

**Selectmen's Minutes**  
**TOHP Burnham Library**

**March 23, 2015**

Present: Chairman Jeffrey D. Jones, Selectman Lisa J. O'Donnell, Selectman Susan Gould-Coviello, Town Administrator Brendhan Zubricki, and Selectmen's Assistant Pamela J. Witham.

Also Present: Matt Coogan, David Cutter, Michael Palmer, Paul Pennoyer, and Regina Villa.

Chairman Jones called the meeting to order at 7:00 p.m. in the TOHP Burnham Library and announced that the Board would hear Public Comment. No one was present to offer any comment.

Acting in their capacity as Licensing Board, a motion was made, seconded, and unanimously voted by the Selectmen to approve the following requests for licenses and permits:

Commercial Clamming Permit, contingent upon receipt of the 2015 Census:

- Stephen Aiello
- Kenneth Amero
- Robert Amero
- Julian Balili
- Paul Chisholm
- Michael Jacobs, Jr.
- Wayne Leveille
- Steven MacDougall
- Timothy Marshall
- Chris Maxfield
- Michael Pascucci
- Robert Perrigo
- Glenn Pike
- Scott Reed
- Erik Walder

Commercial Clamming Permits, including a waiver of the application deadline, contingent upon receipt of the 2015 Census:

- Michael T. French (contingent upon receiving a note as to why the deadline was missed)
- Mark Whitman

Common Victualler's License Renewal:

- Down River Ice Cream, Amy Ahearn, Manager, at 241 John Wise Avenue

Gravel Pit License Renewal:

- Judson A. Lane, Curlew Cove Realty Trust at 53-59 John Wise Avenue

Non-Resident Recreational Clamming Permit and a waiver of the application deadline:

- Stephen Danca, Beverly, MA, sponsored by Robert Brophy
- George Dionne, Brentwood, NH, sponsored by Leo Provost
- Timothy Lehr, Lynn, MA, sponsored by Jean Appeltofft
- Scott McKenna, Ipswich, MA, sponsored by Tom Prentis
- Frank Northrup, Brentwood, NH, sponsored by Leo Provost
- Robert Normand, Beverly, MA, sponsored by David Burnham
- Daniel Provost, South Hampton, NH, sponsored by Leo Provost
- Ryan Silva, Peabody, MA, sponsored by Kevin Jackson
- John Standley, Jr., Beverly, MA, sponsored by Leo Provost
- William Standley, Dover, NH, sponsored by Leo Provost

Student Clamming Permit:

- Kevin Carter
- John Walder

Renewal of Fuel Storage Permit:

- Charles E. Holden, Holden Essex LLC for the above-ground storage of 90,000 gallons of propane gas in 3-30,000 gallon tanks, 49,000 gallons in trucks and tanks awaiting reuse, and 100 gallons of methanol alcohol at #2 Scot's Way.
- Ernest T. Nieberle, Jr., Nieberle's Service Station Inc., d/b/a Ernie's Service Station for the underground storage of 14,000 gallons gasoline at 8 Main Street.

The Selectmen were reminded that their next regular Board of Selectmen's meeting will take place on Monday, April 6, 2015, at 7:00 p.m. in the Library on Martin Street.

The following Conomo Point matters were discussed:

*Review of potential legal settlement with Eric & Kathryn Spunt relative to the surrender of the premises at 4 Conomo Lane, Map 19, Lot 83:* Mr. Zubricki reported that this matter is still being addressed by Town Counsel and may be ready for discussion at the next Selectmen's meeting on April 6, 2015.

Mr. Zubricki reported that Superintendent Goodwin has offered to repave Robbins Island and northern Conomo Point this year, using Chapter 90 funds. The Selectmen approved of the idea.

The Selectmen reviewed a **request from Mark Webber** to sublet the premises at 187 Conomo Point Road, Map 19, Lot 85, for approximately four weeks during the months of June through August. A motion was made, seconded, and unanimously voted to approve the request.

