

**Town of
Marblehead
Annual Town Meeting
May 6th & 7th, 2019**

With a quorum met the Moderator called the 2019 Annual Town Meeting to order at 7:05PM

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 Assume Liability

Voted: That 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 Chapter 91 of the General Laws and authorize the Selectmen to execute and deliver a bond of indemnity therefor to the Commonwealth.

Article 4 Accept Trust Property

Voted: That this article be indefinitely postponed

Article 5 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 6 Contracts in Excess of Three Years

Voted: That the Town will authorize the Board of Selectmen, Pursuant to G.L. c. 30B §12, to enter into contracts in the best interest of the Town in Excess of three(3) years but not more than ten (10) years

Article 7 Amend Recreation and Parks Revolving Fund

Voted: To amend Chapter 63-9, Department Revolving Funds, of the Town of Marblehead General Bylaws by amending section 63-9(E)(2) Recreations and Parks Revolving Fund, as follows(underline and bold new language ~~crossout~~ removed language):

(b) The finance Director/Town Accountant shall establish the Recreation and Parks Revolving Fund as a separate account and credit to the fund all of the revenue received by the Recreation and Parks Commission from recreation programs including the teen center, program fees, rentals, miscellaneous sales, promotional fees, ~~\$10.00~~ **15.00** of out of town parking fees charged on weekends, and various recreational fund raising events.

(c) During each fiscal year, the Recreation and Parks Commission may incur liabilities against and spend monies from the Recreation and Parks Revolving Fund for the expenses related to the teen center, recreation programs rentals, miscellaneous sales, promotions, and various recreational fund raising activities, including equipment and capital improvements, In addition, ~~\$10.00~~ **15.00** of out of town parking fees charged on weekends shall be used for capital improvements at Devereux Beach, to support the operations at Devereux Beach, and to support operations of the Recreation and Parks Department.

Article 8 Revolving Fund

Voted: That the Town authorize the total expenditures for the following revolving funds pursuant to G.L. c44 Section 53E ½ for the fiscal year beginning July 1, 2019 to be expended in accordance with Chapter 63-9 of the town bylaws:

FUND	SPENDING LIMIT
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Historical Commission Gift Shop Revolving Fund	\$ 15,000
Recreation and Parks Revolving Fund	\$ 600,000
Council on Aging Revolving Fund	\$ 250,000
Dog Officer/Animal Control Officer Revolving Fund	\$ 20,000
Commercial Waste Revolving Fund	\$ 550,000
Conservation Fines Revolving Fund	\$ 75,000
Sump Pump Improvement Revolving Fund	\$ 25,000
Special Education Revolving Fund	\$ 950,000
Storm Water By-Law Revolving Fund	\$ 10,000
Street Opening Revolving Fund	\$ 75,000
Vaccine Revolving Fund	\$ 8,000

Article 9 Purchase and Planting Trees

Voted: That the Town of Marblehead allocate \$50,000.00 (from a one time Proposition 2 ½ override vote). For the purchase and planting of various appropriate trees on Atlantic Avenue (from Ace hardware to Five Corners) 7 Pleasant Street (from the Three Cod Restaurant to the Starbucks Coffee Shop), and possible lower Washington Street and State Street. Work to be done by a private nursery company in conjunction with the supervision of the Marblehead Tree Warden and Tree Department.

Article 10 Purchase of Equipment of Several Departments

Voted: That the sum of \$472,665.00 be appropriated, and to meet this appropriation; \$60,000.00 is to be transferred from Water Retained Earnings \$190,000.00 to be transferred from Sewer Retained Earnings, \$34,216.00 from Harbor Receipts, \$188,449.00 is to be raised by taxation. To include the following:

Police Department

1 Police Vehicle

Harbor Department

2 Engines for Metalshark Boat

Highway Department

1 Skid steer With Milling Machine

Sewer Department

1 Backhoe Loader

1 Utility Body with Liftgate

Cemetery Department

1 4x4 Dump Truck

Water Department

1 Utility 4X4 Truck

School Department

1 Plow Truck 2/Liftgate and Radio

Article 11 Capital Improvements for Public Buildings

Voted: That the sum of \$386,241.64 be appropriated, and to meet this appropriation; \$7,217.54 is to be transferred from Cemetery Sale of Lots, \$379,024.10 to be is to be raised by taxation. To include the following:

Building Department

New Permitting Software

Police Department

Rifle Vests for each cruiser

Replace Sirens & Light Controllers

Traffic-related Monitors

School Department

High School

Replace Library Carpet

Park Department

Parking Lot Repaving

Cemetery Department

Bathroom Sinks

Lowering Device

Tamping Rammer

Tower Way Garage

Repair Garage Roofs

Fuel Island Suppression System

Refinish Basketball Court
Replace 3 Gym Dividers
Veterans School
Engineering Study of Fire Alarm
Village School
Upgrade HVAC Control Software

Fire Department
Upgrade Apparatus Equipment
Replace Front Apron
Townwide
Radio Upgrades (Year 2 of 2)
Replace Computers (Year 1 of 2)

Article 12 Walls and Fences

Voted:

That the Town appropriates \$7,500.00 for construction and reconstruction of walls and fences for the protection of highways and property, including engineering services in connection therewith and that the Board of Selectmen is authorized to acquire by purchase, eminent domain or otherwise any land or easement necessary therefor.

Article 13 Water Department Construction

Voted: That the sum of \$773,398.00 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.

Article 14: Sewer Department Construction

Voted: That the Sum of \$896,029.00 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 and Sewer Commissioners to acquire by purchase, eminent domain or otherwise any lands or easements necessary.

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, sewer and storm water system.

Article 16: Storm Drainage Construction

Unanimously Voted: That \$314,000.00 is appropriated from taxation for the construction, reconstruction, permitting, and maintenance of storm sewers for surface drainage purposes, including engineering services in connection therewith, and for general Drain Construction 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 easement necessary; to be expended by the Water and Sewer Commission.

