

MANCHESTER-BY-THE-SEA  
Annual Town Meeting - Monday April 25, 2022

The Annual Town Meeting of the Town of Manchester-By-The-Sea was held on Monday April 25, 2022 at 7:00PM at the Memorial Elementary School at 43 Lincoln Street, pursuant to the warrant being duly posted and the return of the Constable being received. The Meeting was managed by several election officials including Eileen Buckley, Kathy Ryan, Elizabeth Heisey, Ellen Flatley, Elaine Persons, Thomas Kehoe, Kurt Meldon, Gretchen Wood, Michelle Baer, Lee Simonds, Alison Anholt-White and Joanna Shah. Three hundred and nineteen (319) registered voters were checked in and twenty-nine (29) non-residents were present for the event. A quorum of 100 was reached at 6:49PM and the meeting was called to order at 7:05PM. Moderator Alan Wilson waived the reading of the warrant but confirmed it was properly posted. Moderator Wilson asked the meeting to rise for the invocation given by Pastor Ryan Ackerly followed by the Pledge of Allegiance. Moderator Wilson continued with the usual preliminaries consisting of the Memorial Resolution honoring deceased Town officials and employees. He submitted the following resolution which includes those who died during 2021:

**RESOLUTION**

Whereas the citizens of Manchester-by-the-Sea note with profound regret the deaths of several of their friends and neighbors during the past year, and seek to recognize and acknowledge their varied contributions to the Town's commonwealth and welfare, and our mutual sense of community,

We citizens hereby salute the departed, acknowledge our common indebtedness to them, extend the sympathy of the Town to their intimates and survivors, and declare that this resolution be entered in the Town archives, and a true copy be sent to the appropriate survivors.

The persons memorialized and their achievements are proclaimed in the order of the dates of their deaths:

**Jens Kure-Jensen**

Community Preservation Committee  
Conservation Commission  
Harbor Advisory Committee

**Robert Juliano**

Parks and Recreation Committee

**Thomas C. Andrews**

Fire Fighter  
Council on Aging Driver

**Irene S. Andrews**

School Bus Driver  
School Cafeteria Worker

**Mary Ann McGovern**

Council on Aging

**Judith Gamble**

Friends of the Council on Aging

Jeff Bodmer-Turner, Chair of the Board of Selectmen, moved the resolution as read, Becky Jaques, Vice Chair, seconds. The memorial resolution was unanimously adopted. The meeting rose for a moment of silence for their former town citizens.

Moderator Wilson recognized Eli Boling who is retiring as a selectman at the end of his current term. "In my 27 years as Moderator, never has the Town or the Board faced challenges comparable to those during his tenure: first the pandemic and then the negotiation with SLV. Through it all, Eli remained wise, respectful and unflappable."

Jeffrey Bodmer-Turner, chair of the Board of Selectmen welcomed the Meeting and thanked everyone for attending. He commented on this being the first indoor annual meeting in three years and the first meeting in the new elementary school. He requested that we all mask up because there are many in Town who are still vulnerable to Covid-19.

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Mr. Bodmer-Turner spoke on the four major areas the Board focused on this past year: infrastructure, natural resources, supporting local businesses, and public safety dispatch. The efforts by our Department of Public Works in reducing groundwater/storm water inflows into our wastewater treatment plant have resulted in a decrease in sewage treatment demand of over 140,000 gpd (21%). In acknowledgment of our progress, the Town has been given notice of the State's intent to lift the consent decree that has constrained new hookups while the work on the pipe linings proceeded. Our Public Works Department deserves recognition for their persistent efforts over many years for this critical project.

The Board voted to reestablish the Water Resources Protection Task Force to review and update the 1990 Horsley-Witten Drinking Water Protection Plan. The task force is up and running working diligently to identify a long-term plan of action with specific next steps for protecting our town water supply. The Board of Selectmen also collaborated with Friends of Manchester Trees to create a tree policy to protect our "green infrastructure" establishing a rigorous review process before a Town tree may be taken down.

In support of our local businesses, the Board eased beach access restrictions to draw non-residents to the Town and increase local business activity. The Board supported the use of ARPA funds to create a direct path from the public parking area behind Town Hall to the Village shopping area. Currently there are various town boards collaborating on initiating a parking study to propose innovations to increase activity to downtown businesses.

The proposal to join the Regional North Shore 911 Dispatch Center has been before the Town for the past eighteen months. The Board of Selectmen held three public forums to define the needed changes for dispatch, both operations and upgraded equipment. On April 14th and May 5th of this year we are holding two more public forums to dive deeply into the financial impacts of either maintaining our in-house dispatch or moving to the Regional Service. The website has all the information on this issue. There will be a town wide advisory vote on this question on the upcoming May 17th ballot. The Board urges the Meeting to become fully informed about this important decision before voting.

Mr. Bodmer-Turner told the Meeting that Open Town Meetings are one of the oldest forms of legislative bodies in our country, pre-dating the American Revolution and the United States Constitution. As such, we all have a responsibility to respect each other's opinions and to treat our differences and agreements with civility. He hoped that all present will find the time spent here to be informative and productive.

Mr. Bodmer-Turner also recognized Eli Boling by thanking him for his contributions as a member Board of Selectmen since 2013. "His contributions to the Town have always been well informed, very thoughtful, and immeasurably helpful. He has been a mentor to many of us and has guided the Board through some of the toughest problems the Town has faced with calm and grace. As Board members we all feel a deep sense of gratitude for his leadership."

The Town gifted Mr. Eli Boling a beautiful chair with a Town Seal for his selfless service to our community.

**ARTICLE 1           Annual Town Report**

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.