Mr. Zubricki began the presentation of his Town Administrator's Report for the period March 7<sup>th</sup> through March 20<sup>th</sup>, 2015, regarding the following:

Essex Visual Budget: Mr. Zubricki announced that the Finance Committee has approved the request for funding for this item. The Selectmen were in agreement and asked Mr. Zubricki to work with Involution regarding a website product that will show the impact to an individual taxpayer resulting from a shift in Conomo Point tax revenue.

In other business, a motion was made, seconded, and unanimously voted to approve the weekly warrant in the amount of \$640,137.74.

A motion was made, seconded, and unanimously voted to ratify the approval of last week's warrant and exempt from Section 20 of Chapter 268A of the General Laws, the contracts and amounts for the individuals listed below contained within that warrant pursuant to subsection (d) of said Section:

<u>NAME</u>	<u>VENDOR</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>DEPT'S BILL</u>
James McNeilly	McNeilly EMS	3/10/15	\$ 148.50	Police
Ernie Nieberle	Nieberle's	2/24/15	\$ 916.13	Fire
	Nieberle's	2/24/15	\$ 89.50	Water
	Nieberle's	2/24/15	\$ 51.00	Wastewater
	Nieberle's	1/24/15	\$ 76.94	Council on Aging
	Nieberle's	2/24/15	\$3,699.41	Snow Removal
	Nieberle's	2/24/15	\$ 204.80	Highway

A motion was made, seconded, and unanimously voted to approve the minutes for the Selectmen's March 9, 2015, Open Meeting.

A motion was made, seconded, and unanimously voted to approve a request to rent Centennial Grove on Wednesday, June 3, 2015, to the Tyngsborough High School for their Senior Class Outing.

A motion was made, seconded, and unanimously voted to approve a *request from Police Chief Silva* to hold the second annual Classic and Antique Car Show behind the Police Station on Sunday, May 17, 2015 between the hours of 10 am to 2 pm.

A motion was made, seconded, and unanimously voted to approve, in accordance with Massachusetts General Law, Chapter 44, Section 31D, a request to the Finance Committee for an additional \$15,000 for the snow and ice removal budget for FY2015.

A motion was made, seconded, and unanimously voted to nominate Pam Stone as Inspector of Animals, commencing May 1, 2015, through April 30, 2016, to be confirmed by the Director of the MA Department of Agricultural Resources.

A motion was made, seconded, and unanimously voted to accept the *resignation of Robert Jerin* from the Public Safety Study Committee, effective March 12, 2015.

The Selectmen reported that they have reviewed the successor employment contract for the Town Administrator. They were in agreement and a motion was made, seconded, and unanimously voted to approve and sign the contract. Mr. Zubricki also signed the contract.

At 7:05 p.m., the Chairman entertained a motion to open a Public Hearing for the transfer of the annual all alcohol restaurant license at 234 John Wise Avenue to Michael A. Palmer. Mr. Palmer and Mr. Cutter joined the Selectmen and Mr. Palmer briefly reviewed his extensive background in the restaurant industry as well as his plans for the restaurant in Essex, which will be called John Wise Tavern. The Chairman asked if anyone else wished to speak and no one did. A motion was made, seconded, and unanimously voted to close the hearing. The Selectmen were in agreement, and a motion was made, seconded, and unanimously voted to approve the request for a transfer of license. Mr. Palmer was advised that he needed to provide a Department of Revenue Certificate of Good Standing before the application package can be mailed to the Alcoholic Beverage Control Commission and he agreed to bring it to the Selectmen's Office on the following day. The Selectmen congratulated Mr. Palmer, and both he and Mr. Cutter left the meeting.