Article 17 Amend General By-Law, Building fees

Voted: To add the following building department fees by amending the Town of Marblehead Bylaw, Article 1 General Provisions, sections 30-15 as follows:

Item 1: Amend section C as shown below (~~cross-out~~ omitted and **bold underline** new):

C. Any person, firm or corporation that begins construction or alteration without the proper permits shall be required to pay a ~~double~~ **triple** permit fee at the time the permit is issued.

Item 2: Add a new section E as follows:

- E. 1. Re-inspection fee \$50.00
2. Lost permit card fee \$100.00
3. Certificate of Inspection fee \$100.00
4. Certificate of Occupancy fee \$100.00

Article 18 Amend Fee for Demand for Payment of Taxes

Voted: That in accordance with G.L.c. 60 § 15, to change the fee charged by the Collector for each written demand issued from a fee of \$15 to a fee of \$30 to be added and collected as part of the tax.

Article 19 Indigenous Peoples Day

Voted: That the Town of Marblehead, with the understanding that since 1977 Indigenous people of our country have requested Indigenous Peoples Day as a recognition of their humanity, culture and history and with the understanding that our country was built on Native lands with countless contributions from Native people, the Town of Marblehead shall join the growing number of cities, towns, and states that have chosen to honor this request. The Town of Marblehead shall, from October 2019 forward, celebrate Indigenous Peoples Day as the official holiday on the second Monday of October and that the Town of Marblehead shall cease to recognize Columbus Day as a publicly sanctioned holiday in Marblehead.

Article 20 Essex North Shore Agricultural and Technical School District

Voted: To approve the gross operating and maintenance budget of the Essex North Shore Agricultural and Technical School District and appropriate the sum of \$726,435.00 for the town's assessment of the same to be expended by the School Committee.

Article 30 Available Funds Appropriated to Reduce the Tax Rate

Voted: That the sum of \$8,905,000.00 be appropriated for the use of the Assessors in making the Tax Rate.

From Free Cash	\$ 8,575,000.00,
From Electric Surplus	330,000.00
	<u>\$ 8,905,000.00</u>

Article 22 Unpaid Accounts

Voted: That to transfer the following amounts:

- From free cash the sum of \$592,783.00 to the School Department for payment of bills from Fiscal Year 2018; and
- From the following Articles, Revolving Funds, Grants, Donation Funds, Trust Funds, or Article 31, of the May 2018 Annual Town Meeting – Expenses of Several Department, to
- Item 113 Highway Expense \$ 52.10
- Item 192 Park Facility Expense \$ 715.10
- Item 101 School Budget \$14,774.89
- Item 500 Police Detail \$ 202.00
- Item 228 Sewer Expense \$ 865.43
- Item 232 Water Expense \$ 525.00
- Item 462 Shattuck Memorial Fund – Hist. Comm. \$ 320.00
- Item 704 Abbot Hall Beautification Fund \$ 561.91

Article 23 Transfer Funds to the Special Education Stabilization Fund

Voted: That the Sum of \$250,000.00 is appropriated to the Special Education Reserve Fund

Article 24 Medicaid Reimbursement Money

Voted: That the sum of \$137,820.00 is appropriated to the Special Education Reserve Fund in Fiscal 2019.

Article 25 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 25 Expenses of Several Departments - Items 2 3 4 5 6 Selectmen

Voted: That the sum of \$507,378.00 be and hereby is appropriated for the Selectmen as follows:

Item 2	Officials Expense	\$ 5,500.00
Item 3	Salaries & Wages	380,963.00
Item 4	Expense	91,915.00

Item 5	Zoning Board Legal Services	27,000.00
Item 6	Out of State Travel	<u>2,000.00</u>
		\$507,378.00

Article 25 Expenses of Several Departments – Items 7 8 9 Finance Committee

Voted: That the sum of \$15,901.00 be and hereby is appropriated for the Finance Committee as follows:

Item 7	Salaries & Wages	\$10,141.00
Item 8	Expense	5,585.00
Item 9	Local Travel	<u>175.00</u>
		\$15,901.00

Article 25 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 31 Expenses of Several Departments – Items 12 13 Finance Department

Voted: That the sum of \$948,777.00 be and hereby is appropriated for the Finance Department as follows:

Item 12	Salaries & Wages	\$684,167.00
Item 13	Expense	<u>264,610.00</u>
		\$948,777.00

Article 25 Expenses of Several Departments – Items 17 18 19 20 Assessor

Voted: That the sum of \$258,755.00 be and hereby is appropriated for the Assessor as follows:

Item 17	Officials Expense	\$ 300.00
Item 18	Salaries & Wages	224,270.00
Item 19	Expense	33,685.00
Item 20	Local Travel	<u>500.00</u>
		\$258,755.00

Article 25 Expenses of Several Departments – Items 29 30 Town Counsel

Voted: That the sum of \$98,575.00 be and hereby is appropriated for the Town Counsel as follows:

Item 29	Salaries & Wages	\$ 2,000.00
Item 30	Expense	<u>96,575.00</u>
		\$98,575.00

Article 25 Expenses of Several Departments – Item 35 Parking Clerk

Voted: That the sum of \$13,095.00 be and hereby is appropriated for the Parking Clerk Department as follows:

Item 35	Expense	\$13,095.00
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Article 31 Expenses of Several Departments – Items 39 40 Town Clerk

Voted: That the sum of \$202,927.00 be and hereby is appropriated for the Town Clerk as follows:

Item 39	Salaries & Wages	\$192,790.00
Item 40	Expense	<u>10,137.00</u>
		\$202,927.00

Article 25 Expenses of Several Departments – Items 43 44 Election and Registration

Voted: That the sum of \$50,709.00 be and hereby is appropriated for the Election and Registration as follows:

Item 43	Salaries & Wages	\$25,334.00
Item 44	Expense	<u>25,375.00</u>
		\$50,709.00

Article 25 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 25 Expenses of Several Departments – Items 55 56 57 Public Buildings

Voted: That the sum of \$212,162.00 be and hereby is appropriated for the Public Buildings as follows:

Item 55 Salaries & Wages	\$105,972.00
Item 56 Expense	105,790.00
Item 57 Local Travel	<u>400.00</u>
	\$212,162.00

Article 25 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 25 Expenses of Several Departments – Item 60 Town Audit

Voted: That the sum of \$54,500.00 be and hereby is appropriated for the Town Audit to be expended by the Board of Selectmen.

