

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

ANNUAL TOWN MEETING WARRANT

Essex, ss.

To any of the Constables of the Town of Manchester-by-the-Sea:

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Manchester-by-the-Sea qualified to vote in elections, to meet in the Memorial School, on Lincoln Street, in Manchester-by-the-Sea, on Monday, the sixth day of April, two thousand and twenty AD, at seven o'clock in the evening, for the purpose, to wit:

**ARTICLE 1.** To see if the Town will vote to receive and place on file the reports of the Town boards and committees appearing in the Annual Report, or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 2.** To see if the Town will vote to fix the 12-month fiscal year salary and compensation of all elective officers of the Town as provided in Section 108 of Chapter 41, as amended, as follows; or take any other action relative thereto.

Moderator	\$0.00
Chairman, Selectmen	\$0.00
Other four Selectmen	\$0.00

Per petition of the Board of Selectmen

**ARTICLE 3.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money as the Town's share of the Essex North Shore Agricultural and Technical School District, or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 4.** To see what sums of money the Town will raise by taxation or otherwise to pay Town debts and charges for the ensuing 12 months, effective July 1, 2020, and appropriate the same.

Per petition of the Board of Selectmen

**ARTICLE 5.** To see if the Town will vote to raise and appropriate the sums of money called for under the following items, or any other sums, for the purposes indicated, and to determine whether the money shall be provided by taxation, by appropriation from available funds in the Treasury, or by borrowing; or take any other action relative thereto:

Dept.	Item	Requested	Recommended	Funding Source
1. DPW	Road resurfacing	\$250,000	\$205,000	Fund Balance
2. DPW	F750 Truck to replace 2013 Dump Truck	\$130,000	\$130,000	Fund Balance
3. DPW	Compressor (replaces 20+yr old unit)	\$ 22,000	\$ 22,000	Taxation
4. DPW	Shop Equipment	\$ 10,000	\$ 10,000	Taxation
5. DPW	Drainage/Sidewalk Improvements	\$450,000	\$425,000	Taxation
6. DPW	DPW Garage Upgrades	\$ 75,000	\$ 75,000	Taxation
7. DPW	Cemetery Expansion Study	\$ 10,000	\$ 10,000	Fund Balance
8. Town Hall	Renovations/New HVAC System	\$ 60,000	\$ 60,000	Fund Balance
9. Town Hall	Computer Network/Upgrades	\$ 20,000	\$ 20,000	Fund Balance
10. Town Hall	Financial Software Replacement	\$ 75,000	\$ 75,000	Fund Balance
11. Land Mgmt	Planning Board Rezoning Efforts	\$ 25,000	\$ 25,000	Taxation
12. Land Mgmt	Conservation Lands Management Plan	\$ 40,000	\$ 10,000	Fund Balance
13. Land Mgmt	Planning Board Parking Study	\$ 25,000	\$ 0	(Grant Funded)
14. Land Mgmt	Open Space & Recreation Plan	\$ 35,000	\$ 0	(Grant Funded)
15. Library	Interior Upgrades	\$ 10,000	\$ 10,000	Taxation
16. Park/Rec	Sweeney Park Design/Engineering Efforts	\$150,000	\$ 55,000	Fund Balance
17. Park/Rec	Pay and Display Parking Meter units	\$ 50,000	\$ 0	NA
18. Public Safety	Public Safety Radio System upgrades	\$255,000	\$160,000	Taxation
19. Public Safety	Fire Engine Replacement Fund	\$300,000	\$240,000	Taxation
20. Public Safety	Fire Unit 1 Pick-up Replacement	\$ 60,000	\$ 60,000	Fund Balance
21. Public Safety	Replacement Police Cruiser & Motorcycle	\$ 61,600	\$ 61,600	Fund Balance
22. Public Safety	Fire Gear and Hose replacement	\$ 20,000	\$ 20,000	Fund Balance
23. Public Safety	Fire Station repairs/upgrades	\$ 35,000	\$ 35,000	Fund Balance
24. Public Safety	Fire Dept. "Zodiac" boat replacement	\$ 6,500	\$ 6,500	Fund Balance
25. Public Safety	Fire "Knox Box" Replacement	\$ 13,500	\$ 13,500	Fund Balance
26. Harbor	Tuck's Point Floats Permitting	\$ 10,000	\$ 10,000	Waterway Fund
27. Harbor	Harbormaster Office	\$ 150,000	\$ 0	NA
28. Water	Plant Upgrades/Equipment Replacement	\$210,000	\$210,000	Water Enterprise & Taxation
29. Water	Pipe replacement/improvements	\$775,000	\$ 525,000	Taxation
30. Sewer	Plant Upgrades/Equipment Replacement	\$230,000	\$230,000	Sewer Enterprise