Development of Strategic Planning Committee: Planner Matt Coogan joined the Selectmen to discuss strategic planning, along with Regina Villa, the Town's marketing consultant. Selectman O'Donnell reported that she has spoken with both Long Term Planning Committee Chair Andrew St. John, and past Chair Mike Dyer regarding the evolution of the LTPC into the Strategic Planning Committee. They are in favor of the transition and are working to finalize the Committee's report to the Selectmen by Town Meeting time. Matt Coogan reported that the Metropolitan Area Planning Council is still very much in favor of helping the Town with this project and will supply the tool kit that they devised to guide municipalities through this process. Mr. Coogan is currently drafting a proposed Mission Statement for the new committee and will attend the next Selectmen's meeting when this discussion will be continued. Those present discussed the possible composition of the membership for the new committee. It is anticipated that membership will include representatives from several Town groups and committees. Mr. Zubricki and Mr. Coogan will attend the meetings. The Selectmen thanked Mr. Coogan for his comments and he left the meeting.

Potential Revision of Selectmen's Statement on Conomo Point: The Selectmen proceeded to discuss updating their statement on Conomo Point with Mr. Zubricki and Regina Villa. Mr. Zubricki said that the current statement reflecting the Selectmen's opinion regarding the future of Conomo Point has certain portions of it that require updating and suggested some revisions. After some discussion among those present, all agreed that Mr. Zubricki will bring a final draft to the next meeting for a vote. Those present also discussed the format of the presentations for the public forum and Town Meeting. Ms. Villa said that her ideas for the presentations are becoming more focused and thanked the Selectmen. She left the meeting.

Town Building Committee Meeting: Mr. Zubricki reported that both he and Selectman O'Donnell attended the recent meeting of the Town Building Committee. Selectman O'Donnell is the Chair of this committee. Mr. Zubricki said that he had reviewed the next phase of

suggested renovations planned for the Town Hall with the committee and they are in favor of the draft plans. While costing more than it would have cost to move the Town offices into the old Lahey building, the proposed changes will only cost half as much as it would cost to build a completely new facility.

Town Hall/Library Renovation Cost Estimation Update: Mr. Zubricki said that it is estimated that the cost of the projected repairs will be in the neighborhood of \$3 to \$4 million. The funding for the project could come from Conomo Point sale proceeds, Community Preservation monies, and/or borrowing. Mr. Zubricki briefly recapped the proposed repairs and interior changes included in this phase of the project. Because the scope of the project exceeds a certain monetary value and/or percentage of the building's valuation, certain additional features have to be included in the project by law. Mr. Zubricki pointed out that a choice to include borrowing in the motion will require a 2/3's vote.

Amanda Davis joined the Selectmen to witness the Chairman's signature in her capacity as a notary public. A motion was made, seconded, and unanimously voted to approve and sign the Winter Recovery Assistance contract with MassDOT for post-winter road repair reimbursement. The Selectmen thanked Ms. Davis and she left the meeting.

Essex River Federal Channel / Future Dredging Application and Update: Mr. Zubricki reported that he has made contact with Seth Moulton's Office seeking their support for legislation to de-authorize portions of the Essex River Channel, which will be necessary in order to relocate the channel for dredging. Also, he reported that a colonel from the Army Corps of Engineers had recently visited with the Senator's staff in Washington, D.C., and while there, advocated for our project. Mr. Zubricki has prepared two State grant applications, one to the Seaport Advisory Council, and one to the Department of Conservation and Recreation Division of Waterways, seeking funding and support for this project. He had also prepared a draft letter to the Army Corps of Engineers explaining why this project is important to Essex. The Board will finalize the letter at the next meeting.

Legion Hall Repairs RFQ Proposal Ranking: Mr. Zubricki reported that five proposals have been received from firms seeking to be chosen to provide a cost estimate for the repairs to the Legion Hall requested by the Historical Society. After discussion, it was agreed that the top three firms should be ranked in the following order: 1) Spencer & Vogt Group, 2) Allen Lieb Architects, and 3) The Narrow Gate. Generally, the Board saw attention to detail and past municipal/historical experience as factors elevating Spencer & Vogt over the two other excellent proposals. The Historical Society is preparing an application to the Community Preservation Committee seeking funding for the cost estimation phase associated with these repairs. Mr. Zubricki will request a cost proposal from the top-rated firm, Spencer & Vogt.