Article 25 Expenses of Several Departments - Items 62 63 64 Police Department

Voted: That the sum of \$4,236,261.00 be and hereby is appropriated for the Police Department as follows:

Item 62 Salaries & Wages	\$4,048,871.00
Item 63 Expense	182,390.00
Item 64 Indemnification of Officers	<u>5,000.00</u>
	\$4,236,261.00

Article 25 Expenses of Several Departments – Items 68 69 70 Fire Department

Voted: That the sum of \$4,080,338.00 be and hereby is appropriated for the Fire Department as Follows:

Item 68 Salaries & Wages	\$3,885,738.00
Item 69 Expense	189,600.00
Item 70 Fire Alarm Expense	<u>5,000.00</u>
	\$4,080,338.00

Article 25 Expenses of Several Departments - Items 73 74 75 Building Inspection

Voted: That the sum of \$559,940.00 be and hereby is appropriated for the Building Inspection as follows:

Item 73 Salaries & Wages	\$532,585.00
Item 74 Expense	21,355.00
Item 75 Local Travel	<u>6,000.00</u>
	\$559,940.00

Article 25 Expenses of Several Departments - Item 80 Sealer of Weights and Measures

Voted: That the sum of \$250.00 be and hereby is appropriated for the Sealer of Weights and Measures as follows:

Item 80 Expense	\$250.00
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Article 25 Expenses of Several Departments – Item 86 Animal Inspector

Voted: 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 25 Expenses of Several Departments – Item 101 School Department

Voted: That the sum of \$39,624,425.00 be and hereby is appropriated for the School Department.

Article 25 Expenses of Several Departments – Items 105 106 Engineer

Voted: That the sum of \$178,548.00 be and hereby is appropriated for the Engineer as follows:

Item 105	Salaries & Wages	\$167,903.00
Item 106	Expense	<u>10,645.00</u>
		\$178,548.00

To meet this appropriation \$9,000 is to be transferred from Wetland Filing Fees and \$169,548 is to be taken from Taxation.

Article 25 Expenses of Several Departments – Items 112 113 Highway

Voted: That the sum of \$1,021,073.00 be and hereby is appropriated for the Highway as follows:

Item 112	Salaries & Wages	\$913,989.00
Item 113	Expense	<u>107,084.00</u>
		\$1,021,073.00

Article 25 Expenses of Several Departments - Item 116 Maintain Streets & Sidewalks

Voted: That the sum of \$14,425.00 be and hereby is appropriated to maintain streets and sidewalks and said work to be done under the direction of the Director of Public Works and said sum of money to be expended by the Director of Public Works.

Article 25 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 25 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 25 Expenses of Several Departments – Items 126 127 129 Waste Collection

Voted: That the sum of \$2,330,391.00 be and hereby is appropriated for the Waste Collection as follows:

Item 126	Salaries & Wages	\$ 376,075.00
Item 127	Expense	1,839,716.00
Item 129	Landfill Monitoring Expense	<u>114,600.00</u>
		\$ 2,330,391.00

Article 25 Expenses of Several Departments – Items 132 133 Drains

Voted: That the sum of \$183,721.00 be and hereby is appropriated for the Drains as follows:

Item 132	Salaries & Wages	\$178,071.00
Item 133	Expense	<u>5,650.00</u>
		\$183,721.00

Article 25 Expenses of Several Departments – Items 141 142 143 Cemetery

Voted: That the sum of \$406,348.00 be and hereby is appropriated for the Cemetery as follows:

Item 141	Officials Expense	\$ 300.00
Item 142	Salaries & Wages	379,822.00
Item 143	Expenses	<u>26,226.00</u>
		\$406,348.00

To meet this appropriation \$380,348.00 is to be raised by taxation and \$26,000.00 to be transferred from Cemetery Perpetual Care.

Article 25 Expenses of Several Departments - Items 148 149 Tree

Voted: That the sum of \$304,476.00 be and hereby is appropriated for the Tree Department as follows:

Item 148 Salaries & Wages	\$247,898.00
Item 149 Expense	<u>56,578.00</u>
	\$304,476.00

Article 25 Expenses of Several Departments - Items 153 154 155 157 158 Health Department

Voted: That the sum of \$197,948.00 be and hereby is appropriated for the Health Department as follows:

Item 153 Officials Expense	\$ 400.00
Item 154 Salaries & Wages	176,261.00
Item 155 Expense	15,655.00
Item 157 Local Travel	1,632.00
Item 158 HAWC	<u>4,000.00</u>
	\$197,948.00

Article 25 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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Article 25 Expenses of Several Departments - Items 164 165 Council on Aging

Voted: That the sum of \$301,119.00 be and hereby is appropriated for the Council on Aging as follows:

Item 164 Salaries & Wages	\$289,129.00
Item 165 Expense	<u>11,990.00</u>
	\$301,119.00

Article 25 Expenses of Several Departments - Items 175 176 177 178 Veterans Benefits

Voted: That the sum of \$110,828.00 be and hereby is appropriated for the Veterans Benefits as follows:

Item 175 Salaries & Wages	\$ 68,485.00
Item 176 Expense	1,243.00
Item 177 Local Travel	1,100.00
Item 178 Benefits	<u>40,000.00</u>
	\$110,828.00

Article 25 Expenses of Several Departments - Items 185 186 187 Library

Voted: That the sum of \$1,160,542.00 be and hereby is appropriated for the Abbot Public Library as follows:

Item 185 Salaries & Wages	\$ 893,077.00
Item 186 Expense	267,365.00
Item 187 Local Travel	<u>100.00</u>
	\$1,160,542.00

Article 25 Expenses of Several Departments - Items 190 191 192 Park Department

Voted: That the sum of \$832,757.00 be and hereby is appropriated for the Park and Recreation as follows:

Item 190 Salaries & Wages	\$615,074.00
Item 191 Expense	171,590.00
Item 192 Facility Expense	<u>46,093.00</u>
	\$832,757.00

Article 25 Expenses of Several Departments - Item 210 Memorial & Veterans Day

Voted: That the sum of \$6,300.00 be and hereby is appropriated for Memorial and Veterans Day said sum of money to be expended by the Board of Selectmen.