Per petition of the Board of Selectmen

**ARTICLE 6:** To see if the Town will vote to raise and appropriate \$725,000 for the purpose of making capital improvements to the water distribution system, including the payment of all costs incidental and related thereto; provided, however, that said appropriation shall be contingent upon the approval by the voters of a Capital Expenditure Exclusion question in accordance with G.L. c.59, §21C; or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 7:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Town's assessment from the District for the Gross Operating and Maintenance Budget of the Manchester-Essex Regional School District including debt service - 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 G.L. c. 71, § 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 twenty; or take any other action relative thereto.

Per petition of the Manchester-Essex Regional School Committee

**ARTICLE 8.** To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2021 Community Preservation budget and to appropriate from the Community Preservation Fund estimated annual revenues a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2021; and further to reserve for future appropriation a sum of money from the Community Preservation Fund estimated annual revenues for open space, including land for recreational space, historic resources, and community housing purposes, as well as a sum of money to be placed in the 2021 Budgeted Reserve for general Community Preservation Act purposes; and further to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes as recommended by the Community Preservation Committee as follows; or take any other action relative thereto.

1. Community Preservation Committee Expenses (studies, etc.)	(administrative)	\$ 20,000*
2. Sweeney Park: Design/engineering for field upgrades	(open space & recreation)	\$ 50,000
3. Landscape Restoration for all Parks and Tucks Point	(open space & recreation)	\$ 35,000
4. Park and Recreation facility improvements	(open space & recreation)	\$ 12,000
5. Preservation of Conservation Lands	(open space and recreation)	\$ 20,000
6. Affordable Housing Trust Project Funding	(community housing)	\$ 150,000
7. Housing Production Plan Update	(community housing)	\$ 8,500
8. Restoration of Historic Cemeteries	(historic preservation)	\$ 35,000
9. Veterans Honor Role	(historic preservation)	\$ 25,000
10. Exterior Restoration, Seaside 1	(historic preservation)	\$ 39,000
11. First Parish Church Steeple Restoration	(historic preservation)	\$ 30,000
	<b>TOTAL</b>	<b>\$ 426,000</b>

(\*Administrative amount limited to a maximum of 5% of total annual revenue)

Per petition of the Community Preservation Committee

Per petition of the Board of Selectmen

**ARTICLE 9.** To see if the Town will vote to raise and appropriate or transfer from available funds \$264,769 to be deposited into the Town’s Other Post Employment Benefits Trust Fund, subject to said appropriation being expended from the Trust Fund only for the purposes authorized by section 20 of Chapter 32B of the General Laws of the Commonwealth of Massachusetts; or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 10.** To see if the Town will vote, pursuant to the provisions of G.L. c.44, §53E½ as most recently amended, to set the following Fiscal Year 2021 spending limitations on expenditures from the revolving fund(s) set forth in the Town’s Revolving Fund By-law, Article IV, Section 11 of the General By-laws:

Program or Purpose: Costs Associated with Town of Manchester-by-the-Sea Recreation Programs; FY2021 spending limit: \$290,000.

Or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 11.** To see if the Town will vote to amend Section 5 of Article XXI (Affordable Housing Trust Fund) of the Town's General By-laws, as follows, by deleting text shown below as stricken through, or take any action relative thereto.

