Expense	\$1,675.00
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ARTICLE 49

Expenses of Several Departments

Items 55 56 57 Public Buildings

VOTED:

That the sum of \$183,131.00 be and hereby is appropriated for the Public Buildings as follows:

Item 55	Salaries & Wages	\$ 81,631.00
Item 56	Expense	101,100.00
Item 57	Local Travel	<u>400.00</u>
		\$183,131.00

ARTICLE 49

Expenses of Several Departments

Item 59 Town Report

VOTED:

That the sum of \$4,300.00 be and hereby is appropriated for the Town Report to be expended by the Board of Selectmen.

ARTICLE 49

Expenses of Several Departments

Item 60 Town Audit

VOTED:

That the sum of \$42,000.00 be and hereby is appropriated for the Town Audit to be expended by the Board of Selectmen.

MARBLEHEAD TOWN REPORT

ARTICLE 49

Expenses of Several Departments

Items 62 63 64 Police Department

VOTED:

That the sum of \$3,148,050.00 be and hereby is appropriated for the Police Department as follows:

Item 62	Salaries & Wages	\$2,945,651.00
Item 63	Expense	192,399.00
Item 64	Indemnification of Officers	<u>10,000.00</u>
		\$3,148,050.00

ARTICLE 49

Expenses of Several Departments

Items 68 69 Fire Department

VOTED:

That the sum of \$2,806,014.00 be and hereby is appropriated for the Fire Department as follows:

Item 68	Salaries & Wages	\$ 2,670,916.00
Item 69	Expense	<u>135,098.00</u>
		\$2,806,014.00

ARTICLE 49

Expenses of Several Departments

Items 73 74 75 Building Inspection

VOTED:

That the sum of \$442,698.00 be and hereby is appropriated for Building Inspection as follows:

Item 73	Salaries & Wages	\$429,943.00
Item 74	Expense	9,755.00
Item 75	Local Travel	<u>3,000.00</u>
		\$442,698.00

ARTICLE 49

Expenses of Several Departments

Item 80 Sealer of Weights and Measures

VOTED:

That the sum of \$150.00 be and hereby is appropriated for the Sealer of Weights and Measures as follows:

Item 80	Expense	\$150.00
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ARTICLE 49

Expenses of Several Departments

Item 86 Animal Inspector

VOTED:

MARBLEHEAD TOWN REPORT

That the sum of \$2,400.00 be and hereby is appropriated for the Animal Inspector as follows:

Item 86	Salaries	\$2,400.00
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ARTICLE 49

Expenses of Several Departments

Item 101 **School Department**

VOTED:

That the sum of \$27,421,550.00 be and hereby is appropriated for the School Department.

ARTICLE 49

Expenses of Several Departments

Items 105 106 107 **Engineer**

VOTED:

That the sum of \$125,172.00 be and hereby is appropriated for the Engineer as follows:

Item 105	Salaries & Wages	\$114,277.00
Item 106	Expense	10,395.00
Item 107	Local Travel	<u>500.00</u>
		\$125,172.00

To meet this appropriation, \$3,000.00 is to be transferred from Wetland Filing Fees and \$122,172.00 to be taken from Taxation.

ARTICLE 49

Expenses of Several Departments

Items 112 113 **Highway**

VOTED:

That the sum of \$758,578.00 be and hereby is appropriated for the Highway as follows:

Item 112	Salaries & Wages	\$672,644.00
Item 113	Expense	<u>85,934.00</u>
		\$758,578.00

ARTICLE 49

Expenses of Several Departments

Item 116 **Rebuild, Maintain or Hot Top Streets**

VOTED:

That the sum of \$33,750.00 be and hereby is appropriated to rebuild or hot top certain streets and said work to be done under the direction of the Director of

MARBLEHEAD TOWN REPORT

Public Works and said sum of money to be expended by the Director of Public Works.

ARTICLE 49

Expenses of Several Departments

Item 117 Snow Removal

VOTED:

That the sum of \$100,000.00 be and hereby is appropriated for the use of the Director of Public Works to cover all expenses incidental to snow removal.

ARTICLE 49

Expenses of Several Departments

Item 118 Street Lighting

VOTED:

That the sum of \$128,820.00 be and hereby is appropriated for the Street Lighting in accordance with Section 58, Chapter 164 of the Massachusetts General Laws.

ARTICLE 49

Expenses of Several Departments

Items 126 127 128 Waste Collection

VOTED:

That the sum of \$1,861,615.00 be and hereby is appropriated for the Waste Collection as follows:

Item 126	Salaries & Wages	\$ 281,609.00
Item 127	Expense	1,578,494.00
Item 128	Local Travel	<u>1,512.00</u>
		\$1,861,615.00

ARTICLE 49

Expenses of Several Departments

Items 132 133 Drains

VOTED:

That the sum of \$101,494.00 be and hereby is appropriated for the Drains as follows:

Item 132	Salaries & Wages	\$ 96,344.00
Item 133	Expense	<u>5,150.00</u>
		\$101,494.00

ARTICLE 49

Expenses of Several Departments

Items 141 142 143 Cemetery

VOTED:

MARBLEHEAD TOWN REPORT

That the sum of \$316,333.00 be and hereby is appropriated for the Cemetery as follows:

Item 141	Officials Expense	\$ 300.00
Item 142	Salaries & Wages	294,187.00
Item 143	Expenses	<u>\$ 21,846.00</u>
		\$316,333.00

To meet this appropriation, \$259,333 is to be raised by taxation, and \$57,000 to be transferred from Cemetery Perpetual Care.

ARTICLE 49

Expenses of Several Departments

Items 148 149 Tree

VOTED:

That the sum of \$282,020.00 be and hereby is appropriated for the Tree Department as follows:

Item 148	Salaries & Wages	\$230,442.00
Item 149	Expense	<u>51,578.00</u>
		\$282,020.00

ARTICLE 49

Expenses of Several Departments

Items 153 154 155 157 158 Health Department

VOTED:

That the sum of \$146,740.00 be and hereby is appropriated for the Health Department as follows:

Item 153	Officials Expense	\$ 400.00
Item 154	Salaries & Wages	127,185.00
Item 155	Expense	13,055.00
Item 157	Local Travel	2,100.00
Item 158	HAWC	<u>4,000.00</u>
		\$146,740.00

ARTICLE 49

Expenses of Several Departments

Item 162 Mental Health

VOTED:

That the sum of \$60,000.00 be and hereby is appropriated for the Mental Health Department as follows:

Item 162	Contractual Services	\$ 60,000.00
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MARBLEHEAD TOWN REPORT

ARTICLE 49

Expenses of Several Departments

Items 164 165 Council on Aging

VOTED:

That the sum of \$184,874.00 be and hereby is appropriated for the Council on Aging as follows:

Item 164	Salaries & Wages	\$182,015.00
Item 165	Expense	<u>2,859.00</u>
		\$184,874.00

ARTICLE 49

Expenses of Several Departments

Items 175 176 177 178 Veterans Benefits

VOTED:

That the sum of \$76,408.00 be and hereby is appropriated for the Veterans Benefits as follows:

Item 175	Salaries & Wages	\$ 55,065.00
Item 176	Expense	1,243.00
Item 177	Local Travel	1,100.00
Item 178	Benefits	<u>19,000.00</u>
		\$ 76,408.00

ARTICLE 49

Expenses of Several Departments

Items 185 186 187 Library

VOTED:

That the sum of \$942,218.00 be and hereby is appropriated for the Abbot Public Library as follows:

Item 185	Salaries & Wages	\$701,340.00
Item 186	Expense	240,778.00
Item 187	Local Travel	<u>100.00</u>
		\$942,218.00

ARTICLE 49

Expenses of Several Departments

Items 190 191 192 Park Department

VOTED:

That the sum of \$745,292.00 be and hereby is appropriated for the Park and Recreation as follows:

Item 190	Salaries & Wages	\$527,609.00
Item 191	Expense	171,590.00
Item 192	Facility Expense	<u>46,093.00</u>
		\$745,292.00

MARBLEHEAD TOWN REPORT

ARTICLE 49

Expenses of Several Departments

Item 210 Memorial & Veterans Day

VOTED:

That the sum of \$1,950.00 be and hereby is appropriated for Memorial and Veterans Day, said sum of money to be expended by the Board of Selectmen.

ARTICLE 49

Expenses of Several Departments

Items 214 215 Maturing Bonds and Interest

VOTED:

That the sum of \$4,422,955.00 be and hereby is appropriated for the Maturing Bonds and Interest as follows:

Item 214	Maturing Debt	\$ 2,820,000.00
Item 215	Interest	<u>1,602,955.00</u>
		\$4,422,955.00

To meet this appropriation, \$338,693.00 is to be transferred from Bond Premium Reserved for Appropriation and \$4,084,262.00 to be raised by taxation.

ARTICLE 49

Expenses of Several Departments

Item 217 Contributory Retirement

VOTED:

That the sum of \$1,902,903.00 be and hereby is appropriated for the Contributory Retirement Fund.

ARTICLE 49

Expenses of Several Departments

Item 218 Medicare

VOTED:

That the sum of \$425,000.00 be and hereby is appropriated for Medicare, to be expended by the Finance Director.

ARTICLE 49

Expenses of Several Departments

Item 219 Workmen's Compensation

VOTED:

That the sum of \$250,000.00 be and hereby is appropriated to be added to the Workmen's

MARBLEHEAD TOWN REPORT

Compensation Trust Fund (and allowed to accumulate from year to year) to be expended by the Finance Director to pay expenses of Workmen's Compensation.

ARTICLE 49

Expenses of Several Departments

Item 221 Group Insurance

VOTED:

That the sum of \$9,812,084.00 be and hereby is appropriated for Group Insurance to be expended by the Finance Director.

ARTICLE 49

Expenses of Several Departments

Item 222 Other Insurance

VOTED:

That the sum of \$475,888.00 be and hereby is appropriated for Other Insurance, to be expended by the Board of Selectmen.

ARTICLE 49

Expenses of Several Departments

Item 223 Salary Reserve

VOTED:

That the sum of \$110,770.00 be and hereby is appropriated for Salary Reserve, to be expended by the Board of Selectmen.

To meet this appropriation \$32,063.00 to be taken from sewer retained earnings, \$32,063 to be taken from water retained earnings and \$46,644 to be raised by taxation.

ARTICLE 49

Expenses of Several Departments

Item 224 Non-Contributory Retirement

VOTED:

That the sum of \$142,567.00 be and hereby is appropriated for Non-Contributory Retirement, to be expended by the Finance Director/Town Accountant.

ARTICLE 49

Expenses of Several Departments

Item 225 Energy Reserve

VOTED:

MARBLEHEAD TOWN REPORT

That the sum of \$485,040.00 be and hereby is appropriated for Energy Reserve, to be expended by the Board of Selectmen.

ARTICLE 49

Expenses of Several Departments

Items 227 228 230 Sewer Department

VOTED:

That the sum of \$3,216,152.00 be and hereby is appropriated for the Sewer Department as follows:

Item 227	Salaries & Wages	\$589,798.00
Item 228	Expense	524,090.00
Item 230	South Essex Sewer District	<u>2,102,264.00</u>
		\$3,216,152.00

To meet this appropriation, \$3,216,152.00 is to be transferred from sewer receipts.

ARTICLE 49

Expenses of Several Departments

Items 231 232 235 Water Department

VOTED:

That the sum of \$2,845,785.00 be and hereby is appropriated for the Water Department as follows:

Item 231	Salaries & Wages	\$ 579,840.00
Item 232	Expense	497,247.00
Item 235	Metropolitan Water	<u>1,768,698.00</u>
		\$2,845,785.00

To meet this appropriation, \$2,845,785.00 is to be transferred from water receipts.

ARTICLE 49

Expenses of Several Departments

Item 236 Municipal Light Department

VOTED:

That the income from sales of electricity to private consumers, from electricity supplied to municipal buildings and electricity supplied for municipal power during the current fiscal year be appropriated for the Municipal Light Plant, the whole to be expended by the manager of the Municipal Lighting Plant, under the direction and control of the Municipal Light Board for

MARBLEHEAD TOWN REPORT

the expense of the plant for said fiscal year as defined in Section 57 of Chapter 164 of the General Laws; and said Municipal Light Board is hereby further authorized to pay from income of the plant for the fiscal year such amounts as may be expended for extensions, reconstruction enlargements, or additions and sell or trade apparatus that has worn out its usefulness and is unfit for requirements during the fiscal year.

ARTICLE 49

Expenses of Several Departments

**Items 238 239 240 241 Harbor Department
VOTED:**

That the sum of \$710,901.00 be and hereby is appropriated for the Harbor Department as follows:

Item 238	Salaries & Wages	\$300,834.00
Item 239	Expense	297,857.00
Item 240	Bonds and Interest	47,250.00
Item 241	Outlays	<u>64,960.00</u>
		\$710,901.00

To meet this appropriation, \$710,901 is to be transferred from harbor receipts.

ARTICLE 50

Supplemental Expenses of Several Departments

VOTED

That this article be indefinitely postponed.

At 10:35 PM the Moderator dissolved the 2009 Annual Town Meeting.

MARBLEHEAD TOWN REPORT

Marblehead Massachusetts Annual Town Election Monday May 11th, 2009

The Number of Votes Cast were as follows:

Precinct 1	381	17.5% of 2,171 Registered Voters
Precinct 2	280	14.4% of 1,935 Registered Voters
Precinct 3	292	15.6% of 1,868 Registered Voters
Precinct 4	370	17.1% of 2,161 Registered Voters
Precinct 5	280	13.4% of 2,087 Registered Voters
Precinct 6	338	15.7% of 2,147 Registered Voters
Precinct 7	290	13.6% of 2,121 Registered Voters
Total	2231	15.39% of 14,490 Registered Voters

Canvas Completed at 8:35 pm

Selectmen 1 Year Term

Vote for Five

Precinct	1	2	3	4	5	6	7	Total
Blanks	606	468	455	601	534	535	533	3732
Jackie Belf-Becker	253	171	195	242	186	226	170	1443
Harry Christensen	251	186	198	241	158	230	177	1441
Judith R. Jacobi	270	184	212	262	184	242	191	1545
James E. Nye	259	196	204	266	177	237	195	1534
William L. Woodfin, II	266	195	196	237	159	219	183	1455
Write-Ins	0	0	0	1	2	1	1	5
Total	1905	1400	1460	1850	1400	1690	1450	11155

Assessors 3 Year Term

Vote for One

Precinct	1	2	3	4	5	6	7	Total
Blanks	111	82	83	110	99	108	86	679
Douglas E. Percy	270	198	209	260	180	230	204	1551
Write-ins	0	0	0	0	1	0	0	1
Total	381	280	292	370	280	338	290	2231

MARBLEHEAD TOWN REPORT

Cemetery Commission 3 Year Term

Vote for One

Precinct	1	2	3	4	5	6	7	Total
Blanks	102	88	77	118	99	115	88	687
Dexter C. Gillis	278	192	215	252	180	223	202	1542
Write-ins	1	0	0	0	1	0	0	2
Total	381	280	292	370	280	338	290	2231

Board of Health 3 Year Term

Vote for One

Precinct	1	2	3	4	5	6	7	Total
Blanks	52	38	35	36	37	43	35	276
Michelle B. Gottlieb	175	123	146	173	195	195	113	1120
Matthew E. Herring	124	94	79	141	38	66	117	659
Matthew Adam Karlyn	29	25	32	20	10	32	25	173
Write-ins	1	0	0	0	0	2	0	3
Total	381	280	292	370	280	338	290	2231

Abbot Public Library Trustee 3 Year Term

Vote for Two

Precinct	1	2	3	4	5	6	7	Total
Blanks	180	137	133	185	164	187	145	1131
Peggy Geist Blass	142	106	109	117	118	118	116	826
Susan Indresano	161	97	106	127	75	117	99	782
Barbara Collins Rosenberg	77	79	60	100	98	92	65	571
Phyllis B. Smith	201	141	176	211	104	162	155	1150
Write-ins	1	0	0	0	1	0	0	2
Total	762	560	584	740	560	676	580	4462

Abbot Public Library Trustee 1 Year Unexpired Term

Vote for One

Precinct	1	2	3	4	5	6	7	Total
Blanks	135	103	95	129	114	123	113	812
Maura K. Murnane	245	177	197	241	165	215	177	1417
Write-Ins	1	0	0	0	1	0	0	2
Total	381	280	292	370	280	338	290	2231

MARBLEHEAD TOWN REPORT

Municipal Light Commissioner 3 Year Term

Vote for Two

Precinct	1	2	3	4	5	6	7	Total
Blanks	236	187	182	251	236	218	190	1500
Wilbur E. Bassett	261	185	194	238	156	223	195	1452
Philip W. Sweeney	265	188	208	251	166	235	195	1508
Write-Ins	0	0	0	0	2	0	0	2
Total	762	560	584	740	560	676	580	4462

Moderator 1 Year Term

Vote for One

Precinct	1	2	3	4	5	6	7	Total
Blanks	98	69	73	98	101	95	82	616
Gary A. Spiess	283	211	218	272	178	242	208	1612
Write-Ins	0	0	1	0	1	1	0	3
Total	381	280	292	370	280	338	290	2231

Planning Board 3 Year Term

Vote for Two

Precinct	1	2	3	4	5	6	7	Total
Blanks	265	195	205	244	243	246	203	1601
James E. Bishop	253	191	191	255	165	212	189	1456
Karl A. Johnson	243	174	188	241	151	217	187	1401
Write-Ins	1	0	0	0	1	1	1	4
Total	762	560	584	740	560	676	580	4462

Housing Authority - 5 Year Term

Vote for One

Precinct	1	2	3	4	5	6	7	Total
Blanks	92	71	81	133	112	99	87	675
Pamela J. Foye	197	154	129	144	89	165	153	1031
Kris J. Larson	91	55	82	93	79	74	50	524
Write-ins	1	0	0	0	0	0	0	1
Total	381	280	292	370	280	338	290	2231

MARBLEHEAD TOWN REPORT

Recreation and Park Commission 1 Year Term

Vote for Five

Precinct	1	2	3	4	5	6	7	Total
Blanks	614	444	456	578	553	480	450	3575
Linda A. Rice Collins	211	174	167	211	136	193	172	1264
Sam K. Ganglani	197	139	143	173	156	188	152	1148
Derek Y. Norcross	226	166	183	224	133	225	167	1324
Charles Edward Osborne, Jr.	206	141	142	204	115	186	158	1152
Skip D. Likins	160	124	119	153	135	154	137	982
Rose Ann Wheeler McCarthy	111	90	103	91	66	97	73	631
Charles E. Nyren	180	122	147	216	106	166	140	1077
Write-Ins	0	0	0	0	0	1	1	2
Total	1905	1400	1460	1850	1400	1690	1450	11155

School Committee 3 Year Term

Vote for One

Precinct	1	2	3	4	5	6	7	Total
Blanks	118	102	89	104	104	111	99	727
Eurim Chun	263	178	203	266	174	227	191	1502
Write-Ins	0	0	0	0	2	0	0	2
Total	381	280	292	370	280	338	290	2231

Water & Sewer Commission 3 Year Term

Vote for One

Precinct	1	2	3	4	5	6	7	Total
Blanks	98	77	79	110	104	107	77	652
Emerson F. Brown	283	203	213	260	175	230	213	1577
Write-Ins	0	0	0	0	1	1	0	2
Total	381	280	292	370	280	338	290	2231

MARBLEHEAD TOWN REPORT

**TOWN OF MARBLEHEAD
TOWN WARRANT
SPECIAL ELECTION**

**COMMONWEALTH OF MASSACHUSETTS
Essex County, SS.**

To any Constable in the Town of Marblehead in said County

GREETING:

You are hereby required and directed in the name of the Commonwealth of Massachusetts to notify and warn the Inhabitants of the Town of Marblehead aforesaid who are qualified to vote in elections and in Town affairs to meet at the several designated polling places in their respective precincts in said Marblehead to wit:

Precinct 1	Polling Place	Old Town House
Precinct 2	Polling Place	Star of the Sea Community Center
Precinct 3	Polling Place	Star of the Sea Community Center
Precinct 4	Polling Place	Star of the Sea Community Center
Precinct 5	Polling Place	Marblehead Community Center
Precinct 6	Polling Place	Marblehead Community Center
Precinct 7	Polling Place	Marblehead Community Center

on **Monday, 22nd day of June next A.D. 2009** (it being the fourth Monday in June) at 7 o'clock in the forenoon then and there to bring into the precinct officers of their respective precincts their votes on one ballot for the following questions to wit:

Question 1:

Shall the Town of Marblehead be allowed to assess an additional \$127,800.00 in real estate and personal property taxes for the purposes of Article 41 of the 2009 Annual Town Meeting for the purpose of continued water quality monitoring, soil gas monitoring, risk assessment, engineering and other services related to the old landfill for fiscal year beginning July 1, 2009?

YES _____

NO _____

MARBLEHEAD TOWN REPORT

Question 2:

Shall the Town of Marblehead be allowed to assess an additional \$505,000.00 in real estate and personal property taxes for the purposes of Article 42 of the 2009 Annual Town Meeting for the purpose of disposal area remediation and assessment activities, including engineering, testing, legal and related costs and fees, as it relates to Stony Brook Road and private property(s) on Stony Brook Road, some of which abut land owned by the Town of Marblehead for fiscal year beginning July 1, 2009?

YES_____

NO_____

For these purposes the polls will be open at each and all of said precincts at 7 o'clock in the forenoon and will be closed at 8 o'clock in the afternoon at each and all of said precincts and you are directed to serve this Warrant by posting attested copies thereof at Abbot Hall and ten (10) other conspicuous places in Town as required by the By-laws not later than (30) days after being closed.

Hereof fail not and make due return of this Warrant or certified copy thereof with our doings thereon, to each of the several precinct wardens at the time and place of meetings aforesaid and to the Town Clerk as soon as maybe before the said meetings.

Given under our hands at Marblehead aforesaid this **13th day of May, 2009**

Jackie Belf-Becker, Chairman

Harry C. Christensen, Jr.

Judith R. Jacobi

James E. Nye

William L. Woodfin, II

Selectmen of Marblehead

A True Copy Attest: Cabot W. Dodge, Constable

MARBLEHEAD TOWN REPORT

Town of Marblehead, Massachusetts Special Town Election Monday, June 22, 2009

The Number of Votes Cast were as follows:

Precinct 1	151	7.07% of 2,135 Registered Voters
Precinct 2	100	5.16% of 1,936 Registered Voters
Precinct 3	80	4.30% of 1,860 Registered Voters
Precinct 4	108	4.99% of 2,162 Registered Voters
Precinct 5	82	3.93% of 2,086 Registered Voters
Precinct 6	144	6.70% of 2,148 Registered Voters
Precinct 7	119	5.61% of 2,121 Registered Voters
Total	784	5.41% of 14,493 Registered Voters

Canvas Completed at 8:45pm

Question 1:

Shall the Town of Marblehead be allowed to assess an additional \$127,800.00 in real estate and personal property taxes for the purposes of Article 41 of the 2009 Annual Town Meeting for the purpose of continued water quality monitoring, soil gas monitoring, risk assessment, engineering and other services related to the old landfill for fiscal year beginning July 1, 2009?

Precinct	1	2	3	4	5	6	7	Total
Blanks	0	0	0	1	0	0	0	1
Yes	94	63	58	81	68	107	83	554
No	57	37	22	26	14	37	36	229
Total	151	100	80	108	82	144	119	784

MARBLEHEAD TOWN REPORT

Question 2

Shall the Town of Marblehead be allowed to assess an additional \$505,000.00 in real estate and personal property taxes for the purposes of Article 42 of the 2009 Annual Town Meeting for the purpose of disposal area remediation and assessment activities, including engineering, testing, legal and related costs and fees, as it relates to Stony Brook Road and private property(s) on Stony Brook Road, some of which abut land owned by the Town of Marblehead for fiscal year beginning July 1, 2009?

Precinct	1	2	3	4	5	6	7	Total
Blanks	0	0	0	0	0	0	0	0
Yes	81	46	52	66	53	86	68	452
No	70	54	28	42	29	58	51	332
Total	151	100	80	108	82	144	119	784

MARBLEHEAD TOWN REPORT

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH
SPECIAL STATE PRIMARY
SENATOR IN CONGRESS
TUESDAY
DECEMBER 8, 2009

Essex SS.

To either of the Constables of the Town of Marblehead

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in the Special State Primaries to vote at

Precinct 1	Old Town House	1 Market Square
Precinct 2	Star of the Sea Community Center	80 Atlantic Ave.
Precinct 3	Star of The Sea Community Center	80 Atlantic Ave.
Precinct 4	Star Of The Sea Community Center	80 Atlantic Ave.
Precinct 5	Marblehead Community Center	10 Humphrey St.
Precinct 6	Marblehead Community Center	10 Humphrey St.
Precinct 7	Marblehead Community Center	10 Humphrey St.

on **TUESDAY, THE EIGHTH OF DECEMBER, 2009**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Special State Primaries for the candidates of political parties for the following office:

SENATOR IN CONGRESS. . . . FOR THE COMMONWEALTH

MARBLEHEAD TOWN REPORT

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 4th day of November, 2009.

JACKIE BELF-BECKER
HARRY C. CHRISTENSEN, JR.
JUDITH R. JACOBI
JAMES E. NYE

Selectmen of Marblehead

A True Copy
Attest: Cabot W. Dodge, Constable

MARBLEHEAD TOWN REPORT

Commonwealth of Massachusetts Special State Primary Senator in Congress Tuesday, December 8, 2009

The Number of Votes Cast were as follows:

Precinct 1	656	30% of 2,183 Registered Voters
Precinct 2	470	24% of 1,927 Registered Voters
Precinct 3	513	28% of 1,844 Registered Voters
Precinct 4	637	30% of 2,157 Registered Voters
Precinct 5	618	29% of 2,106 Registered Voters
Precinct 6	628	29% of 2,138 Registered Voters
Precinct 7	562	26% of 2,124 Registered Voters
Total	4,084	28% of 14,479 Registered Voters

Canvas Completed at 8:45 pm

REPUBLICAN PARTY

Senator in Congress

Precinct	1	2	3	4	5	6	7	Total
Blanks	0	0	0	0	0	0	0	0
Scott P. Brown	134	88	78	107	87	128	103	725
Jack E. Robinson	21	11	13	14	10	14	15	98
Write-Ins	1	2	1	3	1	1	0	9
TOTALS	156	101	92	124	98	143	118	832

DEMOCRATIC PARTY

Senator in Congress

Precinct	1	2	3	4	5	6	7	Total
Blanks	0	0	0	0	0	0	0	0
Michael E. Capuano	98	79	101	99	150	125	95	747
Martha Coakley	254	196	203	259	253	232	241	1,638
Alan A. Khazei	99	68	87	100	65	81	70	570
Stephen G. Pagliuca	46	25	30	55	51	47	38	292
Write-Ins	1	1	0	0	1	0	0	3
TOTALS	498	369	421	513	520	485	444	3,250

MARBLEHEAD TOWN REPORT

TOWN OF MARBLEHEAD ELECTED OFFICIALS 2009 - 2010

SELECTMAN	Term Expires
--Abbot Hall, Marblehead, MA 01945	
Jackie Belf-Becker- Chair	2010
Harry Christensen	2010
Judith R. Jacobi	2010
James E. Nye	2010
William L. Woodfin, II	2010
TOWN CLERK	
--Abbot Hall, Marblehead, MA 01945	
Robin A. Michaud	2010
ASSESSORS	
--Mary A. Alley Building, Widger Road, Marblehead, MA 01945	
John P. Kelley – Chair	2011
Anne N. McCarthy - Secretary	2010
Douglas E. Percy	2012
CEMETERY COMMISSION	
--Waterside Cemetery, Marblehead, MA 01945	
Dexter C. Gillis -Chair	2012
Rose Ann Wheeler McCarthy - Clerk	2011
Richard F. Coletti	2010
BOARD OF HEALTH	
--Mary A. Alley Building, Widger Road, Marblehead, MA 01945	
Todd Belf-Becker	2011
Helaine Hazlett - Secretary	2010
Michelle B. Gottlieb	2012
HOUSING AUTHORITY	
--26 Rowland Street, Marblehead, MA 01945	
Robert T. Bryne	2010
Jean R. Eldridge	2011
Pamela J. Foye	2014
Peter Russell – Appointed by State	2011
Richard M. Whitehill	2013

MARBLEHEAD TOWN REPORT

TRUSTEES OF ABBOT PUBLIC LIBRARY

--235 Pleasant Street, Marblehead, MA 01945

Term Expires

Peggy G. Blass	2012
Jean Howe	2011
Robin A. Michaud	2011
Maura K. Murnane	2010
Phyllis B. Smith	2012
Philip Sweeney - Chair	2010

MARBLEHEAD MUNICIPAL LIGHT COMMISSIONER

--80 Commercial Street, Marblehead, MA 01945

Wilbur E. Bassett	2012
Calvin T. Crawford	2010
Walter E. Homan	2010
Charles O. Phillips	2011
Philip W. Sweeney, Chair	2012

MODERATOR

--Mary A. Alley Building, Marblehead MA

Gary A. Spiess	2010
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PLANNING BOARD

--c/o Engineering Office, Mary A. Alley Building, Marblehead, MA 01945

James Bishop	2012
Philip Helmes	2011
Kurt A. James	2011
Karl A. Johnson	2012
Edward Nilsson	2010

RECREATION & PARK COMMISSION

--Marblehead Community Center, 10 Humphrey Street, Marblehead, MA

Linda A. Rice Collins	2010
Sam K. Ganglani	2010
Derek Y. Norcross	2010
Charles E. Nyren	2010
Charles Edward Osborne, Jr.	2010

SCHOOL COMMITTEE

--Mary A. Alley Building, Widger Road, Marblehead, MA 01945

Patricia M. Blackmer	2011
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MARBLEHEAD TOWN REPORT

Eurim Chun	2012
Amy T. Drinker	2010
Jonathan S. Lederman	2010
Richard Scott Nohelty	2011

WATER & SEWER COMMISSION

--Tower Way, Marblehead MA 01945

Term Expires

Wilbur E. Bassett	2010
Emerson F. Brown - Vice Chair	2012
John P. Doane	2011
Bradford Nick Freeman, Jr.	2011
F. Carlton Siegel - Chair	2010

MARBLEHEAD TOWN REPORT

**TOWN OFFICIALS APPOINTED
BY THE BOARD OF SELECTMEN**

TOWN ADMINISTRATOR

Anthony M. Sasso

AMERICAN DISABILITIES ACT COORDINATOR

Kyle A. Wiley 2010

ANIMAL INSPECTOR at \$2,400 per year

Isabel M. Lorenzo 2010

BUILDING COMMISSIONER AND INSPECTORS

Commissioner - Robert S. Ives, Jr. 2010

Local Inspector - Chris Butler 2010

Plumbing Inspector - Domingos Furtado 2010

Assistant Plumbing Inspector – Peter McCarriston 2010

Wiring Inspector – Ronald J. Marks 2010

Assistant Wiring Inspector – Eric F.S. Chisholm 2010

CANINE CONTROL CLERK

Robin Michaud – Town Clerk 2010

ASSISTANT DOG OFFICERS FOR THE PARKS

Robert Gillis 2010

Peter James 2010

C. Michael Lane 2010

Brad Delisle 2010

Reggie Berry 2010

Mike Attridge 2010

Greg Snow 2010

Pat Sylvester 2010

Brendan Egan 2010

TOWN COUNSEL at \$2,000 per year

Jeffrey N. Shribman 2010

Assistant Town Counsel:

Brody, Haroon, Perkins & Kesten 2010

Leonard Kesten 2010

Marc J. Miller 2010

MARBLEHEAD TOWN REPORT

Earl Weissman	2010
Patrick J. Costello	2010
Lisa L. Mead	2010
Francis Mayo	2010

COUNCIL ON AGING DIRECTOR

Patricia C. Roberts	2010
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EMERGENCY MANAGEMENT COORDINATOR

Charles P. Cerrutti	2010
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ENGINEERING & CONSERVATION ADMINISTRATOR

William C. Lanphear	2010
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FLAG OFFICER

David C. Rodgers	2010
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FOREST WARDEN – Term: 1 Year

Chief Jason R. Gilliland, Fire Department	2010
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HARBOR MASTER AND ASSISTANTS

Charles J. Dalferro, Harbor Master	2010
Assistant Harbor Masters	
Webb Russell	2010
Daniel Roads, Jr.	2010
Assistant Harbormasters (Seasonal):	
Thomas Murray	2010
Ray Gauthier	2010
Jeffrey Flynn	2010
John Vigneron	2010
John Payne	2010
Alternates:	
Carlo Fratini	2010
Frank MacIver	2010

KEEPER OF THE LOCK UP

Chief Robert O. Picariello	2010
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LICENSING AUTHORITY, DULY DESIGNATED AGENTS

Police Chief Robert O. Picariello	2010
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MARBLEHEAD TOWN REPORT

Provisional Captain: Mark Mills	2010
Lieutenants:	
Matthew Freeman	2010
Jonathan Lunt	2010
David J. Millett	2010
Nicholas Economou (Provisional)	2010
Sergeants:	
Sean Sweeney	2010
Donald Decker	2010
Marion Keating	2010
Jason Conrad	2010
MEASURER OF LEATHER – Term: 1 Year	
John Smidt	2010
TOWN DESIGNEE MASS. WATER RESOURCE AUTHORITY –	
Term: 1 Year	
F. Carlton Siegel	2010
Alternate: Dana Snow, Water and Sewer Department	2010
PARKING CLERK /HEARING CLERK – Term: 1 Year	
Anthony M. Sasso, Town Administrator	2010
CHIEF PROCUREMENT OFFICER	
Rebecca L. Curran	2010
PUBLIC WORKS DIRECTOR	
Dana Snow	2010
RETIREMENT BOARD – Term: 1 Year	
Anthony M. Sasso, Town Administrator	2010
“RIGHT TO KNOW” COORDINATOR – Term: 1 Year	
Jason R. Gilliland – Fire Department	2010
SEALER OF WEIGHTS & MEASURES	
David C. Rodgers	2010
SPECIAL AUXILIARY POLICE	
Patrolmen:	

MARBLEHEAD TOWN REPORT

James Donovan	2010
SUPERINTENDENT OF PUBLIC BUILDINGS	
Robert S. Ives, Jr.	2010
TAX COLLECTOR/TREASURER	
Patricia Kelly Murray	2010
VETERANS' AGENT & DIRECTOR OF VETERANS' SERVICES –	
Term: 1 Year	
David C. Rodgers	2010
VETERANS' GRAVES OFFICER Term: 1 Year	
David C. Rodgers	2010
WORKERS' COMPENSATION AGENT Term: 1 Year	
Massachusetts Interlocal Insurance Association	2010
TOWN ACCOUNTANT– Term 3 Years	
John J. McGinn	2010
AFFORDABLE HOUSING TRUST FUND – Term 1 year	
Board of Selectmen	2010
Jon Jennings, Finance Committee Representative	2010
Vacant, Fair Housing Committee Representative	2010
Vacant, At Large	2010
Vacant, At Large	2010
ARMED FORCES LIAISON– Term: 1 Year	
John M. McCloskey	2010
BOARD OF ABBOT LIBRARY SECOND CENTURY FUND – Term: 1 Year	
Thomas A. McNulty	2010
Judith Eissner	2010
CABLE TV OVERSIGHT COMMITTEE – Term: 3 Years (staggered)	
Peter Lazarus	2010
Nancy Marrs	2012
Paul Rabin	2012
Alan G. Raymond	2011