Article 25 Expenses of Several Departments - Items 214 215 Maturing Bonds and Interest

Voted: That the sum of \$6,916,991.00 be and hereby is appropriated for the Maturing Bonds and Interest as follows:

Item 214 Maturing Debt	\$4,425,000.00
Item 215 Interest	<u>2,291,991.86</u>
	\$6,916,991.86

To meet this appropriation \$345,187.54 is to be transferred from Bond Premium Reserved for Appropriation and \$6,571.804.32 to be raised by taxation.

Article 25 Expenses of Several Departments – Item 211 Utility Reserve

Voted: That the sum of \$100,000.00 be and hereby is appropriated for Utility Reserve, to be expended by the Board of Selectmen.

Article 25 Expenses of Several Departments - Item 217 Contributory Retirement

Voted: That the sum of \$3,253,489.00 be and hereby is appropriated for the Contributory Retirement Fund.

Article 25 Expenses of Several Departments - Item 218 Medicare

Voted: That the sum of \$710,000.00 be and hereby is appropriated for Medicare, to be expended by the Finance Director.

Article 25 Expenses of Several Departments - Item 219 Worker's Compensation

Voted: That the sum of \$397,169.00 be and hereby is appropriated. \$360,000.00 to be added to the Worker's Compensation Trust Fund and \$37,169.,00 to be added to the 111F Trust Fund (and allowed to accumulate from year to year) to be expended by the Finance Director to pay expenses of Worker's Compensation and 111F Injury Claims.

Article 25 Expenses of Several Departments - Item 220 Training Expense

Voted: That the sum of \$15,000.00 be and hereby is appropriated for Training Expense, to be expended by the Selectmen.

Article 25 Expenses of Several Departments - Item 221 Group Insurance

Voted: That the sum of \$13,461,211.00 be and hereby is appropriated for Group Insurance to be expended by the Finance Director.

Article 25 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 25 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.

Article 25 Expenses of Several Departments - Item 224 Non Contributory Retirement

Voted: That the sum of \$80,964.00 be and hereby is appropriated for NonContributory Retirement, to be expended by the Finance Director/Town Accountant.

Article 25 Expenses of Several Departments - Item 225 Energy Reserve

Voted: That the sum of \$533,544.00 be and hereby is appropriated for Energy Reserve, to be expended by the Board of Selectmen.

Article 25 Expenses of Several Departments - Item 226 Other Post Employment Benefits

Voted: That the sum of \$250,000.00 be and hereby is appropriated to be added to the Other Post Employment Benefits Trust Fund (and allowed to accumulate from year to year) to be expended by the Finance Director.

Article 25 Expenses of Several Departments - Items 227 228 230 Sewer Department

Voted: That the sum of \$4,893,620.00 be and hereby is appropriated for the Sewer Department as follows:

Item 227 Salaries & Wages	\$ 790,426.00
Item 228 Expense	790,517.00
Item 230 South Essex Sewer District	<u>3,312,677.00</u>
	\$4,893,620.00

To meet this appropriation, \$4,893,620.00 is to be transferred from sewer receipts.

Article 25 Expenses of Several Departments - Items 231 232 235 Water Department

Voted: That the sum of \$4,212,312.00 be and hereby is appropriated for the Water Department as follows:

Item 231 Salaries & Wages	\$ 774,445.00
Item 232 Expense	683,239.00
Item 235 Metropolitan Water	<u>2,757,628.00</u>
	\$4,212,312.00

To meet this appropriation \$4,212,312.00 is to be transferred from water receipts.

Article 25 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 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 31 Expenses of Several Departments - Items 238 239 241 Harbor Department

Voted: That the sum of \$942,963.00 be and hereby is appropriated for the Harbor Department as follows:

Item 238 Salaries & Wages	\$ 401,972.00
Item 239 Expense	407,991.00
Item 241 Outlays	<u>133,000.00</u>
	\$942,963.00

To meet this appropriation, \$809,963.00 is to be transferred from harbor receipts and \$133,000.00 to be transferred from Harbor Retained Earnings.

Article 26 Zoning Bylaw Recodification Technical Corrections

Unanimously Voted: That the Town vote to approve Article 26 as printed in the Supplement to the Warrant dated January 29, 2019 and further to authorize the Town Clerk and the Town Planner to make any adjustments thereafter in the numbering and organization and remove the reformatting references as appropriate to remedy any deficiencies within the Final Draft.

Article 27 Zoning Bylaw Amendment and Revisions

Unanimously Voted: To amend Subparagraph (b) and amend Section 200-7 of the Town of Marblehead Zoning Bylaw, Definitions; Construction Start or Commencement, as follows

(b) ARTICLE II Definitions §200-7. Meaning of words:

CONSTRUCTION, START OR COMMENCEMENT OF – ~~Construction commences after the completion of site preparation with either the excavation for a foundation or the permanent affixing and integrating to the site or existing building of a load bearing component of the building specifically the foundation in the manner in which it will be integrated into the final structure. A component is not permanently affixed and integrated if it is subsequently removed.~~ Construction commences upon initiation of Site preparation or if no Site Preparation (i) the excavation of a Foundation or (ii) permanent affixing and integrating of a load-bearing component the site.