**RECOMMENDATION:** Both the Board of Selectmen and Finance Committee recommend approval.

**MOTION:** Jeffrey Bodmer-Turner moved and John Round seconded the article as presented in the Warrant.

There was no discussion.

300 voters present.

**Article 1 was approved with a majority vote: 269 yes, 2 no, 9 abstentions.**

**ARTICLE 2           Elected Officials Salaries**

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

**RECOMMENDATION:** Both the Board of Selectmen and Finance Committee recommend approval.

**MOTION:** Eli Boling moved and Ann Harrison seconded the article as presented in the Warrant.

There was no discussion.

300 voters present.

**Article 2 was approved with a majority vote: 271 yes, 5 no, 8 abstentions.**

**ARTICLE 3           Essex North Shore Agricultural and Technical School District Appropriation**

To see if the Town will vote to raise and appropriate or transfer from available funds \$223,380 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

**RECOMMENDATION:** Both the Board of Selectmen and Finance Committee recommend approval.

**MOTION:** John Round moved and Jeffrey Bodmer-Turner seconded that the Town raise and appropriate the sum of \$223,380 for the purpose stated in the article.

300 Voters present.

**Article 3 was approved with a majority vote: 281 yes, 10 no, 4 abstentions.**

**ARTICLE 4           Town Operating Budget**

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, 2022, and appropriate the same.

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**DEPARTMENTAL REQUESTS AND  
FINANCE COMMITTEE RECOMMENDATIONS**

Item No.	Appropriations FY - 2022	Requests FY - 2023	Recommendations FY - 2023	Funding Sources	
<b>GENERAL GOVERNMENT</b>					
33%					
<b><u>SELECTMEN'S DEPARTMENT</u></b>					
1 Salaries	309,884	319,232	319,232	TAXATION	
2 Expenses	65,300	64,500	64,500	TAXATION	
3 Audit	38,500	44,500	44,500	TAXATION	
<b><u>INFORMATION TECHNOLOGY</u></b>					
4 Expenses	135,000	152,000	152,000	TAXATION	
<b><u>FINANCE COMMITTEE</u></b>					
5 Salaries	3,500	3,800	3,800	TAXATION	
6 Expenses	300	300	300	TAXATION	
7 Reserve Fund	160,000	210,000	210,000	TAXATION OVERLAY SUR.	85,000 125,000
<b><u>ELECTION &amp; REGISTRATION</u></b>					
8 Salaries	4,650	9,506	9,506	TAXATION	
9 Expenses	17,475	18,000	18,000	TAXATION	
<b><u>ACCOUNTING</u></b>					
10 Salaries	160,663	166,915	166,915	TAXATION	
11 Expenses	4,700	4,700	4,700	TAXATION	
<b><u>ASSESSORS</u></b>					
12 Salaries	131,118	129,279	129,279	TAXATION	
13 Expenses	57,200	62,150	62,150	TAXATION	
<b><u>TREASURER/COLLECTOR</u></b>					
14 Salaries	159,584	163,906	163,906	TAXATION	
15 Expenses	28,940	31,925	31,925	TAXATION	
<b><u>TOWN CLERK</u></b>					
16 Salaries	104,886	104,894	104,894	TAXATION	
17 Expenses	5,300	7,555	7,555	TAXATION	
<b><u>LEGAL/PROF. SERVICES</u></b>					
18 Expenses	80,000	95,000	95,000	TAXATION	
<b><u>APPEALS BOARD</u></b>					
19 Salaries	8,320	8,320	8,320	TAXATION	
20 Expenses	9,550	12,050	12,050	TAXATION	
<b><u>PLANNING DEPARTMENT</u></b>					
21 Salaries	96,635	101,153	101,153	TAXATION	
22 Expenses	6,600	6,600	6,600	TAXATION	
<b><u>TOWN HALL &amp; COMMON</u></b>					
23 Salaries	25,000	-	-	TAXATION	
24 Expenses	60,500	38,200	38,200	TAXATION	
<b><u>PENSIONS</u></b>					
25 Contributory	1,461,004	1,564,930	1,564,930	TAXATION SEWER RATES WATER RATES	1,425,040 79,673 60,217

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**INSURANCE**

26 Group Health Insurance	1,285,000	1,329,000	1,329,000	TAXATION	1,185,638
				SEWER RATES	84,742
				WATER RATES	58,620
27 Workers' Compensation	95,000	95,000	95,000	TAXATION	74,000
				SEWER RATES	10,000
				WATER RATES	11,000
28 Fire/Auto/Liability	130,000	130,000	130,000	TAXATION	106,900
				SEWER RATES	11,550
				WATER RATES	11,550
29 Unemployment Compensation	7,000	7,000	7,000	TAXATION	
30 FICA-Medicare	100,500	103,515	103,515	TAXATION	95,381
				SEWER RATES	4,440
				WATER RATES	3,694
<b>Total General Government</b>	<b>4,752,109</b>	<b>4,983,930</b>	<b>4,983,930</b>	TAXATION	4,523,444
				OVERLAY SUR.	125,000
				SEWER RATES	190,405
				WATER RATES	145,081
					<b>4,983,930</b>

**PUBLIC SAFETY**  
26%

**POLICE**

31 Salaries	1,730,836	1,874,324	1,874,324	TAXATION	
32 Expenses	96,314	99,675	99,675	TAXATION	

**PARKING CLERK/RESIDENT PARKING**

33 Salaries	6,264	6,389	6,389	TAXATION	
34 Expenses	21,600	20,200	20,200	TAXATION	

**FIRE**

35 Salaries	1,346,748	1,431,714	1,431,714	TAXATION	
36 Expenses	142,750	145,100	145,100	TAXATION	

**HARBOR MASTER**

37 Salaries	157,468	186,359	186,359	MOORING FEES	
38 Expenses	23,260	26,610	26,610	MOORING FEES	212,969

**BUILDING DEPARTMENT**

39 Building Inspector	46,981	47,921	47,921	TAXATION	
40 Gas/Plumbing Inspector	13,873	14,150	14,150	TAXATION	
41 Sealer of Weights & Measures	3,000	3,000	3,000	TAXATION	
42 Electrical Inspector	13,873	14,150	14,150	TAXATION	
43 Inspector's Expenses	4,500	4,500	4,500	TAXATION	
44 Permit Software	27,920	29,316	29,316	TAXATION	