MARBLEHEAD TOWN REPORT

Ron Olson	2010
Wayne Avridson	2010
Jerry O'Neill	2011
Libby Moore	2011

CAPITAL PLANNING COMMITTEE – Term: 3 Years

Michael Auerbach	2010
Thomas Gawrys	2012
Edward Lang	2012
Victor Wild	2012
Joe Zelloe	2010
John J. McGinn – Ex Officio	2011

CARETAKER AND ASSISTANT, FORT BEACH – Term: 1 Year

William H. Powers	2010
Jeffrey P. Flynn - Assistant	2010

CHAPLAIN – MARBLEHEAD POLICE DEPARTMENT – Term: 1 Year

Rabbi Jonas Goldberg	2010
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SURGEON – MARBLEHEAD POLICE DEPARTMENT – Term: 1 Year

Dr. Jack Richman	2010
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CONSERVATION COMMISSION – Term: 3 Years (staggered)

Frederick Sullivan	2010
Ken Fisher	2010
Don Tritschler	2010
Craig Smith	2012
Deb Payson	2012
Walter S. Haug	2012
Brian LeClair	2011

CONSTABLES for Postings in Town – Term: 1 Year

Cabot Dodge	2010
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CONSTABLES

• for the Purpose of Serving Civil Process – Term: 1 Year

Cabot Dodge	2010
Donald B. Hurwitz	2010

MARBLEHEAD TOWN REPORT

David Scott Jackson	2010
Paul Minsky	2010
Robert J. Edwards	2010
George Hartling	2010

CONSTABLES

- **Shellfish**

Wayne O. Attridge – Chief Constable - 3 yr. term	2010
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Term: 1 Year

Raymond H. Bates, Jr.	2010
David Donahue	2010
R. Thomas Hamond	2010
Jeffrey Flynn	2010
Harry C. Christensen, Jr.	2010
Jack Attridge	2010
Deborah Fadden	2010
Susan Hogan	2010
Douglas Aikman	2010
Douglas Percy	2010

COUNCIL ON AGING – Term: 3 Years

Edward Bell	2010
Freda Hoyt McGuire	2012
Joseph Dever	2011
Elizabeth Michaud	2011
Jeanne Louizos	2011
Catherine Brown	2012
John Crowley	2012
Rensselaer Havens	2010
Maureen Horan	2010

EMERGENCY MEDICAL SERVICES COUNCIL – Term: 1 Year

Jason R. Gilliland– Marblehead Fire Department	2010
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FAIR HOUSING COMMITTEE – Term: 1 Year

Paul Crosby, Marblehead Counseling Center	2010
Sarah Drewry	2010
Kurt James	2010
Joan McIntyre	2010

MARBLEHEAD TOWN REPORT

Dirk Isbrandtsen	2010
Ann Cohen	2010
Don Davies	2010
Janet Robinson	2010
Bonnie Howard	2010
Gordon King	2010
Mimi Hollister	2010
Kurt James – Planning Board Representative	2010

FENCE VIEWERS – Term: 1 Year

Frederick Goddard	2010
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FINANCE COMMITTEE – Term: 3 Years

Vacant	2009
Moses Grader	2011
David E. Harris, Jr.	2012
Steven J. Haskell	2011
Kathleen E. Leonardson	2011
Patricia Moore	2010
Matthew Herring	2010
Lisa Loudon	2010
Eric Cole	2012
Robert Ross – Clerk	

FIREWORKS COMMITTEE – Term: 1 Year

Alexander Falk	2010
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FORT SEWALL OVERSIGHT COMMITTEE – Term: 1 Year

Judy Anderson, Marblehead Museum and Historical Society	2010
Joyce Booth, Historical Commission	2010
Ed Lang	2010
R. Thomas Hamond	2010
Brenda Arnold (OMIA Rep.)	2010
Vacant (OHDC Rep.)	2010
Lloyd H. Caswell, Disabilities Commission	2010
Rebecca L. Curran, Town Planner	2010
Derek Norcross, Recreation and Parks Department	2010
Larry Sands, Glover's Regiment	2010
Philip F. Norcross, Citizen at Large	2010

MARBLEHEAD TOWN REPORT

HARBORS & WATERS BOARD – Term: 1 Year

John Doub	2010
Gary P. Gregory	2010
Jay Michaud	2010
William G. Pattison	2010
Paul N. Williams	2010
Alternates:	
Kenneth Breen	2010
Paul Stevens	2010
Spencer Moore	2010

HAZARD MITIGATION PLAN IMPLEMENTATION AND MONITORING

TEAM - Term: 1 year

Charles P. Cerrutti, Emergency Management Director	2010
Douglas W. Saal, Town Engineer	2010
Dana E. Snow, Superintendent, Water and Sewer Dept.	2010
Rebecca L. Curran, Town Planner	2010
William E. Conly, Historical Commission	2010

HISTORIAN – Term: 1 Year

Elizabeth Hunt	2010
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HISTORICAL COMMISSION – Term: 3 Years (staggered)

William E. Conly	2010
Joyce L. Booth	2012
Harry C. Christensen, Jr.	2012
Paul C. Johnson	2011
Nancy Graves	2011
Don Gardner	2011
Wayne T. Butler	2010
Dr. Raymond Cole Jr., Emeritus Member	

HOBBS MEMORIAL, SELECTMEN’S AGENT – Term: 1 Year

Paul Crosby	2010
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LOGAN AIRPORT, PREFERENTIAL RUNWAY COMMITTEE –

Vacant	2010
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MARBLEHEAD CULTURAL COUNCIL – Term: 3 Years

Howard Rosenkrantz	2011
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MARBLEHEAD TOWN REPORT

Ava Lawrence	2011
Phyllis McCarthy	2010
Walter Horan	2010
Joanne Johnston	2010
Marshall Harris	2010
Georgia Murray	2012
Joan Hollister	2012
Carol Booth	2011
Betsy Morris	2011
Nora Falk	2011
Gloria Coolidge	2011

MARBLEHEAD COMMUNITY ACCESS AND MEDIA, INC. Term: 3 years

Robert F. Peck, Jr.	2010
Patricia O'Hare Williams	2011
Ed Bell	2012
Elizabeth Moore, School Representative	2012
Ron Olson, CTOC Representative	2011

MARBLEHEAD DISABILITIES COMMISSION – Term: 3 Years

Carol Arnould	2012
Lloyd Caswell	2011
Katie Farrell	2011
Mary Levine	2012
Maureen McKinnon-Tucker	2011
Andrea Mountain	2010
Patricia Sullivan	2010
<i>(Elected Official rotating)</i>	2010
Fraffie Welch	2012

MARBLEHEAD FOREVER COMMITTEE – Term: 1 Year

Fraffie Welch	2010
Vacant	2010
Vacant	2010
Vacant	2010
Vacant	2010

MASSACHUSETTS ETHICS COMMISSION

MUNICIPAL LIAISON

Jeffrey N. Shribman	2010
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MARBLEHEAD TOWN REPORT

MBTA ADVISORY BOARD – Term: 1 Year

John Heffernan	2009
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METROPOLITAN AREA PLANNING COUNCIL – Term: 3 Years

James E. Bishop	2011
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Rebecca L. Curran, Alternate	2011
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OLD AND HISTORIC DISTRICTS COMMISSION– Term: 1 Year

Cheryl Boots	2010
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F. Reed Cutting, Jr.	2010
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Thomas Saltsman	2010
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Charles Hibbard	2010
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Sally Sands	2010
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Alternates:

Bette Hunt	2010
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Karyn Lang	2010
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OLD BURIAL HILL OVERSIGHT COMMITTEE – Term: 1 Year

Bette Hunt	2010
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Susan Hogan	2010
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E. Russell Peach, Jr.	2010
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Pam Peterson	2010
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Richard Colletti, Cemetery Representative	2010
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Rebecca L. Curran, Town Planner (Ex-Officio)	2010
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OPEN SPACE COMMITTEE – Term: 1 Year

Bradford N. Freeman	2010
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Richard Harrison, Conservancy Representative	2010
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Bill Woodfin, Selectmen's representative	2010
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Walt Haug, Conservation Commission Representative	2010
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Rebecca L. Curran, Town Planner	2010
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REGISTRARS OF VOTERS– Term: 3 Years

Robin Michaud (Town Clerk)	2010
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J. Michael Canniffe	2010
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Joyce H. Lofmark	2012
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Donald A. Doliber	2011
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MARBLEHEAD TOWN REPORT

SCHOLARSHIP COMMITTEE – Term: 1 Year

Audrey Brenner	2010
Alex Kulevich	2010
Sandi Shuman	2010
Edward Harvey	2010
Nancy Graves	2010
Helaine Hazlett	2010
John Goodman	2010
Karen Meyer	2010
Nancy Marrs	2010
Tom Despres	2010
Jeannie Patch	2010

SIGN CULLER – Term: 1 Year

Vacant	2010
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SISTER CITY LIAISON – Grasse, France – Term: 1 Year

Myriam Zuber	2010
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SMART GROWTH COMMITTEE – Term: 1 year

Dirk Isbrandsten	2010
Kurt James	2010
Gordon King	2010
Michael McCloskey	2010
David Stern	2010
Don Morgan	2010
William L. Woodfin, II	2010
Judith R. Jacobi	2010
Rebecca L. Curran, Town Planner	2010

TASK FORCE AGAINST DISCRIMINATION – Term: 1 Year

Helaine Hazlett	2010
Ann Marie Hunter	2010
Harvey Michaels	2010
Jay Morrison	2010
Barbara Schneider	2010
Deacon John E. Whipple	2010
Chief Robert Picariello	2010
Monica Tecca	2010
Melissa Volk Aizanman	2010

MARBLEHEAD TOWN REPORT

Judy Luise	2010
Mary Levine	2010

TAXATION AID COMMITTEE – Term: 1 Year

Patricia C. Roberts	2010
Pamela Foye	2010
Vacant	2010
Patricia Kelly Murray, Treasurer	2010
John Kelley, Chairman Board of Assessors	

TOWN PHYSICIAN – Term: 1 Year

Quadrant Health Strategies	2010
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TRAFFIC & SAFETY ADVISORY COMMITTEE – Term: 1 year

John P. Doane	2010
Vacant	2010
F. Carlton Siegel	2010
Chief Jason R. Gilliland – Fire Department – Ex Officio	2010
Chief Robert O. Picariello – Police Department – Ex Officio	2010

TREE WARDEN - Term: 3 years

Doug Gordon	2012
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ZONING BOARD OF APPEALS – Term: 5 Years

Karen Tenenbaum	2010
William R. Moriarty	2014
David Tubridy	2011
Alan Lipkind	2013
Barbara Shefftz	2012
Alternates – Term: 1 year	
Paige Hintlian	2010
Christopher T. Casey	2010
Andrea Papanek	2010
Elizabeth B. Jacobson	2010

MARBLEHEAD TOWN REPORT

Vital Records Births Recorded - 154

January	19	July	16
February	8	August	3
March	16	September	12
April	11	October	16
May	14	November	16
June	9	December	14

Marriages Recorded - 77

January	4	July	7
February	6	August	13
March	4	September	13
April	3	October	10
May	1	November	2
June	7	December	7

Deaths Recorded - 172

January	11	July	11
February	12	August	8
March	12	September	19
April	19	October	10
May	20	November	22
June	13	December	15

MARBLEHEAD TOWN REPORT

Causes of Death 2009

Acute Myocardial Infarction	5
Acute Respiratory Arrest	40
Acute Renal Failure	2
Alzheimer's Dementia	6
Anoxic Encephalopathy	1
Atherosclerotic Heart Disease	6
Blunt Trauma with Neck and Extremity Injuries	2
Blunt Trauma with Skull Fractures	1
Carcinomas:	
Bladder Cancer	2
Blast Crisis Leukemia	1
Brain Cancer	2
Breast Cancer	2
Cancer of Esophagus	1
Colon Cancer	4
Glioblastoma	2
Hepatocellular Carcinoma	1
Lung Cancer	8
Melanoma	1
Metastatic Cervical Cancer	1
Metastatic Ovarian Cancer	1
Metastatic Renal Cell Carcinoma	1
Metastatic Squamous Cell	1
Multiple Myeloma	1
Myelodysplasia - Acute Myelogenous Leukemia	2
Ovarian Cancer	1
Pancreatic Cancer	6
Waldenstrom's Macroglobulinemia	1
Cardiac Arrest	12
Cardiogenic Shock	1
Cardiomyopathy	1
Cerebral Hemorrhage	2
Cerebral Vascular Accident	8
Clostridium Difficile Associated Diarrhea	1

MARBLEHEAD TOWN REPORT

Congestive Heart Failure	4
Extreme Prematurity	1
Failure to Thrive	9
Hypertensive Cardiovascular Disease	2
Intra Abdominal Infection	1
Jacob-Creutzfeldt Disease	1
Multiple Injuries	1
Mycobacterium Abscessus Pneumonitis	1
Paraneoplastic Syndrome	1
Parkinsons Disease	1
Pea/Asystole	1
Peritoneal Bleeding	1
Pneumonia	10
Pyelonephritis with Bacteremia	1
Renal Failure	1
Sepsis	6
Severe Metabolic Acidosis	1
Shock	1
Spinal Cord Hemorrhage	1
Uremia	1
Urinary Tract Infection	1
Ventricular Fibrillation	1

MARBLEHEAD TOWN REPORT

ABBOT PUBLIC LIBRARY

Progressing from the upgrades to the Library's facility noted in last year's Report, we undertook a long overdue masonry project to address weaknesses in the exterior walls adjacent to the Library's "Secret Garden," along Maverick Street, and next to our driveway. Funds generously provided by the Town allowed us to re-do the brickwork on the wall facing Maverick Street, as well as repair the two adjoining brick walls. In addition, we were able to accomplish critical waterproofing of these walls and refurbish the drainage system in this area – extremely important steps in preserving the building and protecting it from the flooding and leakage that has caused deterioration for many years. We also benefited from an extensive upgrade to the appearance of the front of the building, through enhancements to our landscaping and the addition of a low stone wall, thanks to the combined generosity of the Friends of the Library and the Driftwood Garden Club.

We are especially grateful for the opportunity to maintain and improve our facility, which we view as a community space. Through increased and more diverse offerings of both adult and children's programming (more than 150 programs in 2009), the Library is becoming as much a venue for informal or planned socializing and learning, as it is a destination for selecting items to borrow or consult. We have taken the initiative to reach out to a variety of community organizations to develop collaborative programming. In May, the Library and the High School worked together to mount the MHS senior art exhibit in our Virginia A. Carten Gallery and Meeting Room spaces. This highly successful project will now continue as an annual event, and other Library - School partnerships are scheduled for 2010. Collaborations with the Boston Ballet, the Marblehead Historical Society, local garden clubs, the Spirit of '76 Bookstore and other groups highlight the Library's integral role in the Town's rich cultural life. The provision of a fire in the Reading Room fireplace, with light refreshments, on Sunday afternoons, throughout the winter, by the Friends of the Library, is another example of our interest in making the building a place to stay a while.

Services continue to be modified with the objective of meeting the changing needs of patrons. Understanding the challenges of finding the time to read within a busy schedule, we increased the loan period for new fiction from one to two weeks, and removed the restriction on renewal of these books, unless another patron has requested the title. Similarly, we now loan magazines for two weeks. For patrons who make use of the Library's wireless service, we have significantly improved our bandwidth, for increased speed and functionality on laptops, throughout the building.

MARBLEHEAD TOWN REPORT

We remain dedicated to providing current and varied collections of both fiction and non-fiction books, as well as audiobooks in various formats, DVD's and music CD's. We look forward to using the generous grant, awarded by the Shattuck Fund, this year, to bring together these now somewhat scattered non-print materials to create a "Media Center." As in the past, the annual gift from the Second Century Fund has added to our acquisitions budget, with a focus, this year, on our DVD and audiobook collections. In recognition of the growing importance of content in electronic format, we soon will be adding downloadable eBooks to the audiobooks already accessible for download via our website.

Our selection of databases, available to patrons from their home computers and at the Library, is always being enhanced. Notable, this year, was the addition of the online foreign language learning system, Mango Languages. Mango provides self-paced instruction in several foreign languages for English speakers as well as English language instruction for Spanish, Polish and Portuguese speakers.

The very generous support of the Killam Fund has allowed us, this year, to purchase two freestanding partitions which serve to create a smaller, defined area, for children's programming, within the Library's large Meeting Room. We also were able to purchase two additional PC's for the Children's Room; a large hexagonal table, currently on order, will accommodate the two new and four existing computers, creating an attractive and functional computer grouping within the Children's Room. We also used the Killam Fund to purchase two much-needed PC's, as well as new display racks and beanbag chairs, for the Library's teen area.

An allocation from the Town provided support for a feasibility study of a possible new staircase and exit, to achieve a better unification of the "Secret Garden" with the adjoining interior spaces, and, particularly, to allow these spaces to function as a self-contained area for use by the community, whether or not the Library is open for other services. An Architect Search Committee was formed and, after interviewing several candidates, an architectural firm was selected to undertake this study. As of the end of the year, a design providing access, including a ramp to accommodate handicapped visitors, baby strollers, etc., to the Garden from the Library's main and lower levels had been presented to, and approved by, the Library Board.

Respectfully submitted,
Phil Sweeney, Chairperson
Patricia J. Rogers, Director

MARBLEHEAD TOWN REPORT

ABBOT LIBRARY BOARD OF TRUSTEES

Philip W. Sweeney, Jr., Chair	Term expires 2010
Peggy Geist Blass, Vice-Chair	Term expires 2012
Maura K. Murnane, Secretary	Term expires 2010
Jean Y. Howe	Term expires 2011
Robin A. Michaud	Term expires 2011
Phyllis Smith	Term expires 2012

ABBOT LIBRARY STAFF

Patricia J. Rogers	Director
Ann E. Connolly	Assistant Director
Christine Evans	Technical Services Librarian
Marcia Cannon	Children's Librarian
Mary Farrell	Youth Librarian
Jonathan Randolph	Adult Librarian
Mary Starrett	Senior Clerk
Elena Minayev	Para-Professional
Catherine Jamieson	Library Coordinator/Circulation
Johanna Umana, Part-Time	Program/Volunteer Coordinator
Linda Levy	Library Technician
Anne Thornton	Library Tech. Assistant
Carole Brindamour, Part-Time	Sr. Library Assistant
Janet Smith, Part-Time	Library Tech. Assistant
Ellen Goldstrom, Part-Time	Sr. Library Assistant
Joan Kessel, Temp. Part-Time	Library Assistant
Caroline Bock, Temp. Part-Time	Library Assistant
Virginia Symmes, Temp. Part-Time	Library Assistant

CUSTODIANS

Richard Leahy	Custodian
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PAGES

Kira Goldman
Henry Phu
Cassandra Sprague
Marilyn Doran
Alaina Breed

MARBLEHEAD TOWN REPORT

BOARD OF ASSESSORS

The Board of Assessors functions according to State mandated legislation. The principal duty of the Board is to determine the “fair cash value” of all real and personal property within the Town of Marblehead on an annual basis.

The assessing staff, under the supervision and review of the Board of Assessors performs all duties. Our primary goal is to ensure fair and equitable assessments, administer the statutory exemptions available to the elderly, blind, disabled, and veterans. Additionally, the department is responsible for issuing motor vehicle excise based upon the Registry of Motor Vehicles values provided to the assessors office. The assessors also administer boat excise tax based upon the State formula and after receiving the required information from the boat owner via the return of form 2BE, which must be filed annually at the assessor’s office.

Under the quarterly tax billing procedure, the filing deadline for abatements is February 1, (third quarter tax bill due date). The filing deadline for statutory exemptions according to Massachusetts General Law is three months from the mailing of the third quarter tax bill. Tax law and guidelines for exemptions are constantly changing. We urge all taxpayers who may have questions regarding abatements or exemption to contact the Assessors Office.

Douglas E. Percy was elected to his first 3 year term on the Board of Assessors.

Assessments for the average single family dwelling decreased 1.8% to \$685,562, and the median single family assessment decreased 1.4% to \$512,000. The average tax bill increased 4.5% to \$6,560, and the median single family tax bill increased 5% to \$4,900. The classification hearing held on November 18, 2009, resulted in a single tax rate of \$9.57 per thousand of value.

The Board of Assessor’s granted a total of \$128,173 of statutory exemptions to 212 qualified seniors, veterans, and blind applicants.

The following is the breakdown of value by class and the respective tax levy as well as the pertinent data for motor vehicle and boat excise tax.

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CLASS		VALUATION	TAX LEVY
Residential	95.1218%	\$4,993,336,363	\$47,786,228.99
Commercial	3.6691%	\$192,606,528	\$1,843,244.47
Industrial	0.3827%	\$20,090,100	\$192,262.26
Personal Property	0.8264%	\$43,380,290	\$415,149.38
TOTAL	100%	\$5,249,413,281	\$50,236,885.10

EXCISE TAX

MOTOR VEHICLE	#BILLS	TAX ASSESSED
2009 EXCISE	19,966	\$2,727,902.99
BOAT EXCISE	2032	\$159,199

Respectfully Submitted,

Board of Assessors
John P. Kelley, Chair
Anne N. McCarthy, Secretary
Douglas E. Percy
Michael A. Tumulty, MAA, Asst. Assessor

Office Staff
Virginia T. Palmer, Senior Clerk
Leslie T. George, MAA, Sp. Clerk

MARBLEHEAD TOWN REPORT

BOARD OF HEALTH

The Marblehead Board of Health met in formal session on fourteen (14) occasions including the annual Town Meeting. Meetings were properly and duly posted with the Town Clerk. BOH Members and staff also attend numerous meetings pertaining to finance, regionalization, communicable disease, bio-terrorism, tobacco control, grant application, sanitation code updates, environmental issues, continuing education, emergency preparedness, as well as other public health related issues of importance to the Town.

Carl Goodman did not seek re-election in May. Carl served the Town passionately as a Selectman and as Chairman of the Board of Health for over 20 years. We all wish Carl the best and thank him for his years of dedicated service to the Town of Marblehead. Michelle Gottlieb was elected to the Board in May.

MARBLEHEAD.ORG WEBSITE

News and notifications concerning public health, trash and recycling are posted in timely fashion. This very successful media tool allows the posting of links to sites relating to public health, emergency planning, solid waste and beach water quality. A subscription service on Marblehead.org allows people to sign up for email alerts regarding solid waste, recycling, public health emergencies, as well as other important Town information.

REPORTED* COMMUNICABLE DISEASES – 2009

Campylobacter	9
Giardia	1
Hepatitis C-Chronic	5
Invasive Group B Streptococcus	3
Streptococcus pneumonia	1
Salmonellosis	6
Influenza	12
Lyme Disease	16
Babesiosis	1
Ehrlichiosis	1
Varicella (Chickenpox)	4
Viral Meningitis	1
Clostridium Perfringens	1
Human Granulocytic Anaplasmosis (HGA)	1
Enterovirus	1

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As with all communicable disease reports an extensive follow-up investigation is conducted to determine the source and possible cause of the illness. All food-borne illness (Campylobacter, Giardia, Hepatitis A, Salmonella) require public health response.

***The Board of Health reminds everyone that good, frequent hand washing is the first line of defense in preventing the spread of a lot of illnesses. Always wash your hands after using the bathroom, before preparing foods, and between foods to be cooked and foods to be eaten raw. It should be noted that these are reported cases versus occurrences.**

BLOOD PRESSURE SCREENING

Blood pressure monitoring is conducted Monday through Friday from 8:00 A.M. to 12:00 noon at the Board of Health office by appointment only. Additionally the Public Health Nurse is at the Marblehead Council on Aging on most Thursdays of each month between 11:00 AM-12:00 noon to conduct a blood pressure clinic.

NORTH SHORE-CAPE ANN EMERGENCY PREPAREDNESS COALITION

The North Shore-Cape Ann Emergency Preparedness Coalition continues to work to prepare its member communities to respond to public health threats and emergencies, which include terrorism and outbreaks of infectious diseases as well as emergencies caused by a force of nature. This coalition, established in 2004, is a sub-coalition within Region 3 of the Massachusetts Department of Public Health regional Public Emergency Preparedness Coalitions and meets monthly. The coalition receives funding from a grant provided by the CDC and is mandated to attain certain standards in emergency preparedness. The North Shore-Cape Ann Emergency Preparedness Coalition has established a website with information for the public and links to other sites that can provide valuable information to our residents. To date, the Board of Health has provided MDPH with 24/7 contact information, submitted a Continuity of Operations Plan, participated in numerous drills, trainings and conferences, has had key personnel trained in NIMS (National Incident Management System) and ICS (Incident Control System), updated the All-Hazards Plan, and has submitted a template of our Special Populations Plan. In 2008 the coalition began the process of a multi-year Training and Exercise Plan. This plan will take us from learning about a specific scenario to a full blown disaster drill incorporating all hazards plans and testing of the established

MARBLEHEAD TOWN REPORT

infrastructure. The coalition is continuing the process of increasing our database of medical and non-medical volunteers through our website and is offering training opportunities for these volunteers. In the event of an infectious disease epidemic or pandemic, or a natural disaster, volunteers will be greatly needed to assist in mass clinics, shelters or wherever else needed. Volunteers can register on-line and/or by calling the Marblehead Board of Health. We urge residents to become volunteers. Please log on to: www.nscalert.org or call the BOH at 781 631-0212 to register as a volunteer and to learn more about our coalition.

2009 PUBLIC FLU CLINICS

With the emergence of the novel H1N1 Influenza virus in April and the declaration by the WHO of a worldwide H1N1 pandemic in June, the 2009 “flu season” became a challenging year for Public Health. The H1N1 virus continued to circulate throughout the US during the summer and increased in prevalence when school resumed. This new virus also created the need for two different flu vaccine: the regular seasonal flu vaccine and the H1N1 vaccine. Since the H1N1 was the current and prominent virus being detected, the production of the seasonal flu vaccine was slowed to enhance the pharmaceutical company’s capacity for manufacturing the H1N1 vaccine. This caused a temporary shortage of seasonal vaccine and a lack of H1N1 vaccine at the same time. During this time of frustration and anxiety by the public sector the Board of Health continued to emphasize the need for frequent hand washing, proper cough etiquette and staying home when sick.

On October 1, 2009 a Seasonal Flu clinic was held for those over the age of 65 years only. At that clinic 410 residents were immunized.

The Marblehead Board of Health and the Marblehead School Department, through Lead Nurse Paula Dobrow, prioritized the initiative to vaccinate school aged children with seasonal flu vaccine. Our target groups were middle and high school students. We immunized 292 students at two school-based clinics held in October.

In November the BOH received 100 doses of H1N1 Nasal Mist Vaccine. Again working with the Marblehead Public Schools we targeted kindergarten students and immunized 78 students in an after-school clinic.

By mid-December the BOH had a moderate supply of H1N1 vaccine and on December 12, 2009 held a clinic for the targeted population of children age 4-18 years, pregnant women, household contacts of pregnant women, household contacts of infants under the age of 6 months, and healthcare workers with direct

MARBLEHEAD TOWN REPORT

patient contact. At this clinic we immunized 614 residents. Our immunization efforts continued through the month of December with mini clinics being held for target populations and we have continued into 2010.

INSPECTIONAL SERVICES

All food service and retail food establishments are required, by the MDPH, to be inspected bi-annually. Additionally, walk-through inspections (a less formal visual procedure for those establishments the Board has received complaints about, that are making physical changes, or for any type of problem that may arise during the year) are conducted at the Board of Health's discretion.

Mandated beach samples are taken on a weekly basis from May through September in accordance with 105 CMR Sect. 445.000. Test results proved very inconsistent due in part to an extremely wet spring. Public and semipublic pools are monitored for mandatory on-site quality control and proper management as required by MA 105 CMR 435.000 Minimum Standards for Swimming Pools. The Water, Sewer, and Drain Commission worked diligently with the Board of Health to investigate and resolve stormwater issues throughout the summer.

ESTABLISHMENTS REGULARLY INSPECTED

Nursing Homes	2
Food Service Establishments	62
Retail Food Service Establishments	30
Private Clubs	10
School Cafeterias	4
Schools with Satellite Programs	7
Private Schools	1
Carnivals W/3 Mobile Service Units	4
Ice Cream Trucks/Boat	2
Mobile Food Service Trucks	1
Hot Dog Push Carts	1
Slush Push carts and Yogurt Push Carts	2
Year Round Swimming Pools	1
Seasonal Swimming Pools	5
Arts Festival Food Fair	1
Bakeries	2
Caterers	2
One Day Permits	3

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New Business/Change of Ownership	7
Restaurant Inspections	158
Re-Inspection Compliance	61
Food Borne Illness Investigation	0
Fire Incidents Requiring Inspection	0
Day Camp Inspections	12

INSPECTIONS REQUIRED

Water, Beach, Drain & Stream Smples	147
Asbestos Inquiry, Complaints/Removal Of	3

COMPLAINTS

Food and Retail Service Complaints	7
General Nuisance	9
Air, Noise, and Odor Complaints	7
Housing Complaints	6
Lead Paint Tests	2
Lead Paint Follow-Up	2
Exterior Sanding	5
Radon Gas Inquiry	0
Oil Spill Incidents	2
Red Tide Notifications	3
Court Subpoena	1
Mold	2

NORTH SHORE TOBACCO CONTROL PROGRAM

In accordance with the North Shore Area Boards of Health Collaborative grant requirements, two compliance checks were conducted in FY09. The outcomes of these checks were as follows:

Date	No. of Establishments Checked:	Compliance Achieved
2-17-09	12 Checked with no violations	100% rate
11-21-09	12 Checked with no violations	100% rate

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In addition to the compliance checks, the North Shore Tobacco Control Program conducts one educational visit at each permitted establishment as well as a visit to assess the emerging number of Other Tobacco Products (OTP) and crossover paraphernalia items being sold at local establishments.

As a result of the OTP assessment a presentation was made to the Board and an informative article was published in the Marblehead Reporter and is posted on the Department of Public Health (DPH) <http://makesmokinghistory.org/en-US/news/36/56/Parents-caught-off-guard-outraged-by-tobacco-products-aimed-at-kids.html> website. The program provides all permitted establishment with required signage, checks permits, and provides training opportunities for merchants and their staff.

COMMUNITY FACT SHEET

Marblehead, Massachusetts Data Updated: 12/7/09

Cigarette Smoking

An estimated 1,351 smokers live in Marblehead (8.7% of adults, age 18+).

The adult smoking rate is 46 percent lower in Marblehead than statewide (8.7% in Marblehead compared to 16.1% statewide).

The rate of smoking during pregnancy in Marblehead is 85 percent lower than for the overall state of Massachusetts (1.1% in Marblehead compared to 7.4% statewide).

MassHealth Tobacco Cessation Benefit

Since coverage of the tobacco cessation began in July 2006, 71 MassHealth smokers from Marblehead have used the benefit - an estimated 53.4% of MassHealth smokers living in Marblehead. Statewide, more than

75,000 MassHealth smokers (40.8%) have used the tobacco cessation benefit since July 2006.

QuitWorks

Health care providers referred 7 smokers living in Marblehead to the QuitWorks program to help them quit smoking. In addition, 16 people from Marblehead called the Massachusetts Smokers' Helpline to quit smoking (fiscal years 2004 to 2009).

Illegal Tobacco Sales to Minors

The rate of illegal sales to minors (those under age 18) is 26 percent lower in Marblehead (8.6%) compared to the state of Massachusetts (11.6%) based on data from FY 2008.

Health Effects of Smoking

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Mortality from lung cancer is 34 percent lower among males in Marblehead compared to the state of Massachusetts. Mortality from lung cancer is not significantly different among females in Marblehead compared to the state of Massachusetts.

The rate of hospitalizations for lung cancer is not significantly different among females in Marblehead compared to the state of Massachusetts.

The rate of hospitalizations for lung cancer is 24 percent lower among males in Marblehead compared to the state of Massachusetts.

Massachusetts Department of Public Health
Tobacco Cessation and Prevention Program
(617) 624-5900 www.mass.gov/dph/mtcp

HAWC (HEALING ABUSE WORKING FOR CHANGE) REPORT OF TOWN OF MARBLEHEAD FY2009

HAWC officially changed its name on October 1, 2009, the first day of Domestic Violence Awareness Month. For over 30 years, HAWC has been known as Help for Abused Women and their Children. The new name and logo reflect the fact that HAWC serves all individuals who are in abusive relationships: women, men and transgender individuals; adults, adolescents and senior; gay, lesbian, bisexual and heterosexual people; those with children and those without.

HAWC's new name and logo capture the strength and resiliency of survivors as they move out of fear and despair to hope and independence. It also captures HAWC's two-fold mission: to support the healing process individuals and families go through as they work to free themselves from abuse and to change the social norms and individual behaviors that perpetuate violence and oppression.

Community-wide knowledge about the tactics of perpetrators prepares everyone to recognize the warning signs of abuse and how to get help. Domestic abuse takes many forms but its goal is always the same: to control one's partner. Tactics of control include emotional, physical, economic, social and sexual abuse. Name-calling, belittling, stalking, isolating one from family and friends, intimidation, and threats of harm are all abusive whether they involve physical violence or not.

Founded in 1978, the mission of HAWC is to create social change by taking action against personal and societal patterns of violence and oppression. HAWC provides services and support to victims of domestic abuse residing in the 23 cities and towns

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on the North Shore in order that they may make informed, independent decisions about their futures.

Based in Salem with outreach offices in Gloucester, Ipswich, Beverly and Lynn, HAWC provides the following free services: a 24-hour hotline, emergency shelter, advocacy in courts, police departments and healthcare settings, trauma recovery counseling for adults and children, support groups, economic stability services, relocation and rental assistance, prevention education in schools and communities.

In 2009, HAWC provided the following services:

Hotline calls	3,733 callers
Counseling and support	780 individuals
Parent/child trauma recovery	123 families
Youth Violence Prevention	7,870 youth
Legal Advocacy	2,146 individuals
Education and Training	3,939 residents and professionals

Housing and Homelessness Prevention:

Emergency Shelter	54 adults and 46 children
One-year Rental Assistance	11 adult and 15 children
Rental Down-payment/Utilities	19 adults and 37 children

Marblehead residents served by HAWC in FY 2009

Counseling and Support Services

- 23 callers were supported through our 24-hour hotline
- 2 residents attended support groups
- 15 were seen in individual counseling
- 23 were supported in court for restraining orders
- 2 families were seen in the Parent/Child Trauma Recovery program (mother and child are seen in counseling together after the perpetrator is out of the home)

Shelter and Housing

- 1 resident was provided with emergency shelter
- 1 resident received rental assistance to prevent homelessness

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Youth Violence Prevention

- 120 Marblehead teens were educated about healthy dating relationships, warning signs of abusive relationships, how to help friends and HAWC resources.

If you or someone you know is living in fear of their partner, please call HAWC's 24-hour, toll-free hotline at 800-547-1649. Contact and understanding from a person outside an abusive relationship is often the one most important lifeline for a person escaping from abuse. The more you know the more you see. You can become part of the solution.

MENTAL HEALTH SERVICES FISCAL YEAR 2009

Now in its 40th year, the Marblehead Counseling Center (MCC) has collaborated with the Board of Health to provide the Town counseling, education and community service. The MCC has afforded people the opportunity to work with highly trained professionals on personal or community issues and concerns. Therapy is provided to any resident or town worker regardless of his/her ability to pay a fee. Over and above the \$63,728 provided by the Health Department, MCC provided over \$30,400 of free (unreimbursed) counseling services.

During fiscal year 2009, MCC provided direct therapy to over 496 different individuals with 4,252 sessions offered for individual, couple, family and group counseling. Therapists continued to help seniors in their homes who, because of infirmities, could not make it to traditional services. Another 100 hours were spent in outreach to teens and adults of our community in an effort to address their specific problems. In addition, the Center ran socialization skills groups for all the fourth graders at the Charter School.

