

## TOWN MEETING 2011

### ARTICLE 32 Old Landfill Remediation/ Construct New Solid Waste Facility

Counted Vote:

For 668 Against 52

2/3 Vote Achieved

Voted: To appropriate a sum of \$15,102,000.00 be expended by the Board of Health for the permitting, public bidding and construction of a cap for the area(s) encompassing the old landfill in accordance with and as required by applicable statutes and regulations, deconstructing the old Transfer Station, constructing stormwater controls, constructing and/or moving water and sewer mains, and constructing a new Transfer Station, new Recycling Drop-Off Area, new Swap Shed, and new Yard Waste Processing Area, and funding the acquisition of all related real property easements or other interests in real property and including engineering, testing, legal and related costs and fees; to meet said appropriation authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum under M.G.L. Chapter 44, or any other enabling authority, and further provided that said appropriation shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 ½ ).

### ARTICLE 33 Landfill Regulatory Compliance Activities

Counted Vote

For 640 Against 29

2/3 Vote Achieved

Voted: That the sum of \$770,600.00 be appropriated to be expended by the Board of Health for continued water quality monitoring, soil gas monitoring, risk assessment, and any other engineering and any other services related to determining the extent of clean up or remediation necessary in connection with the old landfill; such amount to be raised by taxation, \$114,600.00 of which shall be raised subject to the limitations on total taxes

imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 ½ ), and \$656,000.00 be subject to a Proposition 2 ½ capital outlay expenditure override; provided, however, that the appropriation in the amount of \$656,000.00 shall not take effect until the Town votes to exempt from the limitations on total taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2 ½ ) the amount of \$656,000.00 required for said capital outlay expenditure.

#### ARTICLE 34 Stony Brook Road Clean Up Real Property Purchase and/or Taking

##### Counted Vote

For 648 Against 21

2/3 Vote Achieved

Voted: That the Board of Selectmen is hereby authorized to purchase, acquire or take by eminent domain, the property and/or building(s) located at the following:

☐ 56 Stony Brook Road, and more particularly described in a deed found at Book 12823 Page 8 recorded at the Essex South Registry of Deeds containing 10,026 square feet +/-;

☐ A portion of 55 Stony Brook Road as more particularly described in a deed found at Book 11888 Page 451 and recorded in the Essex South Registry of Deeds that portion shown on a plan entitled "55 Stony Brook Road Taking or Acquisition Area" by Kleinfelder SEA and dated January 2011 and which area contains 7,582 sq ft +/-;

☐ A temporary construction easement on a portion of 52 Stony Brook Road as more particularly described in a master deed found at Book 27351 Page 3 that portion being shown on a plan entitled "52 Stony Brook Road Area of Remediation" by Kleinfelder SEA, dated January 2011 said area indicated as Area of Remediation;

And the sum of \$1,820,808.00 be appropriated for said purchase or taking, along with all legal costs, costs of remediation, costs of settlement of claims or potential claims all in connection with the clean-up related to the historic operations of the former landfill to meet said appropriation authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow said sum under

M.G.L. c. 44, or any other enabling authority, provided that said appropriation and borrowing authority shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for payment of principal and interest on said borrowing from the limitations on total taxes imposed by M.G.L. c. 59, Section 21C (Proposition 2 ½ ).

#### ARTICLE 35 Stony Brook Road Clean-up, Funding for Real Property Taking and Remediation

##### Counted Vote

For 640 Against 18

Voted: That the sum of \$1,251,769.00 to be expended by the Board of Selectmen and the Board of Health to fund the purchase or taking of the property and building(s), the remediation of the property and building(s) and to fund the settlement of claims or potential claims, related to, the property 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 +/-, which said purchase or taking by eminent domain was approved in Article 23 of the 2010 Annual Town Meeting, all as part of the clean-up related to the historic operations of the former landfill and including all associated engineering and legal costs; and to meet said appropriation authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow said sum under M.G.L. c. 44, or any other enabling authority, provided that said appropriation shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for payment of principal and interest on said borrowing from the limitations on total taxes imposed by M.G.L. c. 59, Section 21C (Proposition 2 ½ ).