**EMERGENCY MANAGEMENT**

45 Expenses	1,000	1,000	1,000	TAXATION	
46 Emergency Notification	4,725	4,725	4,725	TAXATION	

**ANIMAL CONTROL**

47 Expenses	16,315	16,315	16,315	TAXATION	
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<b>Total Public Safety</b>	<b>3,657,427</b>	<b>3,925,448</b>	<b>3,925,448</b>	TAXATION	3,712,479
				MOORING FEES	212,969
					<b>3,925,448</b>

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<b>PUBLIC WORKS</b>					
15%					
<b><u>DEPARTMENT OF PUBLIC WORKS</u></b>					
48 Salaries	894,464	917,355	917,355	TAXATION	874,923
				SEWER RATES	21,216
				WATER RATES	21,216
49 Expenses	382,800	340,900	340,900	TAXATION	
<b><u>FACILITIES</u></b>					
50 Salaries	-	35,337	35,337	TAXATION	
51 Expenses	-	105,500	105,500	TAXATION	
<b><u>SNOW REMOVAL</u></b>					
52 Salaries	32,000	32,000	32,000	TAXATION	
53 Expenses	170,000	170,000	170,000	TAXATION	
54 Street Lighting	35,000	60,000	60,000	TAXATION	
<b><u>SANITATION/COMPOSTING/RECYCLING</u></b>					
55 Salaries	15,000	15,000	15,000	TAXATION	
56 Expenses	60,000	43,500	43,500	TAXATION	
57 Rubbish Collection/Recycling	426,400	370,000	370,000	TAXATION	
58 Disposal	174,250	230,000	230,000	TAXATION	
Total Dept. of Public Works	2,189,914	2,319,592	2,319,592	TAXATION	2,277,160
				SEWER RATES	21,216
				WATER RATES	21,216
					2,319,592
<b>OTHER ENVIRONMENTAL</b>					
1%					
<b><u>HISTORIC DISTRICT COMMISSION</u></b>					
59 Salaries	1,600	5,000	5,000	TAXATION	
60 Expenses	950	950	950	TAXATION	
<b><u>CONSERVATION COMMISSION</u></b>					
61 Salaries	59,595	67,845	67,845	TAXATION	62,845
				WETLANDS FD.	5,000
62 Expenses	2,760	2,800	2,800	TAXATION	
63 Chebacco Woods	1,250	1,250	1,250	TAXATION	
Total Other Environmental	66,155	77,845	77,845	TAXATION	72,845
				WETLANDS FD.	5,000
					77,845
<b>HUMAN SERVICES</b>					
2%					
<b><u>HEALTH</u></b>					
64 Salaries	72,510	76,264	76,264	TAXATION	
65 Expenses	48,750	50,250	50,250	TAXATION	
<b><u>VETERANS' SERVICES</u></b>					
66 Expenses	15,000	15,000	15,000	TAXATION	
67 Veterans' Benefits	28,000	5,000	5,000	TAXATION	
<b><u>COUNCIL ON AGING</u></b>					
68 Salaries	175,897	180,669	180,669	TAXATION	
69 Expenses	18,600	18,810	18,810	TAXATION	
Total Human Services	358,757	345,993	345,993	TAXATION	345,993

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	<b>LIBRARY</b>				
	3%				
<b><u>LIBRARY</u></b>					
70 Salaries	345,683	367,823	367,823	TAXATION	
71 Expenses	165,575	156,606	156,606	TAXATION	
<b>Total Culture and Informational Services</b>	<b>511,258</b>	<b>524,429</b>	<b>524,429</b>	<b>TAXATION</b>	<b>524,429</b>
	<b>RECREATION</b>				
	2%				
<b><u>PARKS &amp; RECREATION</u></b>					
72 Salaries	149,633	152,722	152,722	TAXATION	102,722
				PROGRAM FEES	50,000
73 Expenses	7,909	8,334	8,334	TAXATION	
<b><u>SINGING BEACH OPERATIONS</u></b>					
74 Salaries	75,642	79,424	79,424	TAXATION	
75 Expenses	17,500	18,400	18,400	TAXATION	
<b><u>LIFEGUARDS</u></b>					
76 Salaries	61,803	64,893	64,893	TAXATION	
77 Expenses	3,400	3,500	3,500	TAXATION	
<b><u>TUCK'S POINT</u></b>					
78 Salaries	6,715	8,000	8,000	TAXATION	
79 Expenses	31,820	17,820	17,820	TAXATION	
<b><u>OTHER RECREATION</u></b>					
80 Memorial Day	3,000	3,000	3,000	TAXATION	
81 Fourth of July	10,000	10,000	10,000	TAXATION	
<b>Total Recreation</b>	<b>367,422</b>	<b>366,093</b>	<b>366,093</b>	<b>TAXATION</b>	<b>316,093</b>
				<b>PROGRAM FEES</b>	<b>50,000</b>
					<b>366,093</b>
	<b>DEBT SERVICE</b>				
	7%				
<b><u>DEBT SERVICE</u></b>					
Principal on Bonds	822,409	764,861	764,861		
Interest on Bonds	295,646	268,998	268,998		
WPAT Administration Fees	1,873	1,704	1,704		
<b>82 Total Debt Service</b>	<b>1,119,928</b>	<b>1,035,563</b>	<b>1,035,563</b>	<b>TAXATION</b>	<b>881,897</b>
				<b>SEWER RATES</b>	<b>153,666</b>
					<b>1,035,563</b>
	<b>ENTERPRISE FUNDS</b>				
	11%				
<b><u>SEWER FUND</u></b>					
83 Salaries	365,484	306,233	306,233	SEWER RATES	
84 Expenses	306,500	329,600	329,600	SEWER RATES	
<b><u>WATER FUND</u></b>					
85 Salaries	305,909	254,763	254,763	WATER RATES	
86 Distribution Expenses	138,500	142,000	142,000	WATER RATES	
87 Treatment Expenses	597,652	612,720	612,720	WATER RATES	
<b>Total Enterprise Funds</b>	<b>1,714,045</b>	<b>1,645,316</b>	<b>1,645,316</b>	<b>SEWER RATES</b>	<b>635,833</b>
				<b>WATER RATES</b>	<b>1,009,483</b>
					<b>1,645,316</b>
<b>TOTAL ARTICLE 4</b>	<b>14,737,015</b>	<b>15,224,209</b>	<b>15,224,209</b>		