Sometimes, during hard financial times, families struggle just to survive. MCC has become the place that people can get connected with resources that will help them, whether it is paying overdue bills, assistance with housing, or connections to medical and dental treatment. Throughout the year a large number of town residents have received these social services from MCC's social service aides.

The Counseling Center has also continued to encourage the development of healthy children in Marblehead. This year the Center has been working with a small group to develop an effective teen center. Also, a coalition of community leaders and teens was formed in April to address adolescents' high use of alcohol and other drugs.

MARBLEHEAD TOWN REPORT

The Marblehead Counseling Center has always had a very strong commitment to improving the community of which it is a part. In fiscal year 2009, the organization gave over 400 hours as a participant in many community committees and task forces. Another part of this commitment is providing community mediation, which empowers persons to settle differences and disputes in a productive manner that avoids court intervention; six such mediations occurred in the last year.

MCC will remain a vital part of our community and provide counseling, social work, educational and community services for years to come.

ORGANIC PEST MANAGEMENT

The Board of Health promulgated Organic Pest Management Regulations under the authority granted under M.G.L. Chapter III, Section 31. This provides that Boards of Health may make reasonable health regulations. Under the authority granted to the Marblehead Board of Health under MA G.L. Chapter III, Section 122 the BOH may make regulations for the public health and safety, relative nuisances and causes of sickness.

Copies of the Organic Pest Management Regulations are available in the Board of Health office at the Mary Alley Municipal Building at 7 Widger Road.

SOLID WASTE AND RECYCLING

It is a constant challenge to address solid waste issues that face the town. It is a difficult task to address the environmental and increasing cost controls placed on the town by state and federal agencies. It is time that we refocus and substantially decrease the amount of waste we generate and increase the amount of recycling we separate from that waste.

- Marblehead generated 9,135 tons of trash in 2009 **a decrease of 228 tons.**
- Marblehead **recycled a total of 2,311.7 tons** of paper, commingled material, cardboard, metal, and Swap Shed material out of the waste stream realizing **diversion savings of \$234,061.65 ****
- 2,240 gallons of waste oil was collected for processing. This includes Town Garages
- 1,197 Televisions and 689 Computer Monitors were recycled.

MARBLEHEAD TOWN REPORT

- Two Household Hazardous Waste Days were conducted jointly with the Town of Swampscott and collected materials from over 300 households.
- Document Shredding /Recycling are held every other Household Hazardous Waste Day.

** The diversion savings decrease reflects directly to a small reduction in recycled paper as well as a significant negotiated decrease in waste disposal cost with Waste Management the Town's disposal contractor.

RECYCLING COMMITTEE

The Recycling Committee is a valuable volunteer resource for the Town. The weekly "Recycling Tips" article in the Marblehead Reporter takes time and commitment and is greatly appreciated and well read. Their staffing booth at the Farmers' Market selling compost and recycling bins and the assistance at HHW Day is to be commended. The Committee has brought businesses and citizens interested in current and future trends as well as local adherence to recycling in Marblehead. The Board looks forward to utilizing this group of dedicated residents and businesses as we address the solid waste and recycling challenges and opportunities facing the Town.

COMPOSTING AND YARD WASTE DISPOSAL

2009 organic matter, vegetation, brush, wood waste generation and processing figures:

- Composted material: 18,540 cubic yards = 3,090 tons.
- Spring/summer leaves & grass: 12,860 cubic yards = 2,143 tons.
- Woodchips (Town Tree Department): 4,640 cubic yards = 773 tons.
- Brush: 8,650 cubic yards = 1,442 tons.

The Town continues to work with Recreation and Parks as well as local landscape businesses in an effort to formulate a compost material suitable for garden and lawn construction as well as large scale restoration projects. The Town realized a small amount of revenue from this material and will be using it for restoration purposes in areas affected by the landfill remediation project.

OLD LANDFILL REMEDIATION

A comprehensive description of the design and construction phases along with timely opportunities was presented to the annual town meeting in May 2007. A

MARBLEHEAD TOWN REPORT

subsequent capital exclusion override for \$1,010,000 was voted positively by the Town. Additional environmental testing has been requested by the MA DEP for some abutting properties. The need to address infrastructure relocation with other Town Departments and Commissions is ongoing . Basic conceptual design issues are still being prepared for meetings with the neighbors, abutters, and Town Boards and Commissions for input and approval. The Board of Health will be before the annual 2010 Town Meeting to present construction plans for landfill remediation, a new Transfer Station, and redesigned recycling and yard waste areas.

SWAP SHED

The Swap Shed at the Transfer Station continues to be very popular and more importantly a very useful means of re-using many different types of household materials and appliances. The staff of hearty volunteers that operate, organize, and perform crowd control every Saturday are to be commended. The Board wishes to recognize these volunteers and express appreciation for their efforts to reduce the amount that is “thrown away” annually instead of reused.

In closing the Board of Health commends its office and transfer station staff for their adaptability to constant change, their dedication and devotion to their positions and the Town. As Director of this Department I am very appreciative of the staff in both the Public Health and Waste Division under the jurisdiction of the Board of Health. These are the people that are here working in the rain, bitter cold, snow, heat, and are handling the complaints, working extra unpaid hours to provide the finest municipal service they can. The Board wishes to thank other Town Departments for assistance and cooperation in the form of manpower, equipment, and other resources. Bi-monthly administrative staff meetings with the Town Administrator are important and appreciated from a support and cooperative effort standpoint. The Board also thanks Town Planner Rebecca Curran, who has assisted the Health Dept. in applying for and administering worthwhile grants of money, equipment, technical assistance, and Chapter 30B Procurement issues. The Board of Health and the Town are fortunate to have a willing and able group of volunteers assisting in all aspects of our operation. The Board of Health thanks all those volunteers.

HEALTH OFFICE STAFF

Rochelle Bartlett-Ayer, RN, Public Health Nurse
Roberta Cody, Health Inspector
Joan Sherman, Senior Clerk

MARBLEHEAD TOWN REPORT

TRANSFER STATION STAFF

Peter Haskell, Leader Heavy Equipment Operator
Jose' Fagundes, Heavy Equipment Operator
Michael Louizos, Heavy Equipment Operator
John Perry, Seasonal Labor
Annette Louizos, Part-time Clerk
Kay Monahan, Special Clerk
Karen Patch, Part-time Clerk

Respectfully Submitted,
Helaine R. Hazlett, B.S., Chairman
Todd Belfbecker, D.M.D.
Michelle Gottlieb

Wayne O. Attridge
Director of Public Health

MARBLEHEAD TOWN REPORT

BUILDING COMMISSIONER & INSPECTIONAL SERVICES

The Inspectional Services Department ensures public safety, health and welfare by regulating construction through Federal, State and Local Codes and By-Laws.

A total of 618 Building permits were issued in 2009 including those for 9 new single family dwellings, of which 8 involved the demolition of existing buildings. Renovation of the Village School began this year and continues on schedule. Based on an estimated cost of construction of \$46,157,501 this activity produced fees of \$580,603 for the General Fund.

Electrical, Plumbing, and Gas Fitting permits generated an additional \$55,110 in inspectional fees for the General Fund.

The Department also issued 155 Roofing permits, 12 Sign permits and 12 Stove permits, which produced an additional \$5,310 for the General Fund.

The Building Department, in conjunction with the Fire Prevention Office, conducts annual inspections of public and private schools, churches and temples, day care centers, food service establishments, nursing homes, and private clubs.

The department extends deepest sympathy to the family of William R. Doane, former Building Commissioner and Local Inspector, who regrettably passed away in March and expresses our appreciation for his many years of outstanding service to the Town of Marblehead. We welcome John Albright to our staff as a Local Inspector.

Estimated Cost of Construction activity for the past decade in millions of dollars

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
23.1	22.6	24.2	23.4	39.2	43.4	33.3	38.1	25.1	46.2

Respectfully submitted;

Robert S. Ives, Jr., Building Commissioner

Chris G. Butler, Local Inspector

John Albright, Local Inspector

Ronald J. Marks, Wire Inspector

Eric F. S. Chisholm, Assistant Wire Inspector

Domingos Furtado, Plumbing & Gas Inspector

MARBLEHEAD TOWN REPORT

Peter McCarriston, Assistant Plumbing & Gas Inspector
Mary A. Allain, Special Clerk
Ellen Vaughn, Data Entry Clerk
Ed Medeiros, Public Buildings
Steve Ware, Public Buildings

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CABLE TELEVISION OVERSIGHT COMMITTEE

The main work of the Cable Television Oversight Committee in 2009 included setting up MCAM, a non-profit corporation to run local channels and television operations in Marblehead, conducting negotiations and awarding of a license to Verizon for bringing cable television service to Marblehead, and conducting ascertainment in preparations for license-renewal negotiations with Comcast.

In 2009 the Committee established an Access Corporation to run the local television channels on the cable system. Bylaws were written, and papers were filed with the Commonwealth of Massachusetts to set up a non-profit Corporation. The Selectmen interviewed potential members of the Corporation. A representative of the Cable Television Oversight Committee, a representative from the School Department, and three at-large members formed the first Access Committee. Comcast then moved control of the local channel to the new non-profit, called Marblehead Cable and Media. Operation of local programming under local control thus began this year.

The year also saw the completion of negotiations with Verizon to bring cable television service to Marblehead, and the subsequent awarding of a 10-year license. The license included agreements to help support the Access Corporation, and carry television programming from locations within the Town, including the local studio, the Performing Arts Center, and points in the schools.

With the license awarded to Verizon, and the establishment of the non-profit to run local programming, attention turned to negotiations with Comcast Communications. Comcast's current license expires in June 2010, so ascertainment began in preparation for negotiations. Among ascertainment activities, a public hearing was held, soliciting comments to develop positions for these negotiations.

Respectfully submitted,

Paul Rabin, Chairman
Nancy Marrs, Secretary
Wayne Avridson
David Keniston
Peter Lazarus
Ron Olson
Alan Raymond

MARBLEHEAD TOWN REPORT

CEMETERY DEPARTMENT

The Marblehead Cemetery Department respectfully submits our Annual Report for the Calendar year ending December 31, 2009.

The Board of Commissioners has three members who are elected to three-year, staggered terms. The Commission sets policy, establishes regulations and oversees the cemetery budget. The Cemetery Department is administered by a Superintendent appointed by the Commissioners, who has jurisdiction over all Town Cemeteries.

The Cemetery Department is responsible for the complete maintenance of Waterside Cemetery, as well as, Harbor View Cemetery. The Recreation and Parks Department is responsible for the cutting and trimming of the grass at Old Burial Hill, Harris Street, and Green Street Cemeteries. The Cemetery Department takes care of any other maintenance that is needed at these historic cemeteries.

For the fiscal year 2009 the sum of \$289,866.72 was expended on salaries and wages. The sum of \$20,806.73 was spent on maintenance expenses. To defray the cost of these expenditures the sum of \$45,000.00 came from the Perpetual Care Fund.

The Cemetery Department turned over to the Town Treasurer for the General Fund the sum of \$ 62,755.84 received from charges and fees in fiscal 2008:

Grave Fees	\$ 50,100.00
Chapel Fees	750.00
Foundation and Inscriptions Fees	11,890.84
Annual Care Receipts	0.00
Misc. & Vault Fees	15.00
	\$ 62,755.84

This Department keeps abreast with a survey of Commonwealth Communities and Private Cemeteries as to the fees that are charged and then makes adjustments in fees accordingly.

The sum of \$21,547.50 was received from the sale of lots and the sum of \$22,532.50 was received from bequests to the Perpetual Care Fund. The sum of \$140.00 was received from bequests to the Eternal Flame Fund.

MARBLEHEAD TOWN REPORT

There were two Gravestone Rubbing Permits issued this year. These permits cost \$10.00 and are used only at the Old Burial Hill. The total income receipts for the fiscal year ending June 30, 2009 was \$ 106,995.84.

The total number of interments for the Calendar year was 113 of which 74 were cremations.

During this past year the Cemetery Department lost a nice and caring man, Dexter Gillis. Dexter served on the board from the mid 90's to the summer of 2009 when he passed away. Dexter was the Chairperson for the Cemetery Board of Commissioners for the past ten years. We will surely miss Dexter for the care he had for his Town – "Marblehead Forever".

The Cemetery Department would like to thank the Gerry #5 for the paying of the eternal flame during the summer months, also the VFW for helping keep the pool up and running, and Eustis & Cornell Funeral Home for the wreath hanging at the Bell Tower during the Holidays. We would also like to thank Liz Grader for her volunteer work. Thanks also to the Highway, Park & Recreation, Water & Sewer, Tree and Light Departments for their help in getting the cemeteries ready for Memorial Day and during the year.

The Department would like to welcome aboard David Cashman to the Commission. We would also like to thank Bret Gifford for almost thirty years of service as the Heavy Equipment Operator for this Department.

During the year 2009, the Department employed Frank James as mechanic, Bret Gifford as heavy equipment operator, William Stanton and Brian Ware as laborers, and Catherine Kobialka as office manager. Our Cemetery Board of Commissioners consisted of, Dexter C. Gillis as Chairman, Rose A. McCarthy as clerk, and Richard F. Coletti.

Respectfully submitted,
William H. James
Superintendent

MARBLEHEAD TOWN REPORT

CONSERVATION COMMISSION

This report is for Calendar Year 2009. The purpose of the Marblehead Conservation Commission is twofold. First, to implement the safeguards specified in the state Wetlands Protection Act, the state Stormwater Management Policy and the Marblehead Wetlands Protection Bylaw in order to help preserve and protect the wetlands and water resources in our Town. Second, to maintain and protect the conservation lands held in trust for all residents of our Town. Of the six communities adjacent to Salem Sound, Marblehead and Salem have the highest density of population, with corresponding pressures on our open space and water resources. The quality of life in Marblehead and its attractiveness is in part dependent on these resources and we urge all Marblehead residents to join in our efforts to preserve and protect them.

The Commission held regular meetings and public hearings throughout the year 2009. We continued to assist residents in their construction projects while guiding them in their endeavors to protect the wetland resources potentially affected by their construction. A major ongoing effort of the Commission is the management and mitigation of pollution caused by storm water runoff. This polluting runoff comes from streets, parking lots, driveways and lawns. Lawn chemicals, oil and coolant leaks from vehicles, animal waste, paints disposed of in catch basins (storms drains in our streets) - all these pollutants/nutrients eventually end up in our streams and ocean. The effort to mitigate this pollution will require a long term change in the thinking and actions on the part of the general public and in our approach to public infrastructure. The Marblehead Water & Sewer Department already follows the guidelines established by the state to mitigate stormwater pollution runoff into our ocean waters.

The Commission reminds everyone that our ponds are all in the process of filling in with vegetation. This is a natural process, especially with shallow ponds, and is caused or accelerated, in part, by the inflow of chemicals and fertilizers from abutting lawns and storm water runoff. If you live directly on one of our ponds, please do not fertilize your lawn without guidance from the Commission.

Marblehead has exhausted (read developed) more than 95% of its buildable land. With all the roofs, driveways, streets, parking areas and other impervious surfaces we have built ourselves into one huge catch basin. This has exacerbated our drain problems. All those little open fields, land depressions and pocket wetlands where

MARBLEHEAD TOWN REPORT

storm water used to be able to collect and gently seep into the ground are, for the most part, gone.

Again this year, we wish to express our gratitude to the Marblehead Conservancy for its continuing efforts to restore walking paths in our conservation lands and for its ongoing program to remove invasive plant species, which are strangling native vegetation in the conservation lands. Since your Conservation Commission has no budget or staff for managing the conservation lands, the ongoing efforts of the Conservancy to preserve and protect these very valuable resources are crucial to the health of these areas.

The Commission lost a very valuable administrator in the person of Douglas Saal who retired but we are fortunate to have a very capable replacement, Willy Lanphear. We wish them both well.

Please visit us on the Town web site, www.marblehead.org, to find information on our meeting schedules, help with filing permit applications and accessing the minutes of our meetings.

Respectfully submitted,
Marblehead Conservation Commission

Walter Haug, Chairman
Deborah Payson, Member
Frederick Sullivan, Member
Donald Tritschler, Member
Craig A. Smith, Member
Brian LeClair, Member
Ken Fisher, Member

MARBLEHEAD TOWN REPORT

COUNCIL ON AGING

The Council on Aging respectfully submits its annual report for the year ending December 31, 2009.

The COA, along with Keystone associates and Clark Willmott, received the “2009 MCOA Innovator of the Year” award for its “Wisdom Works” employment program at the Massachusetts Association of Councils on Aging Fall conference. The program consisted of self assessment, resume writing, interviewing skills and networking. The COA also celebrated its 40th Anniversary with several special events including a dance at the community center and a 1969 Trivia Contest. The year also saw the retirement of two long time COA employees: Maxine Stromberg, Activity Coordinator, and Ron Birchmore, Van Driver.

The Council on Aging provided programs and services to 3,179 seniors (age 60 or more) and 2,248 non-seniors (including family members and caregivers) during the past year. 2009 COA programs and services designed to keep elders independent, remain healthy and stay connected with the community included:

Health/Wellness Screenings and Services: 516 health screenings and weekly wellness clinics by the Public Health Nurse and the VNA were provided. The Board of Health held one flu clinic at the Center that served more than 500 individuals. Weekly sessions of chair massage were available at the center.

Transportation: 7006 rides were provided to 122 senior citizens to medical appointments, the senior center, shopping, nursing home visits, volunteer positions and on errands. Another 75 rides were provided to 3 individuals under the age of 60 and disabled.

Nutrition: 14,734 home delivered meals were provided to 106 home bound individuals and 1,684 meals were provided to 128 seniors at the center. Home bound individuals were treated to “The Lazy, Hazy Days of Summer” by North Shore Elder Services which included a lobster roll lunch and ice cream sundaes delivered by volunteers. The Gerry #5 provided a fish lunch at the annual picnic.

Education: 281 individuals took advantage of the many educational offerings at the senior center including presentations on finances, memory loss, elder law, health plan options, driving, proper disposal of prescription drug, and fraud protection. An Energy Savings Seminar was also presented. 31 seniors received computer training.

Fitness and Exercise: 496 older adults participated in fitness and exercise classes that included weight training, yoga, physical therapy, osteo prevention, stretching, strength & stretch, tai chi, better balance and Zumba. With the Recreation and Parks Dept, the COA utilized Shattuck Funds to renovate the woodshop at the Community

MARBLEHEAD TOWN REPORT

Center and turn it into a fitness room with exercise equipment. The Fitness Center is available to all Marblehead residents on a prescribed schedule.

Recreation and Arts/Crafts Activities: 1144 sessions of bridge, Mah Jongg, cribbage, bingo, oil painting, golf, drawing, knitting, quilting, crafts, line dance, country line dance, tap dance, book discussion, watercolor painting, wood carving and attracted individuals. The COA received a Local Cultural Council grant for “Drawing For Seniors”, an 8 week drawing class by Artist Paula Beaulieu.

Travel Opportunities: The COA sponsored day and overnight trips for 173 seniors. Destinations included the Canadian Rockies by rail, the Statue of Liberty, the Tall Ships, Hyannis Harbor cruise, LaSalette Shrine holiday lights, the Turkey Train, European Tulip River cruise and Foxwoods.

Social Events: Social events included the annual picnic at the Gerry #5 and monthly luncheons with entertainment to celebrate the holidays and seasons. Special events were held for Senior Center Week. The Men’s Group continues to grow and speakers this year included Town administrator Tony Sasso, Ch. 5 Harvey Leonard and physicians from NSMC. The VNA Care Network and Hospice underwrote the series again for the year.

Safety: The COA continues to sponsor, along with the Essex County Sheriff’s Dept and the Marblehead Police Dept, the Marblehead TRIAD, which meets monthly at the center. The group sponsored the Yellow Dot Program, the File of Life program, and weekly shredding sessions to avoid identity theft. In addition, the group developed “My Personal Information Record” for elders to record information needed by family members in case of an emergency.

Health Insurance Counseling: The COA has two trained SHINE (Serving the Health Insurance Needs of Elders) counselors – one staff and one volunteer- to assist senior citizens with questions and concerns about their health insurance and prescription coverage. 73 seniors were served.

Property Tax Work Off Program: Administered by the COA, this program assisted 28 seniors who volunteered their services to the town in exchange for up to \$750 credit on their real estate tax bills.

Outreach: Outreach staff contacted 87 individuals to acquaint them with COA programs and services. Referrals of seniors who may need assistance were received from the police and fire departments and other agencies. More than 3,900 referrals were made to other agencies such as North Shore Elder Services, the Marblehead Counseling Center and the fuel assistance program. Farmers Market coupons were distributed to 50 individuals. An Alzheimer’s Caregivers Support Group was facilitated by Mary Demakes, RN.

Information and Referral: More than 2,900 seniors and 2,200 non-seniors contacted the COA for information and more than 3,900 referrals were made to other agencies. 3,000 copies of the monthly newsletter, The Old Marblehead Cod,

MARBLEHEAD TOWN REPORT

were distributed monthly. The COA also maintains website pages on the town website.

Volunteer Opportunities: 93 volunteers provided 4,647 hours of service to the COA in a variety of roles including board members, lunch servers, activity leaders, and instructors. Linda Hall was presented with the COA Volunteer of the Year award at the annual picnic for her work in refurbishing the center lobby.

Intergenerational Events: The Marblehead Veterans Middle School held a talent show and donated the \$3000 proceeds to the COA for its programs and once again the “Senior Moments” Tap Dance group performed at the show. Thirty seniors were assisted with snow shoveling by students from the Marblehead Veterans Middle School.

Employment Assistance: The COA, with the help of Keystone Assoc., Clark Willmott and five HR volunteers provided four 4-week sessions of “Wisdom Works”. 37 individuals have completed the program.

The Town of Marblehead appropriated \$184,874 for FY 10 for the COA. In addition, the COA was awarded a Title IIIC federal grant of \$21,953 for its nutrition programs and a Title IIIB federal grant of \$6,079 for its outreach program by North Shore Elder Services for the period 10/1/09-9/30/10. The Marblehead COA was awarded a state Formula Grant for FY 10 in the amount of \$28,595. The COA also receives a monthly donation from the Marblehead Female Humane Society to fund the part-time use of the second van and its driver for the transportation program. The COA depends on donations and the Friends of the COA for additional funding.

The staff of the Council on Aging is to be commended for their commitment to serving the senior residents of Marblehead:

Director.....	Patricia C. Roberts
Activities Director.....	Janice Salisbury Beal
Senior Day Center Coordinator....	Jan DePaolo
Outreach Worker.....	Audrey Connolly
Site Manager.....	Thais Asainte
Van Chauffeurs.....	Patricia Medeiros, Glover Preble
MOW Drivers.....	Diane LeBoeuf, Virginia Power, Jeanne Ventura
Clerk.....	Caryle Wildfield
Maintenance.....	John Belanger

Respectfully submitted,

Ed Bell, Chairman	Catherine Brown	John Crowley
Joe Dever	Rens Havens	Maureen Horan
Jeanne Louizos	Freda Maguire	Liz Michaud

MARBLEHEAD TOWN REPORT

DEPARTMENT OF PUBLIC WORKS

The Marblehead Department of Public Works is pleased to submit its' report for the calendar year 2009.

Over the past year our employees have been very busy performing the necessary maintenance to keep our public ways clean, clear and safe. Some of the services provided include: pothole repair and patching, trench repair, sidewalk maintenance and rebuilding, traffic lining, street sign installation and repair, street sweeping, and of course snow removal.

As in the past, a major part of the Department's funding comes from the State by way of Chapter 90 funds. This money is used primarily for reconstruction and repaving of our roads. This year our Chapter 90 funds went to pave Cherry St., Cedar St., Cypress St., Lindberg Rd., Homestead Rd. Alden Rd., Columbia Rd., Clifton Ave., and Rockcliff Rd.

For the second straight year our snowfall averaged around 60". Much of this snow was centered around holiday periods. Due to excellent participation by the approximately 45 people involved in the plowing operation as well as good equipment and maintenance, all snow was removed in a timely fashion and roads kept passable throughout the operation.

As always, the DPW wishes to thank you the customer, for your cooperation and understanding as we work to make improvements to the public ways. We also would like to recognize all the other town employees who pitch in during other major events. I wish to also recognize Jim "Zoomer" Foss who for over 43 years was a snow plow operator in the down town area. Jim was recently retired and he will be greatly missed.

In closing, this will be my final year as DPW Director. While I have worked for the Water & Sewer Commission 37 ½ years, this completes only 3 years with the DPW. I wish to thank the Board of Selectmen for their support and compliment all the employees of the DPW for their efforts in making this another successful year.

Congratulation's to David Donahue on being named the new DPW Director.

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Employee

Dana Snow
David Donahue
Susan Hogan
Robert Nauss
William Montgomery
Christopher Phillips
Arthur Graves
Steven Magrane
Robert Mace
James DeCoste
Robert Delisle, Jr.
Dave Perry
Robert Pollard
Robert Titus

Occupation

Director
Assistant Director
Senior Clerk
Mechanic
Mechanic
Mechanic
Working Foreman
Working Foreman
Working Foreman
Heavy Equipment Operator
Heavy Equipment Operator
Heavy Equipment Operator
Heavy Equipment Operator
Heavy Equipment Operator

Respectfully Submitted,

Dana E. Snow
Director of Public Works/Supt. Water, Sewer & Drain Depts.

MARBLEHEAD TOWN REPORT

ENGINEERING DEPARTMENT

2009 brought significant change to the Engineering Department. In June, Douglas W. Saal retired after serving for over 29 years as the Town Engineer. Doug had professionally and faithfully managed the Engineering Department, bringing it from its pre-computer years into the digital mapping and Geographic Information System (GIS) in use today. Doug always held the interest of the Town paramount in all interactions with contractors, engineers, land surveyors, attorneys and the public. His education, experience and professional background served the Town very well. We wish him the best in a well deserved retirement.

On June 1, 2009 William C. Lanphear was hired to head the Engineering Department in the role of Engineering and Conservation Administrator. Willy is a licensed Professional Land Surveyor with 36 years of experience in land surveying and engineering projects. Having worked on a large number of properties in Marblehead for private residents and for several Town Departments, Willy brings a wealth of personal knowledge regarding property boundaries, and street line locations in town. He's also very familiar with the Town's drain system having worked on a town wide drain mapping program in the 1990's. Prior work in Marblehead, and familiarity with the town's maps and record keeping system, has made his transition as the new department head a relatively smooth one.

During 2009, the Engineering Department provided engineering and surveying services to several town boards, Commissions and departments. Street line research and determinations were provided as requested and survey plans were prepared. Working closely with members of the Recreation and Park Commission, surveys and plans were provided for proposed maintenance and improvements at Crocker Park. Plans and descriptions were also provided relative to several new parking regulations. Working closely with the Assessor's office, the Engineering Department provided assistance in keeping property ownership records up to date.

Throughout 2009, the Engineering Department provided administrative, clerical, record keeping and budgetary support to the Conservation Commission, Planning Board and Zoning Board of Appeals. Maps are prepared from the Town's GIS for projects submitted to these Boards to identify the abutters and any other parties necessary to receive notice of public hearings. Legal advertisements were prepared and submitted to local newspapers for all projects requiring a public hearing. Numerous plans were reviewed throughout the year for projects submitted to these Boards and the Conservation

MARBLEHEAD TOWN REPORT

Commission. Site inspections were routinely done to verify compliance with permits issued and to address any violations noted or reported to the department.

The department continues a long tradition of storing and providing copies of historic survey and engineering field notes, records and plans from the Map Room at the Mary Alley Building. These historically important records and plans are routinely needed by engineers, land surveyors, and attorneys in the course of their work. Residents also come in for research and copies. Copies are provided for a nominal fee.

Engineering Department personnel:

William C. Lanphear, Engineering and Conservation Administrator
Andrea H. Flaxer, Special Clerk

Respectfully submitted,

William C. Lanphear, PLS
Engineering and Conservation Administrator

MARBLEHEAD TOWN REPORT

FINANCIAL SERVICES

The Financial Services Department is responsible for the Town's financial functions, including accounting, payroll, revenue collection, budgeting, capital financing and retirement management. The Financial Services Department is overseen by the Town's Finance Director. The Finance Director also serves as the Town Accountant and is responsible for the management of Information Technology for the Town.

Within Financial Services, the Accounting office is responsible for the audit and approval of all Town expenditures and preparation of various accounting and financial reports required by the State's Department of Revenue. The Revenue office is responsible for distribution of payroll and vendor checks and collection of taxes and fees owed to the Town. Both the Treasurer and the Collector functions are performed by this office. The Payroll Office performs all payroll functions and administers various employee fringe benefits, including health insurance, flexible spending plans, 457 deferred compensation plans, and life insurance.

The department publishes a separate Comprehensive Annual Financial Report (CAFR) for the Town on a fiscal year basis (July 1 to June 30) each year. A Copy of the latest CAFR is available by contacting the Finance Director's Office.

Among the more important accomplishments of the Financial Services department during 2009 were:

- Received for the fifth consecutive year the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. This award is only given to government units whose comprehensive annual financial reports (CAFRs) achieve the highest standards in government accounting and financial reporting. Marblehead was one of only 19 Massachusetts communities to receive this award last year.
- Completed the annual open enrollment process in May for employee and retiree health insurance. The Town purchases health plans through the Massachusetts Interlocal Insurance Association (MIIA).

MARBLEHEAD TOWN REPORT

- Continued the management of a Wellness Campaign for employees covered by the various Blue Cross Blue Shield plan options offered by the Town.
- Managed the Town's Official Website. This work includes managing the content of the website to ensure completeness and accuracy, implementation of new website features, and assisting other town departments with their website content. In 2009, the town began posting meeting agendas for many of the town boards and committees on the website.
- Managed the on-line payment option available for taxpayers to use in the payment of their Real Estate and Personal Property taxes as well as Motor Vehicle and Boat Excise Taxes. In 2009, the on-line payment option continued to be enhanced with the addition of an on-line payment option for water and sewer bills.
- Completed a procurement process connected with the selection of a new flexible spending administrator for this employee fringe benefit.
- Completed a capital financing on behalf of the Town involving the issuance of both long-term bonds and short-term notes to finance various capital projects undertaken by the Town. In the context of this financing the Town received an upgrade of its bond rating from AA+ to AAA from the rating agency of Standard & Poor's.
- Successfully implemented the process of submitting to the Massachusetts School Building Authority for the reimbursement owed in connection with eligible school building project expenditures.
- Submitted all required Department of Revenue reports on schedule.

MARBLEHEAD TOWN REPORT

Financial Services Department Staff

John J. McGinn	Finance Director/Town Accountant
Robert Ross	Assistant Director – Accounting
Patricia Kelly Murray	Treasurer/Tax Collector
Barbara Kiernan	Payroll Administrator
Connie Ross	Assistant Revenue Officer
Paul Jalbert	Accounting & Website Assistant
Dmitriy Vaydman	Accounting Assistant
Matthew Barrett	Retirement Administrator
Kathy Harvey	Administrative Clerk – Payroll Office
Deb Christensen	Senior Clerk – Revenue Office
Dianne Rodgers	Senior Clerk – Revenue Office

MARBLEHEAD TOWN REPORT

FIRE DEPARTMENT

On behalf of the men and women of the Marblehead Fire Department, it is my pleasure to submit to the citizens of Marblehead our Annual Report for the period ending December 31, 2009.

First and foremost, the members of the Marblehead Fire Department take pride in the fact that our skills, training, and professionalism are serving and protecting the Town of Marblehead. Our mission is public safety and customer service. This community puts its trust in us as emergency first responders, and expects that when we answer a "911" call we are prepared, professional and able to perform as a team in order to prevent harm, preserve life, and protect property. It is a tribute to everyone in the Department that day-in and day-out, we meet that challenge and that we do so under conditions that can be difficult and dangerous. I commend the men and women of the Marblehead Fire Department who remain dedicated to providing quality and innovative fire, rescue, and emergency medical services, to our community.

The members of your fire department had another very busy year. In 2009 we responded to 2396 requests for emergency assistance from our residents. These calls varied in severity from serious medical emergencies to structure fires to more routine types of emergencies, such as helping a resident get back up after they had fallen. Any request to help our residents in their time of need is a dedication that organizationally, we take very seriously, and we continually work to improve our level of services to you.

Emergency Medical Services continue to put the highest demand on our department. The department responded to 1,170 requests for emergency medical services. This represents 48% of our entire run volume. The Department is licensed by the Office of Emergency Medical Services to operate as an ambulance service at the basic level in the Commonwealth of Massachusetts. Cardiac defibrillators are carried on each piece of apparatus with all firefighters and officers certified in cardiac defibrillation. We currently have 33 firefighters trained as Emergency Medical Technicians (EMTs) and 2 trained as a Paramedic.

The following personnel changes were made in 2009. Lieutenant Joseph Jurasek and Firefighter Michael Church left the department for other career opportunities. Patrick Attridge, Steven Bivens, and Rob McKay were appointed as Permanent Full-Time Firefighters. Adam Hatfield, Gregg McLaughlin, and Thomas Rice were promoted to Permanent Lieutenants. Scott Murray and Daniel Rice were promoted

MARBLEHEAD TOWN REPORT

to Permanent Captains. I extend my congratulations to each of these department members on their appointments and promotions.

I would like to extend a long and healthy retirement to Captain Richard Bartlett and Chief Barry C. Dixey. Chief Dixey became the department's fourth permanent Chief on October 25, 1998. In his tenure as Chief, he appointed more than fifty percent of the current firefighters on the department and promoted all but three officers. I am extremely grateful for his help, patience, and understanding during my transition to Chief of Department. Captain Bartlett served as the department's grant writer from 2003 until his retirement. In that time, Captain Bartlett secured more than \$175,000.00 in grant money for the department. We owe a great debt of gratitude to Captain Bartlett and Chief Dixey for their thirty-two years of dedication and service to the department and the Town.

It is with great sorrow that we note the passing of retired Firefighter Frank A. Legro and retired Call Firefighter Phillip Cash Sr. We are very grateful for their many years of service to the Town of Marblehead, and they will be truly missed by all.

We continued to strengthen our Emergency Preparedness in many different areas. The risk of an H1N1 epidemic was the main focus of 2009. The command staff from the Fire Department, Police Department, Health Department, Town Administrator, and Emergency Management Director worked tirelessly to formulate a plan that allowed us to make available the H1N1 flu vaccine to large numbers of people in a short period. It should also be noted that the Town's Comprehensive Emergency Management Plan was again reviewed, updated and resubmitted to the Commonwealth Executive Office of Public Safety. This was made possible by a grant that was awarded to the Town's Emergency Management Director, Lieutenant Charles P. Cerrutti.

The Department applied for and received three grants during this past fiscal year. The first grant that we received was the Student Awareness Fire Education (SAFE) grant. These funds allow us to continue to send trained fire department personnel into the schools to teach fire safety to the children. We were also successful in securing a \$37,485.00 Assistance to Firefighters grant from the Department of Homeland Security. This grant made it possible for the department to purchase three new state-of-the art thermal imaging cameras. The department was also very fortunate to be awarded a \$7,900.00 equipment grant from the state. The funds were used to replace unserviceable turnout gear and boots.

