

COMMONWEALTH OF MASSACHUSETTS TOWN OF MANCHESTER-BY-THE-SEA



SPECIAL TOWN MEETING MINUTES

A Special Town Meeting of the Town of Manchester-by-the-Sea was held on Monday, October 15, 2018 at the Memorial Elementary School on Lincoln Street, pursuant to the warrant being duly posted and the return of the Constable being received. Registrar Eileen Buckley and resident Lee Simonds were in charge of the check-in tables. They were assisted at the front and on the floor by Melissa Flinn, Michelle Baer, Nancy Hammond, Beth Heisey, Kathy Ryan, Carolyn Kelly, Sally Scott, Linda Feuerbach, Pamela Thorne, Adele Ardolino, Bruce Warren and Tom Kehoe. Seven hundred and fifty-one voters checked in for the meeting, ushered by High School students Tyler Erdmann and Max Warnock. Moderator Alan Wilson called the meeting to order at 7:18 p.m. and asked that the meeting rise for the invocation given by Pastor Marlayna Schmidt followed by the Pledge of Allegiance to the flag. The Moderator then gave his opening remarks, procedural points and explained that pink voting cards were being used for this meeting.

The Moderator recognized the service to the Town of individuals who have recently passed away. The Moderator asked for a moment of silence for Al Creighton, Adele Ervin, John Gilmore and Archie Southgate.

The Moderator recognized the Town Officials in attendance as well as any media, counsel and consultants before going to Article 1.

ARTICLE 1: To see if the Town will vote to amend the Town's General Bylaws, Article VI, "Finance Committee," Section 1, by reducing the number of committee members from 9 to 7 and reducing the number of members the Selectmen appoint from 6 to 4. Thus Section 1 of Article VI would read as follows, with the revised language shown in bold and underlined:

Section 1: There shall be a Finance Committee consisting of **seven** legal voters of the Town who shall serve without pay and no member shall be an employee or paid officer of the Town. Each member of the Finance Committee shall serve for a term of three (3) years, and each term shall begin the 1st day of July. **Two** members of the Finance Committee shall be appointed for each of two years and **three members shall be appointed on the third year of an ongoing three year cycle.** One member shall be appointed by the moderator each year. **One** member shall be

appointed by the Selectmen for each of two years and **two members shall be appointed in the third year of the ongoing three year cycle of appointments.**

Or take any other action relative thereto.

Per Petition of the Board of Selectmen

The Finance Committee and the Board of Selectmen both recommend approval.

Eli Boling moves the article as printed. Margaret Driscoll seconds.

ARTICLE 1 MOTION BY ELI BOWLING, SECONDED BY MARGARET DRISCOLL, APPROVED, THE ARTICLE PREVAILS BY 611 YES VOTES AND 46 NO VOTES.

ARTICLE 2: To see if the Town will vote to amend the Town’s General Bylaws, Article X “Police and other Regulations,” Section 39, Snow Emergency Parking Ban, subsection C, as shown in bold and underlined or stricken-through text, below, so that subsection C would read:

- C. While a Snow Emergency Parking Ban is in effect (the Blue Light system is on), it shall be a violation of this Bylaw to park any vehicle on any Town street, punishable ~~by a non-criminal disposition with a fine of \$25, payable by the registered owner of the vehicle in accordance with M.G.L. C. 90 S. 20A,~~ as amended, **with fines as set by the Board of Selectmen as permitted under M.G.L. C. 90 S. 20A.** Each day during which the vehicle remains so parked shall constitute a separate violation.

Or take any other action relative thereto.

Per Petition of the Board of Selectmen

The Finance Committee and the Board of Selectmen both recommend approval.

Becky Jacques moves the article as printed. Arthur Steinert seconds.

ARTICLE 2, MOTION BY BECKY JACQUES, SECONDED BY ARTHUR STEINERT, APPROVED. ARTICLE PREVAILS BY 626 YES VOTES AND 39 NO VOTES.

ARTICLE 3: To see if the Town will approve the \$52,232,925 borrowing authorized by the Manchester Essex Regional School District, for the purpose of paying costs of the Manchester Memorial Elementary School new school construction project, for replacement of the school at 43 Lincoln Street in Manchester-by-the-Sea, Massachusetts, including the payment of all costs incidental or related thereto (the “Project”), 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 District may be eligible for a school construction grant from the Massachusetts School

Building Authority (“MSBA”), said amount to be expended at the direction of the School Building Committee. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of (1) thirty-five and ninety-three one hundredths of a percent (35.93%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

Or take any other action relative thereto.

Per petition of the MERSD

Shannon Erdmann moves the article as printed on the handout that contains the warrant. Caroline Weld, Co-chair of the School Building Committee, seconds the motion.

Motion as printed in the handout that contains the warrant:

That the Town hereby approves the \$52,232,925 borrowing authorized by the Manchester Essex Regional School District, for the purpose of paying costs of the Manchester Memorial Elementary School new school construction project, for replacement of the school at 43 Lincoln Street in Manchester-by-the-Sea, Massachusetts, including the payment of all costs incidental or related thereto (the “Project”), 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 District may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the School Building Committee; that 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 District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that District may receive from the MSBA for the Project shall not exceed the lesser of (1) thirty-five and ninety-three one hundredths of a percent (35.93%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that the approval of the District’s borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 21/2); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA.

After discussion, motion made by Carl Doane, duly seconded, to terminate debate.

THE MOTION TO TERMINATE DEBATE PREVAILS WITH 528 YES VOTES AND 69 NO VOTES.

ARTICLE 3, MOTION BY SHANNON ERDMANN, SECONDED BY CAROLINE WELD, APPROVED. ARTICLE PREVAILS WITH 647 YES VOTES AND 92 NO VOTES.

Susan Beckmann moves to dissolve the Special Town Meeting, duly seconded by Arthur Steinert. The motion to dissolve the meeting prevails unanimously.

The Moderator declared the meeting dissolved at 8:47.

A True Copy.

Attest: _____

Christina J. St. Pierre, CMMC
Manchester-by-the-Sea Town Clerk