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**EXPENSES BUDGET SUMMARY**

GENERAL GOVERNMENT	33%	4,752,109	4,983,930	4,983,930	TAXATION OVERLAY SUR. SEWER RATES WATER RATES	4,523,444 125,000 190,405 145,081 <u>4,983,930</u>
PUBLIC SAFETY	26%	3,657,427	3,925,448	3,925,448	TAXATION MOORING FEES	3,712,479 212,969 <u>3,925,448</u>
DEPARTMENT OF PUBLIC WORKS	15%	2,189,914	2,319,592	2,319,592	TAXATION SEWER RATES WATER RATES	2,277,160 21,216 21,216 <u>2,319,592</u>
OTHER ENVIRONMENTAL	1%	66,155	77,845	77,845	TAXATION WETLANDS FD.	72,845 5,000 <u>77,845</u>
HUMAN SERVICES	2%	358,757	345,993	345,993	TAXATION	<u>345,993</u>
LIBRARY	3%	511,258	524,429	524,429	TAXATION	<u>524,429</u>
PARKS & RECREATION	2%	367,422	366,093	366,093	TAXATION PROGRAM FEES	316,093 50,000 <u>366,093</u>
DEBT SERVICE	7%	1,119,928	1,035,563	1,035,563	TAXATION SEWER RATES	881,897 153,666 <u>1,035,563</u>
ENTERPRISE FUNDS	11%	1,714,045	1,645,316	1,645,316	SEWER RATES WATER RATES	635,833 1,009,483 <u>1,645,316</u>
<b>TOTALS</b>	<b>100%</b>	<b>14,737,015</b>	<b>15,224,209</b>	<b>15,224,209</b>		<b><u>15,224,209</u></b>

FUNDING SOURCES SUMMARY	
TAXATION	12,654,340
OVERLAY SURPLUS	125,000
MOORING FEES	212,969
PROGRAM FEES	50,000
WETLANDS FD	5,000
SEWER RATES	1,001,120
WATER RATES	1,175,780
<b>TOTAL</b>	<b><u>15,224,209</u></b>

Per petition of the Board of Selectmen

**RECOMMENDATION:** Both the Board of Selectmen and Finance Committee recommend approval.

**MOTION:** Jeff Bodmer-Turner moved and Sarah Mellish seconded that the Town raise by taxation or otherwise to pay Town debts and charges for the ensuing 12 months, effective July 1, 2022, and appropriate the same, the amounts presented in the “Expenses Budget Summary” section under the “recommended” and “funding sources” columns of the Finance Committee Report, page 28 under Article 4, provided however that, with prior approval of the Board of Selectmen and the Finance

Committee, the Town Administrator is authorized to transfer unexpended funds within a summary category (for example, within General Government).

Sarah Mellish, Chair of the Finance Committee welcomed the Meeting and commented on the beautiful new school. She explained that the Finance Committee scrutinized the FY2023 operating budget for efficiencies but do still have staffing challenges to address. She said that in 2020, the Finance Committee held the tax levy increase to 0% due to the pandemic and to only 1.5% last year but that we cannot continue on that path. To support the proposed budget, the Town will need a tax levy increase of 2.5%. Additional funding for the Memorial School, which was expected and previously approved, will add 0.7% to the tax rate for a total projected increase of 3.2%. The challenges the Town is facing include the Police Reform Act implications and staffing needs in the Police Department, Fire Department, Harbor Department and Health Department. Rather than spend more tax dollars for now, the Finance Committee feels it is more prudent to use ARPA funds to pay for a new in-house Health Agent to work with the Board of Health. The Manchester Essex Regional School District may also require an override next year too. Lastly, Ms. Mellish explained that the Finance Committee feels the financial delta between retaining dispatch in-house and moving to the regional center is such that it is financially prudent to move to the regional center and use the funds saved to address the ongoing operational budget challenges.

## **DISCUSSION**

There was a hold on #55, Street Lights under the Department of Public Works as the budget categories were read. Judy Sabella, 15 Rosedale Avenue commented that it seemed to be a large increase and that she sees the street lights on 24/7. She asked whether this was the cause of the increase.

Greg Federspiel, Town Administrator explained that in the past few years, the Town had not included maintenance on the lights just the cost of electricity. The Town needed to add this cost into this line item. Mr. Federspiel also said that should anyone see a light on when it should not be, to please contact the DPW at Town Hall.

306 voters present.