Article 28 Zoning Bylaw Amendments and Revisions

Unanimously Voted: To amend the zoning bylaw as follows ~~striketroughs~~ (indicating deletion) and underlines (indicating additions):

200-7 Add the following definition:

STORAGE TRAILER OR BOX – A portable self-storage unit, otherwise known as a "POD" or a "box container" serving residential purposes.

200-13 Accessory Uses Add the following:

200-13 Portable Residential Storage Trailers/Boxes shall be allowed in a Residence District for not more than three months cumulative in any twelve month period. Notwithstanding the foregoing, a portable self-storage unit serving a construction project with an active building permit is exempt.

storage unit serving a construction project with an active building permit is exempt.

Article 29 Zoning Bylaw Amendment and Revisions – Sheds

Unanimously Voted: To amend zoning bylaw 200-13 by adding a new exception as follows

200-13. Accessory Uses.

- A. *Exceptions.* Sheds which are no greater than 81 square feet, no taller than 15 feet and are no closer to the lot lines than one-half the required distance for the side and rear lot lines and in conformance with the front yard set-back requirements under the table of dimensional controls may be constructed by right.

Article 30 Zoning Bylaw Amendment and Revisions Classificatin Retail

Unanimously Voted: To amend Zoning Bylaw 200-11(A)(4) “Other Retail Store” as follows:

(b) **Retail, Small.** A facility selling goods, but not specifically listed in the Table of Use Regulations and which is not in excess of 2000 square feet. The facility shall include the main structure, any area(s) covered or uncovered in or upon which merchandise is stored or displayed for sale.

(c) **Retail, Large.** A facility selling goods, but not specifically listed in the Table of Use Regulations and which is in excess of 2000 square feet. The facility shall include the main structure, any area(s) covered or uncovered in or upon which merchandise is stored or displayed for sale. ~~Other retail store: store, other than for boat services [Subsection A(5)(c)], for the sale of merchandise where all display and sales are conducted within a building.~~

Article 31 Zoning Bylaw Amendment and Revisions - Parking Space Dimensions

Unanimously Voted: To amend the Zoning Bylaw §200-21 Article VI parking space requirement as follows:

Each parking space shall be at least nine feet wide and ~~20~~ eighteen 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 the parking of motor vehicles.

Article 32 Marijuana Tax

Unanimously Voted: To accept the provisions of Massachusetts General Laws Chapter 64N, § 3 to impose a 3% local sales tax on the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town of Marblehead.

Article 33 Marijuana Retailers General By-law

Voted: To Amend the Town Marblehead General Bylaws by adding a new Chapter 97: Marijuana retailers, which would limit the number of Marijuana Retailers to 20% of liquor stores, as follows:

Chapter 97: Marijuana Retailers

§97-1 Limitation on Number of Licenses Issued.

The number of Marijuana Retailers, as defined by M.G.L. c. 94G, §1, in the town of Marblehead shall be limited to twenty (20%) present of licenses issued in the Town of Marblehead for retail sale of alcoholic beverages not to be drunk on the premises where sold, which shall be calculated by rounding up to the next whole number.

Article 34 Amend General Bylaw License and Permits

Voted: To amend the Town of Marblehead General Bylaws section 90, Licenses and Permits, as follows (underline and bold is new language and ~~cross-out~~ is removed language):

A. § 90-1 Delinquent taxpayer list shall be amended as follows:

The Tax Collector or other municipal official responsible for records of all taxes, assessments, betterments and other municipal charges, hereinafter referred to as the Tax Collector, shall annually, and may periodically, furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges, ~~for not less than a twelve-month period,~~ and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

B. § 90-2 Denial, revocation or suspension of license or permit shall be amended as follows:

The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the Tax Collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the Tax Collector; provided, however, that written notice is given to the party and the Tax Collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than 14 days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The Tax Collector shall have the right to enter in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at ~~law~~ law except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority receives a certificate issued by the Tax Collector that the party is in good standing with respect to any and all local taxes, fees assessments, betterments, or other municipal charges, payable to the municipality as of the date of issuance of said certificate.

Article 35 Amend General Bylaw, Stormwater

Voted: ~~bT~~to amend the Town of Marblehead General Bylaws section 195, Stormwater Management and Erosion Control, as follows (underline and bold is new language and ~~cross-out~~ is removed language)

Item 1

§ 195-1 Purpose, amend as follows:

- A. Increased volumes of stormwater, contaminated stormwater runoff from impervious surfaces, and soil erosion and sedimentation are major causes of: impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; destruction of aquatic and wildlife habitat; flooding; and overloading or clogging of municipal catch basins and storm drainage systems. The United States Environmental Protection Agency has identified sedimentation from land disturbance activities and polluted stormwater runoff from land development and redevelopment, and pollutants from illicit connections and discharges to municipal storm drain systems as major sources of water pollution,

impacting drinking water supplies, natural habitats and recreational resources. Regulation of activities that result in the disturbance of land and the creation of stormwater runoff, **and regulation of illicit connections and discharges to the municipal storm drain system** is necessary for the protection of the water bodies and ground water resources within the Town of Marblehead, to safeguard the health, safety and welfare of the general public and protect the natural resources of the Town.