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On December 3, 2009 nine members of the fire department were recognized at the state's Firefighter of the year awards ceremony for a team effort to rescue a Marblehead youth on New Year's Eve. The youth was found in a snow bank in sub-zero temperatures and was suffering from hypothermia and severe frostbite. Thanks to the efforts of these individuals, the youth has made almost a complete recovery. Captain Daniel Rice accepted the Group Award for Meritorious Conduct on behalf of his group, from Governor Deval Patrick. I would like to extend my congratulations to Captain Daniel Rice, Lieutenant Tom Rice, Lieutenant Gregg McLaughlin, Firefighters Arthur Broadway, Mark Fader, Charles Sprague, Eric Thibodeau, and Matthew Tina, for a job well done and for being one of eight departments in the Commonwealth of Massachusetts to receive such an award.

The Department currently has thirty-one graduates of the Massachusetts Firefighting Academy Recruit Training Program, and we will continue to request funding for all new firefighters to attend this vital program. This twelve-week program provides rigorous training to new recruits giving them the basic skills to effectively and safely perform their jobs. Firefighters Steve Bivens, Rob McKay and Patrick Attridge graduated from the recruit program this past year.

In September the department took delivery of a new 2010 Ford Escape; this vehicle will be used by the Fire Prevention Division and will replace the 1995 Ford Explorer that was previously used.

We continue to work hard on maintaining Central Headquarters and the Franklin Street station. At Central Headquarters, the roof was repaired; department members removed and sealed up two pole holes for health and safety reasons. The fire alarm system was upgraded by replacing the outdated smoke detectors. The department members in cooperation with the Tree Warden and his staff removed the overgrown shrubbery from the front of the station and replanted new shrubs. At Franklin Street, we installed a new fire alarm system that is now connected to a municipal master box. The members assigned to Franklin Street have also invested considerable time and effort in maintaining the historic station.

With the assistance of the Town Administrator, Selectman, and the department mechanics we have been given the added ability to enhance the preventative maintenance program for all the fire apparatus. The increase in our maintenance budget affords us the opportunity to find and correct safety issues with the apparatus twice a year instead of the customary yearly inspection.

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We have stayed on course with our replacement schedule for turnout gear and equipment. This year we replaced nine sets of turnout gear and we will be looking to replace seven more this coming year. We also purchased several hundred feet of fire hose, hand nozzles, blitz guns, and other assorted tools and medical equipment.

We continue to benefit from the Senior Citizen Property Tax Work-Off Program sponsored by the Council on Aging. This program has been extremely valuable to this Department and the work performed by these volunteers is truly appreciated.

I would like to thank all the citizens of the town of Marblehead, the business community, the town administrator, the board of selectmen, and all other town departments for their support of the Fire Department. A special thanks to the Police Department and the Highway Department for all their help during the year.

I would like to express my gratitude to all Department members and dispatchers for their professionalism, dedication and enthusiasm. They are the heart and soul of the department and it is only through their efforts that the department will continue to be able to provide the level of service the residents of the Town have come to expect. They have my sincere gratitude and appreciation for the excellent job that they do on a daily basis.

Respectfully submitted,
Jason R. Gilliland
Chief of Department

Type of Incident	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Carbon Monoxide Problems	13	10	4	2	5	7	6	4	5	11	7	14	88
Structure/ Building Fires	3	1	0	1	0	1	2	0	2	1	0	0	11
Vehicle/ Boat Fires	0	1	0	1	1	0	0	0	0	0	0	0	3
Natural Gas Leaks Response	8	7	2	3	4	7	7	4	1	4	9	6	62
Bomb Scare	0	0	0	0	1	0	0	0	0	0	0	0	1
Mutual Aid Response	2	1	0	0	1	1	0	4	1	0	2	2	14

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Electrical Problems	5	1	3	7	7	4	4	5	4	2	8	7	57
Alarm System Malfunction	6	3	4	9	7	13	18	19	23	15	6	14	146
False Alarms	14	19	21	15	15	19	15	21	10	14	16	15	195
Lockouts/ Lock-ins	3	4	5	6	2	2	5	6	5	5	4	10	57
Outside Fires	0	0	1	1	0	1	0	2	1	0	0	0	6
Rescue/Medical Responses	86	75	79	93	94	116	112	106	113	91	98	105	1170
Water/Ice Rescue	1	0	0	0	0	0	2	1	1	0	1	0	6
Motor Vehicle Accidents	10	7	13	9	8	13	11	8	7	4	10	9	110
Severe Weather Responses	0	0	0	1	0	0	0	0	0	0	0	1	2
Good Intent Call	4	5	4	4	2	4	4	5	7	7	8	5	59
Public Service Call	13	9	16	18	10	11	17	13	16	18	19	13	174
Hazmat Response	4	2	1	3	5	3	3	3	1	2	0	1	28
Assist Police	5	4	2	0	7	4	3	2	3	1	1	1	33
Smoke Scare	8	4	2	5	7	4	8	4	5	7	2	8	64
Other Hazardous Conditions	10	13	4	6	5	6	15	8	2	19	14	8	110
											TOTAL		2396

MARBLEHEAD TOWN REPORT

APPARATUS

Engine 1	2006 -- 1500 G.P.M. Pierce Pumper
Engine 2	1998 -- 1500 G.P.M. Seagrave Pumper
Engine 3	1989 -- 1250 G.P.M. Mack Pumper
Ladder 1	1997 -- 75 Ft. KME Aerial Ladder-Quint
C1	2006 -- Ford Explorer (Chief's Vehicle)
C2	2010-- Ford Escape (Fire Prevention)
C3	2002 -- Ford F250 Pickup Truck
Rescue Boat	2001 -- 14 Ft. Zodiac with Outboard

FIRE DEPARTMENT PERSONNEL

PROMOTIONS	
Chief Jason R. Gilliland	February 1, 2009
Captain Scott R. Murray	February 1, 2009
Captain Daniel A. Rice	January 4, 2009
Lieutenant Adam J. Hatfield	June 21, 2009
Lieutenant Gregg M. McLaughlin	June 21, 2009
Lieutenant Thomas G. Rice	June 21, 2009
APPOINTMENTS	
Full Time Firefighter Patrick B. Attridge	January 4, 2009
Full Time Firefighter Steven L. Bivens	January 4, 2009
Reserve Firefighter Robert L. McKay	March 22, 2009
Full Time Firefighter Matthew I. Patterson	July 19, 2009
RETIREMENTS	
Chief Barry C. Dixey	February 5, 2009
Captain Richard H. Bartlett	January 24, 2009
RESIGNED	
Lieutenant Joseph W. Jurasek, Jr.	January 10, 2009
Firefighter Michael L. Church	June 19, 2009

MARBLEHEAD TOWN REPORT

DEPARTMENT PERSONNEL

CHIEF	
Jason R. Gilliland	
FIRE PREVENTION CAPTAIN	
Michael A. Porter	
CAPTAINS	
Walter F. Conrad, Jr.	Daniel A. Rice
Scott R. Murray	Elizabeth A. Wilson
LIEUTENANTS	
Charles P. Cerrutti	Gregg M. McLaughlin
Adam J. Hatfield	Thomas G. Rice
FIREFIGHTERS	
Patrick B. Attridge	Karl P. Lemieux
Mark P. Barcamonte	John Lequin, Jr.
Steven L. Bivens	Gregory T. Lydon
Arthur H. Boardway	Scott T. Martin
Ronald N. Borden	Robert L. McKay
Mark S. Borowski	Frank T. Monahan
Richard C. Cutting	Charles W. Morgan
Rick R. DiGiammarino	Matthew I. Patterson
Timothy J. Doane	Eric M. Ridge
Mark F. Fader	Matthew J. Serratore
Grant W. Glavin	Brendan J. Sheehan
Jeffrey K. Greenberg	Charles W. Sprague
Martin T. Hines	Eric Z. Thibodeau
James M. Horgan	Joseph M. Thibodeau
Douglas B. Knowles	Matthew J. Tina
John G. Tobey	
ADMINISTRATIVE CLERK	DEPARTMENT CHAPLAIN
Mary E. Levine	Reverend Dennis Calhoun

Fire Prevention

Fire Prevention is Everyone's Responsibility!

Through education and action we can teach ourselves and our children how to prevent the devastating effects of fire.

The main objective of the Marblehead Fire Prevention Bureau is the protection of life and property through the **prevention** of fire. This is accomplished by the elimination of hazards through effective code enforcement and public education of fire and life safety principles.

The Fire Prevention Officer works in conjunction with the Building Department to ensure that new construction and any renovations of existing structures meet the minimum fire safety requirements. They also perform annual inspections of every establishment that holds a license to serve alcohol.

Company Inspections ~ In-service fire companies made approximately 650 fire and life safety inspections during 2009. This year we started a new system that utilizes a checklist format. A thorough checklist was created that examines everything from access and egress of the building right through the maintenance of building safety systems. A new violation form was also created to coincide with the checklist. Any violations were ordered corrected with an inspection follow-up date noted on the violation form. These inspections included public buildings, offices, mercantile buildings and multi-family structures with three or more units. The In-service inspections accomplish several objectives; the fire crews become familiar with the building layout and they can reduce the loss of life and property by identifying fire and life safety violations.

Our goal is to make Marblehead a fire safe community!

Fire Prevention Open House ~ The Fire Department hosted its annual Fire Prevention Open House during the national fire prevention month in October. Once again, we worked diligently to secure the use of the Department of Fire Services - Sprinkler/SAFE House Trailer because of its continued popularity and effectiveness. The trailer allows us to provide "live fire" demonstrations showing the effectiveness of a single sprinkler head activation. The trailer also serves as a SAFE house filled with props which demonstrate how to avoid common household fire hazards.

MARBLEHEAD TOWN REPORT

E.D.I.T.H. or (Exit Drills In The Home) was presented to teach ALL family members that they can survive a fire in their home if they **plan** and **practice** their escape. Thank you to Papa Gino's for providing complimentary pizza to all participants and thank you to all the firefighters that assisted with this worthwhile annual event.

2009 Results by the numbers:

- 981 General inspections of property and buildings
- 62 Complaints investigated and conditions corrected
- 73 Inspection follow ups
- 0 Blasting complaints
- 82 Sets of plans reviewed
- 261 Residential sale of property inspections
- 186 Miscellaneous calls made by the Fire Prevention Officer, which included fire drills, development of fire and life safety plans, evacuation plans, lectures on fire safety, inspector meetings and hands on demonstrations.

THE FOLLOWING PERMITS WERE ISSUED BY THIS BUREAU:

Fire Alarm Boxes	37
Fire Reports	14
Fuel Permit	02
Oil Burner	37
Tank Removal	124
Tank Storage	57
Blasting	02
L. P. Gas	15
Dumpster	88
Sprinkler	13
Welding and Cutting	07
Flammable Storage	03
Tent	00
Tank Truck Storage	06
Demo	01
Smokeless Powder	00
Black Powder	01
Tar Kettle	00
SMOKE DETECTORS	
Residential Sale of Property	261

MARBLEHEAD TOWN REPORT

Residential New Construction	00
Residential New Construction	89
Remodel Commercial	00
Commercial New	00
TOTAL PERMITS	699

The Fire Prevention Officer attends all Massachusetts Fire Prevention Association and the Essex County Fire Chief's Association - Fire Prevention Division meetings to keep up to date with any new regulations or any changes to the present ones.

Remember Fire Prevention is Everyone's Responsibility!

Respectfully submitted,

Captain Michael A. Porter
Fire Prevention Officer

S.A.F.E.

The following is a report from the Marblehead Fire Department Student Awareness Fire Education (S.A.F.E.) Program for the year 2009.

The program is made possible by a grant from the Office of Public Education. The goal of this program is to conduct fire and life safety education programs within the town of Marblehead using trained Firefighters as educators.

For the past thirteen years we have conducted a comprehensive six-week Fire and Life Safety Program with all Marblehead Public School First and Third grade students. The program covers subjects such as Stop, Drop and Roll! Home Escape Plans, Get Out and Stay Out and much more. It has been a continued success again this year.

Firefighter James Horgan started a brand new program at the Village School, Marblehead Charter School and the Tower School. Firefighter Horgan, using an open forum and his training as a certified Fire and Life Safety Instructor, discussed personal fire safety awareness and life safety with over 200 students. Our goal with this program is to make the Marblehead Fire Department more than just a town department. We want to be a partner with our community and we believe that beginning life safety education early in a student's career makes our community a safer place to live.

MARBLEHEAD TOWN REPORT

We continued our program for graduating High School Seniors regarding college dormitory fire and life safety. Additionally a fire/life safety seminar was conducted in conjunction with the Housing Authority again this year. Captain Porter did the honors and we are always pleasantly surprised by the residents, their comments and questions.

Fire Prevention Week is the second week in October and the Marblehead Fire Department along with the SAFE Program had its annual Open House. Over 200 visitors came by to meet our Firefighters and to learn about what we do and the equipment we use. Captain Porter arranged for the Department of Fire Services "Home Sprinkler Demonstration Trailer." It turned out to be a huge hit with both children and adults again this year. I would like to thank all of the Firefighters who helped set up and man all of the demonstrations.

I would like to thank the following educators who work so hard towards the betterment of our program: Firefighter Greg Lydon for doing such a great job with the First Graders; Firefighter James Horgan for working so well with the third graders and investing so much time in his new program; and Captain Mike Porter for helping us move in the right direction and facilitating some of our more "non-traditional" ideas. A very special thanks to the entire Marblehead Fire Department; without their support, a lot of our programs would not be possible.

Thank you to all of the children for being so wonderful and to their teachers for allowing us into the classrooms.

Respectfully Submitted,

Firefighter Brendan Sheehan
SAFE Coordinator

Training Report

The Training Division serves to provide training resources to assist officers and firefighters in improving operations by maintaining a high level of proficiency, efficiency, and readiness; with a goal of preventing accidents, injuries and occupational illness.

The mission of the Training Division is to maintain and provide quality training and service, with safety for our firefighters and citizens being the highest priority.

MARBLEHEAD TOWN REPORT

The Training Division coordinates all in-house training by developing a monthly training calendar based on identified training needs and mandated training topics. The department's officers are responsible for conducting regular drills and classroom training on their respective shifts. Outside agencies and independent instructors provide additional knowledge and skills in areas that require specialized training.

This year marked a change in the training division for the department. The training division has been expanded to include three members. Lieutenant Charles Cerrutti will head the division with firefighters Eric Ridge and Matthew Serratore assisting. This will provide the department with better continuity between groups and increase efficiency. The training division would like to thank Chief Jason Gilliland for his tireless commitment to safe, proactive training and the continued education of the Marblehead Fire Department. Chief Gilliland set the standard on how training should be conducted.

All newly appointed firefighters are required to complete the twelve-week recruit training program at the Massachusetts Firefighting Academy located in Stow, Massachusetts. This past year firefighters Patrick Attridge, Steven Bivens and Robert McKay graduated from the recruit training program. Upon the completion of the recruit training, firefighters Attridge, Bivens and McKay obtained State and Pro Board certification as Firefighter I/II.

In 2009, the Town of Marblehead and the Marblehead Fire Department hosted firefighters from across the state for training in Fire Pumps and Hydraulics and Surface Ice Rescue. All Marblehead firefighters have also completed the statewide training initiative for Rapid Intervention Team (R.I.T.).

The training the division would like to recognize and thank those individuals and departments that have assisted us:

- Abbot Public Library for the use of their conference room
- Daniel Scanlon from Atlantic Ambulance Service for his continued emergency medical training
- The Harbormaster's Office for cross training members in boat operations
- Bill's Towing for supplying and removing the vehicles we used in training

A special thanks to the Hart and Finn-Elder families for the donation of their properties. The department used these properties to conduct search and rescue, ventilation and roof top operations training.

Respectfully,

Lieutenant Charles P. Cerrutti
The Training Division

Emergency Management

The Emergency Management Agency prepares for natural and manmade disasters. The Massachusetts Emergency Management Agency (MEMA) serves as the local branch of the Federal Emergency Management Agency (FEMA).

Massachusetts Emergency Management Company operates from their headquarters in Framingham and communicates with local emergency management agency's via radio, fax, internet, and telephone.

Massachusetts Emergency Management Agency and the Council of Massachusetts United Ways continue to promote Mass "211" as the Commonwealth's primary telephone information call center number during times of crisis. The easy to remember "211" is utilized as a 24 hour 7 days a week resource for human services and public safety disaster response. It was designed to reduce the number of non-emergency calls to 911 centers.

Marblehead's Emergency Management received a new "POD" policy by FEMA/MEMA that would bring commodities like food and water into the town in the event of a large-scale disaster. The POD's would be strategically placed offering drive up service to residents. There are three sizes of deployment, the largest being capable of providing for 20,000 people per day.

Marblehead Emergency Management obtained an emergency management performance grant. This grant will be used for updating, maintaining and reviewing Marblehead's "Comprehensive Emergency Preparedness Plan."

Emergency preparedness is the first crucial step in facing an unexpected crisis. Marblehead residents are encouraged to develop a home/family preparedness plan. To learn more about planning, please visit the Federal Emergency website: <http://www.ready.gov/>.

MARBLEHEAD TOWN REPORT

I would like to thank all department heads and town employees who have provided service and support.

Respectfully,

Charles Cerrutti
Emergency Management Director

FORT SEWALL OVERSIGHT COMMITTEE

The Fort Sewall Oversight Committee is a group appointed by the Board of Selectmen and comprised of the following: Larry Sands – Glover’s Marblehead Regiment, Chairman; Judy Anderson – Marblehead Museum and Historical Society; Joyce Booth – Marblehead Historical Commission; Brenda Arnold – Old Marblehead Improvement Association; Lloyd Caswell – Selectmen’s Advisory Committee on Disabilities;; Julia Bantly – Old and Historic Districts Commission Ed Lang – At large member; Phil Norcross – At large member and Thomas Hamond – At large member. Rebecca Curran, Town Planner and Brendan Egan, Recreation and Park Department are both ex-officio members.

Several improvements were completed at the Fort in 2009. The chain link fence above the fort was replaced with a steel picket fence. The hillside at the left of the fort was re-graded to stem erosion, the mound at the top of the fort was repaired and new barrier plantings were established throughout the fort. The area in front of the restrooms was regraded to improve drainage and new plantings were placed. The Marblehead Family Fund donated a telescope which was installed at the top of the fort to enhance the visitor experience.

On Memorial Day weekend we held the second annual Fort Sewall Clean-Up Day which was co-sponsored by the Old Marblehead Improvement Association. This effort was a great success with 12 volunteers helping stain the benches! A new memorial plaque commemorating General Casimir Pulaski was donated by the Polish Cultural Foundation and was installed and dedicated in October. The completion of Phase 1 improvements to the fort was celebrated at the dedication of the Memorial Benches. A few hundred community members joined the Fort Sewall Oversight Committee to mark the occasion on a beautiful fall day.

In 2010 the committee plans to consider Phase 2 enhancements. Another Clean-Up Day is being co-sponsored by the Old Marblehead Improvement Association and plans are underway to raise funds for a plaque honoring General John Glover, with a ceremony to be held during the summer of 2010.

It is with regret that we accepted the resignations of members Julia Bantly and Maureen McKinnon Tucker. We thank them for their contributions during their time on the committee.

Respectfully submitted,
Larry Sands, Chairman

HARBORS AND WATERS

The Harbor and Waters Board is pleased to submit its annual report for the period ending December 31, 2009.

At May 2008 Town Meeting, residents overwhelming approved the funds for the construction of a pier as well as landside improvements at the end of Stramski Way. The funds will be spent from the Harbor & Waters receipts.

An Order of Conditions for the construction of the Stramski Pier Project as well as landside improvements was approved by the Marblehead Conservation Commission. The Stramski Pier project is currently on hold pending the outcome of an appeal to the Department of Environmental Protection, filed by concerned residents.

In December 2009 The Department of Environmental protection issued a Superseding Order of Conditions approving the project. Again concerned area residents appealed the D.E.P. ruling. The D.E.P. scheduled a Prescreening Hearing for January 19, 2010. Prior to the hearing date the appeal was settled and withdrawn. It is the Harbor & Waters Board plan to have the pier built and in service for the 2011 boating season.

The visiting yacht facility located at The Harbormasters Quarters at Tuckers Wharf was very quiet with fewer yachts visiting Marblehead this season

From June thru mid October the Marine Sanitation Pumpout Boat operated Monday thru Fridays. The land based Marine sanitation pumpout facility at Cliff Street is available seven days a week twenty four hours a day. The Harbormaster encourages all boaters to utilize this free service.

The Harbormaster's patrol staff responded to various calls and rendered such aid as, towing disabled vessels, dewatering vessels, providing medical assistance, conducting search and rescue for overdue vessels, investigated fuel and oil spills, removed various hazards to navigation

The Harbor & Waters Board wish to extend their appreciation to Eliot Rothwell who resigned his board position.

Spencer Moore was appointed an alternate to the Harbor and Waters Board

MARBLEHEAD TOWN REPORT

Special events patrolled;
July 4, 2009 Fireworks
July 5, 2009 The Marblehead to Halifax N.S. race
August 1, The Great Race, sponsored by the Rotary Club of Marblehead.

The Harbors and Waters Board extends its gratitude to The Board of Selectmen, as well as all the Town Departments and their employees that provide service and support to the Harbormasters operations.

Respectfully submitted
Charles J .Dalferro
Harbormaster

Harbor and Waters Board Members

Gary P .Gregory, Chairman
John Doub William Pattison
Paul Williams Jay Michaud

Alternate members

Kenneth Breen, Paul Stevens, Spencer Moore

Harbormaster Personnel

Charles J. Dalferro	Harbormaster
Fred Webb Russell III	Assistant Harbormaster
Daniel Roads	Assistant Harbormaster
Sandra Carney	Office Manager

Seasonal Assistants

Ray Gauthier	John Vigneron	Frank MacIver
Thomas Murray	John Payne	
Jeff Flynn	Carlo Fratini	

To view the Manual for Marblehead Waters as well as other harbor related information visit our web page at www.Marblehead.org/Harbors

MARBLEHEAD CULTURAL COUNCIL

The Marblehead Cultural Council gave out \$4600 in grant money for 17 different programs. 2 grant requests were denied. Below is a brief summary of the grants that were approved.

1. Richard Clark in conjunction with the Council on Aging received funding for a theatrical presentation of Mark Twain's life and works.
2. Council on Aging received funding for a program called Drawing for Seniors. Seniors will learn to express themselves through drawing while developing their perception and confidence. They will become familiar with drawing concepts that will help them to have the ability to see in new ways so that they will be able to draw in a more realistic manner.
3. Dick Buckley received funding for Evolution '09. This will be a 2 day outdoor exhibit by 14 award winning artists and include performances by eight singer songwriters. All art will be offered for sale with no mark-ups added or commissions taken.
4. Edward Cope Jr. received funding for Reading is Magic. This program is a 45 minute interactive magic performance emphasizing the value of reading. Using many volunteers we perform feats of magic that are often found in children's magic books.
5. The Delvena Theatre Company received funding for an interactive edutainment production relating to the infamous Fall River native, Lizzie Borden, who was tried for the ax murders of her parents. The story will be portrayed and the audience will have the opportunity to participate by way of a mock trial with the ability to question the defendant and then vote on her guilt or innocence.
6. The Veterans For Peace Annual Peace Poetry Contest, sponsored by VFP members of the North Shore communities of MA, received funding. For the tenth consecutive year this program will be offered to all North Shore writers, student poets and friends of VFP. Winners are declared in Kindergarten through high school grades and adult categories. Marblehead Community
7. Richard Hamelin received funding. This program's uniqueness is how he throws the same form but that piece of clay magically transforms in stages, until it is finished and identified as: melon pots, Lebanese samovars, teapots, gnomes, dragons, bowls and chickens, etc. He discuss techniques, regional and national pottery history and rare stories about clay, potters and pots.

MARBLEHEAD TOWN REPORT

8. Tim Van Egmond's family program received funding for a collection of multicultural folk tales and songs promoting awareness about the maritime environment and especially whales, in keeping with the Library's Summer reading Program theme. Stories will include "Glooskap and the Whale," a Micmac legend explaining why whales spout, and "The Gift of the Whale," an Inuit-Inupaiq legend about hunting the Bowhead whale. He'll play guitar, hammered and mountain dulcimers, and limberjack (a wooden puppet that taps out a rhythm dancing on a paddle).
9. Old North Festival Chorus Concert with singers and musicians received funding. This is the 28th year for this event.
10. Students in grade 5 at MCCPS will participate in a "living history" program. Educator/artist, Jan Turnquist, will portray Phebe Emerson, the wife of the minister of Concord, MA in 1775. Mrs. Emerson will recreate history as witness to the famous battle that took place on April 19, 1775 - the fateful day when the Redcoats marched into Concord from Lexington. Phebe brings a fresh perspective to this historical event, discusses how the townspeople felt about the American Revolution, and reviews the events leading up to it. The granddaughter of Ralph Waldo Emerson, Phebe gives students a sense of daily life in Colonial American, and provides an informational foundation for understanding the "flowering of New England" during the 19th century.
11. The Legends School Program will give a one-week, arts-in-education residency to the Cohen Hillel School 5th grade. This will be the 5th year Cohen Hillel School will host Legends. LSP is an educational arts program created by Carl Thomsen in 1997 in partnership with Cape Ann Historical Society and Gloucester Public Schools. The program: (1) teaches local, regional and national history to students in the form of dance, music, art and creative writing. (2) brings students in direct contact with the people, places, events, works of art, artifacts, etc. and (3) produces a public performance, exhibit and reading of the students' work for the school and parents. Senior Moment Tap & Dance Group - Tap dance classes specifically designed for seniors.
12. Each year, the North Shore Dance Alliance sponsors a Young Dancers Showcase to foster the gifts of young dancers. The Showcase includes a master class open to the interested members of the community, a master class for the young performers and the culminating event in which young dancers from different area studios perform for one another and for their families and friends.
13. In Rhythm with the Seasons is a special event to celebrate community and local agricultural together at community Farmer's Markets. Participants

MARBLEHEAD TOWN REPORT

will share the joy of rhythm with Ellen Clegg during this rhythm event. From buckets and watering cans to drums, gourd shakers and cowbells, we will create our own community rhythm jam as we celebrate, inspire and enliven our community and local marketplace.

14. The Marblehead Art Association is building on the success of the 2007/2008 Lecture Series by presenting a diverse group of educational events this fall. Four programs are planned: "An Evening with Robert Frost" with Stephen Collins on 10/18; "America's First Look at China" with Bruce MacLaren, Assoc. Curator of Chinese Art at the PEM on 10/19; "Preservation and Progress: Recent Work by Ann Beha Architects" with Phillip Chen on 11/16; and "Arias in the Afternoon" with 3 sopranos from the New England Conservatory on 12/14.
15. Follow Hymn Ministries received funding. A Meeting of the Minds is a multicultural, educational, musical theater project. A musical history lesson based on the struggle for Civil Rights in America, with a tribute to Reverend Dr. Martin Luther King Jr. This original, creative multimedia piece composed by local musician and teacher John DiTomaso cast includes student actors, choir, live music from a student orchestra and professional musicians along with cutting edge digital sampling. Target audience includes, but is not limited to, secondary school students, residents of Marblehead, Lynn, Danvers and the general public. Project will be executed via auditions and rehearsals,
16. Alastair Moock will present a Music: Theory and practice to the Marblehead High School music students. This is in conjunction with the music teacher. This will be a 90 minute presentation that will cover music theory and the life of a traveling musician. Alastair (a professional folk musician) will also play his guitar and give a mini concert to the students. All of the music students will receive free admission to Alastair's concert that night at the me and thee coffee house which is hosted at the UU Church of Marblehead. He will be playing with Jennifer Kimball, Tim Gearan and Rose Polezani. The evening is called the Boston Tea Party.
17. Buck Expeditions' Explorers Program brings expedition leader Phil Buck into the classroom or public venue with a multimedia presentation about his explorations. MA native, biologist/explorer Phil Buck is preparing for a 3rd ocean voyage, a 7,000 mile journey from Boston to Egypt aboard a primitive reed ship to be hand-built by ancient methods. Integral to all of Phil's expeditions is his outreach to students and adults of all ages, to share with them the wisdom learned through exploration of the unknown, and the lessons learned from pursuing dreams. In his presentation, Phil will

MARBLEHEAD TOWN REPORT

preview the planned 2010 Boston to Egypt voyage, and feature his other expeditions.

Members of the council this year were Phyllis McCarthy, Walter Horan, Marshall Harris, Betsy Morris, Joanne Johnston, Joan Hollister and Georgia Murray.

Respectfully submitted by,

Ava Lawrence
Chair, Marblehead Cultural Council

MARBLEHEAD HISTORICAL COMMISSION

The goal of the Marblehead Historical Commission is to protect, preserve and develop the assets of the Town of Marblehead set forth by State Statute of the Massachusetts General Law, Chapter 40, Section 8d.

The Commission has room in Abbot Hall to display and store historic artifacts, maintain a Maritime Room, a gift shop and office space for research and cataloging items in the collection. The office on the second floor of Abbot Hall was open from 9:00 am – 11:30 am and 12:30 pm – 2:30 pm daily. The Commission has monthly meetings on the 4th Tuesday of the month at 10:00 am and the public is invited to attend.

The gift shop is managed by Gail Gray and is staffed by volunteers. The Maritime Room is also staffed by volunteers. It is open during the tourist season and for the Arts Festival and Christmas Walk. Both rooms will be open for visitors in the spring.

In 2009 we accomplished the following:

1. New cabinets were built and installed for the ship models in the Maritime Room. They were paid for from the Dr. Raymond Cole Fund.
2. The Abbot Hall and MHC sign on Washington Street was replaced.
3. Renovations to the four entry doors on the south facing doors were completed, using funds from the Shattuck Fund.
4. The lower level stained glass windows were restored and reinstalled with funds from the Shattuck Fund.
5. A bronze plaque was purchased and installed at the Dedication of Pedrick's Wharf in September.
6. The digitizing of the color slides (Bowd Osborne Collection) began in late fall and should be completed by early spring.
7. We purchased new window shades for the G.A.R. rooms in the Old Town House.
8. Abbot Hall tower/attic windows were replaced with funds from the Shattuck Fund.
9. Dr. Raymond Cole submitted his resignation from the Board in June after serving many years – first as an alternate in 1980 and a full member since 1982.
10. We welcomed our new member, Harry C. Christensen, Jr. in August.

MARBLEHEAD TOWN REPORT

The same volunteers have continued with cataloging the collection. They are Wayne Butler, Chris Johnston, Eleanor Rhoades and Richard Case.

Respectfully submitted,

Wayne T. Butler, Chairman

William E. Conly

Paul "Chris" Johnston

Nancy Graves

Joyce Booth

Donald Gardner

Harry C. Christensen, Jr.

Eleanor Rhoades

Secretary

MARBLEHEAD TOWN REPORT

MARBLEHEAD HOUSING AUTHORITY

The Marblehead Housing Authority is pleased to submit our annual report for the year ending December 31, 2009.

The Marblehead Housing Authority is “a public body politic and corporate” authorized by State Law and regulated by the Commonwealth of Massachusetts (Department of Housing and Community Development).

The Board of Commissioners consists of four members elected by the Town, and one member appointed by the Governor. All members of the Board serve a 5 year term. In May, Pamela Foye was elected to the Board, replacing Pamela Basso, who did not seek re-election after serving on the Board for 10 years.

The Board meets regularly on the third Tuesday of each month and conducts its Annual Meeting and election of officers every June.

The Board of Commissioners contract with an Executive Director who administers the day-to-day operation of the Agency.

The Marblehead Housing Authority administers 3 housing programs designed to provide the Town with decent, safe, and affordable housing. The Authority currently owns and operates 307 units of state-assisted conventional housing, as follows:

	1 bedroom	2 bedroom	3 bedroom	Total
Family Housing:				
Barnard Hawkes Ct	N/A	12	10	22
Broughton Road	N/A	33	21	54
New Broughton Road	N/A	4	4	8
Elderly Housing				
Powder House Court	38	N/A	N/A	38
Green Street Court	32	N/A	N/A	32
Farrell Court	64	N/A	N/A	64
New Farrell Court	48	N/A	N/A	48
Roads School	41	N/A	N/A	41
TOTAL	223	49	35	307

MARBLEHEAD TOWN REPORT

The Marblehead Housing Authority receives no funding from the Town of Marblehead.

Funding for all programs is received through the Department of Housing and Community Development (DHCD). Although the Marblehead Housing Authority is eligible for subsidy under its contributions contract with the DHCD, at the present time the overall income from rents is in excess of the allowable expense level, and therefore the Authority does not receive a subsidy.

Eligibility

The Net Income Limits for determining admission to state-aided housing are as follows:

<u>No. in Household:</u>		<u>Net Income Limit:</u>
1	person	\$46,300
2	people	\$52,950
3	people	\$59,550
4	people	\$66,150
5	people	\$71,450
6	people	\$76,750
7	people	\$82,050
8	people	\$87,350

Assets: There is no longer any asset limit in any of the Authority's programs. The current HUD determined interest rate, or actual interest earned on assets, is included as income.

Local preference is given to eligible applicants who live or work in the town of Marblehead.

Veteran's Preference is given for family housing and to elderly local applicants.

SUMMARY OF ACTIVITIES AND ACCOMPLISHMENTS

The Authority is pleased to highlight our housing programs, and we are proud of the services we provide to the households who rely on our help for affordable housing.

In 2009, the Marblehead Housing Authority once again received an “Acceptable” management rating from the Massachusetts Department of Housing & Community Development. According to DHCD, this rating indicates “consistent and solid regulatory compliance, sound administrative, maintenance, and fiscal management practices, as well as continued success in promoting and/ or improving programs within the local community.”

The Auditor of the Commonwealth performed a 30-month audit of the Authority’s programs for the period January, 1, 2007 through June 30, 2009, and issued a report indicating that the Authority “has maintained good management controls over its operations and complied with all applicable laws, rules and regulations.

The Authority received an “Outstanding Agency Award” from the Massachusetts Chapter of the National Association of Housing & Redevelopment Organizations (NAHRO), in the area of Resident Service, for the development and implementation of a “Fall Prevention Program” for the residents of its elderly housing program.

In 2009, the Authority continued to focus on improving the systems and facilities, to the best of our ability, given fiscal constraints. All of the capital improvements done in 2009 were funded through the Authority’s operating reserve.

CAPITAL IMPROVEMENTS

Water Heater Replacement: Water heaters were replaced at the Roads School, which has 40 units of elderly housing.

Roof Replacement: Roofs were replaced on two buildings at our Barnard Hawkes Court family housing complex, and on two buildings at our Broughton Road family housing development.

Sink Replacement: Due to age and the inability to locate replacement parts, the Authority completed a sink replacement project at our Farrell Court elderly housing complex.

Hallway Painting: All of the hallways at Farrell Court (16 hallways) were painted.

MARBLEHEAD TOWN REPORT

Community Room Expansion: The Authority contracted with an architect to assist us in preparing design and bid documents to expand the community room at Farrell Court. This project will provide additional space to be used to expand the programs offered to the residents at this complex.

General: Numerous other capital improvement projects were completed during the year, including the replacement of appliances (stoves and refrigerators), mechanical upgrades to heat and hot water systems, roof repairs, gutter repairs, new flooring, carpeting, and plumbing repairs were done throughout our complexes. A new van was purchased for the maintenance department replacing one which was fifteen (15) years old.

PROGRAM MANAGEMENT

Rent

Residents of elderly housing pay 30% of their adjusted gross income for rent, which includes all utilities: heat, hot water, electricity and gas. Residents of elderly housing have on-site laundry facilities at each complex. All residents have 24-hour on-call maintenance. The average rent paid this year by an elderly resident was \$363.00. The lowest rent paid this year was \$5.00 and the highest rent paid was \$1071.00.

Family residents pay 27% of their adjusted income toward rent, and pay for their own utilities. Family residents are also given an annual heat allowance of \$500.00 (two bedroom unit) or \$600.00 (three bedroom unit). The average rent paid by a family this year was \$438.00. The lowest rent paid by a family was \$46.00 and the highest rent paid was \$1600.00.