**Article 4 was approved with a majority vote: 256 yes, 24 no, 7 abstentions**

**ARTICLE 5                    Town Capital Budget**

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
DPW	Road resurfacing	\$209,000	\$209,000	Fund Balance
DPW	Vehicle Replacement – Large Dump Truck	\$245,000	\$245,000	Taxation
DPW	Storage Building/DPW Garage area	\$100,000	\$100,000	Taxation
DPW	Drainage/Sidewalk Improvements	\$250,000	\$250,000	Taxation
DPW	Facility Assessments/Plans	\$100,000	\$100,000	Fund Balance
DPW	Central Street Culvert	\$400,000	\$400,000	Taxation
DPW	Storm Damage Repair	\$ 25,000	\$ 25,000	Taxation
Town Hall	Upgrades inc. IT	\$ 35,000	\$ 35,000	Fund Balance
Town Hall	Generator Replacement/Upgrade	\$100,000	\$100,000	Taxation
Land Mgmt	Village Parking Study	\$ 20,000	\$ 20,000	Fund Balance
Land Mgmt	Water Resources Protection Studies	\$ 80,000	\$ 80,000	Fund Balance
Library	Accessible Bathroom Construction	\$200,000	\$200,000	Taxation
Park/Rec	Tuck’s Point Rotunda Engineering	\$ 60,000	\$ 60,000	Taxation
Public Safety	Fire Engine Replacement Fund	\$250,000	\$150,000	Taxation
Public Safety	Fire Gear Replacement	\$ 35,000	\$ 35,000	Fund Balance
Public Safety	Police Speed Trailer	\$ 6,900	\$ 6,900	Fund Balance
Public Safety	Police Tasers	\$ 12,600	\$ 12,600	Taxation
Public Safety	Replacement Police Cruiser & Motorcycle	\$ 59,400	\$ 59,400	Taxation
Public Safety	Fire Reporting Software	\$ 35,000	\$ 35,000	Taxation
Public Safety	Fire Station repairs/upgrades	\$ 30,000	\$ 30,000	Taxation
Public Safety	Radio Upgrades (Ps5)	\$ 8,525	\$ 8,525	Fund Balance
Harbor	Dredging Engineering/Permitting	\$ 20,000	\$ 20,000	Waterway Fund
Harbor	Pick-up truck	\$ 35,000	\$ 35,000	Fund Balance
Harbor	Reed Park Water and Electric Service	\$ 40,000	\$ 40,000	Fund Balance
Water	Plant Upgrades/Equipment Replacement	\$ 200,000	\$ 200,000	Water Enterprise
Water	Pipe replacement/improvements Retained Earnings & Fund Balance	\$600,000	\$600,000	Water Enterprise
Sewer	Plant Upgrades/Equipment Replacement Enterprise, Retained Earnings, & Taxation	\$300,000	\$300,000	Sewer
<b>TOTAL</b>			<b>\$3,356,425</b>	

Per petition of the Board of Selectmen

**RECOMMENDATION:** Both the Board of Selectmen and Finance Committee recommend approval.

**MOTION:** Sarah Mellish moved and Jeffrey Bodmer-Turner seconded that the Town raise by taxation or otherwise to pay for the items listed and appropriate the same as presented in the “Recommended” and “Funding Source” columns of Article 5 as presented in the Warrant with the following clarifications:

Item 26, \$350,000 from Fund Balance and \$250,000 from Water Retained earnings;

Item 27, \$300,000 from Sewer Enterprise Fund

Sarah Mellish, Chair of the Finance Committee reminded the Meeting how important it is to keep up with our capital plan and continue to invest in our infrastructure. We have a policy that reserves may not be used to fund the operating budget, but excess reserves may be used for one-time capital expenditures and to fund OPEB.

The Committee feels the appropriate level of reserves (free cash + stabilization fund) is 10% of the total operating budget (Town + School District apportionment). Since FY2016 revenue received had exceeded estimates and actual expenses have been less than the budget, causing reserves to accumulate and exceed the 10% target.

This year, since our reserves still exceed our 10% target, the capital budget assumes the use of about \$900,000 in excess reserves. At the end of FY2023 we expect the reserves will be at our 10% target so excess reserves may not be available to help fund the capital budget in future years. To maintain our current level of capital expenditures and address larger projects such as DPW, climate change resiliency issues, etc., the Finance Committee believes we will need to obtain more tax revenue from Limited Commercial District businesses that do not adversely impact the cost of Town services and/or incur additional debt with debt exclusions which will impact the tax rate.

**DISCUSSION**

There were holds on items #3, 10 & 17.

Mary Foley, 1 Pulaski Drive questioned the purpose of item #3, Storage Building/DPW Garage area. Chuck Dam, DPW Director explained that it is a replacement for a building that was demolished 4 years ago. It will be a cold storage facility on the same footprint of the former building.

Christina Delisio, 6 Lincoln Street questioned the value of item #10, Village Parking Study. She believed that a parking study was a 50-60 thousand dollar project and questioned what we would be getting for this parking study. Greg Federspiel, Town Administrator explained that with the financial help and support of the MAPC and using volunteers, the Town only needs to put in the requested \$20K. Ms. Delisio moved to delete item 10 from Article 5. The motion to amend the article was seconded. Sarah Creighton, Vice-Chair of the Planning Board explained that the PB voted to support moving ahead with the proposed study and that a majority of Board members favored moving ahead with this long desired analysis. ?????

Peter Dragonas, 3 Powder House Lane

Tom Kehoe, 20 Lincoln Street spoke in support of the study and asked voters to support the Planning Board and not vote to delete this item.

Ms. Delisio explained that she was not opposed to the study but to having the MAPC conduct the study as it has "their own agenda as a State agency and wants to dictate what our small coastal community is to become."