Future Potential Lease Revenue at Conomo Point: Mr. Zubricki said that it has been determined that the future annual lease revenue from the northern long-term leases at Conomo Point would be approximately \$450,000 based on the fourth-year bridge lease rates currently in effect.

Town Hall and Fire Station Natural Gas Conversion Options: Mr. Zubricki reported that he is continuing to research options for gas conversion, but still needs additional information from the Town's energy supplier before a choice can be made.

Potential Offer of Purchase and Sale Agreement for 5 Beach Circle: Mr. Zubricki said that no offers had been received for the 5 Beach Circle property as of the deadline which was 12:00 noon today. Mr. Zubricki reminded the Selectmen that the Town will seek to auction the remaining southern Conomo Point properties on April 16<sup>th</sup>. In addition to the auctioneer personally notifying individuals who have expressed an interest in the properties, there will be notices in the Boston Globe and the Gloucester Daily Times, as well as on the Town's website.

DEP Quarterly Report: Mr. Zubricki said that the quarterly report for April 1, 2015 has been completed and a motion was made, seconded, and unanimously voted to release the report.

Selectman O'Donnell reported that she had met with Chief Silva to discuss the Board's suggestions for his 2015 calendar goals. The Selectmen discussed the Chief's comments and Selectman O'Donnell said that she will meet again with the Chief to continue the discussion.

A motion was made, seconded, and unanimously voted to approve and sign a contract with Patriot Properties for the update and maintenance of the Board of Assessors' Assessment Software Database in Fiscal Year 2016, subject to appropriation.

Mr. Zubricki generally updated the Selectmen regarding the pending litigation concerning the case of the City of Beverly vs. the Essex County Sheriff, et al., Essex Superior Court C.A. No. ESCV2015-00350A.

After a short discussion, a motion was made, seconded, and unanimously voted to designate as a Special Municipal Employee under the Conflict of Interest Law (G.L. c. 268A), the Town's Special Counsel in the matter of City of Beverly v. The Essex County Sheriff's Department, et al, Essex Superior Court No. ESCV2015-00350, and any related proceedings and any matter related thereto; and such other assignments as may be agreed to; if approved by the Town and legally permissible, representation may also include other communities or parties participating in the Regional Dispatch Center.

A motion was made, seconded, and unanimously voted to approve the Retainer Agreement between the Town and Law Offices of Lampke & Lampke, to represent the Town as Special Legal Counsel, and potentially other municipalities, regarding the case of the City of Beverly vs. the Essex County Sheriff, et al.

The Selectmen and Mr. Zubricki reviewed the draft Annual Town Meeting Warrant and a corresponding monetary summary, and subsequently, a motion was made, seconded, and unanimously voted to include the articles as they appear on the draft of the Warrant, dated March 23, 2015. A motion was made, seconded, and unanimously voted to close the Warrant. And, a motion was made, seconded, and unanimously voted to approve and sign the Warrant.

Mr. Zubricki stated that there were no new developments requiring an Executive Session this evening.

There being no further business before the Board, a motion was made, seconded, and unanimously voted to adjourn the meeting at 9:10 p.m.

Documents used during this meeting include the following:

*Request from Mark Webber*  
*Request from Police Chief Silva*  
*Resignation of Robert Jerin*

Prepared by: \_\_\_\_\_  
Pamela J. Witham

Attested by: \_\_\_\_\_  
Lisa J. O'Donnell

2015

Commonwealth of Massachusetts  
Town of Essex

Warrant for Annual Town Meeting and Election

Essex, ss:

To either of the Constables of the Town of Essex;

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Essex, qualified to vote as the laws direct, of the Annual Town Election to bring to ballot for the following officers:

Assessor for three years.  
Moderator for one year.  
Selectman for three years.  
Board of Health member for three years.  
Two Constables for one year.  
School Committee member for three years.  
Board of Library Trustee for three years.  
Planning Board member for five years.  
Housing Authority member to fill a vacancy for four years.