Section 5     Tenure of Trustees

The Trustees hereunder shall be appointed by the Board of Selectmen or Town Moderator. Only persons who are residents of the Town shall be eligible to hold the office of Trustee. Trustees shall serve for a term not to exceed two years and may be re-appointed at the discretion of the Board of Selectmen or Town Moderator, as applicable. Any Trustee who ceases to be a resident of the Town shall cease to be a Trustee hereunder provided that a written notification of the change in residence has been filed with the Town Clerk. Any Trustee may resign by written instrument signed and acknowledged by such Trustee and duly filed with the Town Clerk ~~and recorded with the Registry of Deeds and filed with the Land Registration Office~~. If a Trustee shall die, resign, or for any other reason cease to be a Trustee hereunder before his/her term of office expires, a successor shall be appointed by a joint meeting of the appointing authority and the remaining Trustees to fill such vacancy provided that in each case the said appointment and acceptance in writing by the Trustee so appointed is filed with the Town Clerk ~~and recorded with the Registry of Deeds and filed with the Land Registration Office~~. Upon the appointment or election of any succeeding Trustee and the filing of such appointment or a certificate of such election the title to the Trust estate shall thereupon and without the necessity of any conveyance be vested in such succeeding Trustee jointly with the remaining Trustees. Reference to the Trustee shall mean the Trustee or Trustees for the time being hereunder. Of the original Trustees, four shall hold office until July 1, 2017 and three shall hold office until July 1, 2018.

Per petition of the Board of Selectmen

**ARTICLE 12.** To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 40, Sections 42A through 42F, and authorize the Town to establish a lien on property for overdue and unpaid water service charges and commit such unpaid amounts to the property tax bill for said property, or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 13.** To see if the Town will vote to accept the provisions of G.L. c.64G, §3A, authorizing imposition of the so-called local room occupancy tax on the rental of rooms in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel, at the rate of 6% of the total value of such occupancy, to take effect on July 1, 2020, or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 14.** To see if the Town will vote to authorize the Board of Selectmen to acquire, by purchase, gift, and/or eminent domain and on such terms and conditions as the Board deems appropriate, a parcel of land containing 12 acres, more or less, known as the "Christian Hill Lot", identified by the Assessors as Parcel 62 0 37, and described in a deed recorded with the Essex South District Registry of Deeds in Book 3746, Page 149, for water supply protection, open space and passive recreation purposes, including the incidental right to use, widen or otherwise improve the existing logging road thereon, after consultation with the Conservation Commission, for passive recreation purposes and/or pedestrian and vehicular access to other conservation or recreational land, with the care, custody and control of said parcel to be held by the Conservation Commission under the provisions of G.L. c. 40, §8C and subject to Article 97 of the Massachusetts Constitution; and to raise and appropriate and/or transfer from available funds \$65,000 under G.L. c. 44, §§ 7 or 8, G.L. c. 44B, the Community Preservation Act, and/or any other enabling authority to cover the cost of the acquisition and costs

incidental or related thereto; and, further, to authorize the Board of Selectmen to grant a perpetual conservation restriction on said parcel pursuant to the provisions of G.L. Ch. 184, Sections 31-33, in compliance with G.L. Ch. 44B, Section 12(a), protecting the parcel for the purposes for which it is acquired, and to enter into all agreements and execute any and all instruments as may be necessary or convenient to effectuate the foregoing purposes; or take any other action relative thereto.

Per petition of the Board of Selectmen

**ARTICLE 15.** To see what sum of money the Town will vote to appropriate or transfer from available funds for the purpose of reducing the tax rate, or take any other action relative thereto.

Per petition of the Board of Selectmen

And you are directed to serve this warrant by posting attested copies thereof, one at the Town Hall Building, one at the Police Station, one at the Fire House, one at the Memorial School, and one at the Post Office, twenty-one (21) days, at least, before the time of holding said meeting.

Hereof fail not to make due return of this warrant, with your doings thereon, to the Town Clerk three (3) days before the day of this meeting.

Given under our hands at Manchester-by-the-Sea, aforesaid, this \_\_\_\_ day of March, 2020.

BOARD OF SELECTMEN

\_\_\_\_\_  
Eli G. Boling, Chairman

\_\_\_\_\_  
Margaret F. Driscoll, Vice Chairperson

\_\_\_\_\_  
Arthur Steinert

\_\_\_\_\_  
Rebecca Jaques

\_\_\_\_\_  
Jeffrey Bodmer-Turner

To the Town Clerk:

I have served the foregoing Warrant by posting attested copies thereof as directed by the By-Law of the Town and the Commonwealth.

\_\_\_\_\_  
Constable

\_\_\_\_\_  
Date of Posting

\_\_\_\_\_  
Received by Town Clerk