Greg Federspiel disagreed with Ms. Delisio in saying the MAPC is not trying to take control of our community but are here to assist us. Manchester has the final say in any recommendations that the study may make.

Vote on the amendment to delete item #10 from Article 5 failed; 80 yes, 220 no, 8 abstentions.

Sylvia Vriesendorp, 52 Masconomo Street questioned the need for item # 17, Police Tasers.

Lieutenant Mark McCoy explained that currently officers do not all have the same use of force when they are out in the field. This purchase will allow each full time officer to have a taser to be used when they work. The purchase also includes virtual reality training.

Sylvia Vriesendorp, 52 Masconomo Street asked how often tasers are used. Officer McCoy responded that they were deployed twice last year.

Alida Bryant, 57 Old Essex Road asked if this is required training. Officer McCoy responded that it is as part of the Police Department's accreditation.

Andy Creighton, 37 Proctor Street asked how long tasers should last. Officer McCoy responded that they should work for about 10 years.

Edward Martin, 25 Bennet Street and John Carlson, 9 Walker Road both spoke in support of tasers and allowing our officers to have access to non-lethal means of force.

310 voters present.

**Article 5 was approved by majority vote: 242 yes, 41 no, 12 abstentions.**

### **ARTICLE 6            Manchester-Essex Regional School District**

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-two; or take any other action relative thereto.

Per petition of the Manchester-Essex Regional School Committee

**RECOMMENDATION:** Both the Board of Selectmen and Finance Committee recommend approval on all three motions under Article 6.

### **Motion #1 Annual Approval of the Regional School Assessment Formula**

Ken Warnock of the Manchester Essex Regional School Committee moved and Matthew Harrington, also of the Manchester Essex Regional School Committee seconded that the town approve the assessment calculation 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", 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-two.

Ken Warnock, Regional School Committee member, thanked the residents and taxpayers for their support of the Regional School District and especially for the new Memorial Elementary School. Speaking briefly on recently completed projects and upcoming ones, he recommended that anyone with questions review the 2021 Town Report of the MERSD.

The District is still recovering from the Covid-19 pandemic and are grateful that everyone kept the students at the center of our mission throughout these past few years. The biggest concern is that this is the first time in a long time that the District will not be providing "level services". We are in the process of looking to cut academic programs and delay planned athletic field maintenance, and more of the same lies ahead without increasing revenues.

Mr. Warnock explained that level services typically grows at 3.5-4% for most districts, which runs beyond the limits of Proposition 2-1/2. This situation results in an increasing deficit year over year, which must be addressed in ways including the use of reserves and ultimately a Proposition 2-1/2 override. Manchester's last such override was 7 years ago in FY 16, and we anticipate seeking a revenue increase from both towns next year for our FY24 Budget. Mr. Warnock assured the Meeting that the district maintains fiscal discipline in the face of state-mandated program increases and health care costs increases over 8% annually. Our reserves are no longer sufficient to prevent program cuts and a reduction in student services.

Mr. Warnock stated that the Manchester Essex Regional School Committee appreciates the voters' continued support as we strive to maintain the excellent educational program that people of Manchester and Essex have come to expect. We remain committed to the education, well-being, and safety of our future citizens.

There was no discussion.

310 voters present.

**Article 6, motion 1 was approved with a majority vote: 273 yes, 20 no, 8 abstentions**

### **Motion #2 – Regional School Operating Assessment**

Ken Warnock of the Manchester Essex Regional School Committee moved and Matthew Harrington, also of the Manchester Essex Regional School Committee seconded that the Town raise and appropriate \$15,909,698 to fund the Town's assessment from the Manchester Essex Regional School District for the fiscal year beginning July first, two thousand twenty-two for the gross operating and maintenance budget.

There was no discussion.

310 voters present.

**Article 6 motion 2 was approved with a majority vote: 231yes, 45 no, 22 abstentions**

### **Motion #3- Regional School Debt Assessment**

Ken Warnock of the Manchester Essex Regional School Committee moved and Matthew Harrington, also of the Manchester Essex Regional School Committee seconded that the Town raise and appropriate \$3,007,431 to fund the Town's assessment from the Manchester Essex Regional School District to cover the long-term debt for the fiscal year beginning July first, two thousand twenty-two.

There was no discussion.

310 voters present.

**Article 6 motion 3 was approved with a majority vote: 279 yes, 17 no, 8 abstentions**

## **ARTICLE 7           Community Preservation Committee Appropriations**

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2023 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 2023; 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 2023 Budgeted Reserve for general Community Preservation

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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)	\$25,000*	
2. Bike and Pedestrian Committee Bike Racks	(open space & recreation)	\$7,000
3. Pine Street Athletic Field (old burn dump)	(open space & recreation)	\$800,000
4. Causeway/Sawmill Brook replanting	(open space & recreation)	\$35,000
5. Winthrop Field Drainage	(open space & recreation)	\$10,000
6. Western Woods Research	(open space & recreation)	\$7,500
7. Pollinator Gardens	(open space & recreation)	\$20,000
8. Affordable Housing Trust Project Funding	(community housing)	\$200,000
9. Restoration of Town Cemeteries and Parks	(historic preservation)	\$25,000
10. Tuck's Point Rotunda Engineering	(historic preservation)	\$50,000
11. Fire Department Memorabilia Restoration	(historic preservation)	\$10,000
	TOTAL	\$1,189,500

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

Per petition of the Community Preservation Committee and the Board of Selectmen

**RECOMMENDATION:** Both the Board of Selectmen and Finance Committee recommend approval.

**MOTION:** Jack Burke of the Community Preservation Committee moved, and Jeffrey Bodmer-Turner seconded the article as presented in the Warrant with the following clarifications:

Items 1 & 8 to be funded from FY2023 CP estimated receipts for the purposes stated; Item 3 to be funded taking \$300,000 from FY2023 CP estimated receipts and \$500,000 from the FY2022 CP fund balance for the purpose stated; and Items 2, 4, 9, 10, 11 to be funded from the FY2022 CP fund balance for the purposes stated; and Items 5, 6, 7, to be funded from the CPC fund balances reserved for open space and recreation for a grand total of \$1,189,500.

