

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 second day of May next A. D. 2016 (it being the first Monday in May) at 7:00 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, or take any other action relative thereto. Sponsored 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, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**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. 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. 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 may determine, or take any other action relative thereto. 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 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 8 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 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 9 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 or School buildings and the purchase of necessary equipment including computer hardware and software to determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**Article 10 Walls and Fences**

To see if the Town will vote to raise and appropriate a sum of money for the construction and reconstruction of walls and fences for the protection of highways and property, including engineering services in connection therewith; to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easements necessary

therefore; 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 11 Ocean Avenue Sidewalk, Seawall and Rip Rap Repair**

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for repairing and/or replacing the sidewalk, seawall and rip rap on Ocean Avenue adjacent to the land located at 231 Ocean Avenue, including engineering and legal costs, construction, permitting 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 Selectmen.

**Article 12 Amend General Bylaws to Reduce Quorum at Town Meeting**

To see if the Town will vote to amend Chapter 174 of the General Bylaws of the Town of Marblehead by reducing the quorum requirements set forth in section 174-5, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**Article 13 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.

**Article 14 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, or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

**Article 15 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, 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, reconstruction, permitting and maintenance of storm sewers for surface drainage and general Drain Department purposes, including engineering services in connection therewith, and to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easements necessary therefore, and to raise the money for such purposes by the issue of bonds or notes or in any other manner, to be expended by the Water and Sewer Commission; or to take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

**Article 17 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 18 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, or take any other action relative thereto. Sponsored by the Conservation Commission.

**Article 19 Ratification of Salary By-Law**

To see if the Town will vote to ratify certain actions taken by the Compensation Committee under Chapter 43 Section 3(e) as last amended and amend the classification table by reclassifying two positions and adding one new position or take any other action relative thereto. Sponsored by the Compensation Committee.

**Article 20 Proposed Reclassification and Pay Schedule (Administrative)**

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Administrative Pay Schedule; to strike out the pay schedule as it relates to Administrative personnel, substitute in place thereof the new pay schedules and to transfer from available 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 21 Proposed 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 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 22 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 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 23 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. Sponsored by the Board of Selectmen.

**Article 24 Essex North Shore Agricultural and Technical School District**

To see if the Town will vote to approve the gross operating and maintenance budget of the Essex North Shore Agricultural and Technical School District for the fiscal year commencing July 1, 2016 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 25 Allocation of Bond Premium to Debt Excluded Project Costs**

To see if the Town will vote to appropriate the aggregate net premium paid to the Town upon the sale of bonds issued to pay costs of the drainage, landfill and Abbot Hall Clock Tower projects, each of which are the subject of a Proposition 2½ debt exclusion, to pay costs of such projects being financed by such bonds, and to reduce the amount authorized to be permanently financed for such projects by the same aggregate amount, as allocable to each project, or to take any other action relative thereto. Sponsored by the Finance Director.

**Article 26 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 27 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, 2016, or take any other action relative thereto. Sponsored by the Finance Director.

**Article 28 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, 2016, or take any other action relative thereto. Sponsored by the Finance Director.

**Article 29 Acceptance of MGL Chapter 31 Section 58A, Police and Fire Maximum Age Restrictions**

To see if the Town will accept the provisions of Massachusetts General Law Chapter 31, Section 58A, or take any other action relative thereto. Sponsored by the Police and Fire Chiefs.

**Article 30 Amend Historic Districts Commission Special Act**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth, pursuant to the Provisions of Section 8 of Article 89 of the Amendments to the State Constitution and all other applicable laws to amend Chapter 101 of the Acts of 1965, An Act Establishing the Old and Historic District Commission of the Town of Marblehead, Section 4, by omitting the requirement that all of the membership of the commission reside in an historic district and by amending section 8 to allow a longer period of time upon which to make a determination of estates effected, as follows:

AN ACT AMENDING CHAPTER 101 OF THE ACTS OF 1965, AN ACT ESTABLISHING THE OLD AND HISTORIC DISTRICT COMMISSION OF THE TOWN OF MARBLEHEAD.

*Be it enacted by the Senate and House of Representatives in the General Court assembled and by authority of the same as follows:*

SECTION 1. Amend Chapter 101 of the Acts of 1965, An Act Establishing the Old and Historic Districts Commission of the Town of Marblehead as follows:

- a. by omitting the second part of the second sentence in Section 4. Which now reads; "Each member shall be a resident of the town of Marblehead and shall reside in an historic district established under this act."