State Regulations require the Authority to process an annual Rent Recertification of every household, to determine continued eligibility. In addition, the Authority is required to recertify rent any time there is a change in household income. In 2009, the Authority processed 385 rent re-certifications, including 293 annual re-certifications and 92 interim rent changes.

Applications for Admission/Occupancy Statistics

In 2009, the Authority continued to see a significant increase in the number of applicants for housing, including many requesting emergency placement.

MARBLEHEAD TOWN REPORT

In our elderly housing program, the Authority received 92 applications for elderly housing during 2009, including 18 applicants that were disabled and under the age of 60.

The Authority performed a waiting list update of this program in 2009, to determine if all applicants were still interested and eligible for housing. There were 67 applicants on the waiting list for elderly housing, including 45 young disabled applicants, as of December 31, 2009..

There were 21 vacancies in elderly housing in 2009. Of those vacancies, 4 residents entered a nursing home, and 2 moved in with family.

The average age of a resident in elderly housing is 76 years.

There are 18 residents over the age of 90, including 4 residents age 95 or older. Our oldest resident is age 97.

In accordance with State guidelines, 13.5% of the units are occupied by disabled residents under the age of 60.

As of the year-end, there were 194 families on the waiting list. This represents an increase of 40% from last year.

During 2009, 8 families moved from family housing: 3 families moved to private housing, and 2 families purchased a home. In addition, 3 families were transferred within the Authority due to being either under-housed or over-housed.

Of the 82 units of family housing occupied at year-end, there were 72 single-parent households, and ten two-parent households.

There are 105 children under the age of 18 living in the family housing developments.

In total, four hundred and sixty people reside in our housing complexes.

Maintenance

The Maintenance Department services all of our housing complexes, ensures that the buildings are safe, responds to routine calls and emergencies situations, and maintains the landscaping and snow removal at each development.

In 2009, the maintenance staff completed 971 work orders, including resident requests, inspection findings and site work. The Department also performed the work necessary in 29 vacant units (21 elderly, and 8 family units).

There were 371 unit inspections completed this year. These included an annual inspection of every apartment, 27 move-in inspections, 26 move-out inspections, and 20 interim inspections.

Staff Development / Employee Training

The Authority continued its commitment to staff development in 2009. Staff attended trainings, workshops, and certification programs in the areas of capital planning, computer training, lead-based paint notification compliance training, detecting tenant and applicant fraud, compulsive hoarding issues, the use of criminal offender record information in tenant selection matters, and developing a comprehensive maintenance and modernization program.

Services to Residents

The Authority continued our support of resident programs this year, and two new programs were initiated in 2009.

Recognizing that many of the families in our housing program often face challenges resulting from domestic violence, job loss, health concerns, financial problems and homelessness through no fault of their own, the Authority developed a “**Resource Guide for Families**” in 2009. This Guide was designed to provide contact information to families in need of services, and to assist them in locating the services that may be available to them. The information and resources contained in this Guide are primarily available through state and governmental agencies and non-profit organizations, providing assistance to low income families and children. This Guide will also assist MHA staff in directing residents and applicants to the appropriate agency for help.

MARBLEHEAD TOWN REPORT

A four part program entitled “**The Jazz Decades**” was offered to all residents this year. Each session was presented by Jeff Stout, a Berklee College of Music Professor and Musician, who is also a Marblehead resident. Jeff has played with the great Buddy Rich Band, Mel Torme, Rosemary Clooney, Tony Bennett, Natalie Cole and many more. The program included the music of the 1920’s, 1930’s, 1940’s, and 1950’s, including music from the roaring twenties, the Big Band Era, Swing and Modern Jazz. Jeff shared his knowledge of jazz history, played the trumpet, and music of the decades. There was group participation, recalling the lyrics and music of the great American songbook and the great composers of our time, sing-a-longs, and dancing.

Communication with our residents remains a top priority. The Authority distributes **a monthly newsletter** to all three hundred and seven (307) households to keep residents up-to-date on programs and general information.

Several **surveys** were sent to residents this year, designed to obtain input from residents regarding a variety of topics. The information obtained from the surveys was used to improve the programs and services offered by the Authority.

Each month, residents of our elderly housing developments are given the opportunity to attend a **coffee hour** and program that provides speakers from a variety of agencies to present information on services and programs that may be of interest to them. This year, nine (9) guest speakers participated in this program.

Every new resident is provided with a packet of information called “**Making the Connection,**” designed to inform them about the Authority’s policies and procedures, as well as information about local agencies and programs that may be of assistance to them.

The **Resident Service Coordination Program** allows the Authority to identify residents that may need assistance, and links residents to the community resources that will enable them to live independently for as long as possible. This year, twenty-three (23) referrals for services were made, including home making, transportation, financial assistance, medical assistance and protective services.

The Authority completed its seventh year of a **Rent Escrow Program**, which enables eligible households in family housing to transition to unsubsidized housing options in the private market. Three (3) families participated in this program during 2009.

MARBLEHEAD TOWN REPORT

The **Annual Cookout** was held in September. This year, there was a tropical theme, a hula hoop contest, and live musical entertainment. The Authority is grateful to the many local businesses that donated food and prizes for this event, and to the Park and Recreation Department for the use of the tents. The administrative staff and members of the Board of Commissioners prepared and served the food, and the maintenance staff set-up, did the grilling, and the clean-up.

Residents also enjoyed our **Annual Holiday Party** held in December, with live music, caroling, and a visit from Santa. Once again, local businesses generously donated gift certificates for the raffle, which is always the highlight of this event.

COMMUNITY ACTIVITIES

The Authority continued to effectively partner with other public and private local entities to maximize community resources for our residents.

The Authority held our **11th Annual Safety Program** for residents of elderly housing, and collaborated with the Marblehead Police and Fire Departments to present a comprehensive program on fire prevention, fall prevention and personal safety. The Authority's "Emergency and Safety Plan", which is designed to keep residents and staff as safe as possible during an emergency, was reviewed with residents. There was a safety trivia contest, refreshments, and door prizes.

The **Marblehead Housing Authority Providers Group**, consisting of representatives from local service agencies and community organizations that serve the needs of the elderly residents in town, continued to meet monthly to share information, collaboration and outreach.

The Authority holds **monthly health clinics**, sponsored by the Marblehead/Swampscott VNA at all of our community rooms, affording residents an opportunity to have their blood pressure checked on a regular basis, discuss medical conditions and have questions answered.

The Executive Director is a member of the **TRIAD** Council, a partnership between the Essex County Sheriff's Department, the District Attorney's Office, the Marblehead Police Department and the Marblehead Council on Aging. The TRIAD program develops and implements an effective crime prevention and education program for elders.

MARBLEHEAD TOWN REPORT

The Executive Director is past president and current member of the North Shore Executive Director's Association (**NSHEDA**). This group serves 65 housing authorities north of Boston, and sponsors monthly speakers and programs.

The Housing Authority wishes to thank the current staff, Assistant Director Debra Larkin, Housing Manager Cynthia Palladino, Administrative Assistant Christine Levoshko, Office Clerk Danielle Caron, Maintenance Foreman John Bonfanti, and Maintenance Department staff members Mark Sasso, Christopher Homan, Stephen Abramo, and Michael Curley, for their dedication and hard work during the past year.

The Housing Authority also wishes to express its sincere appreciation to the town departments and the citizens of Marblehead, who have supported and assisted the Authority in our efforts to provide affordable housing for the residents of Marblehead.

Respectfully submitted,

Nancy M. Marcoux,
Executive Director

Board of Commissioners:

Richard Whitehill, Chairman

Jean R. Eldridge, Vice Chair

Robert Bryne, Treasurer

Peter Russell, Assistant Treasurer & State Appointee

Pamela Foye, Member

METROPOLITAN AREA PLANNING COUNCIL

Beverly, Danvers, Essex, Hamilton, Gloucester, Ipswich, Manchester by the Sea, Marblehead, Middleton, Nahant, Peabody, Rockport, Salem, Swampscott, Topsfield and Wenham

During 2009, the North Shore Task Force took part in a variety of activities, including:

- Reviewed and offered input into a variety of regional transportation programs, including the Transportation Improvement Program, the Unified Planning and Work Program and the Regional Transportation Plan, as well as opportunities to participate in Transportation Demand Management and Suburban Mobility programs.
- Worked to introduce the newly formed North Shore Transportation Management Association as a partner in promoting alternatives to single-occupancy car travel. The mission of the North Shore TMA, which began in the summer of 2008, is to bring together businesses, institutions, developers, organizations and municipalities to address shared traffic-related issues. It aims to reduce traffic congestion and vehicle emissions while improving access to and within the North Shore.
- Began implementation of the newly adopted MetroFuture Plan by helping to identify priority implementation strategies for the North Shore and the MAPC region.
- Partnered with the MA Department of Energy Resources to sponsor the North Shore Clean Energy Forum which featured case studies of North Shore municipal clean energy actions and information on the DOER Green Communities Program.
- Presented two workshops on sea level rise and climate adaptation in conjunction with Salem State College, the MA Department of Conservation and Recreation, and MA Coastal Zone Management. Participants were able to learn about efforts to map local sea level rise, current climate change adaptation initiatives, the FEMA flood hazard mapping revisions and responses to sea level rise such as the Storm Smart Coasts Program.

MARBLEHEAD TOWN REPORT

- Held a state transportation reform information meeting.
- Conducted an onsite tour of Avalon Danvers, the award winning adaptive reuse of the former Danvers State Hospital property. The community includes 433 one, two, and three-bedroom rental apartments, in twelve separate buildings. These buildings have been constructed in a range of styles, from the smallest two-story direct entry building with eight apartment homes, to the traditional three-story breezeway stacked-flat building containing 24 apartment homes, to the largest center-corridor, elevator-access, mid-rise building containing 99 apartment homes.
- Partnered with staff from the Merrimack Regional Planning Commission and the Massachusetts Bays Program to present methods and case studies on meeting peak summer water demand, including the use of sustainable landscaping practices.
- Identified ongoing North Shore planning and community development issues through Community Exchange, in which local planners and decision makers share key issues or developments with fellow NSTF attendees.
- Presented the draft MA Ocean Management Plan to North Shore communities and submitted comments on the draft plan.
- Worked with MAPC's North Shore Coalition to present a workshop on opportunities on regionalizing municipal services, offering examples such as the Arlington, Belmont and Lexington Regional Health Project.
- Heard monthly updates from the MAPC Legislative Committee and offered comments to the Committee on legislation pertinent to North Shore communities.

MUNICIPAL LIGHT DEPARTMENT

To the citizens of the Town of Marblehead:

The Marblehead Municipal Light Department is pleased to provide its 115th annual report and financial statements for the calendar year ending December 31, 2009.

2009 presented a variety of challenges as well as opportunities for the Marblehead Municipal Light Department. The economic downturn led to difficult circumstances for many individuals and companies within our community. While many industries felt the impact of these hard economic times, MMLD was well positioned to navigate this difficult period and take advantage of declining fossil fuel and wholesale energy prices and in turn pass those savings on to our customers.

This downward trend in energy prices also provided us with the opportunity to make forward purchases well into 2011 at reasonable prices thereby helping to stabilize future power supply costs.

For the second year in a row total energy consumption was down in Marblehead. A variety of factors contributed to this overall reduction such as mild summer temperatures, the sluggish economy, and an increased conservation effort by our customers. Total energy consumption in 2009 was 101,459,386 kilowatt-hours compared to 103,168,110 kilowatt-hours consumed in 2008. Although energy sales were down, the hourly peak demand was up slightly at 25,677 kilowatts compared to 24,417 kilowatts in 2008.

As part of the light department's 5-year budget and work-plan, work crews completed a multiyear project in early 2009 called the 1303 project. This project replaced approximately 30 poles from Lincoln Avenue to West Shore Drive, and included the replacement of an old 13 kV aerial spacer cable providing firm supply to the newly refurbished Beacon substation.

While work crews were busy completing the 1303 project, another multiyear project to replace the existing Commercial substation was well under way. This multi-million dollar project will completely replace the existing substation equipment including transformers, switchgear, and underground cables.

The Commercial Street facility, which was originally constructed in 1895, has seen several upgrades over its history, but this is the first significant upgrade to the

substation equipment since 1960. When completed, this upgrade plan will significantly increase reliability to our customers, reduce noise, while incorporating an aesthetic design not typically found in traditional substation projects. The substation is scheduled to be online by early 2010.

Reliability and security of the nation's electric infrastructure has always been a top priority for regulators and utilities, but new requirements issued by the Federal Energy Regulatory Commission have placed new burdens on utilities to formalize and document these efforts. MMLD has had to develop plans and procedures in order to comply with many of the North American Electric Reliability Corporation (NERC) reliability and security standards which are all subject to audit and potential fines for non compliance.

In September of 2009 MMLD was audited by the Northeast Power Coordinating Council (NPCC) audit team. The NPCC compliance program is designed to monitor, assess and enforce compliance of the NERC reliability standards.

Based on the information and documentation provided by MMLD, the audit team found MMLD to be compliant with all of the applicable requirements and NERC reliability standards. There were no possible violations found. A public version of the Compliance Audit Report is available upon request.

In August of 2009 MMLD submitted a comprehensive application to the Department of Energy (DOE) for participation in the Smart Grid Investment Grant (SGIG) program. The topic area for the MMLD application was for a town-wide integrated advanced metering infrastructure system, also known as smart metering, with a total project cost of \$2.7 million. The federal government grant is worth 50% of the proposal's total or \$1.35 million.

MMLD was one of only one hundred companies nation wide selected for negotiations for an award with the DOE. According to the DOE, the awards amount to the largest single energy grid modernization investment in the country's history. The department is currently working with DOE representatives to finalize the plan including the scope, milestones, timetables and reporting requirements.

As with any federal government interface, the negotiation can be very lengthy. MMLD anticipates the negotiations will conclude in early 2010 with actual equipment installations beginning by the fall of 2010.

In 1995, the actual installed cost of the electric plant in service totaled \$9,047,488. By the end of 2009 the actual installed cost totaled \$24,524,993, demonstrating the light department's commitment to infrastructure improvement. This increased value of electric plant in service has been accomplished without the need to issue debt.

Net surplus revenue that was returned to the Town to reduce the tax levy in 2009 was \$330,000. The ten-year cumulative amount through 2009 totaled \$3,425,000.

While we continue to investigate new sources of generation supply, we also recognize the importance of energy efficiency and demand side management programs within our community. Our programs provide various rebates when customers buy certain appliances or programmable thermostats, and also include a substantial rebate on home insulation. For further information on the light department's energy conservation programs please visit our website at www.marbleheadelectric.com.

Personnel changes for 2009 included the retirement of one long time employee and the hiring of one new employee. Line Foreman David McKinnon, who had worked for the light department for 41 years, retired in February. We wish him health, happiness, and continued success. As a result of Dave's retirement we hired Kevin Stone in March to the position of Second Class Lineman, welcome aboard Kevin!

In 2009, the Light Department again received a Safety Award from the American Public Power Association for the year 2008. For MMLD, this is our 15th consecutive safety award and our 19th in the last 20 years, an unprecedented record of which we are extremely proud. We continue to emphasize the importance of safety in the workplace as well as through our successful school safety programs.

Appreciation is tendered to the Board of Selectmen, Town Officials, Department Heads, and to all Town employees for their support and contributions.

Respectfully Submitted,

Robert V. Jolly, Jr., General Manager

Philip W. Sweeney, Chairman
Wilbur E. Bassett, Commissioner
Calvin T. Crawford, Commissioner
Walter E. Homan, Commissioner
Charles O. Phillips, Commissioner

MUNICIPAL LIGHT DEPARTMENT

BALANCE SHEET

For the year ending December 31, 2009

Assets

Plant Investments		12,971,493.11
Current Assets:		
Cash - Operating	2,660,794.26	
Petty Cash	500.00	
Construction	38,759.46	
Accounts Receivable	1,689,215.77	
Interest Receivable	1,440.54	
Materials & Supplies	<u>78,730.27</u>	
Total Current Assets		4,469,440.30
Depreciation Fund		2,408,338.37
Insurance Escrow Account		944,020.63
Hydro Savings Reserve		76,623.26
MMWEC - NEPEX Reserve Trust		552,050.32
Rate Stabilization Reserve		900,000.00
Consumer Deposits		17,818.66
Prepayments		<u>1,265,186.89</u>
Total Assets		<u>23,604,971.54</u>

Liabilities And Surplus

Accounts Payable:		
Depreciation	34,281.55	
Operating	1,170,975.22	
Construction	0.00	
Consumer Deposits	600.00	
Total Accounts Payable		1,205,856.77
Consumer Deposits		16,618.66
Reserve for Uncollectible Accounts		389,002.44
Reserve for Future Compensated Absences		158,035.64
Accumulated Provision For Rate Stabilization		900,000.00
Unappropriated Earned Surplus		<u>20,935,458.03</u>
Total Liabilities And Surplus		<u>23,604,971.54</u>

MUNICIPAL LIGHT DEPARTMENT

STATEMENT OF INCOME

For the year ending December 31, 2009

Operating Revenue		14,233,656.08
Less Expenses:		
Operating	11,501,992.98	
Maintenance	853,696.19	
Depreciation	<u>1,104,407.59</u>	
Total Expenses		<u>13,460,096.76</u>
Operating Income		773,559.32
Interest Income		55,399.62
Less Miscellaneous Income Deductions		<u>0.00</u>
Net Income Transferred to Surplus		<u>828,958.94</u>

STATEMENT OF SURPLUS

For the year ending December 31, 2009

Balance December 31, 2008	20,443,105.25
Add: Credit balance transferred from income	828,958.94
Adjustment to transfer prior years	
Power Refunds to surplus	<u>0.00</u>
Subtotal	21,272,064.19
Deduct: Amount transferred to Town Treasurer	
to reduce the Tax Levy	(330,000.00)
In Lieu Of Tax Payment to City Of Salem	(7,095.16)
Auditor's adjusting entries for year	
ended December 2008	<u>489.00</u>
Balance December 31, 2009	<u>20,935,458.03</u>

MUNICIPAL LIGHT DEPARTMENT

OPERATING EXPENSES

For the year ending December 31, 2009

Power Generation Expenses:		
Fuel	16,972.71	
Generating Expense - Lubricants	894.39	
Misc. Other Power Generating Expense	1,880.57	
Maint. of Other Power Generation	<u>54,563.31</u>	
Total Power Generation Expense		74,310.98
Power Supply Expenses:		
Electric Energy Purchased	7,824,576.79	
Misc. Purchased Power Expense	<u>1,352,711.20</u>	
Total Power Supply Expenses		9,177,287.99
Transmission Expense:		
Maintenance of Overhead Lines		0.00
Distribution Expenses:		
Station Expense - Labor & Other	16,587.19	
Station Expense - Heat & Electricity	53,002.32	
Street Lighting	4,311.21	
Meter Expense - Inspection, Testing, Removing, Resetting	113,781.24	
Customer Installation Expense	72,570.74	
Misc. Distribution Expense	132,909.97	
Maintenance of Structures	3,408.78	
Maintenance of Station Equipment	62,359.76	
Maint. of Overhead & Underground Lines	635,791.21	
Maintenance of Line Transformers	7,394.00	
Maintenance of Meters	<u>31.98</u>	
Total Distribution Expenses		1,102,148.40
Customer Account Expenses:		
Supervision of Customer Accounting	92,049.41	
Meter Reading - Labor & Expenses	61,777.40	
Customer Records & Collections	288,762.39	
Uncollectible Accounts	85,000.00	
Interest Paid on Consumer Deposits	<u>461.29</u>	
Total Customer Account Expenses		528,050.49
Advertising, Conservation, Energy Audits		161,345.28
Administrative & General Expenses:		
Administrative Salaries	154,776.89	
Office Supplies & Expenses	154,014.27	
Outside Services Employed	31,860.00	
Property Insurance	33,325.50	
Injuries & Damages	2,197.06	
Employee's Pensions & Benefits	815,080.19	
Maintenance of General Plant	43,726.60	
Transportation	46,420.55	
Miscellaneous General Expense	<u>31,144.97</u>	
Total Administrative & Gen. Expenses		<u>1,312,546.03</u>
Total Operating & Maintenance Expenses		<u>12,355,689.17</u>

MUNICIPAL LIGHT DEPARTMENT

NOTE TO THE FINANCIAL STATEMENTS

For the year ending December 31, 2009

The Marblehead Municipal Light Department has since 1971 entered into power agreements for the supply of electric energy to the Town of Marblehead. The agreements are of varying terms with multiple suppliers ranging out to 2026. The aggregate amount of certain obligations under the agreements as of December 31, 2009 and estimated for future years is \$8,533,000.00. This sum represents a significant part of the fixed cost portion of existing contracts for electric energy and is accounted for in the monthly billing process. Complete audited financial statements and supplementary reports are available at the Marblehead Municipal Light Department.

OLD AND HISTORIC DISTRICTS COMMISSION

The Old and Historic Districts Commission (OHDC) is an all-volunteer body appointed by the selectmen. The objective of the OHDC is to determine the appropriateness of proposed alterations or additions to a property within the historic district. The commission meets on the first and third Tuesday of each month in Abbott hall at 7:30 PM. Meetings are not held on holidays, or other municipal exclusions. Citizens may request a Certificate of Appropriateness by submitting an application, which is available at the Selectmen's office in Abbot Hall. Information about the content of an application is available online or in pamphlet form in the Selectmen's office. At a minimum an applicant would be required to submit, drawings, photographs, and plot plans, to support the appropriateness of the proposed application. Upon submission the Selectmen's office will schedule an available time in the upcoming schedule for the application to be heard. At the hearing the board first determines if 'states are materially affected', if they are not then the board moves to vote. If they are 'affected' the board will determine if the application should be heard as a public hearing. A public hearing notifies neighbors and abutters of the intended work, and informs them of the time for the public hearing to take place. The public hearing consists of three parts; the first is the presentation of the application, the second part gives affected parties and abutters the opportunity to support or oppose the applicant's proposal, and the third part is the boards' deliberation and vote to approve or deny the application. Each application is reviewed on a case by case basis. The determination of appropriateness is based on one or more of the following; age and historical significance of the structure, the structures relationship to open space, relative size of new additions, changes in exterior fenestration, construction materials, and construction methods among others. In 2009, the Commission held approximately one hundred and ten (110) hearings including public hearings. 95% of applications were approved and a Certificate of Appropriateness granted.

2009 was a big year for changes in the Commission with the resigning of three members and the appointment of four new members. The Commission wishes to thank Mr. James Patrick and Mr. Karl Renney who resigned after many years of service to the Commission. The board would also like to thank Mrs. Susan Bragdon for her tireless years of service and research for the board. Cheers to the Board of Selectman for the appointment of Sally Sands and Charles Hibbard as full time members, as well as the appointment of Karyn Lang and Bette Hunt for the two alternate positions on the Commission.

MARBLEHEAD TOWN REPORT

Thank you all for your support.

Respectfully Submitted:

Thomas G. Saltsman, Chairman
F. Reed Cutting, Jr.
Cheryl Boots
Sally Sands
Charles Hibbard

Alternate Members:
Bette Hunt
Karyn Lang

PLANNING BOARD

The Planning Board is a five member elected board that meets on the second Tuesday of each month. The Town Planner oversees the board's administrative process and provides technical assistance to prospective applicants and interested parties seeking information.

The Site Plan Approval Special Permit process is required for all nonresidential structures over 700 square feet, all new construction and all additions over 500 square feet located within shoreline districts and any new subdivision resulting in three or more lots. The Planning Board issued a total of ten site plan approval special permits in 2009. Three for residential teardowns and reconstruction located at the following addresses; 14 Bayview Road, 10 West Orchard Street and 378 Ocean Avenue; six for additions to single family structures within shoreline districts at the following addresses; 239 Ocean Avenue, 13 Nonantum Road, 42 Clifton Heights Lane, 396 Ocean Avenue, 400 Ocean Avenue, 7 Mooring Road and one for a non residential teardown and reconstruction at 154 Tedesco Street.

Under the subdivision control law the planning board endorsed three Form A-Approval Not Required plans at the following addresses: 145/147 Humphrey Street 396 & 400 Ocean Avenue and 65 Pleasant Street.

The Planning Board sponsored three zoning articles for the 2009 annual town meeting. One major change initiated by the Smart Growth Study Committee was a change to the zoning by law that created two new smart growth overlay districts. Established, pursuant to M.G.L. c.40R and 760 CMR 59.00, et seq. the Smart Growth Overlay District are two overlay zoning districts proposed at 94 Pleasant Street, a parcel of land of approx. 0.326 acres, commonly known as the former YMCA, and identified as assessor map 129 parcel 20 and a parcel of land at 202 Tedesco Street, a parcel of land of approx. 1.56 acres, located near Vinnin Square and identified as assessor Map 1 Parcel 1. The proposed Smart Growth Overlay Districts would allow multifamily residential and mixed-use-development at higher density-subject to compliance with minimum affordability requirements and smart growth design standards. The planning board feels that this new bylaw together with detailed design guidelines that were adopted by the Planning Board will provide a regulatory framework that will define the site and building within these Smart Growth Overlay Districts. The board also is confident that the bylaw and guidelines will ensure any projects in a smart growth district will be of high quality. Planning Board feels that the waiver provision will allow for the planning board to

MARBLEHEAD TOWN REPORT

grant any necessary waiver on a case by case basis to ensure consistency with the District Bylaw and/or the Design Standards.

There were also two other zoning amendments; one that adjusts the definition of decks to bring the method of measuring the height of decks into conformance with the method used for measuring the height of buildings and one that adds a provision to the interpretation of the Shoreline Districts. Primarily, the Shoreline Districts were designed to maintain view corridors to the water. This is accomplished by requiring larger side yards. However, in some instances with certain corner or other lots, the side yards may be parallel to the water, not perpendicular. Parallel to the water does not provide the desired view corridor. By specifying that the side yard setback applies to required open areas that are perpendicular to the water, neighborhood view corridors would be more likely to be maintained.

In 2009 the Planning Board adopted a new fee schedule as follows: Incentive Zoning Bylaw Section 200-38 Marblehead Zoning Bylaw Fee is 1/10 of one percent of the cost of the project work. The fee cannot be less than \$200.00 nor more than \$1,000.00. The fee must be paid at the time of the application. Wireless Communication Section 200-39 & 200-14 Marblehead Zoning Bylaw Fee is \$1000.00 for a Monopole. The fee must be paid at the time of the application. Fee is \$500.00 for antenna. The fee must be paid at the time of the application. For all special permits the applicant is responsible for paying the cost of the legal advertisement. Site Plan Approval fees did not change and remain the same.

Planning Board members served on a variety of boards and committees in 2009 including the Jim Bishop - Metropolitan Area Planning Council, Kurt James – Fair Housing and Smart Growth Committee and Edward Nilsson on the Zoning Subcommittee.

The Planning Board thanks the Board of Appeals, especially Barbara Shefftz, and the Building Department for their input on the Planning Board's Zoning Subcommittee and in the coordination and cooperation on various projects throughout the year.

The Board wants to thank Doug Saal who served the board in his almost 30 years in his capacity as town engineer. Doug retired in June and his expertise and knowledge will be missed by the board. Since Doug Saal's retirement, the planning board thanks Willy Lanphear who replaced Doug Saal and provides technical assistance to the board and to prospective applicants. Planning Board applications are processed

MARBLEHEAD TOWN REPORT

in the Engineering Department by Andrea Flaxer. As always the board thanks Andrea for her incredible efficiency and excellent work.

Philip Helmes, Chairman
James Bishop
Kurt James
Karl Johnson
Edward O. Nilsson
Russell Beck, Alternate
Rebecca Curran – Town Planner

MARBLEHEAD TOWN REPORT

POLICE DEPARTMENT

The Marblehead Police Department is pleased to submit to the citizens of Marblehead our Annual Report for the year ending December 31, 2009.

For the year 2009 the Police Department had a total of 16,718 logged incidents requiring police response with 543 of those incidents involving felonies. The Department had a total of 240 arrests including 30 for protective custody. Department officers stopped 1,910 motor vehicles for various violations and issued a total of 722 citations. There were a total of 250 reported motor vehicle accidents in 2009 with one fatal pedestrian accident. Officers issued 2,934 parking tickets during 2009.

The Police Department saw no police officer retirements or officers hired in 2009. We are still waiting for the promotional exams to be taken so that permanent promotions can be made. We expect the exam to take place in the fall of 2010 with promotions to follow in early 2011. We did have two long time civilian employees retire after many years of service. Clerk Alison Murray and custodian Bartlett Sherman both retired this year. To replace them we were very lucky to find Mari Goetz and Charles Sinclair Sr.

This year we saw the very successful Community policing Grant from the State end as a result of State budget cuts. This money will be greatly missed. We did apply for and get a Traffic Enforcement grant which will carry into 2010 for targeted enforcement periods.

The Department would like to thank all the citizens of Marblehead for their assistance and support over the past year.

I would also like to thank the officers and staff of the Police Department for their dedication and professionalism in carrying out their duty throughout the year.

Respectfully Submitted,
Robert O. Picariello
Chief of Police

MARBLEHEAD TOWN REPORT

Police Department Personnel 2009: Police Officers:

Chief Robert O. Picariello
Temporary Captain Mark D. Mills
Lieutenant David J. Millett
Lieutenant Matthew Freeman
Lieutenant Jonathan Lunt
Temporary Lieutenant Nicholas Economou
Sergeant Donald Decker
Sergeant Marion Keating
Sergeant Sean Sweeney
Sergeant Jason Conrad

Patrol Officers:

Arthur Buckley Jr.	Sean Brady
Paul J. A. Belyea	Charles Sinclair
Lori Knowles	Eric Osattin
Roy Ballard	Brendan Finnegan
David Ostrovitz	Michael Daigle
Christopher Gallo	Dennis DeFelice
Cary Gaynor	Adam Mastrangelo
Dean Peralta	Michael Everett
Christopher Adkerson	Richard Alex
Jason McDonald	Andrew Clark
Michael Roads	

E-911 Dispatchers:

Supervisor Amy Gilliland
Scott Kaufman
Teresa Collins
Gregory Lapham
Matthew Lunt (cont.)

MARBLEHEAD TOWN REPORT

Nicholas Michaud
Michael Economou

Senior Clerk:

Deborah Frongillo

Part Time Clerk:

Mari Goetz

General labor:

Charles Sinclair Sr.

Animal Control Division:

Animal Control officer Betsy Tufts

Assistant Laura Consigli

Assistant Diane Treadwell

Animal Inspector:

Isabel Lorencio

School Traffic Supervisors:

Paul Lemieux	Edith Chalifour
Anton Cohen (ret.)	Betty Gatchell (ret.)
John Spanks	Leonard Cormier
Warren Perry	Randi Warren
Margaret Denis	Douglas Bates
Robin Reed	Earline Lemieux
Susan Page	Basil Rubin
Elizabeth Greely	Katherine Millett
Thomas Adams	Marjorie Mace
Tracy Tavis (ret.)	Leroy Millett
John O'Connell	

MARBLEHEAD TOWN REPORT

ANIMAL CONTROL

Calls to the Police Station for Animal Control in 2009: 1,555

(These do not include calls made directly to the shelter or the Animal Control Officer)

DOGS:

Impounded	63
Returned to Owner	61
Released to Shelter	10
Adopted	12
Euthanized	0
Stray/Loose	401
Neglect/Cruelty	27
Unfounded	26
Hit by Car	3
Misc.	20

Dog Bites / Quarantines:

To Human	26	to Animal	17	Unknown	3
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CITATIONS:

Failure to leash	128
Failure to License	68
Pooper Scooper	8
Beach/Park	26
Excessive Barking	70
Failure Vaccinate/Rabies	1

REPEAT OFFENDERS:

20
71
5

(These are issued after verbal and written warnings in most cases)

The Animal Control Officer would like to remind everyone that there are no “unwritten laws” regarding the leash law. The Towns leash law requires, when you are off your property with your dog, that it be leashed 24/7/365. That means secured from the owner to the dog regardless of how well your dog is trained. All dogs must be leashed, licensed, wearing said license and picked up after.

MARBLEHEAD TOWN REPORT

CATS:

Reported Missing	92
Found	28
Abandoned /Neglected	11
Unfounded	10
Hit by Car	9
Rescued	23
Deceased	11

Cat Bites / Quarantines:

To Human	10	To animal	2	Unknown	38
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Animals Adopted:

Cats/Kittens	152
Rabbits	2
Ferrets	2
Birds	1

Sadly, one of our shelter cats, “Spice” succumbed to cancer.

Animal Control would like to remind all cat owners that they need to keep their cats rabies vaccinations up to date.

Our Animal Control office and shelter is located at 44 Village Street. I deeply appreciate all the love and support, not to mention the countless hours, our volunteers give 365 days a year.

WILD LIFE CALLS:

		<u>Rehab/Foster</u>	<u>Put to Sleep</u>	<u>Road Kill</u>
Skunks	18			1
Raccoons	92	12		14
Birds	103	56		2
Squirrels	105	11	2	43
Woodchucks	7			5
Opossum	6			

WILD LIFE CALLS cont:

<u>Rehab/Foster</u>	<u>Put to Sleep</u>	<u>Road Kill</u>
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MARBLEHEAD TOWN REPORT

Bat	15		
Fox	133	5	5
Coyote	41		3
Fisher Cat	3		1
Wolves	2		
Seal	14		
Raptor	4	2	
Turtle	5		
Rabbit	3		
Duck	10	4	
Snake	3		
Deer	2		
Ferret	2		
Shark	1		
Rat	5		2
Alpaca	2		
Bees	1		
Misc.	29		

This year, the fox and coyote population were severely hit with mange, a mite that burrows into the skin and lays its eggs. They then begin to grow causing severe itching which in turn generates a massive allergic response causing hair loss, scabbing and an overall sickly appearance. This resulted in nearly 200 calls to the police station. Five foxes were trapped and brought to a rehabilitator. Since it is illegal to relocate wild life, the rehabilitated animals were brought back to Marblehead and released where they were trapped.

The Atlantic Veterinary Hospital, owned and operated by Jeff Rockwell D.V.M. continues to be our Town designated vet. Dr. Rockwell and his staff make themselves available to us 24/7 for dogs and cats hit by cars as well as shelter emergencies. It is vital to the operation of our department knowing that this facility is available when we have a suffering animal on our hands.

RECREATION AND PARKS

The Recreation and Parks Commission submits this report for the year ending December 31, 2009.

The Commission is made up of five residents who are elected annually at a general Town election on the second Monday in May each year. The Commission's regularly scheduled meetings are held on the first and third Tuesday of each month at 7:00 PM in the Community Center at 10 Humphrey Street. These meetings consist of reports, the appearance of persons or groups on the agenda, the review of correspondence submitted for consideration, discussions of plans and objectives, and reviews of policies, rules, and regulations as needed. The Commission reviews and approves the hiring of personnel when recommendations are presented. Programs and budgets are reviewed by the Commission annually and they act as an advocate with the Finance Committee and at Town Meeting. The Commission also reviews and approves the fees and charges made for various uses and programs concerning the department. The Commission has responsibility for overseeing the programming, rental, and operation of the Community Center. Night and weekend fees and rental charges are used in the Revolving Fund to contribute to the operating and utility costs of the Community Center.

Fields and school athletic facility maintenance

The Department maintained the fields and was responsible for the field preparation, including lines, for the following sports: High School (Varsity, Junior Varsity, and Frosh): football, baseball, softball, lacrosse, soccer, and field hockey; Youth Sports baseball and football; men's softball and soccer, women's softball, and co-ed softball.