## DISCUSSION

Sandy Rogers, 82 Old Essex Road placed a hold on item #3, Pine Street Athletic Field (old burn dump). She questioned whether the study that was approved at last year's Annual Town Meeting was completed and if those results were brought to the Town.

Greg Federspiel, Town Administrator responded that yes that study was presented to the Parks and Recreation Committee in a public meeting and then to the Board of Selectmen.

Ms. Rogers moved to separate item 3 from Article 7. The motion was seconded.

Isabella Bates, 2 Maconomo Street questioned if the area was safe for children because it was used as a burn dump and has residual hazardous materials.

Greg Federspiel, Town Administrator explained that although there are heavy metals in the ground, the MA DEP has ok'd it for play but not permanent housing.

Christina Delisio, 6 Lincoln Avenue asked about the money that was voted on at the last special town meeting.

Cheryl Marshall, Director of the Parks and Recreation Department explained that the money from the Special Town Meeting was for the design study which is currently in progress. Previously it was the athletic fields master plan study that had been completed.

Vote on the amendment to separate item #3 from Article 7 failed: 135 yes, 147 no, 9 abstentions. 295 voters present.

**Article 7 was approved with a majority vote: 225 yes, 56 no, 11 abstentions.**

**ARTICLE 8 Other Post Employments Benefits Trust Fund Appropriation**

To see if the Town will vote to raise and appropriate or transfer from available funds \$278,173 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

**RECOMMENDATION:** Both the Board of Selectmen and Finance Committee recommend approval.

**MOTION:** Ann Harrison moved and Rebecca Jaques seconded that the Town transfer from the Undesignated Fund Balance the sum of \$278,173 for the purpose stated in the article.

There was no discussion.

295 voters present.

**Article 8 was approved with a majority vote: 273 yes, 8 no, 9 abstentions.**

**ARTICLE 9 Recreation Programs Revolving Fund Limitation**

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 2023 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; FY2023 spending limit: \$350,000.

Or take any other action relative thereto.

Per petition of the Board of Selectmen

The Board of Selectmen and Finance Committee both recommended approval.

**MOTION:** Jeffrey Bodmer-Turner moved and Rebecca Jaques seconded the article as presented in the Warrant.

There was no discussion.

295 voters present.

**Article 9 passed was approved with a majority vote; 271 yes, 8 no, 5 abstentions.**

**ARTICLE 10 Zoning By-Law Amendment - Limited Commercial District**

To see if the Town will vote to amend the Zoning By-Law as follows:

- a) By deleting the first sentence of Section 4.4.6 and substituting the following therefor: "By Special Permit from the Planning Board, and limited to the land areas west of Pine Street, a/k/a Pipe Line Road and east of School Street, laboratories and establishments devoted to scientific research and development; light manufacturing, assembly and processing of materials related thereto and incidental accessory uses." and by deleting the remainder of Section 4.4.6;

b) By deleting Section 5.5 and substituting the following therefor:

“5.5 Height Regulations

Residential Districts, General District, and the area of the Limited Commercial District west of School Street: No structure shall be erected or altered so that it exceeds 2-1/2 stories or so that the vertical distance measured from the highest point of the roof to the mean pre-construction grade exceeds thirty-five (35') feet, whichever is lesser. Chimneys spires or towers not used for human occupancy may exceed ten (10') feet above these height limits. Mean pre-construction grade is defined as a reference plane representing the average elevation of pre-construction ground adjoining the building at all exterior walls. A half-story is defined as a story with a sloping roof, the area of which at a height of four (4') feet above the floor does not exceed two-thirds of the floor area of the story immediately below it.

Limited Commercial District in the area east of School Street: No structure shall be erected or altered so that the vertical distance measured from the highest point of the roof to the mean pre-construction grade exceeds fifty-five (55'). Chimneys, spires, towers and similar structures, tanks, HVAC equipment, solar panels, and mechanical appurtenances, not used for human occupancy may extend fifteen (15') feet above the fifty-five (55') foot height limit. Mean pre-construction grade is defined as a reference plane representing the average elevation of pre-construction ground adjoining the building at all exterior walls.

c) By deleting the following from Section 5.7.1: “and a minimum width at all points of not less than five hundred (500') feet”;

d) By deleting Section 5.7.2 and substituting the following therefor: “Maximum lot coverage by buildings and accessory structures: 40%; and maximum lot coverage by impervious surfaces 60%”;

e) By adding the following to Section 5.7.3: “except said set back requirements may be reduced by Special Permit from the Planning Board where there is opportunity for better site design ”; and

f) By adding to Section 6.2.5, after “state layout of Route 128”, the following: “except said two hundred foot (200') foot limit may be reduced by Special Permit from the Planning Board where there is opportunity for better site design ”;

Per petition of the Board of Selectmen and the Planning Board

**RECOMMENDATION:** The Board of Selectmen recommend approval. The Finance Committee recommend approval due to the potential revenue generation of new buildings however the Finance Committee reserves the ability to review proposed projects on a case-by-case basis through the Special Permitting process.

**MOTION:** Gary Gilbert moved and Rebecca Jaques seconded to amend the Town’s Zoning By-Law as presented in Article 10 of the Warrant.