To read instead; **“Each member shall be a resident of the town of Marblehead and shall reside in the historic district established under this act except the Board of Selectmen may appoint no more than one member from outside of an historic district.”**

b. by changing the second word in Section 8 which now reads: “Within ten days....”

To read instead; **“Within twenty-one (21) days...”**

SECTION 2. This Act shall take effect upon its passage.

SECTION 3. The General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

or take any action relative thereto. Sponsored by the Board of Selectmen.

#### **Article 31 Abandon Portion of Public Way**

To see if the Town will vote to abandon a certain portion of Colgate Road as a public way as more fully set forth on the plan entitled “Rights Plan” and dated April 7, 2015 by Hayes Engineering, and indicated as “Portion to be Abandoned” including 10,541 sq. ft. +/-and which is on file with the Town Clerk, or take any other action relative thereto. Sponsored by the Board of Selectmen.

#### **Article 32 Sell Town Property**

To see if the Town will vote to authorize the Board of Selectmen to sell a portion of Colgate Road as more fully set forth on the plan entitled “Rights Plan” and dated April 7, 2015 by Hayes Engineering, and indicated as “Portion to be Abandoned” including 10,541 sq. ft. +/-and which is on file with the Town Clerk, and to enter into any and all agreements on such terms as the Selectmen may determine in order to effectuate same, or take any other action relative thereto. Sponsored by the Board of Selectmen.

#### **Article 33 Purchase of Pumper Truck for Fire Department**

To see if the Town will vote to appropriate a sum of money for the purchase of a pumper truck for the Fire Department, 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 34 Gerry School Feasibility Study**

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Gerry School Building Committee to undertake a feasibility study to analyze in depth the design options and costs for the renovation and/or reconstruction of the Gerry School, 50 Elm Street, Marblehead, and to explore and investigate the advantages and/or disadvantages of district reorganization options, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, or take any other action relative thereto. Sponsored by the School Committee.

#### **Article 35 Expenses for Holiday Decorations**

To determine whether the Town of Marblehead will allocate funds in the amount of \$5,000.00 (five thousand dollars) per annum for the beautification of the Town during the December-Winter Holiday season, which funds shall be used to decorate the commercial zones on Washington Street, Pleasant Street and Atlantic Avenue with garlands, wreaths, ribbons etc., and to pay for the installation of said decorations, or take any other action relative thereto. Sponsored by Dawn LiVigne and Kristen Pollard.

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**

**1 Market Square**

In Precinct 2 - Polling Place –

**MASONIC TEMPLE**

**62 Pleasant Street**

In Precinct 3 - Polling Place –

**MASONIC TEMPLE**

**62 Pleasant Street**

In Precinct 4 - Polling Place –

**MARBLEHEAD COMMUNITY CENTER**

**10 Humphrey Street**

In Precinct 5 - Polling Place –

**MARBLEHEAD COMMUNITY CENTER**

**10 Humphrey Street**

In Precinct 6 - Polling Place –

**MARBLEHEAD COMMUNITY CENTER**

**10 Humphrey Street**

on Tuesday, the 10th day of May next A.D. 2016 (it being the second Tuesday after the first 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:

Selectmen 5 for 1 year

Moderator 1 for 1 year

Town Clerk 1 for 3 years

Assessor 1 for 3 years

Cemetery Commission 1 for 3 years

Board of Health 1 for 3 years

Housing Authority 1 for 5 years

Housing Authority 1 for a 2 year unexpired term

Library Trustee 2 for 3 years

Planning Board 1 for 3 years

Municipal Light Commission 2 for 3 years

Recreation & Park Commission 5 for 1 year

School Committee 2 for 3 years

School Committee 1 for a 1 year unexpired term

Water & Sewer Commission 2 for 3 years


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.

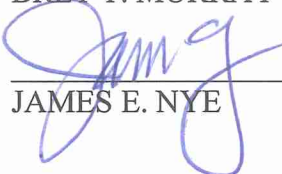
Given under our hands at Marblehead aforesaid this 24<sup>th</sup> day of  
February 2016.

  
JACKIE BELF-BECKER, Chair

  
HARRY C. CHRISTENSEN, JR.

  
JUDITH R. JACOBI

  
BRET T. MURRAY

  
JAMES E. NYE

Selectmen of Marblehead



A True Copy

Attest:

, Constable