Spring required varsity school sports first (Seaside baseball, High School softball, Middle School lacrosse and baseball), followed by the mid-April Youth Sports through summer, adult softball through September, and varsity/JV soccer, field hockey, and football at the end of August. For the months of September, October, and November, all fall varsity and junior varsity football, soccer, and field hockey school and youth sports fields were maintained for soccer and football.

The mowing and trimming of athletic fields is done on weekdays with school in session due to extensive usage on afternoons, evenings, and weekends. Line marking with latex paint and/or non-caustic chalk is also done while classes are inside the schools. Mowing of properties began in early April and continued

MARBLEHEAD TOWN REPORT

through November on a five day per week schedule. Leaf cleanups ran October through December, and spring cleanups ran March through May. In cooperation with the school department special playground fiber was purchased and added to all school and town playgrounds as needed for safety surfacing to reduce the chance of injuries due to falls. The department was unable to “manicure” the grounds at the Schools due to budget and manpower limitations; plantings and mulch were added as time and materials allowed.

Budget and staff limitations, requests for extra work, and changes on short notice remained a continual problem. Early spring and late fall field scheduling depended on when fields were dormant, wet, frozen, or overused in any one area. Turf damage had extended to a whole playing season in some cases and could not be satisfactorily repaired without either closing the damaged field completely and/or taking on substantial additional expenses for replacement materials and overtime. Fall is the best time to do seeding and sod work on fields but was frequently in conflict with the demands of the activities scheduled and the department’s continual shortage of funds, materials, and manpower vs. those demands.

The department continued to utilize money from the operating budget to complete necessary projects on athletic fields. The Village School lower field and Gatchells football field were closed from the beginning of June through the end of August. The fields were top dressed and the worn areas were repaired and seeded. Through hard work and maintenance by the park department staff the fields responded well to the work and looked stronger for the fall season. Piper Field received more than 9,000 square feet of new sod. The center of the field was cut out and the existing turf was removed. The surface was then graded with additional loam and new sod was installed. An additional 8,500 square feet of new sod was installed in areas that were compacted or had poor drainage.

In June conditions became normalized and the landscaping and horticultural problems slowed down, allowing the department to begin fertilizing, aerating, seeding and mowing.

During the year a sports utilization group met at the Community Center with Sam Ganglani and Linda Rice Collins acting as liaisons for the Commission. The group kept communications and scheduling concerns open so the various town sports teams and coaches could minimize conflicts and maximize usage.

Resident Karin Martin continued outstanding assistance at Memorial Park as part of the Council on Aging’s program to pick up and clean the area on a daily basis. The

MARBLEHEAD TOWN REPORT

others who provided outstanding assistance as part of this program in other areas at various times during the year were: Marge Mace at Redd's Pond, Old Burial Hill, and Fort Sewall, Carol Green at Devereux Beach, and Jim Zeiff and Fred Alling at Fort Sewall and Crocker park assisting with keeping the dog waste bag stations supplied.

All line marking, mowing, and field schedule changes were coordinated by Grounds Foreman Peter James who assigned Pat Sylvester to the athletic field marking. Pat's efforts continually earned kudos from the school department and youth sports leagues.

The parks maintenance expense budget was again level funded for fiscal year 2010 while material and delivery costs continued to increase. With these restrictions, and the limited available seasonal maintenance staff, one of the park's seven full time employees was again switched to a Wednesday – Sunday schedule and dedicated to trash removal and restroom repairs and maintenance during the summer season.

The Commission receives numerous requests for fund raising and business use of the Community Center and the parks. These requests must be approved by a vote of the Commission as required in the Town By-laws. Among those approved were:

- At the community center:
 - The Chamber of Commerce's Home and Garden Weekend Show.
 - The Board of Health Flu Shot Clinics.
 - The Marblehead Arrangers Garden Club Christmas plant and arrangement sale during the Christmas Walk.
 - The Democratic Town Committee Caucus
 - Scouting functions
 - Marblehead Family fund "Touch a Truck"
 - Free seminars
- Shore Lea Nature Center:
 - The Massachusetts Audubon Society sponsored a camp program during July with the staff from the Ipswich River Sanctuary supervising.
- Devereux Beach and parking areas:
 - Senior Class Carnival.
 - The M.S. Walk in April.
 - The Boston Children's Hospital "Cycle for Life" used the beach to begin and end its fund raising bike ride.

MARBLEHEAD TOWN REPORT

- Several other bicycle and road races to use the beach to begin and end events.
- Rack storage for prams/kayaks.
- Winter dock storage
- Gerry Playground:
 - The Republican Town Committee.
 - Several Cub Scout outings.
 - Eco Farm Co-operative Market from spring through fall.
 - Rack storage for prams/kayaks.
- Other fields:
 - Boy Scout Troop 11 for the sale of Christmas trees at Gatchells Playground.
 - The Y.M.C.A. fun run at Seaside Park and outdoor summer programs at Orne, Gerry, and Hobbs Playgrounds for soccer and T-ball programs.

Building and Comfort Station (restroom) Maintenance

In addition to the community center other buildings required more attention due to increased demand. The department continuously maintained a workshop and equipment storage at Devereux Beach, the garage on Vine Street, the cemetery garage at Waterside, Gerry Playground garages and playground room storage, and the Seaside Park grandstand storage for supplies only.

The department also maintained comfort stations (restrooms) at the following locations: Chandler Hovey Park, Devereux Beach, Crocker Park, Fort Sewall, Reynolds Playground, Gerry Playground, Gatchells Playground, and Hamond Nature Center on a seasonal basis. Water & Sewer costs, electricity, cleaning supplies, and paper goods all came from the department budget. Doggie bags were provided through the department's budget at Chandler Hovey Park, Crocker Park, and Fort Sewall. Dogs are prohibited from all athletic fields and children's playgrounds; all other Parks require dogs to be on a leash and dog waste is required by law to be disposed of in proper safe receptacles designed for fecal waste disposal (not public trash barrels).

Park improvements

Through hard work and dedication by a number of community groups and residents the following park improvements were made possible.

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- In cooperation with numerous town departments the house (Fader Place) at Orne Playground was taken down.
- Phase one of the much anticipated “Dog Park” was completed on the hill above the playing field at Reynolds Playground.
- The renovation of the Bud Orne Rink continued with the installation of a new surface, boards and fencing.
- The basketball court at Seaside Park was removed and completely resurfaced.
- The major league infield at Gatchells was removed, graded and new sod and infield mix were installed.

Anticipated capital improvements

- Repairs and restroom remodeling at Crocker Park.
- Updated provisions for handicap access at Fort Sewall.

Leased Properties

The Devereux Beach Concession Stand was operated in 2009 by Mr. Paul Petersiel doing business as “Lime Rickey’s” in accordance with M.G.L. Chapter 30 with permission of the Board of Selectmen and the Recreation & Parks Commission.

The Gerry Playground house (A.K.A the Stramski house) lease still remained vacant. The Commission continued to seek usage of the facility compatible with recreation & park programs and policies.

Equipment Replacement and Seasonal Staffing

The department continued to look for reliable seasonal maintenance staff from April through November, utilizing college students during the summer school break which left us short staffed during spring and fall months when we needed them the most. This has resulted in the shifting of budget monies to allow for use of sub contracting in some areas to meet the demands of grounds maintenance.

Facility & Grounds Landscape Maintenance Program

The Parks and Forestry staff was responsible for the landscape maintenance, mowing, trimming of trees and shrubs, and removal of litter on the following properties in 2010 (Note: “*” denotes athletic fields requiring continuous mowing, lining, and reconditioning for the Town’s sports programs):

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Recreation, Parks, & Properties:	Cemetery & Historic Grounds:	Public Landings:
Castle Rock Park	Cressy Street Cemetery	Barnegat trash
Chandler Hovey Park	Green Street Cemetery	Clark Landing trash
Community Center	Hooper Tomb Cemetery	Cloutmans trash
Crocker Park	Harris Street Cemetery	Commercial Street trash
Devereux Beach	Old Burial Hill Cemetery	Parker Yard trash
Fort Beach	Redd's Pond	Tucker Wharf Trash
Fountain Park	Waterside Cemetery (when requested by Cemetery Department)	
Gerry Playground	School Dept. properties:	Other Public Grounds:
* Gatchells Playground	Beacon/Green Street reserve	Fort Sewall
* Hobbs Playground	Bell School	Gas House Beach
* Orne Playground	Coffin School	Grace Oliver's Beach
* Reynolds Playground	Eveleth School	Red Steps Way
* Seaside park	Gerry School	Fort Sewall turnaround
Memorial Park	Glover School	Brookhouse Drive
Devereux Beach garage	* Marblehead High School	Gallison Avenue Way
Vine St. Garage	Lincoln Ave. reserve	Gatchells Green
	* The Village Middle School	Lovis Cove Beach
	* The Veterans Junior High School	
Other:	Other Public Building's properties:	Conservation Commission Lands (As labor permits):
	Abbot Hall	Bicycle, Exercise, & conservation trails
Traffic Islands (donated)	Abbot Library	Robinson Farm
All Public litter barrels	Gun House	Hamond Nature Center
	Mary Alley Building	Forest River
	OKO Building	Hawthorn Pond
	Old Town House	Steer Swamp
	Powder House	Wyman Woods
	Tower Way Grounds	Ware Pond

MARBLEHEAD TOWN REPORT

Winter and spring 2009 Recreation Programs

The department continued the successful ski program under the planning and supervision of Recreation Supervisor Mike Lane to Attitash/Bear Peak in Bartlett, N.H. leaving at 6:00 AM on five Saturdays and returning at approximately 6:00 PM.

The department also continued to offer the family skating program at Salem State College for two hours on Sunday afternoons from October through February, and programs at the community center and other Town facilities including: An adult boot camp; A Saturday morning Youth Basketball program; a winter pre-school “indoor park”; after school programs sports clinics, “Know Atom” science classes, Lego workshops, piano lessons, and a Girl’s Basketball program for girls in grades 2 – 8. Evenings featured adult badminton on Tuesdays, Wednesdays and Sundays and adult pickup volleyball on Mondays, and Thursdays. Marblehead Youth Badminton and Marblehead Youth Basketball also rented time in the gym for their programs on weekday afternoons.

Mike Lane continued to coordinate and implement a number of free community events such as the Yearly Christmas parade, the free Halloween decorating contest, and the free “Talk with Santa” program.

Summer and fall 2009 Recreation Programs

The department continued providing numerous summer outdoor programs (with rain locations provided) including the Gerry playground program (ages 5-7) and the Seaside Park program (ages 8-11). Both programs offered an “extended day” option. Other programs offered in various locations included: Field trips to Canobie Lake Park and Water Country; The Magician’s football, field hockey, basketball, baseball, and lacrosse clinics; the Roger Day baseball clinic, a soccer clinic; tennis lessons, girl’s evening basketball at Seaside Park; youth sailing classes at Gerry Playground; and kayaking instruction at Riverhead Beach. Indoor programs in summer and fall at the Community Center continued to offer science classes, adult volleyball, and piano lessons.

Department Staff

This past year the Marblehead Recreation and Parks department experienced a period of change as longtime Superintendent R. Thomas Hamond retired after more than thirty nine years of service to the town. Tom began working for the town as a tree climber and throughout his time with the town he was instrumental in the design and construction of the community center, worked on the Commemorative

MARBLEHEAD TOWN REPORT

Anniversary and Re-enactment of the USS Constitution taking shelter in Marblehead Harbor, applied for and received a grant to perform a full tree inventory for the town, and has served on a number of other committees and boards. We look forward to working with Tom on special projects and tapping into his vast knowledge of Marblehead.

We want to thank the Department's employees for their dedication to our Town's natural resources and recreation opportunities. The following worked for the Departments during the past year:

- Brendan Egan, Department Superintendent
- C. Michael Lane, Recreation Supervisor and Assistant Superintendent
- Ric Reynolds, Senior Clerk
- Peter R. James, Working Foreman/Building and Grounds
- Robert Gillis, Parks Maintenance Craftsman
- Greg Snow, Maintenance Craftsman/Mechanic
- Reginald Berry, Mike Attridge, Brad Delisle, and Pat Sylvester, Maintenance/Groundskeepers.

There are many instructors who worked in the various recreation programs, playground, and other leisure services within the department in the parks and at the Community Center. Also, there were seasonal maintenance workers and caretakers for the parks, and summer maintenance workers and lifeguards at Devereux Beach.

The Commission would like to thank the staffs of the Tree, Highway, Health, Harbormaster, Building, Schools, Finance, Municipal Light, Cemetery, Police, Fire, and Water/Sewer Departments for their continued support and the Town Administrator, Town Clerk's, and Selectmen's office for their assistance during the past year.

Every year there are many who volunteer with maintenance and recreation programs for the Town. The Commission wants to express its thanks on behalf of all the residents who benefit from the countless hours volunteered, making Marblehead a great place to live.

MARBLEHEAD TOWN REPORT

Respectfully submitted,

Chip Osborne, Chairman
Derek Norcross
Sam Ganglani
Linda Rice-Collins
Chuck Nyren

Brendan Egan
Superintendent, Recreation & Parks

MARBLEHEAD TOWN REPORT

SEALER OF WEIGHTS AND MEASURES

The following work was completed for the year ending Dec 31, 2009:

Scales Sealed:	44
Scales Condemned:	0
Gasoline/Diesel pumps Sealed:	6
Gasoline/Diesel pumps NOT Sealed:	0
Scales Rechecked After Repairs	0
Consumer Complaints Investigated	0
Report Letter Written	0
Apothecary Sets Sealed	3

Respectfully submitted,

David C Rodgers
Sealer

MARBLEHEAD TOWN REPORT

SHELLFISH CONSTABLES

Devereux, Tucker's, and Goldthwait beaches were opened for the harvesting of surf clams in November. The Board of Health supplied the MA Division of Marine Fisheries with historical water quality reports. As of the writing of this report there were 50 licenses issued to date for the 09/10 season. The clamming season in Marblehead is during the months of September through April. The areas may open later and close temporarily during the season when environmental issues may change.

Monitoring diggers, checking water quality and testing of the clams is performed constantly by the Board of Health, MA Division of Marine Fisheries and local residents that have volunteered to serve as Shellfish Constables. The Town Clerk and her staff have been very diligent in processing the paperwork for the State and issuing licenses.

Respectfully submitted,

Wayne O. Attridge, Chief Shellfish Constable

Constables:
Douglas Aikman
John Gregory Attridge
Raymond Bates Jr.
Harry Christensen, Esq.
David Donahue
Deborah Fadden
Jeffrey Flynn
R. Thomas Hamond
Susan Hogan

TASK FORCE AGAINST DISCRIMINATION

In the summer of 1989, a series of horrific hate crimes occurred at the Jewish Community Center of the North Shore and Temple Emanu-el. The community response to these crimes was that of outrage. At that time, a group of citizens requested that the Board of Selectmen appoint a task force.

At their regular meeting on August 2, 1989, the Board voted to establish and commission the Task Force Against Discrimination to help fight acts of discrimination, hatred and bigotry. Ever since, the Task Force has had a visible presence in the town, meeting in open session on a regular basis, creating informative programming and reacting to situations that have arisen. The committee is appointed yearly by the Board of Selectmen and includes members of the clergy, educators, students, the Marblehead Police Department and concerned citizens.

In honor of its 20th Anniversary, the Board of Selectmen designated July 31- August 2, 2009 “Marblehead Task Force Against Discrimination Weekend.” The 20th Anniversary Resolution, as adopted by the Marblehead Board of Selectmen, is included below.

To celebrate the 20th Anniversary Weekend, the Task Force planned several events. The art and design students at Marblehead High School participated in a logo contest to design a new Task Force logo to honor the occasion. The winning design was the work of Michael Harper, MHS class of 2012.

During the commemorative weekend, the Task Force had a booth at the Farmer’s Market on the morning of Saturday August 1st to display the new logo and to give the history of the past 20 years. Logo buttons and window decals were given out to attendees. That evening, an interactive improvisational theater about the struggles and joys of our community was presented and tremendously well-received to a sell-out crowd at the Unitarian –Universalist Church. At religious services throughout the weekend, the clergy directed their sermons toward inclusiveness and anti-discrimination.

This past year, Helaine R. Hazlett and Rev. Anne Marie Hunter, the co-chairs of the Task Force, have been recognized by the Anti Defamation League for their work in fighting prejudice and building bridges among different communities. Ms. Hazlett received the James L. Rudolph Volunteer Leadership Award and Rev. Hunter was given the Leonard P. Zakim Humanitarian Award.

MARBLEHEAD TOWN REPORT

Throughout the years, the Marblehead Task Force Against Discrimination's mission has been to work toward a safe community that celebrates diversity. Marblehead is a place where diversity is embraced and where discrimination will not be tolerated.

The Task Force's 20th Anniversary resolution reads as follows.

WHEREAS, a heinous and cowardly act of desecration was perpetrated in Marblehead against Temple Emanu-el and the Jewish Community Center of the North Shore in 1989, and

WHEREAS, the immediate response of the Marblehead community and the Board of Selectmen was to re-affirm their united and enthusiastic support for diversity and respect by establishing the Marblehead Task Force Against Discrimination on August 2, 1989, and

WHEREAS, the Marblehead Task Force against Discrimination has worked tirelessly to engage the people of Marblehead and to respond to and prevent hate crimes of all kinds, and

WHEREAS, Marblehead will not tolerate any form of hatred, discrimination, or bigotry, and

WHEREAS, the need continues to address discrimination proactively and with determination in order to establish a culture in which the dignity of all citizens of Marblehead is respected, and

WHEREAS, a diverse community is stronger, more dynamic, and more resilient, and so continues to be valued in Marblehead,

THEREFORE, we, the Board of Selectmen of the Town of Marblehead, hereby designate Friday, July 31 through Sunday, August 2, 2009 as a time for Marblehead residents to observe the 20th Anniversary of the Task Force against Discrimination,

and we call on Marblehead residents, of all ages, races, classes, sexual orientations, faiths, physical and mental abilities, and backgrounds to join with the Task Force against Discrimination in continuing to make Marblehead a respectful, supportive, and inclusive community for its many and diverse citizens and visitors.

MARBLEHEAD TOWN REPORT

Respectfully submitted,

Helaine R. Hazlett, Co-Chair
Rev. Anne Marie Hunter, Co-Chair

Melissa Aizanman
Michael Harper
Mary Levine
Judy Luise
Harvey Michaels
Chief Robert Picariello
Barbara Schneider
Monica Tecca
Deacon John Whipple

MARBLEHEAD TOWN REPORT

TREE DEPARTMENT

Public shade trees located on public ways are under the jurisdiction of the Tree Warden and the four person tree crew. The department made a smooth transition from the Parks and Recreation to the DPW in January 2009. The department tries to identify and reduce hazards along public ways including the parks, cemeteries, and school grounds. Department employees removed over one hundred and sixty dead or hazardous trees, also removed the same amount of stumps, and trimmed well over four hundred trees, and planted sixty new trees around town.

Telephone calls from residents regarding tree matters remained heavy through the spring, summer, and fall and we made every effort to respond to all calls. Tree department employees also assist the DPW with plowing and snow removal, and assist the Electric Light department with storm emergencies and line clearing.

Marblehead again qualified for the National Tree City USA as designated by the National Arbor day Foundation. The department purchases seedlings from the Massachusetts Tree Wardens and Foresters Association that were planted in conservation areas by the Marblehead Conservancy and other volunteers. The department also received a \$5,000.00 grant for tree inspections through MIIA the town's insurance agency with the help of Deb Fadden special clerk and insurance liaison.

The department would like to thank the DPW for all their help this past year with special thanks to DPW director Dana Snow, Assistant Director David Donahue and senior clerk Sue Hogan. I would like to thank Tree department employees for their hard work and dedication. I would like to thank the town for their continued support.

Respectfully submitted,
Doug Gordon, Tree Warden

Ed Park, Foreman
Art Beauchesne, Groundsman
Walter Leszynski, Heavy Equipment Operator
Rob Fallon, Tree climber/ Forestry Maintenance

MARBLEHEAD TOWN REPORT

VETERAN'S AGENT

I hereby submit my report as Veterans Agent, Flag Officer, Veterans Burial Officer and Veterans Graves Registration Officer for the year ending December 31, 2009.

My number one duty is to the Veterans of the Town of Marblehead and their families. I continue to attend State and Federal training sessions and seminars to remain updated in all aspects of Veterans Affairs.

Office records for 2009 indicate that five Veterans or their families filed for benefits under Mass General Laws, Chapter 115. This chapter of the law provides assistance to Veterans in need.

Requests for assistance in filing for Department of Veterans Affairs Benefits (Federal) remained high. This office has encouraged enrollment in the VA Healthcare System. Many Marblehead Veterans have taken advantage of this health benefit, which includes obtaining daily prescription drugs for \$8.00 per month for each medication. Casket Flags and Grave Markers were the principal Death Benefits filed for with the Department of Veterans Affairs.

Packages were sent to our service men and women deployed overseas in the WAR ON TERROR. The Gerry Five VFA, Chaplain Lyman Rollins VFW Post 2005 and many members of the community assisted.

A total of 70 Marblehead Veterans were laid to rest between November 11, 2008 and November 11, 2009. A large percent of these men and women were World War II Veterans. As a town and country we have an obligation to this generation of Americans. *Service to our Veterans and their families remains the most important goal of this office.*

I would like to thank Chaplain Lyman Rollins VFW Post 2005, the American Legion Post 32 and the US Submarine Veterans, Marblehead Base for their assistance in the affairs of this office in 2009. I would also like to thank Marbleheader Karen Martin for her work in Memorial Park.

Respectfully submitted,

David C. Rodgers, Veterans Agent

WATER AND SEWER COMMISSION

The Water and Sewer Commission is pleased to submit its report for calendar year 2009. In the past year, our staff has completed many tasks, as well as continued its planning on many new improvements to be performed by the Water, Sewer and Drain Departments.

The Water Department has completed all of its annual maintenance and inspections including system flushing, hydrant inspection, painting and replacement, water quality testing and backflow inspection, water meter reading, replacement, as well as the continued installation of radio reading devices. Other programs performed include leak detection, gate valve maintenance and replacement, water main repairs, and addressing customer concerns.

In April of 2009, The Water Department started the replacement of one of the oldest sections of water main in our inventory. This was an old 8" line on Harbor Ave. and Ocean Ave., as well as on Nahant St. The entire length was replaced with a new 12" PVC line to Nahant St.; with the remainder of Ocean Ave. and Nahant St. receiving a new 8" line. This work was completed before the end of July. The Commission is currently planning to reline water mains on a number of streets in the Spring.

The Sewer Department has continued its annual maintenance program. This includes the maintenance of its 28 sewer pump stations. Other maintenance will include line cleaning, root treatment, and inspection of over 100 miles of sewer mains, as well as over 3,000 manholes.

The Sewer Department has recently opened bids to replace sewer lines on Tuft St. as well as Ruby Ave. This will replace two sections of old clay pipe which required continuous maintenance. Other work in progress includes the replacement of all electrical controls at the Fort Beach pump station.

The Storm Drain Department has continued to maintain the over 2,000 catch basins throughout town. Other work performed included rebuilding over 34 catch basins and building 3 new manholes. Other tasks included the repeated cleaning of ditches and drain outlets, and the installation of a new section of drains on Bennett Rd. and Overlook Rd. All catch basins were once again cleaned during the months of October and November.

MARBLEHEAD TOWN REPORT

Our office staff has once again been busy processing over 30,000 bills, while collecting over \$7,000,000 in revenue. Other duties include maintaining records to house connection cards, construction planning, scheduling appointments, providing information to hundreds of customers, and addressing mark out requests. New for this year is our ability to accept On-line payments, (see the Town website for specifics).

The Commission wishes to welcome Lynne DeGrandpre` to the office staff. Our office manager Linda Matthews will be retiring in early April. We wish her many happy years ahead. She has been a valuable asset to the Commission for more than 21 ½ years.

I will also be retiring at the end of March after 37 ½ years with the Town. It has been an honor to serve our community. I am very grateful to the Commission for selecting me for employment, and extremely appreciative of the entire Town's support over the years. I am especially proud of all the employees who have performed the work to make our Commission so successful.

I would like to thank all the Town Departments, and especially our own employees for another year filled with accomplishment. Finally, I congratulate Charles McCollum on his well deserved appointment to Superintendent of the Water and Sewer Commission. He'll do a great job!

Respectfully submitted,

Dana E. Snow
Superintendent

Marblehead Water and Sewer Commission
F. Carlton Siegel, P. E., Chairman
Emerson F. Brown, Vice Chairman
Wilbur E. Bassett, P. E.
Bradford N. Freeman
John P. Doane
Telephone: (781) 631-0102
FAX Number: (781) 631-2670

Dana E. Snow, Superintendent Charles R. McCollum, Assistant Superintendent

MARBLEHEAD TOWN REPORT

Water Department Employees:	Sewer Department Employees:
William Haskell, Spec. Labor III	Mark Fulton, Spec. Labor III
Gregory Burt, Water Technician	James Johnson, Mech. Pipefitter II
John Bradshaw, Mech. Pipefitter	Jonathan Morley, Mech. Pipefit./TV Spec.
Michael Marsters, Mech. Pipefitter	Robert Landry, Mech. Pipefitter
David Cameron, Heavy Eq. Op.	Brian Conrad, Mech. Pipefitter
Corey Smith, Spec. Labor I	Eric Hildonen, Heavy Eq. Op.
Matthew Thibault, Spec. Labor I	Stephen Hull, Spec. Labor I
Peter Dorney, Spec. Labor I	Michael Atkins, Spec. Labor I
Office Employees:	Drain Department Employees:
Linda Matthews, Office Manager	Kevin Wilson, Leader Drains
Krissey Regan, Billing Tech.	William Larios, Heavy Eq. Op.
Lynne DeGrandpre, Spec. Clerk	

WATER DEPARTMENT REPORT

1. Water Breaks	6
2. Hydrants Replaced	5
3. Hydrants Repaired	4
4. New Water Service and Renewals	14
5. Inside Valves Replaced	16
6. New Water Mains or Extensions	3
7. Water Services Repaired	9
8. New Sprinkler Lines	1
9. Frozen Water Meters	18
10. Hydrants Painted	50
11. Hydrants Inspected	830
12. Trouble Calls	4
13. New Radio Read Devices	325

SEWER DEPARTMENT REPORT

1. Sewer Lines Cleaned /H2O used	65,981 Ft.-206,950 Gal. (12.4miles)
2. Drain Lines Cleaned/H2O used	400 Ft.-8,000+- Gal.
3. Wet Wells Cleaned/H2O used	37 – 18,000 Gal.
4. Total Amount H2O used from 1, 2 & 3	232,950 Gallons +
5. Vacuum Dig Repairs	22

MARBLEHEAD TOWN REPORT

6.	Lines Televised	600 Ft.+-
7.	Services Repaired – Permits	22
	New Services	6
	Construction Repairs	2
8.	Manholes Repaired	25
9.	Dig Safe Mark Outs	905
10.	Oil Spills In Sewer/Drains	0
11.	Footage of Sewer Lines Treated for Roots	4,572 Ft.
12.	Vehicles/Major Equipment Maintained	23
13.	Constructed Inverts on Active 18" Line	3

DRAIN DEPARTMENT REPORT

1.	Added Connections for Sump Pumps	21
2.	Catch Basins Repaired or Replaced	34
3.	New Manholes	3
4.	Jet Vac Cleaned	1,200 Ft.
5.	Cleared Open Ditches	
6.	Check All Outfalls Regularly	
7.	Cleared Key Basins of Snow Multiple Times	
8.	Constructed A New Drain-Bennett Rd. to Overlook Rd.	

REPORT OF THE SOUTH ESSEX SEWERAGE DISTRICT

As the Town's representative to the South Essex Sewerage District (SESD), I am pleased to submit the following report for calendar year 2009.

I am pleased to report that our treatment facility has continued to perform well. As in past years, our staff has continued to refine our treatment methods to assure the best level of treatment at the lowest cost. We have continued with our efforts to design and construct a relatively new process called co-generation. This is an efficient way of producing electricity, and then utilizing the heat of the off gasses to heat our facility and provide drying for our odor control. Design of this facility will be completed this year.

Our Director Hal Newhall has announced that he will retire in June of this year. He has proven to be an excellent manager. We wish him many happy years of

MARBLEHEAD TOWN REPORT

retirement. The current District Engineer Arthur Knight has been chosen to be his replacement.

At this time, I wish to recognize all the employees of the SESD, and commend them for a very productive and successful year.

As always, we are pleased to answer any questions that may arise about our excellent waste water treatment facility. I continue to be very proud to be part of this operation, and look forward to the continued operation of this excellent, clean, safe and efficient facility.

Respectfully submitted,

Dana E. Snow
SESD Representative

MARBLEHEAD TOWN REPORT

Prepared by: Brian McNamee 1/5/10				
SESD Treasurer				
REVENUE DESCRIPTION	Method of Apportionment	% Total	Amount	SESD Total
Assessment Revenue	FY09 Budgeted Apportionment	8.04%	2,113,067	26,274,659
Member Refunds Paid	Actual	0.00%	0	(2,902,075)
Chemical Reimbursements	District Apportions	7.93%	14,209	179,099
Sewer Rate Relief	Fixed Amount Budgeted for Marblehead Utilization Balance Apportioned based on Appor. Agree.	0.00%	0	0
Septage Revenue	District Apportions	7.67%	17,631	229,914
MWPAT Loan Subsidies	Based on Cost Apportionment Agreements	7.96%	643,500	8,089,179
Interest Income, Investment Income	Actual & District Apportions Based on Average Monthly UFB Balance	10.66%	23,272	218,398
Energy Savings Revenue	Actual	8.23%	4,463	54,219
Misc. Rev. & Other Income	Actual	11.26%	1,754	15,586
Special Assessment	District Apportions	0.00%	0	5,231

MARBLEHEAD TOWN REPORT

Total Revenues		8.76%	2,817,897	32,164,211
Expenses Description	Method of Apportionment	% Total	Amount	SESD Total
O & M 2000	Based on % of Flow	0.00%	0	122,919
O & M 3000	Based on % of Flow	0.00%	0	241,506
O & M 4000	Based on % of Flow	0.00%	0	36,391
O & M 5000	Based on % of Flow	0.00%	0	490,931
O & M 5001	Based on % of Flow	0.00%	0	0
O & M 6000	Based on % of Flow	7.67%	33,969	442,759
O & M 6001	Based on % of Flow	0.00%	0	0
O & M 7000	Based on % of Flow 3 Yr. Avg. Flow & Solids	8.03%	306,865	3,821,480
O & M 7001	Based on % of Flow 3 Yr. Avg. Flow & Solids	0.00%	0	0
O & M 7050	Based on Cost Apportionment Agreements	0.00%	0	0
O & M 7100	Based on % of Flow	0.00%	0	11,790
O & M 7200	Based on % of Flow	0.00%	0	10,318
O & M 7300	Based on % of Flow	100.00%	3,833	3,833
O & M 7400	Based on % of Flow	0.00%	0	24,386

MARBLEHEAD TOWN REPORT

O & M 7500	Based on % of Flow	0.00%	0	8,227
O & M 7600	Based on % of Flow	0.00%	0	25,774
O & M 7601	Based on % of Flow	0.00%	0	0
O & M 8010	Based on % of Flow 3 Yr. Avg. Flow & Solids	8.03%	113,360	1,411,707
O & M 8011	Based on % of Flow	0.00%	0	0
	3 Yr. Avg. Flow & Solids			
O & M 8020	Based on % of Flow 3 Yr. Avg. Flow & Solids	7.47%	147,693	1,978,449
O & M 8021	Based on % of Flow 3 Yr. Avg. Flow & Solids	0.00%	0	0
O & M 8030	Based on % of Flow 3 Yr. Avg. Flow	7.67%	41,785	544,649
O & M 8031	Based on % of Flow 3 Yr. Avg. Flow	0.00%	0	0
O & M 8040	Based on % of BOD	8.78%	145,523	1,658,208
O & M 8041	Based on % of BOD	0.00%	0	0
O & M 8060	Based on Weighted % of BOD/TSS	8.08%	319,865	3,959,510
O & M 8061	Based on Weighted % of BOD/TSS	0.00%	0	0

MARBLEHEAD TOWN REPORT

O & M 9000	Based on % of Flow	100.00%	114,164	114,164
Special Assessment	Actual	0.00%	0	0
Principal-Long Term	Based on Cost Apportionment Agreements	7.61%	597,066	7,843,511
Interest-Long Term	Based on Cost Apportionment Agreements	6.99%	173,237	2,479,620
MWPAT Loan Subsidies	Based on Cost Apportionment Agreements	7.96%	643,500	8,089,179
MWPAT Administrative Fees	Based on Cost Apportionment Agreements	7.94%	11,261	141,813
Interest-Short Term	Based on Cost Apportionment Agreements	0.00%	0	0
Debt Expense-Origination Fees	Based on Cost Apportionment Agreements	0.00%	68	765
Lieu of Taxes	Based on Cost Apportionment Agreements	11.25%	56,266	500,000
Intergovernmental Fines	Based on Cost Apportionment Agreements	0.00%	0	0
Stabilization	Based on % of 3 Yr. Avg of Flow & Solids	0.00%	0	0
Transfer to CPF's	Actual	0.00%	0	0
Misc. Expense	Actual	0.00%	0	0
Total Expenses		7.97%	2,708,454	33,961,889
EXCESS (DEFICIENCY)			109,443	
REVENUES OVER EXPENSES				

ZONING BOARD OF APPEALS

The Zoning Board of Appeals met in regular session in 2009, conducting (i) 64 advertised hearings, granting 59 applications, denying 1, and allowing 4 to withdraw; and (ii) 13 non-advertised administrative hearings for minor modifications to previous special permits.

The Board members are: Barbara Shefftz, David Tubridy, Alan Lipkind, Karen Tenenbaum and William R. Moriarty. The alternates are Christopher Casey, Andrea Papanek, Betsy Burke-Jacobson and Paige Hintlian.

Special thanks to Andrea Flaxer and Steve Ware.

Respectfully submitted,

William R. Moriarty
Chair

MARBLEHEAD TOWN REPORT

SCHOOL DEPARTMENT Feb. 2010

MARBLEHEAD SCHOOL COMMITTEE

Patricia Blackmer	Term Expires May, 2011
EuRim Chun	Term Expires May, 2012
Amy Drinker	Term Expires May, 2010
Jonathan Lederman	Term Expires May, 2010
Dick Nohelty	Term Expires May, 2011

ORGANIZATION

Chairperson	Dick Nohelty
Vice-Chairperson	Amy Drinker
Secretary	Patricia Blackmer

REGULAR MEETINGS

The regular meetings of the School Committee are held in the High School Library bi-monthly at 7:30 p.m. on the first and third Thursdays of the month except in July and August.

MARBLEHEAD SCHOOLS ON THE WEB

Additional information about all Marblehead Public Schools programs can be found on the internet site at: <http://www.marbleheadschoools.org>

ADMISSIONS REQUIREMENTS

Entrance Age: Any child who will be six years of age on or before August 31 of that school year may be admitted to the primary unit during the month of September. No child ineligible for the primary unit in September shall be admitted during the school year. The minimum age for entering the kindergarten shall be five years on or before August 31 of that school year.

Children entering school for the first time are required to present a birth certificate, a physical exam (including vision screening for distance visual acuity and stereopsis) completed within 12 months prior to the date of school entry, and documentation of immunizations. All children must be immunized against polio; diphtheria, tetanus, pertussis (DTaP); measles, mumps and rubella (MMR); varicella

MARBLEHEAD TOWN REPORT

(chicken pox); and hepatitis B. Exemptions from immunizations are allowed under Commonwealth of Massachusetts Law for either religious or medical reasons, both of which require documentation.