AND, to do this by vote on one ballot. The polls will be open on Monday, May 11, 2015 at 7:00 o'clock A.M. and will close at 8:00 o'clock P.M. at the Memorial Fire Station, 24 Martin Street, Essex.

AND, you are hereby directed to notify and warn the inhabitants of the Town of Essex, qualified to vote as the laws direct, to meet in said Essex at the Essex Elementary School, 12 Story Street, on Monday, May 4, 2015 at 7:30 p.m. and there and then to act on the following Articles, viz:

ARTICLE 1

To see if the Town will vote to determine the manner of electing or choosing all other Town Officers usually elected or chosen at the Annual Town Meeting and take any appropriate action to elect such officers.



ARTICLE 2

To hear and receive the Reports of the Town Officials and Committees, and also to consider and receive any Reports contained in the Annual Town Report; or take any other action relating thereto.

ARTICLE 3

To see if the Town will amend or revise the Wage and Salary scale for fiscal year 2016 in accordance with the recommendations of the Personnel Board Report, a copy of which is on file in the Town Clerk's office and is incorporated herein by reference; or take any other action relating thereto.

ARTICLE 4

To see if the Town will vote to fix the salary and compensation of each of the elected officers of the Town as required by Massachusetts General Law Chapter 41, Section 108, as amended, for fiscal year 2016 in accordance with the recommendations of the Personnel Board Report, a copy of which is on file in the Town Clerk's office and is incorporated herein by reference; or take any other action relating thereto.

ARTICLE 5

To see if the Town will vote to transfer from the Town Septic Betterment Fund a sum of money for the purpose of making necessary payments to the Massachusetts Water Pollution Abatement Trust during fiscal year 2016 in accordance with the terms of repayment for Community Septic Management Program loan funds; or take any other action relating thereto.

ARTICLE 6

To see if the Town will vote pursuant to Massachusetts General Laws chapter 44, section 53E ½ to reauthorize a revolving fund for the Animal Control Officer for the purpose of compensating the Animal Control Officer for the care of impounded dogs and for reimbursing the Animal Control Officer for all associated expenses. Payments from dog owners seeking to claim impounded dogs shall be credited to the fund and expenditures from the fund shall be authorized by the Board of Selectmen up to a maximum of \$10,000; or take any action thereto.

ARTICLE 7

To see if the Town will vote pursuant to Massachusetts General Laws chapter 44, section 53E ½ to reauthorize a revolving fund for the Board of Health for the purpose of purchase of supplies and services as deemed necessary by the Board of Health for the purpose of the planning and execution of an annual youth triathlon or other exercise program. Donations, grants and fees collected for said purpose shall be credited to the fund and expenditures from the fund shall be authorized by the Board of Health up to a maximum of \$12,000; or take any action thereto.

ARTICLE 8

To see if the Town will vote pursuant to Massachusetts General Laws chapter 44, section 53E ½ to reauthorize a revolving fund for the Board of Health for the purpose of purchase of supplies and services as deemed necessary by the Board of Health Department for the purpose of health, safety, and/or emergency planning, preparation and education. Donations, grants and fees collected for said purpose shall be credited to the fund and expenditures from the fund shall be authorized by the Board of Health up to a maximum of \$10,000; or take any action thereto.

ARTICLE 9

To see if the Town will vote pursuant to Massachusetts General Laws chapter 44, section 53E ½ to reauthorize a revolving fund for the Board of Health for the purpose of purchasing supplies, contracted labor, and pharmaceuticals as needed by the Public Health Nurse and for the payment of Public Health Nurse wages. Medicare and other reimbursements relating to said programs and donations for the purpose of purchasing supplies and pharmaceuticals and for Public Health Nurse labor shall be credited to the fund and expenditures from the fund shall be authorized by the Board of Health up to a maximum of \$12,000; or take any action thereto.

ARTICLE 10

To see if the Town will vote, pursuant to Town of Essex Bylaws, Chapter II, Section 2-20 to consider appointments to the Conomo Point Planning Committee, including the appointment of new members, or the reappointment or termination of current members of the Committee; or take any other action relating thereto.