#### BALLOT QUESTIONS 2011

##### Question 2:

Shall the Town of Marblehead be allowed to assess an additional \$656,000.00 in real estate and personal property taxes for the fiscal year beginning July first, 2011, to fund Article 33 of the 2011 Annual Town Meeting for the purpose of continued water quality monitoring, soil gas monitoring, risk assessment, engineering and any other services related to determining the extent of clean up or remediation necessary

in connection with the old landfill?

YES\_\_\_\_\_ NO\_\_\_\_\_

Question 3:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purposes of funding the permitting, public bidding and construction of a cap for the area(s) encompassing the old landfill in accordance with and as required by applicable statutes and regulations, deconstructing the old Transfer Station, constructing stormwater controls, constructing and/or moving water and sewer mains, and constructing a new Transfer Station, new Recycling Drop-Off Area, new Swap Shed, and new Yard Waste Processing Area, and funding the acquisition of all related real property easements or other interests in real property and including engineering, testing, legal and related costs and fees and for funding the purchase or taking of 56 and 57 Stony Brook Road, the purchase or taking of a portion of 55 Stony Brook Road and the purchase or taking of a temporary construction easement on a portion of 52 Stony Brook Road, including all legal costs, costs of remediation and costs of settlement of claims or potential claims, in connection with those properties all in connection with the clean-up related to the historic operations of the former landfill?

YES\_\_\_\_\_ NO\_\_\_\_\_

## TOWN MEETING 2013

### Article 37 Landfill Closure / Temporary Construction Takings / Remediation;

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

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

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

## BALLOT QUESTIONS 2013

Question 2: Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bonds issued for the purchase or taking of a portion of 151 Green Street including all legal and engineering costs, costs of remediation and restoration and costs of settlement of claims or potential claims, in connection with the property all in connection with the clean-up related to the historic operations of the former landfill?

YES \_\_\_\_\_ NO \_\_\_\_\_

## TOWN MEETING 2015

### Article 32 Landfill Drainage Culvert Repair

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Health for repairing and/or replacing the existing 60-inch concrete drainage culvert that crosses the landfill property, including investigations, engineering, construction, and all other activities and costs necessary to carry out the work; and determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Water and Sewer Commission and the Board of Health.

### Article 33 Landfill Closure Adjacent Property Clean Up

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Health for work necessary to remove, relocate, or dispose of solid waste in areas beyond the limit of work in the current landfill closure project including investigations, engineering, legal fees, construction, easements and/or property acquisition, and all other activities and costs necessary to carry out the work; and 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 34 Work Associated with New Transfer Station Building

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Health for the permitting, public bidding, site work, utility work, deconstruction of the old Transfer Station and construction of the new Transfer Station, and all other activities and costs necessary to carry out the work; and determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative to. Sponsored by the Board of Health.

## BALLOT QUESTIONS 2015

### Question 1:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to fund Articles 32, 33 and 34 of the 2015 Annual Town Meeting to pay for the bonds issued for the purposes of repairing and/or replacing the existing 60-inch concrete drainage culvert that crosses the landfill property, including investigations, engineering, construction, and all other activities and costs necessary to carry out the work; work necessary to remove, relocate, or dispose of solid waste in areas beyond the limit of work in the current landfill closure project including investigations, engineering, legal fees, construction, easements and/or property acquisition, and all other activities and costs necessary to carry out the work; and permitting, public bidding, site work, utility work, deconstruction of the old Transfer Station and construction

of the new Transfer Station, and all other activities and costs necessary to carry out the work all in connection with the clean-up related to the historic operations of the former landfill?

YES \_\_\_\_\_ NO \_\_\_\_\_