B. The objectives of this by-law are to:

- (1) Protect water resources;
- (2) Require practices that eliminate soil erosion and sedimentation;
- (3) Control the volume and rate of stormwater runoff resulting from land disturbance activities in order to minimize potential impacts of flooding;
- (4) Require practices to manage and treat stormwater runoff generated from new development and redevelopment;
- (5) Protect groundwater and surface water from degradation;
- (6) Promote infiltration and the recharge of groundwater;
- (7) Prevent pollutants from entering the municipal storm drain system;
- (8) Ensure that soil erosion and sedimentation control measures and stormwater runoff management practices are incorporated into the site planning and design process and are implemented and maintained;
- (9) Ensure adequate long-term operation and maintenance of structural stormwater best management practices;
- (10) Require practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at construction sites that may cause adverse impacts to water quality;
- (11) ~~Comply with state and federal statutes and regulations relating to stormwater discharges; and~~
(11) Prohibit illicit connections and unauthorized discharges to the municipal storm drain system;
- ~~(12) Establish the Town of Marblehead's legal authority to ensure compliance with the provisions of this by law through inspection, monitoring and enforcement.~~
(12) Remove all such illicit connections;
- (13) Comply with state and federal statutes and regulations relating to stormwater discharges; and**
- (14) Establish the Town of Marblehead's legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring and enforcement.**

Item 2

§ 195-2 Definitions, amend as follows:

AUTHORIZED ENFORCEMENT AUTHORITY

The Conservation Commission and its employees or agents designated to enforce this by-law. **For permits pursuant to §195-7, where the Conservation Commission does not have jurisdiction over the land disturbance activity, the Planning Board is designated as the authorized enforcement authority. For illicit connections and discharges, the Board of Water & Sewer Commissioners is designated as the authorized enforcement authority.**

ILLICIT CONNECTION

A surface or subsurface drain or conveyance, which allows an illicit discharge into the storm drain, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this by-law. Connections to the municipal storm drain system which constitute illicit discharges as defined below which exist at the time of enactment of this regulation are considered illicit connections.

ILLICIT DISCHARGE

Any direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 7. The term does not include a discharge in compliance with an

NPDES Storm Water Discharge Permit, or resulting from fire fighting activities exempted pursuant to Section 7 of this regulation.

Item 3

§ 195-4 Applicability, amend as follows:

Insert a new paragraph C

- C. **Illicit Discharges and Illicit Connections. Illicit discharges and connections shall include, but not be limited to: all flows of non-stormwater into the municipally owned storm drain system, a watercourse, and any waters of the Commonwealth located within the boundaries of the Town of Marblehead.**

Re-letter the existing paragraph "C" to "D".

Item 4

§ 195-6 Regulations, amend as follows:

Each of the authorized enforcement authority**ies** may adopt and periodically amend rules and regulations to effectuate the purposes of this by-law **under their respective jurisdiction.** Prior to the adoption and subsequent amendment to the rules and regulations, if any, the authorized enforcement authority shall hold a public hearing. Notice of the time and place of the hearing, and of the subject matter, sufficient for identification, shall be published in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than 14 days before the day of the hearing. A copy of the adopted regulations shall be made available at the Office of the Town Clerk and as otherwise deemed appropriate by the authorized enforcement authority. Failure by the authorized enforcement authority to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.

Item 5

§ 195-7 Permits, **amend** as follows:

Change the title of the section to Permits/**Prohibitions.**

- A. Permit hereunder is required prior to any activity disturbing 40,000 or more square feet of land **or less than 40,000 square feet that is part of a larger common plan of development or sale, that will ultimately alter or disturb any land equal to or greater than 40,000 square feet. Where the Conservation Commission does not have jurisdiction over the land disturbance activity, the Planning Board is the land disturbance permit granting authority.** The site owner or his/her agent shall apply to the authorized enforcement authority for the permit. While application may be made by a representative, the permittee must be the owner of the site.
- B. **Illicit discharges and illicit connections shall be prohibited.**
- (1) **Illicit Discharges. No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into any storm drain system, into a watercourse, or into waters of the United States and/or Commonwealth.**
- (2) **Illicit Connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.**
- (3) **Obstruction of the Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior approval from the Marblehead Water and Sewer Commission.**
- C. **Exemptions. The enforcement authority shall be permitted to adopt regulations which provide exemptions to § 195-7(B) and which do not render the foregoing prohibitions without meaning.**

Item 6

§ 195-14 Enforcement, amend as follows:

- B. Orders, add a new section 4.

(4) Upon discovery of illicit discharges or illicit connections, the authorized enforcement authority may issue a written order to enforce the provisions of this by-law or the regulations promulgated thereunder, which may include:

(a) elimination of illicit connections or discharges to the municipal storm drain system;

(b) performance of monitoring, analyses, and reporting;

(c) that unlawful discharges, practices, or operations shall cease and desist;

and

(d) remediation of contamination in connection;

(e) payment of a fine to cover administrative and remediation costs; and

(f) implementation of source control or treatment BMPs.

If the enforcing person determines that abatement or remediation of contaminations is required and is the responsibility of the property owner, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Marblehead may at its option, undertake such work, and expenses times three thereof shall be charged to the violator.

Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town of Marblehead, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Marblehead Water & Sewer Commission within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Marblehead Water & Sewer Commission affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G. L. Ch. 59, section 57 after the thirty-first day at which the costs first become due.

Article 36 MWRA Local Water System Assistance Program, Interest Free Loan, Water Distribution Improvements

Voted: To appropriate \$5,259,400.00 for the construction and reconstruction of the water distribution system, including all incidental or related costs; and to authorize the treasurer with the approval of the Board of Selectmen, to borrow said sum pursuant to G.L. c. 44, §§ 7 and 8 or any other enabling authority and to issue bonds or notes of the Town therefore, whether through the Massachusetts Water Recourse Authority ("MWRA") Local Financial Assistance Program or federal or state loan programs, and to authorize the Town to apply for, accept and expend any federal or state grants or loans that may be available for the project, and further, that any premium received by the Town upon the sale of any bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44 § 20, thereby reducing the amount authorized to be borrowed to pay such costs by like amount.

Article 37 Ban use of gas-powered Leaf Blowers

Vote failed: To support a resolution banning the use of gas-powered leaf blowers by both private citizens and commercial landscapers throughout the Town of Marblehead.

At 10:29PM voted to adjourn the meeting to Tuesday, May 7, 2019 at 7:00PM at the Veterans Middle School Performing Arts Center.