SIGNALS FOR NO SCHOOL

No school announcements will be made over radio, television channels 4, 5 and 7, on the Marblehead Public Schools website at <http://www.marbleheadschoools.org> as well as through email and phone messages with the AlertNow system. Telephone calls should not be made to the Police or Fire Departments.

Since widely varying conditions in the various parts of Marblehead may make it difficult to reach decisions about inclement weather conditions, parents are requested to exercise their discretion in regard to their own children's attendance.

2009-10 SCHOOL HOURS

High School	7:55 a.m. to 2:37 p.m.
Middle School	8:00 a.m. to 2:30 p.m.
Village School	8:00 a.m. to 2:15 p.m.
Glover, Gerry, Bell	8:15 a.m. to 2:30 p.m.
Eveleth, Coffin	8:05 a.m. to 2:20 p.m.

SUPERINTENDENT OF SCHOOLS

The Marblehead Public School District moves into its fourth year of implementation of the Instructional Focus designed to improve student achievement. Our students continue to excel academically, artistically and athletically. Our students continue to make us proud.

Students benefit from our aggressive teacher training and professional development program. Over the last three years, our teachers have engaged in and completed training in Responsive Classroom, Philosophy, Non-fiction Writing, Skillful Thinking, Creative Classroom and Inquiry Based Learning (Socratic Questioning). The culture of our schools has changed in the last three years as faculty and students benefit from the implementation of these programs.

MARBLEHEAD TOWN REPORT

Student attitudes of inquisitiveness, creativity, truth-seeking and a keenness of mind (Critical and Creative Thinking) continue to expand and prepare each student to solve complex problems. As students develop these attitudes, students acquire a “Critical Spirit.” The 2011 budget will continue to move our school system toward its educational goals. The School Committee and I are grateful to our teachers, teacher leaders, administrators and parent volunteers for their service to our students in 2010.

The 2011 school budget is our fourth level-services budget in a row. This budget anticipates 14% less state aid and 5% less local revenue from the Town of Marblehead. We are grateful to the Town of Marblehead for its continued support of budget increases to fully fund salaries and benefits for our staff. This year’s 2011 budget proposal covers all existing contractual obligations once again.

The 2011 budget proposal is \$27,942,326.00, which is \$520,776.00 more than the FY10 amount of \$27,421,550.00. This equals an increase of 1.89%. This proposal is submitted before the completion of negotiations with all staff. Contract negotiations continue as I write this report. It is my hope that a contract agreement will soon be reached.

Once again this year, the administration has cut existing 2010 programs and reduced current 2010 positions to allow the 2011 educational program to grow. The 2011 proposed budget reflects 2.5 less administrative positions for a savings of \$237,000.00 and a \$100,000.00 reduction in special education programming. Savings from teacher retirements, as well as new tuition income from special education, provide additional revenue needed to continue our educational program in 2011.

Within the 2011 proposed budget, we reallocate funds from the aforementioned 2010 budget to reinforce the Marblehead Public Schools strategic “Instructional Focus” in 2011. The priorities that follow are the fundamental additions the Superintendent is recommending to the School Committee for consideration:

Class Size

Class size will be maintained or improved, especially at the Village School and MVMS. The High School will implement three new programs in Wellness, Social Studies and Study Skills which will assist in reducing the number of students in study halls as well as improve class sizes.

MPS Instructional Focus Year #4

Year #4 of our MPS Instructional Focus is funded in the proposed budget. Creative Classroom and Skillful Thinking training programs are fully funded in this budget. A .5 Spanish program is added at Grade 4 as well as the completion of our “hands on” Harcourt Science program in Grades 3 and 4. The PinPoint Math program is fully funded in Grades 2, 3, 4 and 5 in this budget. This program assists students having difficulty in math. All textbooks and instructional materials are funded in this budget. This budget adds additional teacher leadership positions and stipends at the K-6 level. Finally, we complete the purchase of textbooks and supplies for our early childhood (K-4) Explicit Instruction Program in reading, writing, math and comprehension areas in the proposed budget. We accomplish this by reallocating funds.

Special Education Program

Funding the Special Education Program has been a challenge in the budgeting process this year, primarily due to the midyear cuts by the Commonwealth to our 2010 reimbursement funds in the amount of \$200,000.00. We have had to reduce spending in other areas to cover these cuts within our budget and fund approximately \$200,000.00 for operations. Our proposed budget answers this challenge through a combination of cuts, added tuition from students with special needs new to our District, and Federal Stimulus funds.

Building Repair and Construction Projects

Buildings and maintenance projects continue to be priorities in the District. I thank the Town for its continued support of the Village Repair Project. This construction project is progressing very well with the first phase complete and the second phase underway. I thank Michael Rockett, Chairman of the Village Building Oversight Committee and all the members of this committee for their hard work and oversight.

I thank the members of the Glover School Building Committee for their work on the Feasibility Study. The results of the Feasibility Study will be presented to the Massachusetts School Building Authority for approval in March. The Town will consider a warrant article for appropriating funds to support the Glover/Eveleth School Building Project at Town Meeting, followed by a debt exclusion override vote in June. The town is eligible for at least 40% reimbursement of approved costs associated with the project.

Federal Stimulus Funds

We anticipate Federal Stimulus money coming for the fiscal year in 2011. Because this is revenue anticipated for only one year, we will budget one-time expenditures

MARBLEHEAD TOWN REPORT

with these federal dollars. The great majority of funds will be spent in the Special Education and Title I areas. We intend to use these funds to cover the cuts in Special Education reimbursements, the costs of out of district Special Education placements, one time textbook and instructional material orders and teachers' training and professional development programs. Special Education salaries for summer programming are funded using these funds but will need to be reallocated to the operational budget in 2012.

Contract negotiations continue with faculty and staff at this writing. We all continue to bargain in good faith, recognizing the reality of the economic times. It is my hope that new contracts will be agreed upon soon.

Again, on behalf of the School Committee and our schools, I wish to thank the Town for its continued support of the education of our students. Our primary goal is growth in student achievement. Our Instructional Plan is growing within our schools giving students the tools, as well as the "learning attitudes" necessary for solving the complex problems of today and the future. I have the greatest confidence in our Marblehead students. I appreciate your continued support.

Respectively submitted,
Dr. G. Paul Dulac
Superintendent of Schools

MARBLEHEAD SCHOOL COMMITTEE Report to the Town, February, 2010

The Marblehead School Committee's three primary responsibilities are the hiring and supervision of the Superintendent of Schools, the approval and oversight of the Marblehead Public School district's budget, and the creation and oversight of school policy. Working closely with Superintendent Dr. G. Paul Dulac to optimize the appropriate allocation of the school budget, the School Committee strives not only to balance the needs of individual students, schools, and programs with the overall direction and priorities of the district, but to live within the town's financial means. The School Committee continually seeks the advice, support and partnership of the town's many and various stakeholders including the Marblehead community, parents, students, teachers and school administration in order to increase our ability to make sound and sustainable decisions.

MARBLEHEAD TOWN REPORT

The School Committee continues its support of Superintendent Dulac's focus on developing Critical Spirit in all students to ensure that they have the necessary skills to pursue their goals in the competitive global market. This vision distinguishes Marblehead as one of the top performing school districts in Massachusetts. In the fall of 2008, the School Committee revised its vision and mission statements to reflect Critical Spirit/Instructional Focus as the cornerstones for its decision-making guidelines. We continue to support the implementation of the Instructional Focus within our district. For additional information regarding Critical Spirit and the Instructional Focus, please visit the district website at Marblehead.com/schools/ and click on the "Superintendent" link in the left-hand column.

Marblehead Public Schools Vision Statement: *To develop in our students a Critical Spirit: the mastery of disciplines, creativity, inquisitiveness, a truth-seeking disposition and a keenness of mind.*

Marblehead Public Schools Instructional Mission Statement: *The Marblehead Public Schools will implement the educational programs and classroom best-practices outlined in the district's Instructional Focus as the means to develop in all Marblehead students the attitudes and dispositions of a Critical Spirit.*

MPS School Committee Mission Statement: *In all its decisions (policy, budget, and oversight of the Superintendent), the School Committee will support the implementation and sustainability of the Instructional Focus, which is the means to developing a Critical Spirit in each student.*

The School Committee's budget deliberations for FY11 are based on maintaining level services and meeting current contractual obligations. The Governor's midyear FY10 cuts to local aid and circuit breaker credits exacerbate the pressure on both the town and school budgets. Across the state, municipalities face escalating health insurance costs coupled with limited revenue streams, creating an austere fiscal climate for collective bargaining. The current Marblehead teachers' contract expired in August, 2009. The Marblehead Education Association and the School Committee continue to bargain in good faith and the teachers have continued to provide a high caliber education to our students. The School Committee's goal is to keep educators' salaries competitive in order to attract and retain high caliber professionals while maintaining quality educational services. A delicate balance must be found between offering competitive salaries and living within the town's financial means.

MARBLEHEAD TOWN REPORT

The School Committee continues to address its building facility needs through diligent maintenance and carefully planned capital projects, including the following initiatives currently underway:

1) The Village School: In May, 2008, the Massachusetts School Building Authority (MSBA) qualified the \$21.7M Village School repair project for up to 40% state reimbursement. After May Town Meeting approval and passage of a debt exclusion override in June, 2008, the Village Building Oversight Committee (VBOC) followed MSBA procedures and hired an architectural firm and an owner's project manager (OPM) in order to execute necessary drawings, schedule and procurement documents in order to begin infrastructure repairs in February, 2009. In December, 2008, the 6th grade was moved from the Village School to the Middle School in order to vacate the Village School's one-story wing, where Phase I construction work was completed in December 2009. Grades 4 and 5, along with administrative and support staff offices, moved back to the single floor building and addition located on Village Street. Phase II repair to the three story building has begun and is expected to be completed by September 2010 allowing for the return of our sixth grade students to the Village Street location. The extensive preparations to date have been successfully implemented thanks to the dedicated efforts of school personnel working in concert with the VBOC, chaired by volunteer Michael Rockett. For further information regarding the Village project, please visit the district website at Marbleheadschoools.org/committees/ and click on the "Village School Project" link.

2) Glover School: May 2008 Town Meeting approved funding for the Glover School Feasibility Study which will identify the most financially responsible and educationally sound solution to its facility needs. A \$395,000 debt exclusion override was passed in June, 2008. Per MSBA requirements, the Glover Building Oversight Committee hired an OPM to act as a building expert for the district, as well as a designer, who will provide architectural expertise to the district throughout the Feasibility Study phase. The Glover School Building Committee, chaired by Patricia Blackmer of the School Committee, is working closely with the MSBA to get approval of a preferred option for the building of a new school building on either the Glover or Eveleth site for 425 students in one building on one site. The GBOC is aggressively working within the MSBA process and timeframes in order to meet our town meeting schedule and qualify for the highest possible state reimbursement. For further information regarding the Glover project, please visit the district website at Marbleheadschoools.org/committees/ and click on the "Glover School Project" link.

MARBLEHEAD TOWN REPORT

3) Gerry School: This facility, now 103 years old, is aging gracefully but showing its age nonetheless. Ongoing work is necessary to address securing exterior wood components, re-pointing of portions of the brick façade, and fixing leaks in the slate roof. The School Department will continue to be a responsible steward for this school in anticipation of the time when the Gerry School can be submitted to the MSBA as the district's priority; then the collaborative process between the district and the MSBA will identify the most financially responsible and educationally sound solution to its facility needs.

4) Technology Master Planning Committee: Our district's technology within the schools continues to age and require updating and maintenance. In order to more effectively meet to continuing needs that technology creates, we have established a Technology Sub-Committee of educators, students, parents and community members all of whom have skills and experiences capable of a collaborative study of the needs and the development of a Master Plan document which can serve as the blueprint for our technology strategy going forward. For further information regarding the Technology Sub-Committee, please visit the district website at Marbleheadschoools.org/committees/ and click on the "Technology Committee" link.

The Marblehead School Committee is appreciative of the generosity of the many parent groups, community members and local businesses that support our schools. The Friends of Marblehead Public Schools continues to provide significant financial support for innovative education through its grants. Other private foundations also provide significant support to school programs. The School Committee remains fully committed to providing a quality education for Marblehead's students, while delivering a fiscally responsible budget to the taxpayers. Public education is a responsibility that challenges us to strive for excellence within our community's fiscal means, accessing state and federal funds whenever possible.

Respectfully submitted,
Dick Nohelty, Chairman
Marblehead School Committee

MARBLEHEAD TOWN REPORT

MARBLEHEAD PUBLIC SCHOOLS PERSONNEL ADMINISTRATION

Name	Position	Telephone
Dr. G. Paul Dulac	Superintendent of Schools	639-3141
Carmen Darisse	Supt. Administrative Assistant	
Jonathan Goldfield	Business Manager	639-3140
Kerry O'Shaughnessy	Personnel Secretary	
Christine Curtin	Payroll Secretary	
Mary Valle	Bookkeeper	
Kathy Gallagher	Accounts Payable Secretary	
Steve Medeiros	Supt. Assistant to Special Projects	639-3146
Robert Bellucci	Dir. of Student Services and Program Accountability	639-3148
Joya Pezzuto	Spec. Ed. Secretary	
Sue Gee	High School Interim Principal	639-3100
Margo Ivers	Principal's Secretary	
Kristina Kyles	HS Asst. Principal of Instruction & Curriculum (.5)	639-3100
Sean McNiff	HS Asst. Principal	
Anne Bontaites	HS Asst. Principals' Secretary	
Elizabeth Moore	Middle School Principal	639-3120
Donna Carey	Principal's Secretary	
Kilmer Sweazy	Middle School Assistant Principal	639-3120
Michael Hanna	Village School Principal	639-3159
Melody Worthley	Principal's Secretary	
Danielle Cherry	Village School Assistant Principal	639-3159
Tom Desjardins	Bell School Principal	639-3170
Gayle Louisos	Principal's Secretary	
Sean Satterfield	Coffin/Gerry Schools' Principal	639-3180
Linda Mills	Principal's Secretary	
Mary Devlin	Glover/Eveleth Schools' Principal	639-3190
Barbara Hawlena	Principal's Secretary	
Mike Plansky	Athletic Director	639-3100
Patricia Magee	Secretary Athletic Dept.	
Francois Fils-Aime	METCO Director	639-3100
Beth Delforge	Fine Arts Curriculum Director	639-3100
Martha Bedrosian	K-12 Science Curriculum Director	639-3100
Kristina Kyles	Curriculum Director Coordinator (.5)	639-3146

MARBLEHEAD TOWN REPORT

Sue Gravel	K-6 ELA & World Cultures Coordinator	639-3159
Kathy Comeau	Technology Director	639-3100
Paula Dobrow	Lead Nurse	639-3147
Richard Matthews	Director of Facilities	639-3120
Tara Hatala	Food Services Director	639-3100
Karen Bourgeault	Grants Coordinator	639-3148
Katherine Farrell	Data Specialist	639-3160
Patricia Armstrong	Sped, Autism Specialist	639-3143
Nancy Bryson	High School Special Ed Chairperson	639-3110
Janine Glabicky	Sped Chair Inclusion Grds.4-8	639-3165
Maureen Smith	Sped Chair Special Programs PreK-8	639-3148
Nancy Charest	Early Childhood Coord. and Sped Chair Inclusion PreK-3	639-3170

FACULTY AND STAFF

Name	Current Assignment
Adams, Diana	Custodian
Adams, Bethany	PACE
Addis, David	Tutor, Sped
Agostini-Sheridan, Susan	Tutor, Reading
Alla, Joyce	Tutor, Title 1 Reading
Allen, Cynthia	Para, Sped Gr 4
Alling, Matthew	FL Latin
Alvarez-Dobrusin, Alisa	Para, Sped
Alves, Lisa	Para, Sped and Lunch
Amsden, Valerie	Tutor, Sped
Anderson, Sharon	Tutor, Sped
Anderson, Martha	Cafeteria
Anderson, Robin	Social Worker
Andrews, Lisa	Para, Sped and Lunch
Andrews, Laura	Tutor, Sped
Angelopolus, Adam	Grade 6
Antonucci, Deborah	Sped, 7-8 Lang Based
Apostoloff, Kimberly	Para, Sped
Armstrong, Cory	Para, Sped/Lunch
Arnould, Carol	Grade 2
Arthur, Elena	Nurse
Audibert, Kathryn	Cafeteria

MARBLEHEAD TOWN REPORT

Babbitt, Diane	Kindergarten
Bach, Janet	Sped Integ 2
Bailey, Marguerite	Cafeteria
Baker, Amie	Phys Ed
Balboni, Robert	Custodian
Barrell, Maribeth	Sped, Res Rm
Barrett, Melissa	Tutor, Reading
Barry, Judith	Cafeteria
Barton, O'Malley	Math
Battle, Jennifer	Guidance Counselor
Beaulieu, Judith	Art
Beckman, Rachel	Grade 1
Beechwood, Justin	Tutor, Sped STEPS
Belli, Natalie	Gr 5 Lang Arts/SS
Bellucci, Robert	Director of Student Services
Benton, Danielle	Tutor, ABA
Berg, Robin	Grade 2
Bergeron, Leroy	Custodian
Bergeron, Kerry	Grade 2
Bernhardt, Terri	Psychologist
Best, Kimberly	Tutor, Reading
Bial, Lisa	Tutor, Wilson Reading
Billings, Jennifer	English
Bishop, Kathleen	Tutor, Sped
Blake, Constance	Grade 1
Blanchard, Gianna	Grade 2
Blodgett, Amanda	Grade 6 Math/Science
Bonneau, Nicole	Social Worker
Boroda, Stefan	Para, Therapeutic Gr 7
Bosken, Lindsay	Grade 1 Supported
Bottiggi, Carolyn	ABA Tutor
Bouchard, Jacqueline	Tutor, Sped
Bowden, Denise	Math, Gr 7
Bowden, Catherine	Para, Lunch
Bowen, Adam	Grade 3
Bowen, Virginia	Library Media Specialist
Bowler, Kathleen	Grade 3
Boyce, Leslie	Para, Sped
Brand, Rebecca	K-3 Reading Specialist
Branham, Kristy	Behavior Specialist

MARBLEHEAD TOWN REPORT

Breed, Nancy	Para, Kdg/Lunch
Breed, Mary	Phys Ed
Brennan, Dana	Grade 5
Brenner, Nicole	Sped, STRIDES
Broughton, Alison	Para, Sped
Buganski, Melissa	Spanish
Buono, Anna	English
Buonopane, Kathy	Computer Support
Buonopane, Susan	Sped, 8 Inclusion
Bushman, Molly	Tutor, Math
Butters, Bryan	Social Studies
Butterworth, Susan	Grade 8 English
Byrne, Katherine	Chemistry
Calahan, Robin	Para, Sped
Callaghan, Tawny	Science, Grade 7
Callaghan, Mario	Social Studies
Callahan, Meghan	COTA
Campbell, Pamela	Para, Sped
Carey, Cathy	Tutor, Sped
Carpenito, Nichole	Art .8FTE
Carroll, Linda	Para, Clerical
Castoldi, Catherine	Gr 9 Res Room
Cavanagh, Maureen	Tutor, Reading
Cecere, Michael	Phys Ed
Cefalo, Carla	Health
Chacon, Fabio	Custodian
Chalek, Wendy	Tutor, Lang. Based
Chalifour, Edythe	Cafeteria
Chavez, Jennifer	Latin
Chaykowski, Christine	Guidance Counselor
Christensen, Henry	Tech Ed
Ciccone, Amy	Para, Clerical
Clark, Lora	Grade 4
Clayman, Sally	Para, STEPS
Cleary, Elizabeth	Para, Sped
Clements, Scott	Custodian
Clough, Patrice	English
Clough, Linda	Para, Sped
Cohen, Craig	Tutor, Sped ABA
Cohen, Donna	Tutor, Sped

MARBLEHEAD TOWN REPORT

Colby, Stephanie	Library Media Specialist
Coleman, Rosalind	Para, Sped and Lunch
Colfer, Robert	Social Studies
Colon, Mildred	Para, Sped
Comeau, Ronald	Maint, Electrician
Comins, Brenda	Cafeteria
Conley, Karen	Grade 3
Convery, Lauren	Para, Sped
Cooney, Constance	Grade 5
Costonis, Christina	Grade 6
Cowan, Judith	Tutor, Sped
Coyle, Carolyn	Grade 1
Criswell, Maryann	English
Croke, Deborah	ABA/Home Tutor
Cronan, Elizabeth	Para, Sped
Cronin, Lenore	Kindergarten
Crosby, Rosemary	Nurse
Crowley, Brian	Social Studies
Cruz, Claridalia	Spanish, .5
Culhane-Herman, Catherine	Nurse
Cullen, Deborah,	Nurse
D'Amelio, Danielle	Kindergarten
D'Amour, Eileen	Music
Dana, Gregory	Math
Darci, Maureen	Kindergarten
Darling, Kara	Tutor, Sped Language Based 4/5
Dartley Rocco, Maura	Wellness
Davidson, Gail	Cafeteria
Davis-Allan, Ann	Sped, 7 Inclusion
Dawes, Elizabeth	Sped, Acad Skills
Dawes, Edmund	Science, Engineering
DeBerardinis, Debora	Physical Therapy Assistant
DeFranco, Gloria	Para, Sped and Lunch
Deiana, Dawna	Grade 4 Inclusion
Delano, Judith	Para, Lunch
Delman, Renee	Kindergarten, Integrated
Denis, Margaret	Cafeteria
Devaney, Amanda	Guidance Counselor
Dewing, James	Custodian Asst Head
Dewing, Diane	Cafeteria

MARBLEHEAD TOWN REPORT

Dexter, Lesley	Tutor, Sped
Dickenson, Stephen	Math - Title I
DiGiammarino, Jennifer	Tutor, Math
Dill, Estelle	Academic Skills Grade 6
Dillon, Robert	English
Dixon, Lelia	Grade 4
Doane, Marilyn	Para, Clerical
Doben, Maggie	Grade 2
Dodge, Elizabeth	Tutor, Sped
Doughman, Cathy	Para, Lunch
Douglass, James	Custodian
Dow, Brian	Art .8FTE
Drummond, Ellen	Grade 1
Duffy, Brianne	Spanish
Duffy, Amy	Grade 2
Duncan, Sharon	Para, Sped and Lunch
Eaton, Allison	Guidance Counselor
Edwards, Kathleen	Tech Ed/Family Consumer
Eisenhower, Kay	Grade 8
Elmer, Kara	Guidance Counselor
Elterich, Kristen	Psychologist
Emblidge, Jennifer	Biology
Emond, Christine	Tutor, Sped
Ericsson, Thomas	Science, Biology
Erikson, Melissa	Grade 3
Erskine, Kimberly	Physical Therapist
Evans, Vanessa	Spanish
Fairbanks, Lee-Anne	Grade 1
Fallon, Lois	Secretary Guidance
Fargo, Eric	Phys Ed
Feins, Robin	English
Feraco, Nadine	Inclusion Grade 5
Ferris, Linda	Para, Kdg/Lunch/Bus
Ferris, Kathryn	Band
Finnegan, Jennifer	Sped, Res Rm .5
Finn-Welch, Ellen	Sped. Spch&Lang Therapist
Fischer, Susan	Grade 5 Inclusion
Fishman, Lindsay	Grade 5
Fitzgerald, Judith	Cafeteria
Flynn, Bridget	Para, Sped/Lunch

MARBLEHEAD TOWN REPORT

Forero, Martha	Custodian
Forward, Maura	Grade 4
Foye, Kristy	Strings, 4-12
Frankel, Dara	Tutor, Reading
Frankhouser, Joann	Psychologist
Fraser, Holly	Music
Frawley, Patricia	Sped, PK-K SAILS
Freto, June	Cafeteria
Friedrich, Jennifer	Chemistry
Futcher, Edward	Math
Gallinelli, Robert	Grade 8 Science
Gallinelli, Bethany	Tutor, Sped
Galper, Michelle	Tutor, Sped
Garrett, Karen	Tutor, Sped
Garry, Benjamin	Language Based
Gaskell, Marian	Tutor, Sped
Gatchell, Douglas	Custodian Nights
Gauthier, Allan	Guidance Counselor
Gay, Betsy	Kindergarten
Geary, Joan	Science
Geraghty, Anne	Sped, Spch&Lang Asst
Giardi, Michael	Math
Gilbert, Rebecca	Sped, Inclusion
Gilligan, Amy	Para, Clerical and Lunch
Goering, Kathryn	Speech & Language 1.0FTE
Goldner, Paul	Physics
Goodwin, Darlene	Para, Sped
Goodwin, Josene	Cafeteria
Gora, Diane	Grade 1
Gorman, Kelly	Para, Sped
Graziano, Angela	Grade 2
Greeley, Elizabeth	Cafeteria
Green, Joseph	Custodian
Greenberg, Mindi	Spanish
Guerrido, Annelly	Tutor, 1:1 Sped
Guider, F.	Math
Gunter, Cassandra	METCO Bus Monitor/clerical
Gurman, Martha	Sp/Lang. .8FTE
Guthartz, Randy	Art
Guttadauro, Jae	FL Spanish

MARBLEHEAD TOWN REPORT

Halks, Judith	Library Media Speciaist
Hall, Phyllis	Cafeteria
Hall, Faith	Grade 3
Halvorsen, Alice	Grade 6
Hamilton, Anne	Para, METCO Clerical
Hamilton, Monica	Para, Sped
Hanifey, Patricia	Para, Clerical
Hanson, Cara	Music
Harmon, Paul	English
Hart, Mary Ellen	Literacy Academic Coach
Haskell, William	Custodian
Hastings, Rebecca	Para, Kdg and Lunch
Hecht, Elizabeth	Kindergarten
Heenan, Brian	Science, Biology
Heller, Jonathan	Grade 6
Herchenhahn, Mary	Art, Elementary .8FTE
Herrick, Cheryl	Sped, 9 Resource Room
Hertz, Amy	Para, Sped
Hicks, Patrick	Tutor, Sped
Higgins, Thomas	English
Hill, Jennifer	Custodian
Hirshberg, Matthew	Social Studies
Hobson, Alexandra	Grade 5 Math/Science
Holbrook, Susan	Sped Res Room
Holtzman, Sally	Para, Sped/Lunch
Hughes, Anna	Tutor, Reading
Hughes, Kenneth	Custodian/Bus Driver
Humphrey, Melissa	Social Studies
Hunter, Mary Jane	Para, Sped
Hyde, Timothy	Tutor, Special Education
Hyte, Alyson	Para Math/Science
Ingram, Casey	Grade 3
Introini, Jessica	Grade 4
Jackson, Jacklyn	Cafeteria
Jalbert, Jean	Custodian, Head
James, Lynda	Grade 4
Janock, Heidi	Grade 2
Jesoraldo, Christine	Para, Sped
Johnson, Beth	Grade 2
Johnson, Carol	Social Worker

MARBLEHEAD TOWN REPORT

Johnston, Elisa	Tutor, Sped
Jones, Bethan	English
Jones, Paula	Grade 2
Jones-Tentendo, Marylyn	Para, Kdg/Lunch
Joy, Katie	Tutor, Sped
Joyce, Michael	Permanent Substitute
Juncker, Henry	Social Studies
Kakulu, Cyril	METCO Liaison
Kalfin, Gale	Sped Grade 11 Resource
Kalpin, David	Math
Kaltsas, Eleni	Cafeteria
Kamin, Shelley	Sped Clerk
Kannally, Timothy	Grade 4
Karns, Brigitte	Grade 8
Kavanagh, Joan	Sped, Lang Based
Kelley, Liam	Custodian
Kennedy, Patricia	Cafeteria
Keroack, Maria	Tutor, ELL
Knight, Katherine	Para, Kdg and Lunch
Knowlton, Nancy	Para, Sped
Kolsky, Robert	Custodian
Korodi, Nicole	Grade 3
Kraft, Ali	Tutor, Sped
Kritikos, Alexis	Tutor, Sped
Kunzer, Julie	STEPS Grade 6/7
Kusmar, Linda	Para, Clerical
Lallas, Catherine	Guidance Counselor
Lamby, Juanita	Guidance Counselor
Land, Howard	Bus Driver/Custodian
Landergan, Catherine	Tech Ed
Landy, Eileen	Tutor, Reading
Lane, Cortney	Sped, Inclusion
Lavender, Michael	Phys Ed
Lavoie, Scott	Custodian
Lavoie, Susan	Tutor, Reading
Leap, Jeanette	Para, Kdg and Lunch
LeBlanc, JoAnne	Para, Clerical and Lunch
LeBlanc, Mary	Grade 6
LeClerc, Mary	Para, Clerical
L'Ecuyer, Lindsay	Chemistry

MARBLEHEAD TOWN REPORT

LeFleur, Sandra	Sped, Int Preschool
Legget, Donna	Para, Sped
Lehman, Karen	Photography
Lemieux, Robert	Custodian
Lemieux, Jody	Tutor, Reading
Leslie, Margery	Tutor, Sped
Leverone, Amy	Tutor, Sped
Little, Luana	Grade 7
Lonergan, Barbara	Para, 1:1 Sped
Long, Glenn	Custodian, Head
Lothrop, Janet	Para, Sped, Therapeutic
Lovely, Laura	Grade 7
Luise, Judy	Adjustment Counselor
Lutwak, Elizabeth	Library/Media Specialist
Lydon, Maria	Para, Kdg/Lunch
Maag, Tracy	Permanent Substitute
MacDonald, Melissa	Para, Sped
Mace, Jayne	Para, Science Lab
Mace, Richard	Custodian
Mack, Gail	Academic Skills
Magana, Elmer	Spanish
Maney, Martha	Para, PreK
Margolis, Linda	Grade 5
Masterson, Danielle	Grade 6
Matuza, Sarah	Grade 7 Math
McCarthy, Elizabeth	Para, Lunch
McCarthy, Laura	Grade 2
McEntee, Christine	Para, Kdg and Lunch
McGrath, Danielle	Phys Ed
McGrath, Kristen	Nurse
McGuinness, Melissa	Grade 1
McIntosh, John	Phys Ed
McKeever, Charles	Custodian, Head
McKie, Maryann	Secretary
McLaughlin, Janice	Cafeteria
McLean, Gordon	Math
McMahon, Maura	Grade 3
McMahon, Julie	Grade 5
McNamara, Mary	Para, Gr 6 Sped
McNamee, Kathleen	Access Program

MARBLEHEAD TOWN REPORT

McWilliams, Laurence	Tutor, Sped
Medeiros, Steve	Principal/Adm. Asst. for Special Projects
Mello, Rena	Grade 4/5 Academic Skills
Mellor, Margaret	Para, Kdg/Lunch
Merrill, Melissa	Tutor, Reading
Metheny, S	Para, Sped
Michaud, Maria	Para, Sped and Lunch
Miles, Mary	Grade 6
Miller, Joan	Sped, 7 Inclusion
Millett, Michael	Technology Network Manager
Minigiello, MaryBeth	Para, Kdg/Lunch
Monaco, Merel	Tutor, Sped
Moretto, Denise	Psychologist
Morneau, Albert	Maint, General
Moses-Farmer, Barbara	Secretary
Moss, Maria	Grade 1
Moya, Luz	Para, Lunch
Mullarkey, Tracie	Para, Sped
Murphy, Lisa	Sped, Lang Based
Murphy, Philip	Phys Ed
Murray, Dawn	Nurse
Nash, Laura	Grade 5
Neilson, Paula	Kindergarten
Nelson, Todd	Para, PACE
Nesbitt, Tracy	Tutor, Reading
Neumann, Carol	Tutor, Math
Newsome, Jeffrey	Guidance Counselor
Nicosia, Jennifer	Para, Lunch
Nohelty, Tammy	Technology
Norman, Kristen	Secretary, Student Activities
November, Donna	Grade 3
O'Reilly, Debora	Science, Chemistry
Pagano, Justin	Computer Support Specialist
Page, Susan	Para, Lunch
Page, Carolan	Tutor, Math
Page, Harriett	Science, Chemistry
Pasackow, Noah	Grade 7 Social Studies
Pasquini, Monika	Spanish
Payne, John	Marine Technology

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Pedro, Christopher	Para, Sped
Perroni, Brenda	Grade 1
Peters, Evonne	Tutor, Sped
Peterson, Valerie	Music
Phillips, Tammy	Tutor, Sped
Phillips, Raymond	Custodian
Piccini, Donna	Para, Lunch
Pierce, Karen	Sped Integ 3
Pierce, Stephen	Art
Pillsbury, Susan	Sped, Spch&Lang Path
Pittman, Alexander	Physics
Pittore, Patrica	Grade 2
Poisson, Frances	Para, Clerical
Powell, Kathleen	Tutor, Reading
Powers, Lauren	Gr 4/5 STEPS
Price, Dawn	Para, Lunch
Pruett, Elizabeth	Grade 4
Pryce, Anneka	Tutor, ABA
Pugh, Annie	Grade 5
Purdin, Joy	Grade 4
Queval, Pascale	FL French
Quigley, Suzanne	Tutor, Sped
Quillen, Lisa	Grade 1
Quinn, Janet	Tutor, Reading
Racki, James	Custodian, Head
Raimer, Jennifer	Grade 3
Raimo, Paulette	Para, Preschool
Ranta, Mary Ellen	Tutor, Sped
Ray, Paula	Para, Sped
Reardon, Meredith	Guidance Counselor
Restaino, Gina	Sped, Access
Reulbach, Christina	Tutor, Math and Lunch
Reynolds, Katherine	Science, Gr 8
Ricardo-Gil, Joan	Tutor, ELL
Richards, James	Custodian
Rivera, Hope	Para, Sped and Lunch
Robles, Javier	Custodian
Rochford, Paige	Occupational Therapist
Roeder, Amanda	Music
Roeser, Kathleen	Tutor, Reading

MARBLEHEAD TOWN REPORT

Rombach, Jeannie	Tutor, Sped
Rosenthal, Michele	Tutor, ELL
Ross, William	Van Driver/Custodian
Ross, Killeen	Grade 4
Rothenberg, Suzanne	Para, Sped
Rotman, Sandra	Phys Ed
Rowe, Julie	TIDES
Roy, Joyce	Grade 4
Rudloff, James	Sped, HS Therapeutic
Rudzinski, Elizabeth	Kindergarten, Integrated
Rumson, Janet	Grade 5
Russett, Kristen	FL French
Ryan, Connor	English
Ryan, Nicole	Art
Ryan, Micheline	Math
Rydzewski, Kenneth	Sped, 12 Resource Room
Sands, Klara	Latin
Sarnevitz, Shari	Nurse
Schaffnit, James	Grade 7
Schiller, Barbara	Tutor, Reading
Scott, Anne	Nurse
Scribner, Robert	Custodian, Head
Scribner, Deborah	Custodian, Head
Sevinor, Meryl	Kindergarten
Sexton, Erica	Grade 4
Shapiro, Mary	Grade 1
Shatford, Susan	Tutor, Sped and Lunch
Sheehan, Amy	Secretary, Sped
Sheridan, Peter, Shop	Carpentry
Sheridan, Frances	Kindergarten
Shevory, Sally	Grade 3
Sholds, Kristinia	English
Shull, Williard	Grade 7
Simard, Christine	Cafeteria/Sped Van Monitor
Skalaban, Janice	Business
Slattery, Margaret	Sped Admin Assistant
Slattery-Sumner, Marjorie	Cafeteria
Slepian, Jane	Para, Sped and Lunch
Sliney, Candice	Spanish
Smith, Karen	Tutor, Reading

