

# 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 Tuesday, November 19, 2019 and called to order by Moderator Alan Wilson at 7:04 p.m.

The meeting was held at the Memorial Elementary School on Lincoln Street, pursuant to the warrant being duly posted in accordance with local bylaw. The Moderator asked that all who can rise for the invocation from Pastor Ryan Ackerman of the Cornerstone Church and to remain standing for the Pledge of Allegiance.

The Moderator then gave his opening remarks, procedural points and explained that red voting cards were being used for this meeting. The Moderator recognized the Town Officials in attendance as well as any media and consultants.

Registrar Bruce Warren assisted voters checking in and seating, and was supported by Adele Ardolino, Carolyn Kelly, Elaine Persons, Lee Simmons, Pamela Thorne, Melissa Flinn and Alison Anholt-White. The tellers for the meeting were announced as Adele Ardolino, Nancy Hammond, Carolyn Kelly and Pamela Thorne. Two hundred and twelve voters checked in for the meeting.

The Moderator explained the Electronic Voting process and thanked resident Jim Starkey for writing a software program to produce post meeting voting reports.

**ARTICLE 1:** To see if the Town will vote to transfer for and dedicate to water supply, water quality protection and open space purposes in perpetuity the parcel of land identified on Assessors' Map 62 as Lot 24 and described in a deed recorded with the Essex South District Registry of Deeds in Book 3075, Page 494, which parcel shall be under the care, control and custody of the Conservation Commission under G.L. c. 40, §8C, subject to such rights of access as the Board of Selectmen may determine, and subject to the provisions of Article 97 of the Massachusetts Constitution; or take any other action relative thereto.

Per petition of the Selectmen and the Conservation Commission

The Board of Selectmen recommends approval

Planning Board recommends approval.

The Finance Committee will make their recommendation at the Town Meeting

Steve Gang moves to transfer for and dedicate to water supply, water quality protection and open space purposes in perpetuity, the parcel of land identified on Assessor's Map 62 as Lot 24 and described in a deed recorded with the Essex South District Registry of Deeds in Book 3075, Page 494, which parcel shall be under the care, control and custody of the Conservation Commission under G.L. c. 40, §8C, and subject to the provisions of Article 97 of the Massachusetts Constitution, reserving to the Board of Selectmen, however, the right, after consultation with the Conservation Commission, to use, widen and/or otherwise improve the existing logging road thereon for pedestrian and vehicular access purposes, including access to other Town properties. Olga Hayes seconds the motion.

The Finance Committee recommended passing over (taking no action) under the article at this time.

**ARTICLE 1 MOTION BY STEVE GANG, SECONDED BY OLGA HAYES, PREVAILS WITH 135 YES VOTES AND 20 NO VOTES.**

**ARTICLE 2:** To see if the Town will vote 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) Town Common Renovation  | (recreation/open space) | \$225,000 |
| 2) Trask House Restoration | (historic preservation) | \$ 3,000  |

Per Petition of the Community Preservation Committee

The Board of Selectmen recommends approval

The Finance Committee recommends approval

Jack Burke moves the article as printed in the warrant and Sue Thorne seconds that motion.

A voter asked a procedural question as to whether the two projects can be divided into two separate votes. The Moderator announced that according to our local bylaws, the Moderator has the authority to divide a question that is susceptible to being divided.

A motion was made by Mr. Garlan Morse, duly seconded, to move the question.

**THE MOTION TO MOVE THE QUESTION WAS VOTED UNANIMOUSLY.**

The Moderator explained that the two projects within the main motion will be voted on separately.

The Moderator called for the vote for the Town Common Renovation.

**THE MOTION AND VOTE FOR THE TOWN COMMON RENOVATION PROJECT PREVAILS WITH 128 YES VOTES AND 61 NO VOTES.**

The Moderator called for the vote for the Trask House Restoration.

**THE MOTION AND VOTE FOR THE TRASK HOUSE RESTORATION PREVAILS WITH 169 YES VOTES AND 35 NO VOTES.**

**ARTICLE 3:** To see if the Town will vote to raise and appropriate or transfer from available funds \$55,000 for the purpose of designing and developing bid specifications for the replacement of waterlines within the Town water system, including any incidental or related costs; or take any other action relative thereto.

Per petition of the Board of Selectmen

The Board of Selectmen recommends approval

The Finance Committee recommends approval

Arthur Steinert moves and Eli Boling seconds that the Town raise and appropriate from local receipts \$55,000 for the purpose of designing and developing bid specifications for the replacement of waterlines within the Town water system, including any incidental or related costs.

**ARTICLE 3, MOTION BY ARTHUR STEINERT, SECONDED BY ELI BOLING, PREVAILS WITH 186 YES VOTES AND 8 NO VOTES.**

The Moderator informed the meeting that as Articles 4 and 5 related to the same topic he was going to allow discussion of both at this time.

**ARTICLE 4:** To see if the Town will transfer the care, custody, and control of the parcel of land described below from the tax custodian for tax title purposes to the Board of Selectmen for general municipal purposes and for the purpose of leasing, and to authorize the Board of Selectmen to enter into a long term lease, for terms of up to twenty years at a time, the Town-owned parcel of land shown on Assessor's Map 63 as Lot 7, located on Upper Pine Street, and commonly known as the Town landfill site or transfer station, for the development and operation of a compost facility thereon, said lease to be on such terms and conditions and for such consideration of the Board of Selectmen deems appropriate, or take any other action relative thereto.

Per petition of the Board of Selectmen

The Board of Selectmen recommends approval

The Finance Committee recommends approval, conditioned on the Committee being represented in lease negotiations. (The Selectmen have agreed to this condition).

Eli Boling moves and Becky Jaques seconds the article as presented in the warrant.

Motion made by Alida Bryant, duly seconded, to move the question.

**THE MOTION TO MOVE THE QUESTION WAS VOTED UNANIMOUSLY.**

**ARTICLE 4, MOTION BY ELI BOLING, SECONDED BY BECKY JAQUES, PREVAILS WITH 174 YES VOTES AND 19 NO VOTES.**

**ARTICLE 5:** To see if the Town will vote to raise and appropriate or transfer from available funds \$300,000 for the purpose of paying the Town's portion of the construction of a new compost facility at the current transfer station site; or take any other action relative thereto.  
Per petition of the Board of Selectmen

The Board of Selectmen recommends approval  
The Finance Committee recommends approval

Eli Boling moves and Becky Jaques seconds that the Town raise and appropriate from local receipts \$300,000 for the purpose of paying the Town's portion of the construction of a new compost facility at the current transfer station site.

**ARTICLE 5, MOTION BY ELI BOLING, SECONDED BY BECKY JAQUES,  
PREVAILS WITH 183 YES VOTES AND 21 NO VOTES.**

Eli Boling moves to dissolve the Special Town Meeting, duly seconded by Margaret Driscoll.  
The motion to dissolve the meeting prevails unanimously.

The Moderator declared the meeting dissolved at 8:33 p.m. and thanked everyone for attending.

A True Copy.

Attest: /s/ Christina J. St. Pierre, CMMC  
Manchester-by-the-Sea Town Clerk