With a quorum met the Moderator reconvened the 2019 Annual Town Meeting at 7:02PM

Article 38 Annual Election of Town Officers

Voted: To amend the Town Bylaw, Chapter 174 paragraph 1 by changing the date of the annual election to Town Officers by striking "Tuesday after the second Monday in May" to the third Tuesday after the first Monday in June each year.

Article 39 Extension of Elected Terms to Town Officials

Voted: A one-time extension of the Elected Terms to Town Officers in order to coincide with the June Special Election Date. The transition year being 2020

Article 40 Affordable Housing /Tax Title Foreclosures

Voted: To appropriate, transfer or otherwise fund \$40,000 to be paid to the Affordable Housing Trust which is a 10% portion of the proceeds received from the sale of tax foreclosure properties.

Article 41 Release Funds from Transportation Network

Voted: That the Sum of \$4,318.40 is appropriated for improvements to the rail trail, to be transferred from the Transportation Network Receipts Reserved for Appropriation Account.

Article 42 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 0 the General Laws as amended, or to reimburse the town for sums of money expended for such purposes, or both.

Article 43 Proposed Reclassification and Pay Schedule (Administrative)

Voted: To amend the Classification and Wage Salary Plan by changing certain job titles where indicated and reclassifying certain positions in the Administrative Schedule: to waive Section 8 of the 1955 Salary By-Law as last amended, by striking out the pay schedule as it relates to administrative personnel, substitute in place thereof the following new pay schedule as it relates to said personnel:

ADMINISTRATIVE SALARY SCHEDULE						
FY 2020-Effective July 1, 2019 – 2.5%						
Grade	Title	Step 1	Step 2	Step 3	Step 4	Step 5
59	Town Administrator	2,018.37	2,185.48	2,352.59	2,519.67	2,686.78
58		1,816.92	1,967.54	2,118.16	2,268.80	2,249.42
57	Dir Finance/Town Accountant Police Chief Fire Chief Supt Water/Sewer	1,636.16	1,771.75	1,907.27	2,042.88	2,178.43
56	Assistant Assessor Director Public Health Town Engineer Director Library	1,470.51	1,592.85	1,715.26	1,837.63	1,960.04
55	Harbormaster Supt Recreation/Park Building Commissioner Director Public Works Assistant Supt Water/Sewer Assistant Director Accounting Director Council on Aging Town Planner	1,323.61	1,433.77	1,543.93	1,654.06	1,764.23
54	Treasurer/Collector Asst Director/Public Works Public Health Nurse Plumbing Inspector Wire Inspector Office Manager Sewer/Water Supt Cemetery	1,191.81	1,290.18	1,388.60	1,487.00	1,585.36

53	Local Inspector Building	1,073.19	1,161.68	1,250.18	1,338.69	1,427.18
	Recreation Supervisor					
	Assistant Wire Inspector					
	Payroll Administrator					
	Asst Director/Tree Warden					
	Head, Public Services Library					
	Head, Technical Services Library					
52	Assistant Treasurer Collector	1,007.29	1,076.97	1,146.51	1,216.31	1,285.93
	Health Inspector					
	Veterans Agent/Sealer					
	Assistant Harbormaster					
	Accounting & Website Assistant					
	Administrative Aid Selectmen					
51	Dog Officer	956.46	1,018.59	1,080.73	1,142.88	1,205.01
	Accounting Assistant					
50	Administrative Clerk	860.46	918.85	977.16	1,035.56	1,093.96
49		775.72	827.96	880.21	932.45	984.74

Article 44 Pay Schedule and Reclassification (Traffic Supervisors)

Voted: To increase the pay for Marblehead Traffic Supervisors, 2.5% effective July 1, 2019

Article 45 Proposed Reclassification & Pay Schedule (Seasonal & Temporary Personnel)

Voted: To waive section 8 of the 1955 Salary By-Laws as last amended by Striking out the pay schedules as they relate to Seasonal and Temporary Personnel and substitute in place thereof the following new pay schedules as they relate to said employees:

SEASONAL PERSONNEL PAY SCHEDULE EFFECTIVE JULY 1, 2019 – 2.5%					
GP	TITLE	DEPT	1	2	3
27	Sr Seasonal Harbor Asst	Harbor	797.61	847.42	897.31
26			748.63	795.42	942.18
25	Beach Supervisor	Rec/Park	701.40	744.98	788.85
	Head Lifeguard	Rec/Park			
	Recreation Program Dir	Rec/Park			
	Park Police	Rec/Park			
24	Summer Acct Assistant	Finance	659.41	701.40	743.39
	Summer Programer Asst	Finance			
	Seasonal Harbor Asst	Harbor			
23	Summer Acct Trainee	Finance	620.90	659.83	698.75
	Summer Programer Trainee	Finance			
	General Laborer III	Hwy/PW/Waste			
	Recreation Specialist	Rec/Park			
	Recreation Leader, Sailing	Rec/Park			
22	General Laborer B	Sewer/Water	596.48	626.59	656.81
	Recreation Leader	Rec/Park			
	Lifeguard	Rec/Park			
	Seasonal Custodian	Public Bld/Insp			
	Parking Enforcement Asst.	Police			
21	Seasonal Laborer	Cemetery	585.95	607.80	629.68
	General Laborer B	Health			
	Data Entry Clerk	Public Bldg/Insp			
	Seasonal Pump-Out Asst.	Harbor			
20	Summer Clerical	Finance, Rec/Park Harbor	573.73	580.72	587.70

	Beach Maintenance Person Parking Gate & Beach Attendant Forestry Worker Grounds Caretaker Recreational Instructor Seasonal Laborer	Rec/Park Rec/Park Rec/Park/Tree Rec/Park/Tree Rec/Park Rec/Park/Tree			
2	General Labor C		545.09	569.60	
B	Custodian Summer Asst	Lib Dog Off	429.,21	450.65	473.29

