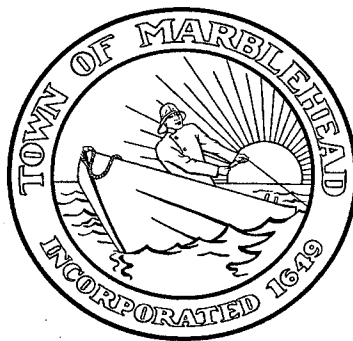


2017 TOWN WARRANT

**Annual Town Meeting
Monday, May 1, 2017
Marblehead Veterans Middle School Auditorium
Duncan Sleigh Square
217 Pleasant Street
7:00 P.M.**



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 first day of May next A. D. 2017 (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 therefore 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 Departmental Revolving Funds

To see if the Town will vote to amend Chapter 63 of the Town of Marblehead General Bylaws by adding a new section 63-9 to establish and authorize revolving funds for use by certain town departments, boards, committees, agencies or officers under G.L. c. 44 §53E 1/2, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 8 Establish Injury Leave Indemnification Fund

To see if the Town will vote to accept paragraph 4 of G.L. c. 41 §111F in order to establish and appropriate amounts for a special injury leave indemnity fund for payment of injury leave compensation or medical bills incurred under G.L. c. 41 §111F or §100, or take any other action relative thereto. Sponsored by the Finance Director.

Article 9 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 10 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 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 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 12 Amend Town Bylaw related to Building Permit Fees

To see if the Town will vote to amend the Town of Marblehead General Bylaws Article III Permits, Section 30-15(B) as follows (**underline and bold** is new language and ~~cross through~~ is omitted language):

30-15 B

The amount of such fees shall be \$15 per \$1,000 of the total cost of the work to be done under such permits, as estimated by the Building Commissioner, with a minimum fee for each permit issued of \$30. This fee will include the cost of the wiring permit and plumbing permit. ~~Other permits will be based on the following fees:~~

- ~~(1) Roofing permit: \$30.~~
- ~~(2) Siding permit: \$30.~~
- ~~(3) Demolition permit: \$30.~~
- ~~(4) Staging permit: \$30.~~

Or take any other action relative thereto. Sponsored by Board of Selectmen.

Article 13 Accept Gift of Land

To see if the town will vote to authorize the Board of Selectmen to accept a gift of real property owned by Tower School in Marblehead, MA as more fully set forth on the

plan entitled: "Rights Plan in Marblehead, Mass Showing Proposed Area to be Gifted to the Town of Marblehead", having a Scale 1" = 20' and being dated January 9, 2017, drawn by Hayes Engineering, Inc., or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 14 Application of Bond Premium

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or take any other action relative thereto. Sponsored by the Finance Director.

Article 15 Fiscal 2017 Water Department 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 2017 Water Department budget, said sum to be added to Article 27, Item 232 Water Expense as voted at the Annual Town Meeting in May 2016, or take any other action relative thereto. Sponsored by the Finance Director.

Article 16 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 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, or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Article 18 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, including engineering services in connection therewith, and for general Drain Department purposes, including the purchase or lease of equipment, 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 19 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 20 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 21 Ratification of Salary Bylaw

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, or take any other action relative thereto. Sponsored by the Compensation Committee.

Article 22 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 23 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 24 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 25 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 26 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, 2017 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 27 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 28 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, 2017, or take any other action relative thereto. Sponsored by the Finance Director.

Article 29 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, 2017, or take any other action relative thereto. Sponsored by the Finance Director.

Article 30 Layout and Acceptance of Tioga Way

To see if the Town will vote to accept and allow the layout of Tioga Way as a Town Way made by the Selectmen and authorize the Selectmen to take by eminent domain or otherwise the lands included, included in said layout and raise and appropriate a sum of money for the payment of land damages and for the construction of said way, or take any other action relative thereto. Sponsored by Robert Hansen and others.

Article 31 Town Clerk, Appointed

To see if the Town will, pursuant to Massachusetts General Law Chapter 41 Section 1B, vote to change the position of Town Clerk from elected to appointed by the Board of Selectmen, or take any other action relative thereto. Sponsored by Charles Gessner and others.

Article 32 Transparency in Political Donations

To see if the Town will vote to support a resolution supporting state and federal legislation that provides greater transparency in political donations and limits the influence of money in politics and to request our state and federal representatives to support and lead efforts to pass such legislation, or take any other action relative thereto. Sponsored by Barbara Grenier and others.

Article 33 Expenses for Holiday Decorations

To determine whether the Town of Marblehead will allocate funds in the amount of \$2600.00 (two thousand and six hundred dollars) for the beautification of the town during 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, ribbon etc. and to pay for the installation of said decorations, or take any other action relative thereto. Sponsored by Dawn LiVigne, Kristin Pollard and others.

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 9th day of May next A.D. 2017 (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

Assessors 1 for 3 years

Cemetery Commission 1 for 3 years

Board of Health 1 for 3 years

Library Trustee 2 for 3 years

Library Trustee 1 for a 1 year unexpired term

Municipal Light Commission 1 for 3 years

Planning Board 2 for 3 years

Recreation and Park Commission 5 for 1 year

School Committee 2 for 3 years

Water & Sewer Commission 2 for 3 years

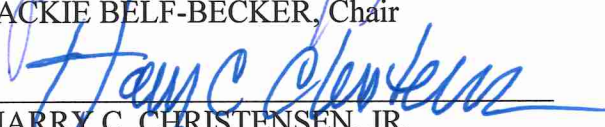
Water & Sewer Commission 1 for a 2 year unexpired term

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.


Given under our hands at Marblehead aforesaid this 15th day of February 2017.


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