MARBLEHEAD TOWN REPORT

Smith, Kathryn	Grade 8
Smith, Nancy	Grade 3
Smith, Bethany	Psychologist
Smullin, Rachel	Sped, TIDES
Snow, Lyn	Behavior Specialist
Softic, Gavin	Tutor ABA, Sped
Soghomonian, Allison	Library Media Specialist
Sojka, Szymon	STEPS
Sommerstein, Ann	Para, Sped
Song, Kendra	Math
Soucy, Wendy	FL-French, Senior Project
Spear, Susan	Tutor, Sped
Spillane, Carol	Kindergarten
Spinale, David	Custodian/Van Driver
Steadman, Joanne	Phys Ed
Steinberg, Sari	Sped, Spch&Lang Path
Stevens, Caron	Para, Sped and Lunch
Stoddard, Joseph	Music
Stoll, Gayle	Sped, Spch&Lang Path
Stomatuk, Joan	Business
Stonecipher, Timothy	Guidance Counselor
Stout, Rebecca	Music
Stronach, Tara	Tutor
Stuart, Bridget	Tutor, Sped
Sugarman, Lisa	Tutor, Reading
Sullivan, Sarah	Language Based
Sumner, Gregory	Custodian
Tangney, Matthew	Social Studies
Taranto, Beth	Para, Sped and Lunch
Tarmey, Mark	Permanent Substitute
Tatirosian, Lynne	Tutor Title I ELA
Tatterfield, Martha	Cafeteria
Taverna-Dennis, Barbara	Sped Mod Sped Needs
Tejada, Lynne	Cafeteria
Tentindo, Paul	Psychologist
Terpos, Katherine	Health
Thomas, Barbara	Kindergarten
Thompson, Cynthia	Para, Fine Arts Clerical
Thorne, Nancy	Tutor, Math
Thornton, Susan	Academic Skills

MARBLEHEAD TOWN REPORT

Tirelli, Robert	Music
Tobin, Catherine	Para, Kdg/Lunch
Todd, Caroline	English
Trainor, Stephanie	Grade 6
Traynor, Veronica	Para, Sped
Treff, Maria	Tutor, Sped
Trunfio, Jane	Physical Therapist
Tully, Frances	Grade 1
Turcotte, Lindsay	Grade 3
Venezia, Stephen	Social Studies
Volpe, Stephen	Grade 5
Vona, Mark	Math
Wachtel, Kyle	Phys Ed
Wahtera, Philo	Grade 2
Wales, G. Herrick	Grade 4 Inclusion
Wales, Susan	Sped
Walker, David	Tutor, Sped
Wallace, Anthony	Physics
Ward, Laura	Grade 5 Math/Science
Warren, Kenneth	Music
Warren, Nathan	Social Studies
Watt, Melanie	COTA
Webster, Leigh	Tutor, Sped
Weiss, Laura	Resource.5FTE/Preschool .5FTE
Wentzell, Jean	Sped Gr 8 Inclusion
West, Andrea	FL French
Whittier, Dawn	Para, Kindergarten
Wicks, Celine	Grade 6
Wilkins, John	Social Studies
Willard, Marilyn	Para, Sped
Williams, Nancy	Para, Clerical
Williams, Jillian	Sped, TLC Program
Williams, Pamela	Tutor, Academic Skills
Wilson, Janice	Secretary, Guidance
Wilson, James	Sped Resource Room
Wolff-Variam, Cheryl	Tutor, Wilson Reading
Wood, Enid	Cafeteria
Woodfin, Lonna	Nurse
Worrick, Ann	Tutor, Reading
Xiarhos, Kristin	Special Education Teacher

MARBLEHEAD TOWN REPORT

Yakubian, Elaine
Yanow, Brooke
Zalanowski, David
Zarni, Patricia
Zimmer, Wendy
Zolot, Jill, Tutor

Para, Sped
Kindergarten
Physics
Para, Sped
Sped, Spch&Lang Path
Sped Academic Skills

2009 MCAS SUMMARY

Longitudinal Summary

(percentage of students at each performance level)

Grade 3 System Wide					
Reading/ELA	2005	2006	2007	2008	2009
Advanced		38	26	28	26
Proficient	81	40	48	47	47
Needs Improvement	16	21	21	21	23
Warning/Failing	2	1	4	4	4
Mathematics		2006	2007	2008	2009
Advanced		6	30	37	28
Proficient		64	41	37	44
Needs Improvement		25	21	20	21
Warning/Failing		5	8	6	7

MARBLEHEAD TOWN REPORT

Grade 4					
English/Lang. Arts	2005	2006	2007	2008	2009
Advanced	14	8	18	13	20
Proficient	51	57	63	54	50
Needs Improvement	29	28	15	27	25
Warning/Failing	6	7	4	6	5
Mathematics	2005	2006	2007	2008	2009
Advanced	21	19	21	26	20
Proficient	37	36	37	34	34
Needs Improvement	36	38	34	34	41
Warning/Failing	7	8	8	6	5

MARBLEHEAD TOWN REPORT

Grade 5					
English/Lang. Arts	2005	2006	2007	2008	2009
Advanced		25	21	25	29
Proficient		55	56	54	51
Needs Improvement		15	19	18	16
Warning/Failing		4	3	3	4
Mathematics	2005	2006	2007	2008	2009
Advanced		30	33	42	26
Proficient		36	41	29	42
Needs Improvement		26	18	20	20
Warning/Failing		8	8	10	12
Science & Tech.	2005	2006	2007	2008	2009
Advanced	18	18	18	26	28
Proficient	53	46	42	42	32
Needs Improvement	25	32	35	27	33
Warning/Failing	4	4	5	5	7

MARBLEHEAD TOWN REPORT

Grade 6					
English/Lang. Arts	2005	2006	2007	2008	2009
Advanced		20	17	28	31
Proficient		64	69	57	54
Needs Improvement		13	12	12	13
Warning/Failing		3	2	3	3
Mathematics	2005	2006	2007	2008	2009
Advanced	26	25	28	39	46
Proficient	36	41	42	40	32
Needs Improvement	24	23	24	14	16
Warning/Failing	14	11	6	7	6

Grade 7					
English/Lang. Arts	2005	2006	2007	2008	2009
Advanced	19	20	21	20	23
Proficient	66	64	69	71	62
Needs Improvement	13	14	8	8	13
Warning/Failing	2	2	1	2	2
Mathematics	2005	2006	2007	2008	2009
Advanced		15	21	22	30
Proficient		37	40	44	37
Needs Improvement		35	30	27	24
Warning/Failing		13	9	8	9

MARBLEHEAD TOWN REPORT

Grade 8					
Eng/Language Arts	2005	2006	2007	2008	2009
Advanced		24	39	39	29
Proficient		60	57	55	66
Needs Improvement		13	2	6	4
Failing		3	2	0	0
Mathematics	2005	2006	2007	2008	2009
Advanced	31	34	36	43	40
Proficient	34	33	37	34	41
Needs Improvement	21	15	20	15	14
Warning/Failing	14	18	7	8	4
Science/Technology	2005	2006	2007	2008	2009
Advanced	1	12	6	8	9
Proficient	46	50	49	59	61
Needs Improvement	43	28	40	28	25
Warning/Failing	9	11	6	4	4

MARBLEHEAD TOWN REPORT

Grade 10					
Eng/Language Arts	2005	2006	2007	2008	2009
Advanced	43	17	44	39	53
Proficient	43	70	47	48	42
Needs Improvement	12	12	9	12	3
Warning/Failing	2	2	1	1	2
Mathematics	2005	2006	2007	2008	2009
Advanced	53	54	67	60	71
Proficient	27	28	22	26	21
Needs Improvement	17	13	10	10	6
Warning/Failing	4	5	2	4	2
Science& Technology				2008	2009
Advanced				34	33
Proficient				42	47
Needs Improvement				19	16
Warning/Failing				5	3

Scholastic Aptitude Test Scores (SAT)

Marblehead SAT Scores

AP Examinations

National Merit Scholarship Program

Class of 2007 – 1 Semi-Finalist and 13 Commended Students

Class of 2007	20 AP Scholar Awards
	14 AP Scholar with Honors Awards
	3 AP Scholar with Distinction Awards
	1 AP National Scholar

Size of Class	225
Percentage continuing education	92 %
Attending 4 year Colleges	84 %
Attending 2 year Colleges	8 %
Post Grad or Technical School	1 %
Military	1%
Percentage going into employment	6 %

MARBLEHEAD TOWN REPORT

Class of 2009

Valedictorian: Ryan Elizabeth Heffrin

	Brendon Scott Abel		Walker Pickering Cotton
*++	Elizabeth Akselrod	+	Tayla Malone Curtis
+	Hailey Dwyre Armstrong	*++	Justin Robert Dana
	Colby James Bates	*++	Caitlin Diane Davis
	Nickolas Belesis		Michael Tyler Decotis
*++	Maria Christine Bennett	+	Elise Danielle DiPrisco
	Matthew Bennett-Fieman		Kylie Elizabeth Diamont
	Kirk James Blaisdell		Anthony Robert DiGiammarino
*++	Eric Michael Blattberg		Aaron Henry Dinnes
	Sarah Umanita Bloom		Christopher George Donahue
	Annie Elizabeth Boldys		Sarah Werner Dowds
	Robert Scott Boynton		Nicholas Brian Doyle-Elwell
	Edward Graham Breed		Kaitlyn Marie Dudley
+	Julia Leigh Brenan		Michael Allan Ehlert
*++	Stephanie Beth Brooks	*++	Alec Saul Eidelman
	Benjamin Ian Bryant		Sophie Betty Enman
+	Alexander Sherman Bulger	*++	Jacob Samuel Evanter
	Melissa Aragón Butler		Aisling Catherine Fallon
*++	Christopher Michael Butterfield	+	Katherine Elizabeth Mary Fallon
	Zachary Nicholas Calmus		Michael Braun Farrell
	Nicholas Joseph Capalbo		Leah Katherine Femia
+	Connor Bradford Carey	*++	Amy Elizabeth Finn-Welch
+	Douglas Charles Carey		Sarah Cairns Fischer
+	Arielle Sarah Carrick		Caitlin Ann Forbes
+	Jennifer Lynn Carroll	*++	Morgan Rose Ford
	Christopher Cason		George Taylor Forsgard
	Lia Anderson Castner	+	Sarah Elizabeth Forward
	Samuel Robert Chalek		Alesandra Nicole Forziati
	Wilesa Marie Cineus		Nicholas Vincent Freddo
	Stephan C. Clarke	*++	Gavin Spencer Frisch
	Abigail Lavin Clayman	*++	Emily Amber Futcher
+	Benjamin Max Cohen	*++	Madilyn Marisa Gamble
	Michael Robert Cohn	*++	Jonathan Joseph Gammel
+	Daniel Charles Comeau		Elizabeth Rose Geraghty
	Anthony DeShawn Corbin	*++	Heather Margaret Giblin

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++	Heather Christine Gillispie		Kea Maria MacDonald
	Michael Murphy Glabicky	+	Brittany Williams Maxwell
	Calum Bryn Gridley	+	Katherine Fletcher Maxwell
	Kurt Benjamin Grossman		Daniel Shane McAndrews
	Emily Farrell Haggett		Dylan James McCloskey
	Megan Rogers Haley		Meaghan Patricia McDonald
	Nicholas Michael Haller		Ian Scott McKinley
	Jon Erik Hancke		Kelsea Marie McLean
	Alexander Paul Timothy Hare		Ryan Patrick McMahon
*++	James Victor Hark	*++	Margaret Hastings McMullen
	Zachary Gordon Harris		Elias Odinn Medina
*++	Ryan Elizabeth Heffrin		Ashley Marie Mendes
	Jessica Claire Helmes	*++	Cory Mitchell Meyer
+	Kathleen Pike Herlihy		Thomas David Millett IV
+	Victoria May Hermann		Ariel Avraham Marcus Minelli
	Maxwell Daley Hill		Anastasiya Miroshnikova
	Katherine Mary Holian		Hamilton Gabriel Moguea
	Joseph Fredrick Holland		Kathleen Marie Monaco
+	Kathryn Meaghan Homan	*++	Chandler Brooke Morrison
	Olivia Sara Isquith		Ryan Jonathan Muldoon
	Christopher Reid Jacobs		Julia Sara Murphy
	Zachery Andrew Jalbert		David Oniskin Nash
*++	Norah Martin Kairys	+	Julia Diana Navon
	Benjamin Elijah Karas		Tuzdé Geniece Nazaire
+	Adelaide Cannon Kattman		Dorie Lyn Neely
	Isabel Grace Katzman		Jared Ross Neely
+	Kimberly Elizabeth Kaull		Bradlee Austin Nevins
	Andrew Francis Kim		Daniel John Nicolas
*++	Ian Seth Kingsbury	*++	Samantha Kate Norman
	Nathaniel Michael Kobialka		Ryan Patrick O'Connor
*++	Melissa Jill Kornfeld		Sean Davis O'Connor
	Nathan William Krull	*++	Alexandra Leigh Oderman
+	Lauren Marie Kuszmar		Jessica Osariemen Okundaye
	Shannon Marrie Latham		Brian Azor Orne
+	John Joseph Lavoie-Mayer		Kelsey Mary O'Shea
	Brandon Xavier Lee		Serissa Nicole Peace
	Lindsay Jane Lemieux	*++	Kelsey Alyce Pedersen
+	Dylan Bennett Levine		Hannah Morgan Pelkey
	Jonathan Michael Lourie		Anastasia Elizabeth Pelletier
+	Taylor Elizabeth Maag		Emma Eleanor Taylor Pennock

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+	Liliya Perelman	*++	Hilary Schwartz
	Samuel Harrison Perlow		Tyler Hall Shepard
	Jennifer Caitlin Perry	+	Samantha Krinsky Smith
	Katrin Julia Petersen		Patrick Jeffrey Song
++	Ross Spencer Peterson		Eric Theodore Steen
	Jessica Copeland Pingree	+	Jason Christopher Stockwell
	Deirdre Margaret Piper		Erodita Altagracia Suarez
	Hallie Benay Pliner		Courtney Margaret Sullivan
+	Jessica Lynne Plunkett		Soniya Nechal Tejawani
*++	Zoe Rose Plympton	*++	Molly Alexandra Thibodeau
	Thomas Paul Powers	+	Theodore Hamilton Thomas
	Kara Allyson Preston		Patrick Kenneth Trout
*++	Grace Kimball Quigley	+	Alexandra Tsaryuk
	John Marshall Raimo		Timothy Goodwin Tufts
	Luiza Rapoport		Michael McCoubrey Tumulty
	Glen Alan Rawding		Geoffrey Prescot Van Wyck
	Thomas John Raynes	++	Aleksander Veksler
+	Emma Lee Rengel		Guilherme Smirne Von Zuben
	Aaron Frederick Reny		Charles Hoyt Walker
+	Olivia Renée Ritt	+	Brittany Kathleen Walsh
+	Hayley Catherine Robb	*++	Steven Andrew Waslo
*++	Jessica Sue Robbins	*++	Douglas Todd Webster
	Laura Heloise Robert		Gregory Andrew Welch, Jr.
+	Mark Anthony Roberto	*++	Elizabeth Lynn Whitehill
	Taylor Hill Roberts		Thomas John Wilk
*++	Joshua Michael Rooks		Nathaniel Ohmen Williams
	Emily Marie Rookwood		Jade Cassandra Williamson
	Nashua Yadira Rosa		Taylor Thomas Wright
+	William Toland Rosenfeld	+	Suzanne Frances Wyman
+	Emily Rose Rubin	*++	Jessica Kristin Xiarhos
	Yamila Ruiz	+	Ariel Lee Yoffe
	Peter Joseph Saggerer	*++	Wesley David York
+	Daria Moussa Sayan		Arthur Louis Zetes
	Emily Helen Piper Schmitt		Irina Zhorov
	Ryan Curtis Schrater		Ivana Eve Zimic

* National Honor Society Member

++ High Honor Graduate: 3.8 Cumulative Grade
Point Average or better (7 semesters)

+ Honor Graduate: 3.4 Cumulative Grade Point Average or better (7 semesters)

MARBLEHEAD TOWN REPORT

October 1, 2009 Enrollments

School	PreK	K	1	2	3	4	5	6	7	8	9	10	11	12	Totals
Bell	41	75	85	87	81										369
Coffin				83	90										173
Gerry		88	78												166
Glover			95	95	109										299
Eveleth		77													77
Village						219	263	251							733
Middle									228	252					480
High											219	239	259	238	955
Total	41	240	258	265	280	219	263	251	228	252	219	239	259	238	3252

MARBLEHEAD TOWN REPORT

Five-Year Enrollment Summary

	10/1/05	10/1/06	10/1/07	10/1/08	10/1/09
PreSchool	39	42	32	45	41
Elementary	1005	1029	1036	1036	1043
Village School	610	612	707	736	733
Middle School	462	462	463	475	480
High School	1001	990	982	989	955
Total	3117	3135	3220	3281	3252

MARBLEHEAD TOWN REPORT

Commonwealth of Massachusetts,
County of Essex, ss
to Any Constable in the Town of Marblehead
Greeting:

You are hereby required and directed in the name of the Commonwealth of Massachusetts to warn and give notice to the inhabitants of Marblehead, qualified to vote in elections and in town affairs, to meet at the Marblehead Veterans Middle School Auditorium, Duncan Sleigh Square, 217 Pleasant Street, Marblehead, MA, on Monday, the third day of May next A. D. 2010 (it being the first Monday in May) at 7:45 o'clock in the afternoon to act on the following articles in the Warrant for said meeting as follows:

Article 1 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, as requested by the Board of Selectmen.

Article 2 Reports of Town Officers and Committees

To receive the report of the Town Accountant, the reports of the Town Officers, and special Committees and act thereon.

Article 3 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, as sponsored by the Board of Selectmen.

Article 4 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, as sponsored by Town Counsel.

Article 5 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

MARBLEHEAD TOWN REPORT

may determine, or take any other action relative thereto, as sponsored by the Board of Selectmen.

Article 6 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.

Article 7 Ratification of Salary Bylaw

To see if the Town will vote to ratify certain actions taken by the Compensation Committee under the 1955 Salary Bylaw, Section 3(e) as last amended. Or take any other action relative thereto, as sponsored by the Compensation Committee.

Article 8 Fiscal 2010 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 2010 school budget, said sum to be added to article 47, item 101, schools, as voted at Town Meeting in May 2009, or take any action relative thereto. Sponsored by the School Committee.

Article 9 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.

Article 10 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.

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.

MARBLEHEAD TOWN REPORT

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 purchase 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.

Article 13 Collective Bargaining (IUE/CWE – Local 1776)

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2011 with Local 1776 of the IUE/CWE, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 14 Collective Bargaining (Fire)

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2011 with the International Association of Firefighters AFL/CIO CLC Local 2043, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 15 Collective Bargaining (Police)

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2011 with Town of Marblehead Police Officers Union, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 16 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 following 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.

Article 17 Pay Schedule and Reclassification (Traffic Supervisors)

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 following

MARBLEHEAD TOWN REPORT

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.

Article 18 Proposed Reclassification and Pay Schedule (Seasonal and Temporary Personnel)

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 following 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.

Article 19 Compensation - Town Officers

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, as sponsored by the Board of Selectmen.

Article 20 Old Landfill Remediation/Construct New Transfer Station

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Health for permitting, public bidding and construction for the landfill closure and new transfer station, including supplemental design services, constructing a cap for the area(s) encompassing the old landfill, deconstructing the old transfer station, constructing storm water controls, and constructing a new transfer station, new Recycling Drop-Off Area, new Swap Shed, and new Yard Waste Processing Area; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by Board of Health.

Article 21 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.

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Article 22 Disposal Area Remediation / Stony Brook Road

To see if the Town will vote to raise and appropriate a sum of money to be expended by the Board of Health for disposal area remediation as it relates to Stony Brook Road and private property(s) on Stony Brook Road, some of which abut land owned by the Town of Marblehead; 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.

Article 23 Stony Brook Road Clean-up Real Property Purchase

To see if the Town will vote to authorize the Board of Selectmen to purchase, acquire or take by eminent domain, 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 as part of the clean-up related to the historic operations of the former landfill, the property and building(s) located at 57 Stony Brook Road, and more particularly described in a deed found at Book 22473 Page 485 recorded at the Essex South Registry of Deeds containing 18,430 square feet +/-; or take any other action relative thereto. Sponsored by the Board of Health and the Board of Selectmen.

Article 24 Taking By Eminent Domain – Landfill Closure – Utility Easement

To see if the Town will vote to authorize the Board of Selectmen to purchase, acquire or take by eminent domain, and to raise and appropriate, either by appropriation, borrowing or otherwise, a sum of money to fund said purchase or taking along with all legal costs necessary to obtain a permanent utility easement for a project known as the Landfill Closure and Transfer Station Project, an interest in land located in Tioga Way which is a portion of Tioga Way, a private way and which easement will include approximately 20,640 square feet +/- , as more fully described in the plan entitled “Town of Marblehead Landfill Closure and Transfer Station Project, Proposed Tioga Way Easement” and dated January 18, 2010 on file with the Town Clerk’s office, said land having been determined to be necessary for the health and welfare of the inhabitants of Marblehead and to be used for municipal water and sewer purposes; or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Article 25 Taking by Eminent Domain – Landfill Closure – Sewer Main Relocation and Water Main

To see if the Town will vote to authorize the Board of Selectmen to purchase, acquire or take by eminent domain, and to raise and appropriate, either by appropriation, borrowing or otherwise, a sum of money to fund said purchase or taking along with all legal costs necessary to obtain a permanent utility easement

MARBLEHEAD TOWN REPORT

for a project known as the Landfill Closure and Transfer Station Project, an interest in land located off of Tioga Way which is a portion of Map and Lot 152 – 12 and which includes approximately 2,160 square feet +/- , as more fully described in the plan entitled “Town of Marblehead Landfill Closure and Transfer Station Project, Proposed Water and Sewer Easement” and dated January 18, 2010 on file with the Town Clerk’s office, said land having been determined to be necessary for the health and welfare of the inhabitants of Marblehead and to be used for municipal sewer and water purposes; or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Article 26 Taking by Eminent Domain – Storm Water Management

To see if the Town will vote to authorize the Board of Selectmen, to purchase, acquire or take by eminent domain, and to raise and appropriate, either by appropriation, borrowing or otherwise, a sum of money to fund said purchase or taking along with all legal costs necessary to obtain a permanent storm water management area for a project known as the Landfill Closure and Transfer Station Project, an interest in land located off of Green Street which is a portion of Map and Lot 160 – 39, 160 – 37 and 160 – 38 and which includes approximately 0.75 acres +/- , as more fully described in the plan entitled “Town of Marblehead Landfill Closure and Transfer Station Project, Proposed Land Taking on Muldoon Property” and dated January 18, 2010 on file with the Town Clerk’s office, said land having been determined to be necessary for the health and welfare of the inhabitants of Marblehead and to be used for municipal purposes; or take any other action relative thereto. Sponsored by the Board of Health.

Article 27 Transfer Station

To see if the Town of Marblehead will keep the Town dump leaf refuse area open to the public on Sundays between September 15th and December 15th from the hours of 10:00am – 5:00pm without interruption. The Town will make the necessary staff scheduling adjustments without any additional expense to the Town. Sponsored by Betsy Rickards and others.

Article 28 Amend Bylaw

To see if the Town will amend Chapter 255, Street and Sidewalk Regulations, of the Town of Marblehead Bylaws as follows:

1. Omit Article I §§ 255-1 through 255-3 in their entirety.
2. Amend Article III paragraph 255-5 through 255-12 as follows: in each instance where the title Surveyor of Highways appears change to Director of Public Works

Or to take any other action relative thereto. Sponsored by the Board of Selectmen.

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Article 29 Repair Sidewalks

To see if the Town will vote to appropriate a sum of money for the purpose of making repairs to sidewalks and 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.

Article 30 Pleasant Street Improvement Street Corridor – Land Acquisition

To see if the Town will vote to authorize the Board of Selectmen to purchase, acquire or take by eminent domain, and to raise a sum of money either by appropriation, borrowing or otherwise, to fund said purchase or taking along with all legal costs necessary to obtain a parcel of land located at 195 Pleasant Street, Assessors Map 109 Lots 8 and 9 and owned by Cyr Oil Corporation/Gregg J. Bruett Trustee and which includes approximately 3738+/-, said land having been determined to be necessary for the health and welfare of the inhabitants of Marblehead and to be used for municipal purposes; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 31 Pleasant Street Corridor Improvement Project

To see if the Town will vote to appropriate a sum of money to fund the design, including professional services, and construction of improvements to the Pleasant Street corridor from the intersection of Village Vine and Pleasant Streets to Smith Street, including but not limited to traffic light upgrades, roadway reconfigurations and sidewalk improvements, and to raise said sum by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 32 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.

Article 33 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,

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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.

Article 34 Storm Drainage Construction

To see if the Town will vote to appropriate a sum of money for the construction or reconstruction of 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 purposes 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.

Article 35 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.

Article 36 Capital Improvements - Abbot Public Library

To see if the Town will vote to appropriate a sum of money for the purpose of remodeling, renovation or making extraordinary repairs, including all professional architectural, design or engineering fees, to the Abbot Public Library; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Abbot Public Library Board of Trustees.

Article 37 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.

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Article 38 Traffic Offenses / Driving While Distracted

To see if the Town will amend the Town of Marblehead Bylaws by adding a new Article III in Chapter 264 Vehicles and Traffic, as follows:

Article III Moving Violations

§264-22 Failure to Maintain Control of a Motor Vehicle

- A. Purpose: To maintain good order and provide for the public's safety while driving, using, walking and/or interacting on the streets and ways located in Marblehead.
- B. Authority: This provision is adopted pursuant to Article 89, Section 6, of the Amendments to the Massachusetts Constitution, G.L. c. 40, § 21 and G.L. c. 90C.
- C. Definition. "Operation of a Motor Vehicle While Distracted" means the operation of a motor vehicle by a person who, while operating the vehicle, is engaged in the activity of typing on or reading from a wireless communication device (also known as "texting" or "emailing" or receiving or sending or reading communications from and/or on said device) while driving, for purposes other than making a call on a cellular telephone. Further that said behavior is not necessary to the operation of the vehicle; and that actually impairs, or would reasonably be expected to impair, the ability of the person to safely operate the vehicle.
- D. Violation: Failure To Maintain Control of a Motor Vehicle. A person who engages in the Operation of a Motor Vehicle While Distracted shall be deemed in violation of this bylaw.
- E. Exceptions: This bylaw shall not apply to public safety personnel including the Town of Marblehead Police Department and Fire Department, who are using computer and text generated information in the performance of their duties.
- F. Penalty: Penalties for violations hereunder shall in accordance with G.L. c. 90C as follows:
 - a. First Offense: \$ 35.00

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- b. Second Offense: \$ 75.00
- c. Third Offense: \$ 150.00

G. Enforcement: The Chief of Police and/or his/her employees or appointees shall be responsible for enforcement of this bylaw in accordance with G.L. c. 90C.

Or to take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 39 Release Existing Easement

To see if the Town will vote to authorize the Board of Selectmen, with the approval of town counsel as to form, to release, convey, transfer, exchange or otherwise dispose of all or any portion of the utility easement as described as an easement over 14 Wallace Road, shown as Old Parcel A on a plan entitled Plan for Sewer Easements Ocean Ave. – Bubier Rd. in Marblehead, MA, dated August 4, 1997, and recorded in Plan Book 390, Plan 60 to Dorothy Jarvis, owner of 14 Wallace Road, Marblehead, Massachusetts, by deed dated January 20, 1981, recorded with the Essex County Registry of Deeds at Book 6786, page 274, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 40 485 Lafayette Street / Western Non-Utility Section / Activity and Use Limitation

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into and place an Activity and Use Limitation on the property known as the “Western Non-Utility Section” located adjacent to 485 Lafayette Street, the former Chadwick Lead Mill Site, as part of the remediation of hazardous material being undertaken by NL Industries Inc. and as more particularly described in a plan entitled “Site Plan Showing Proposed Cleanup Areas” dated December 2009 by Woodward & Curran in the area shown as the “Western Non-Utility Section” which said plan is on file with the Town Clerk, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 41 485 Lafayette Street / Bike Path / Activity and Use Limitation

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into and place an Activity and Use Limitation on the property known as the “Bike Path” located adjacent to 485 Lafayette Street, the former Chadwick Lead Mill Site, as part of the remediation of hazardous material being undertaken by NL Industries Inc. and as more particularly described in a plan entitled “Site Plan Showing Proposed Cleanup Areas” dated December 2009 by Woodward & Curran in the area shown as the “Bike Path Section” on said plan which said plan is on file

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with the Town Clerk, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 42 Artificial Turf Field – Piper Field, Marblehead High School

To see if the Town will vote to appropriate a sum of money for the design, installation and maintenance of an artificial turf field at Piper Field, Marblehead High School, 2 Humphrey Street; including all requisite professional fees such as feasibility studies, design, architectural and engineering fees and all requisite maintenance equipment including the purchase of all necessary tractors, machinery and sports equipment suitable for artificial turf; to determine whether this appropriation shall be raised by issuance of bonds or notes or otherwise and take any other actions relative to this project. Sponsored by Bruce Bial and others.

Article 43 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 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.

Article 44 Essex North Shore Agricultural and Technical School District

To see if the Town will vote to authorize the Town to become a member of the Essex North Shore Agricultural and Technical School District (the "District") in accordance with Chapter 463 of the Acts of 2004 (as amended); and to further authorize the Town to approve the debt of the district authorized or to be authorized in the amount of \$133,000,000.00 dollars, the Town's share of which shall be apportioned to the Town based on the Town's projected percentage of enrollment for the proposed Essex North Shore Agricultural and Technical High School, to be expended under the direction of the District for construction of the Essex North Shore Agricultural and Technical High School, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 45 Amend Dog By-law

To See if the Town of Marblehead will vote to amend Article III § 13-10 (C) of the Town Bylaw which currently reads:

C. Licensing period. The licensing period shall be from April 1 to March 31 of each calendar year.

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TO:

C. Licensing period. The licensing period shall be from January 1st to December 31st of each calendar year.

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

Article 46 Marblehead-Glover/Eveleth Project

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the Glover School Building Committee for the Glover/Eveleth School Building Project, to be located at either Parcel 40-4-0 situated at 9 Maple Street or Parcel 25-21-0 situated at 3 Brook Road, Marblehead, Massachusetts, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (MSBA). The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that Marblehead may receive from the MSBA for the Project shall not exceed the lesser of (1) forty-percent (40%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. Sponsored by the School Committee.

Article 47 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.

Article 48 School Department Computer, Support Equipment, and Technology Infrastructure.

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.

MARBLEHEAD TOWN REPORT

Article 49 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.

Article 50 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, 2010, or take any other action relative thereto, as sponsored by the Finance Department.

Article 51 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, 2010, or take any other action relative thereto, as sponsored by the Finance Department.

You are hereby further required and directed to notify and warn the Inhabitants of the Town of Marblehead aforesaid who are qualified to vote in elections and in Town affairs to subsequently meet at the several designated polling places in their respective precincts in said Marblehead to wit:

In Precinct 1 - Polling Place –

OLD TOWN HOUSE

In Precinct 2 - Polling Place –

STAR OF THE SEA COMMUNITY CENTER

In Precinct 3 - Polling Place –

STAR OF THE SEA COMMUNITY CENTER

In Precinct 4 - Polling Place –

STAR OF THE SEA COMMUNITY CENTER

In Precinct 5 - Polling Place –

MARBLEHEAD COMMUNITY CENTER

In Precinct 6 - Polling Place –

MARBLEHEAD COMMUNITY CENTER

In Precinct 7 - Polling Place –

MARBLEHEAD COMMUNITY CENTER

MARBLEHEAD TOWN REPORT

on Monday, the 10th day of May next A.D. 2010 (it being the second Monday in May) at 7 o'clock in the forenoon then and there to bring into the precinct officers of their respective precincts their votes on one ballot for the following-named Town Officers to wit:

- 5 Selectmen
- 1 Town Clerk
- 1 Moderator
- 1 Assessor
- 1 Cemetery Commissioner
- 1 Cemetery Commissioner for 2 year unexpired term
- 1 Board of Health
- 1 Housing Authority
- 2 Library Trustees
- 2 Electric Light Commissioners
- 1 Planning Board
- 5 Recreation & Park Commissioners
- 2 School Committee
- 2 Water and Sewer Commissioners
- 1 Water and Sewer Commissioner for 2 year unexpired term

For these purposes the polls will be open at each and all of said precincts at 7 o'clock in the forenoon and will be closed at 8 o'clock in the afternoon at each and all of said precincts and you are directed to serve this Warrant by posting attested copies thereof at Abbot Hall and ten (10) other conspicuous places in Town as required by the Bylaws not later than thirty (30) days after being closed.

Hereof fail not and make due return of this Warrant or a certified copy thereof with our doings thereon, to each of the several precinct wardens at the time and place of meetings aforesaid and to the Town Clerk as soon as may be before the said meetings.

MARBLEHEAD TOWN REPORT

Given under our hands at Marblehead aforesaid this **17th day of February 2010.**

JACKIE BELF-BECKER, Chair

HARRY C. CHRISTENSEN, JR.

JUDITH R. JACOBI

JAMES E. NYE

WILLIAM L. WOODFIN, II

Selectmen of Marblehead

A True Copy

Attest:



, Constable

Departmental Information

Emergency:

FIRE

911

POLICE

911

Town of Marblehead Official Website: www.marblehead.org

(Note: All phone numbers are 781 Area Code unless otherwise noted.)

Assessments	Assessors	631-0236
Birth, Marriage & Death Certificates	Town Clerk	631-0528
Board of Appeals (Zoning)	Engineering	631-1529
Building Permits	Building	631-2220
Burial Permits	Health	631-0212
Cemetery	Cemetery	631-1182
Collector of Taxes	Finance	631-0587
Council on Aging	Council on Aging	631-6737
Elections	Town Clerk	631-0528
Finance Director	Finance	631-1705
Fire Prevention	Fire Dept.	639-3428
Fuel Oil Storage	Fire Dept.	639-3428
Harbormaster	Harbormaster	631-2386
Health	Health Dept.	631-0212
Historical Commission	Abbot Hall	639-3425
Library	Abbot Public Library	631-1480
Licenses – alcohol, common victualler entertainment, second hand	Selectmen's Office	631-0000
Licenses – marriage, dog	Town Clerk	631-0528
Plumbing Pemits	Building	639-9151
Police Administration	Police Dept.	631-1212
Recreation	Recreation & Park	631-3350
Schools:	Administration	639-3140
	High School	639-3100
	Veterans Middle School	639-3120
	Village School	639-3159
	Bell	639-3171
	Coffin	639-3181
	Gerry	639-3186
	Glover	639-3191
	Eveleth	639-3196
Streets, Sidewalks	Public Works	631-1750
Town Administrator	Selectmen's Office	631-0000
Town Treasurer	Finance	631-1033
Trees	Tree Warden	631-2721
Veterans' Benefits	Veterans' Agent	631-0990
Water & Sewer	Water & Sewer	631-2694
Weights & Measures	Sealer	631-0990
Wiring Permits	Building	639-9151
Zoning Enforcement	Building	631-2220

FEDERAL AND STATE SENATORS AND REPRESENTATIVES:

US Senators:	Scott P. Brown	617-565-3170
	John F. Kerry	617-565-8519
US Representative (6 th Dt.)	John F. Tierney	978-531-1669
MA Representative (8 th Dt.)	Lori Ehrlich	617-722-2090
MA Senator (3 rd Dt.):	Thomas M. McGee	617-722-1350