TEMPORARY PERSONNEL PAY SCHEDULE							
EFFECTIVE JULY 1, 2019 – 2.5%							
GP	TITLE	DEPT	1	2	3	4	5
26	Heavy Equip Op	Hwy HM Waste Water & Sewer	779.02	824.72	870.44	916.14	952.81
25	Senior Clerk	Finance	701.40	745.12	788.85	832.57	876.31
24	General Clerk Vol/Comm Res Coord Prgm/Vol Coord E-911 Dispatch	Assr Sel Fire Wtr Swr Public Bldg COA Lib Sel	659.41	701.40	743.39	785.37	827.31
23	Special Clerk-Rev Gen Laborer III	Finance Health	620.90	659.83	698.75	737.67	776.51
22			596.48	626.83	656.81	686.92	717.15
21	Temp Laborer Temp Special Labor I	Cem COA Lib	585.95	607.80	629.59	651.56	673.41
20			573.73	580.72	587.70	594.71	601.68
14	Sr.Staff Engineer	Eng	815.11	853.07	893.00	934.91	978.88
13	Tech Ser Lib Adult Librarian Child Librarian Young Adult Lib	Lib Lib Lib Lib	779.98	815.11	853.07	893.00	934.91
12	Asst. Dog Off	Pol-Dog Off	744.56	778.96	815.11	853.07	893.00
11	Sanitarian	Hlth	711.66	744.56	778.96	815.11	853.07
10			680.49	711.66	744.56	778.96	815.11
9	Special Labor C Lib Para-Prof Recreation Asst	Lib Lib Rec/Park	650.69	680.49	711.66	744.56	778.56
8			622.29	650.69	680.49	711.66	744.56
7	Special Clerk Library Tech Lib Tech or Tec Adm	Hlth Assr Cem Swr/Wtr Lib Lib	622.29	650.69	680.49	711.66	
6	Chauffeur Site Manager	COA	622.29	650.69	680.49		
5	Sr. Library Asst General Clerk Building Attend	Lib Finance Rec/Park	622.29	650.69			
4			595.22	622.29			
3	Unclassified Labor Data Entry Oper		569.60	595.22			
2	Library Assistant	Lib	545.09	569.60			
1	Temporary Clerk		521.79	545.09			

Article 46 Compensation - Town Officers

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

Town Clerk

\$83,072.86

Said amount to be in full compensation for services as Town Clerk. All fees received by the Town Clerk in her 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 her weekly salary.

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

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 47 Ratification of Salary Bylaw

Voted: To ratify Certain actions taken by the Compensation Committee under Section 3(c) of the 1955 Salary By-Law as last amended and amend the classifications of the positions follows:

Reclassify Positions on the Administrative Pay Scale

- a. Payroll Administrative Pay Scale from Grade 53 to Grade 5a4
- b. Director of Public Health from Grade 56 to Grade 57

Reclassify and change job title in the MMEU Pay Scale

- a. Activities Coordinator, Grade 25 to Program Manager, Grade 27

Article 48 Overnight Parking Ban

Voted: That this article be indefinitely postponed.

Article 49 Sharing of Administrative Functions

Voted: To accept the provisions of Massachusetts General Laws Chapter 71, § 37M and authorize consolidation of certain administrative functions, including but not limited to financial, personnel, and maintenance functions, of the school committee with those of the town, provided that such consolidation only occur upon a majority vote of the School Committee and a majority vote of the Board of Selectmen

Article 50 Repairs to Fort Sewall

Voted: To appropriate, \$750,000.00 to fund improvements to Fort Sewall, and to meet said appropriation authorize the treasurer with the approval of the Board of Selectmen, to borrow said sum pursuant to G.L. c. 44 or any other enabling authority to issue bonds or notes of the Town therefor and that any premium received by the Town upon the sale of any bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44 § 20, thereby reducing the amount authorized to be borrowed to pay such costs by like amount 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 2½)

Article 51 Construct a New School

Counted Vote:

In Favor 811 Against 85

Voted: That the Town appropriates \$54,844,767 to be expended under the direction of the Elbridge Gerry School Building Committee for the design and construction of a new Pre-K through Third Grade Elementary School with an approximate square footage of 81,935 square feet located at 40 Baldwin Road in Marblehead, Massachusetts inclusive of abatement and demolition of the existing school structures on said property; new parking lots, a multi-purpose field, and all other costs incidental and related thereto, 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 Town acknowledges that 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 for the Project shall not exceed the lesser of (1) 37.08 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA and that to meet said appropriation authorize the treasurer with the approval of the Board of Selectmen, to borrow said sum pursuant to G.L. c. 44 any other enabling authority and to issue bonds or notes of the Town therefore and that any premium received by the Town upon the sale of any bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44 § 20, thereby reducing the amount authorized to be borrowed to pay such costs by like amount 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 2½)

Article 52 Discontinue and Change of Use – Portion of Baldwin Road

Counted Vote:

In Favor 775 Against 20

Voted: That the Town discontinue and abandon that portion of Baldwin Road, so called, as shown on a plan dated January 29, 1958, entitled “Baldwin Road Alteration”, including 5,176 square feet +/- and which said plan is on file in the office of Town Clerk and further, that the use of thereof is changed from municipal use to school use under the care, custody and control of the School Committee for school purposes and further that said action only occur if the Town approves the funding and construction of a new school as more fully set forth in Article 51 of this Town Meeting.

Article 53 Gerry School Reuse

Counted Vote:

In Favor 350 Against 75

Voted: That the Town change the use of the Gerry School building and grounds from school purposes to general municipal purposes and to transfer the care custody and control of same to the Board of Selectmen for further reuse as recommended by the Gerry School Reuse Committee and if appropriate as determined by the Board of Selectmen to further authorize the Board of Selectmen to sell the Gerry School building and land in a manner that they determine to be the most beneficial to the Town.

Article 54 Supplemental Appropriation for the Schools

Voted: That this article be indefinitely postponed.

Article 55 Supplemental Expenses of Several Departments

Voted: That this article be indefinitely postponed.

At 10:06PM the Moderator Dissolved the 2019 Annual Town Meeting