ARTICLE 11

To see if the Town will vote to provide a non-binding Sense of the Town Meeting relative to a plan for use of the northern area of Conomo Point that has been developed by the Board of Selectmen, acting in their capacity as Conomo Point Commissioners, the Conomo Point Planning Committee, and the Town's consulting landscape architect, a copy of said plan which is on file in the Town Clerk's office; or take any other action relating thereto.

ARTICLE 12

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to enable the Board of Selectmen, acting as Conomo Point Commissioners, in accordance with the Town's General Bylaws, Chapter II, Section 2-13.13, to retain the services of a Massachusetts Certified General Appraiser with a MAI designation from the Appraisal Institute to determine the fair market rental value for each segregable portion of the Town's property at Conomo Point north of Clammers' Beach that the Commissioners intend to lease for periods commencing on or after January 1, 2017; and further to authorize the Board of Selectmen, acting as Conomo Point Commissioners, to enter into all agreements and execute on

behalf of the Town any and all documents as may be necessary or convenient to effectuate the purposes of this Article; or take any other action relating thereto.

**ARTICLE 13**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the management of property at Conomo Point including but not limited to renovation, demolition, and contents management of structures and maintenance of all outdoor areas; or take any other action relating thereto.

**ARTICLE 14**

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, including, without limitation, funds under the Community Preservation Act, or any combination thereof, a sum of money sufficient to make further renovations to the Town Hall and Library building at 30 Martin Street including but not limited to full exterior renovation, addition of an elevator, addition of a fire suppression system, and any improvements required by the Americans with Disabilities Act; and also including costs of design, project management and construction oversight/administration, temporary relocation, furnished temporary office space, temporary office utilities, insurance, and all other costs incidental or related to the project; and further to authorize the Board of Selectmen to enter into all agreements and execute on behalf of the Town any and all documents as may be necessary or convenient to effectuate the purposes of this Article; or to take any other action relating thereto.

**ARTICLE 15**

To hear and act upon the Report of the Finance Committee and to vote to raise and appropriate or transfer from available funds a sum of money for the Town charges and expenditures for the ensuing year; or take any other action relating thereto.

**ARTICLE 16**

To see if the Town will vote to transfer from available funds a sum of money for the purpose of funding the Sewer Enterprise Fund for the remainder of fiscal year 2015; or take any other action relating thereto.

**ARTICLE 17**

To see if the Town will transfer from available funds a sum of money for the purpose of funding the Water Enterprise Fund for the remainder of fiscal year 2015; or take any other action relating thereto.

ARTICLE 18

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the Sewer Enterprise Fund for fiscal year 2016; or take any other action relating thereto.

ARTICLE 19

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding the Water Enterprise Fund for fiscal year 2016; or take any other action relating thereto.

ARTICLE 20

To see if the Town will vote to approve the Gross Operating and Maintenance Budget of the Manchester-Essex Regional School District, and raise and appropriate or transfer from available funds a sum of money for the Town's assessment from the District - said sum to be calculated solely in accordance with the "Agreement Between the Towns of Essex and Manchester-by-the-Sea, Massachusetts with Respect to the Formation of a Regional School District", as most recently amended, by invoking and approving the provision found in paragraph four of Massachusetts General Laws chapter 71, section 16B allowing District members "to reallocate the sum of their required local contributions to the district in accordance with the regional agreement", for the fiscal year beginning July first, two thousand fifteen; or take any other action relating thereto.

ARTICLE 21

To see if the Town will raise and appropriate or transfer from available funds a sum of money to pay the Town's share of the operating and capital costs of the Essex North Shore Agricultural and Technical School District for the fiscal year commencing July 1, 2015; or take any other action relating thereto.

ARTICLE 22

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of purchasing and installing magnetic water flow meters for use in the Town's public water supply wells, and any elements incidental thereto; or take any other action relating thereto.

ARTICLE 23

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of purchasing or repairing and installing a pump or pumps for use in the Town's sewer pump stations, and any elements incidental thereto; or take any other action relating thereto.

ARTICLE 24

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purchase and equipping of a pickup truck, with snowplow, for use by the

Water Department; and to authorize the Board of Public Works and/or the Board of Selectmen to take other action as necessary to effectuate the purposes of this vote; or take any other action relating thereto.

**ARTICLE 25**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purchase and equipping of a utility truck, with crane and snowplow, for use by the Sewer Department; and to authorize the Board of Public Works and/or the Board of Selectmen to dispose of the vehicle to be replaced by the new truck by sale or trade and to take other action as necessary to effectuate the purposes of this vote; or take any other action relating thereto.

**ARTICLE 26**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase or to lease for a term of up to or more than three years with an option to purchase and to fully equip a front end loader for use by the Department of Public Works, and to authorize the Board of Selectmen to enter into a purchase or lease/purchase agreement on such terms and conditions as the Board deems in the best interest of the Town; and further to authorize the Board of Selectmen to take other action as necessary to effectuate the purposes of this vote; or take any other action relating thereto.

**ARTICLE 27**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the conversion of up to three, oil-fired heating plants (two possible in Town Hall and one possible in the Fire Station) to natural gas fuel, including the outright replacement of any or all three heating plants that are not suitable candidates for conversion, and any associated piping, tank removal, and/or any other necessary measures incidental or related thereto; or take any other action relating thereto.

**ARTICLE 28**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase updated radios for the Essex Police Department; or take any other action relating thereto.

**ARTICLE 29**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase and install an extraction and drying system for firefighter turnout gear; or take any other action relating thereto.

**ARTICLE 30**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purchase of a new, equipped ambulance; or take any other action relating thereto.

ARTICLE 31

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase and install a rescue door in the Harbormaster boat or take any other action relating thereto.

ARTICLE 32

To see if the Town will vote to appropriate or reserve from the Community Preservation Fund, including fiscal year 2016 estimated annual revenues, a sum or sums of money for Community Preservation projects or purposes, including, but not limited to, acquisitions of interests in land, all as recommended by the Community Preservation Committee; or take any other action relating thereto.

ARTICLE 33

To see if the Town will vote to adopt the "Stretch Energy Code" set forth in the State Building Code at 780 CMR 115.AA (i.e., Appendix 115.AA), as it may be amended from time to time, and to amend the Town of Essex General Bylaws by inserting a new Section 2-23 to Chapter II, Administration, entitled "Stretch Energy Code" as set forth below:

**2-23. Stretch Energy Code**

**2-23.1. Adoption.** The Town has adopted the provisions of 780 CMR 115.AA (i.e., Appendix 115.AA of the State Building Code or the "Stretch Energy Code"), as it may be amended from time to time, and incorporated said 780 CMR 115.AA into the Town's General Bylaws by reference.

**2-23.2. Purpose.** The purpose of the Stretch Energy Code shall be to provide the Town with a more energy efficient alternative to the base energy code otherwise applicable to the relevant sections of the State Building Code for both new commercial and residential construction and existing commercial and residential buildings.

**2-23.3. Applicability**

The Stretch Code shall apply to new commercial and residential construction and to existing commercial and residential buildings. Construction and buildings not included in this scope shall comply with 780 CMR 13, 34, 61, or 93, as applicable.

**2-23.4. Enforcement.**

The Stretch Code shall be enforced by the Building Commissioner or any Assistant Inspector of Buildings.

; or take any other action relating thereto.

ARTICLE 34

To see if the Town will vote to amend the Town of Essex General Bylaws by adding a new subsection (p) to Chapter V, Article 4, Section 1, Police Powers as follows:

p. Within an area marked "Resident Sticker Parking Only" unless the vehicle bears a Resident Parking Sticker issued by the Office of the Town Clerk. Resident parking stickers are available through the Town Clerk's office. The fee for a Resident Parking Sticker shall be \$5.00 per sticker for residents under the age of 65 and \$1.00 per sticker for residents age 65 or older (at the time of the application). The applicant must show a valid vehicle registration for a vehicle registered in the Town of Essex to be eligible. Please consult with the Town Clerk for alternate proof of residency if the applicant's vehicle registration does not correspond to the applicant's Essex address. Resident Parking Stickers shall be valid until December 31 of the year of issue.

; said new subsection to take effect upon approval by the Massachusetts Attorney General and publication in accordance with Massachusetts General Laws, Chapter 40 Section 32; or take any other action relating thereto.

ARTICLE 35

To see if the Town will vote to accept Section 19K of Chapter 41 of the General Laws, which will allow the Town to pay the Town Clerk an amount equal to 10 per cent of his or her regular annual compensation, but not more than \$1,000 per year, in addition to the regular annual compensation paid by the Town for services, if the town clerk has completed the necessary courses of study and training, and has been awarded a certificate by the Massachusetts Town Clerks' Association as a certified Massachusetts municipal clerk; or take any other action relating thereto.

ARTICLE 36

To see if the Town will vote to amend Chapter II, Section 2-1, Town Meeting, of the Town of Essex General Bylaws by adding a new section pertaining to a standing commitment to a Fall Town Meeting, as follows:

2-1.1a *FALL TOWN MEETING*. A fall town meeting shall be held in November, exactly two Mondays preceding Thanksgiving, and shall begin not earlier than 7:30 p.m.

; or take any other action relating thereto.

ARTICLE 37

To see if the Town will vote to authorize the Board of Selectmen to lease the following described premises to Greenbow Corp. D/B/A Shea's Riverside Restaurant & Bar upon such terms and conditions as the Selectmen may, in their judgment and discretion so require.

A portion of land being recorded in Book 400 on page 62 of the Essex South District Registry of Deeds and dated May 23, 1848.

The description of the portion of said parcel of land to be leased hereunder is described as follows:

Beginning at a stone boundary at the southeasterly corner of the said parcel, then running

NORTHEASTERLY: to the mean high water line; then running

WESTERLY: to the base of the rip-rap wall on the easterly side of the parcel; then running

SOUTHWESTERLY: along the base of the rip-rap wall to the street line; then running

SOUTHEASTERLY: to the beginning;

said lease to be for a term of ten years beginning on July 1, 2015; or take any other action relating thereto.

ARTICLE 38

To see if the Town will vote to authorize the Board of Selectmen to lease a certain lot of Town-owned land with the buildings thereon commonly known as the "Legion Hall" located at 28 Main Street (Assessors' Map 41, Lot 35) to a lessee which will use the property primarily for the archiving and/or display of historical materials and artifacts of the shipbuilding industry of the Town of Essex for a term of ten years beginning on July 1, 2015, and upon such other terms and conditions as the Selectmen may, in their judgment and discretion so require; or take any other action relating thereto.

ARTICLE 39

To see if the Town will vote to transfer from available funds a sum of money to be used to defray operational expenses of the various Town departments for the remainder of fiscal year 2015; or take any other action relating thereto.

ARTICLE 40

To see if the Town will vote to transfer from available funds a sum of money to be used to replenish the Finance Committee's Reserve Fund for the remainder of fiscal year 2015; or take any other action relating thereto.



ARTICLE 41

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the payment of unpaid bills from past fiscal years; or take any other action relating thereto.

And you are hereby directed to serve this Warrant by posting attested copies; one at the Post Office, one at the Town Hall, and one at the Essex Elementary School, in said Essex, seven days at least before the time for holding said meeting.

Given under our hand this 23<sup>rd</sup> day of March, two thousand fifteen.

\_\_\_\_\_  
Jeffrey D. Jones, Chairman

\_\_\_\_\_  
Lisa J. O'Donnell

\_\_\_\_\_  
Susan Gould-Coviello

BOARD OF SELECTMEN  
TOWN OF ESSEX

Return of the Warrant:

Date: \_\_\_\_\_

I have served this warrant by posting attested copies thereof – one at the Post Office; one at the Town Hall; and, one at the Essex Elementary School in said Essex; at least seven days before the time for holding said meeting.

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