Gary Gilbert, on behalf of the Planning Board spoke on the Limited Commercial District, called the LCD. The LCD includes all the land north of Rt. #128 in the direction of Essex, and this proposal specifically targets the area east of School St, near the Manchester Athletic Club. He explained that the area has that name because we limited the possibilities of growth there so much that very little has been built and we have deprived ourselves the possibility of much needed tax revenue from reasonable development.

This proposal is to change regulations so that they are more appropriate for laboratory uses while also requiring complete site plan and Special Permit review. One change allows increased building height which reflects the needs of laboratories for mechanical equipment in their ceilings. Taller buildings also have smaller footprints and this also accomplishes the sustainability goal of using up less land for a given building, thus protecting more open space and minimizing impacts on ground and surface water.

He reminded the Meeting that the town needs increased tax revenue and that we all would like to avoid regular, annual, tax overrides. The kind of development we are talking about allowing in the east end of the LCD has the least impacts on our community because it does NOT involve housing and is almost completely hidden from view. This is an opportunity to heal this already disturbed land, to reforest it and to make it a welcome part of our community.

Mr. Gilbert explained that the Planning Board wants the Meeting to know that they are not allowing anything to be built “as-of-right” and that the Planning Board retains the discretion to deny a special permit if not in the interest of the Town.. Any and all projects will need to go through the rigorous review from the Planning Board and the Conservation Commission. The Planning Board voted unanimously on March 28, 2022 in support of this amendment.

Becky Jaques, Vice Chair of the Board of Selectmen reminded the Meeting that we have an opportunity here to bring in some good business revenue and that the Planning Board is very conscientious and will be sure to keep our Town’s best interest in mind as they review any and all applications.

Sarah Mellish, Chair of the Finance Committee explained that this amendment could allow for some laboratory research development in the LCD which could increase our revenues. The Finance Committee approves of this amendment.

## **DISCUSSION**

Ms. Rogers, 82 Old Essex Road stood to express her concerns over the additional allowed building heights, additional building coverage and allowing more impervious surface.

Sarah Creighton, Planning Board member, responded to the questions stating that buildings will not be 5 floors but no taller than 55 feet which will also shrink the footprint of any building. The lot coverage changes allow for more business related buildings and parking and not homes. She stressed that any and all applications will still require a special permit.

In support of the Article were Paul Gudonis, 56 Masconomo Street and Mory Creighton of the Finance Committee.

Lee Spence, 63 Pleasant Street moved the previous question.  
Moderator Wilson called for a card vote on the motion to cut off debate.  
The vote prevailed by more than 2/3rds .  
394 voters present.

**Article 10 was approved by a 2/3<sup>rd</sup> vote: 253 yes, 31 no, 4 abstentions.**

**ARTICLE 11            Approve 3% Short-Term Rental Tax**

To see if the Town will vote to accept the provisions of G.L. c. 64G, § 3A, authorizing the imposition of a local excise tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house, short-term rental, or motel in Town, at a rate of 3% of the total amount of rent for each such occupancy, to take effect on the first day of October, 2022, or take any action relative thereto.

Per petition of the Board of Selectmen

**RECOMMENDATION:** Both the Board of Selectmen and Finance Committee recommend approval.

**MOTION:** Jeffrey Bodmer–Turner moved and Rebecca Jaques seconded the article as presented in the Warrant.

Jeff Bodmer-Turner, Chair of the Board of Selectmen explained that the Board of Selectmen introduced Article 11 as one of their efforts to collect revenue for our town budget that is not based in property taxes. He stated that it is a very modest proposal with a very modest return. The operator of the short term rental will pay the state along with the current state excise tax. The State will reimburse the town quarterly. Manchester currently has a very limited number of registered properties for short term rentals, so it is difficult to predict what the amount of total revenue may be collected.

**DISCUSSION**

George Smith, 8 Masconomo Street questioned the definition of short term.

Mr. Bodmer-Turner replied that although our Bylaw states up to 6 nights, State law prevails in this case and define short term rental as not more than 31 consecutive days.

292 voters present.

**Article 11 passed with a majority vote: 217 yes, 28 no, 3 abstentions.**

**ARTICLE 12            General Bylaw Amendment - Board of Selectmen to Select Board**

To see if the Town will vote to amend the General Bylaws of the Town of Manchester By-the-Sea, copies of which are on file with the Town Clerk and available on the municipal website, to rename the Board of Selectmen as the Select Board, by striking out, in every instance in which they appear, the words “Board of Selectmen” and inserting in place thereof the words “Select Board”; and by striking out, in every instance in which they appear, the word “Selectman” and “Selectmen” and inserting in place thereof the words “Select Board Member” or “Select Board Members”; and further, to authorize the Town Clerk to make any non-substantive, ministerial revisions to ensure that gender and numerical issues in the related text of the General Bylaws are revised to properly reflect such change in title; and, further, to amend Article III, Section 2 of the General Bylaws, a

copy of which is on file with the Town Clerk and available on the municipal website, by inserting the following new section therein, with the remaining sections of said Article to be renumbered accordingly; or take any action relative thereto:

**SECTION 2. Select Board**

The Select Board shall have all the powers and duties of a board of selectmen under the General Laws and any special laws, bylaws, regulations, or policies applicable to the Town, as well as such other powers and duties as are provided in the Town's Bylaws.

Per petition of the Board of Selectmen

**RECOMMENDATION:** The Board of Selectmen recommend approval

**MOTION:** Jeffrey Bodmer-Turner moved and Eli Boling seconded the article as presented in the Warrant.

Jeffrey Bodmer-Turner, Chair of the Board of Selectmen said that the Board voted 4-1 in support of this change.

**DISCUSSION**

Ann Harrison, 13 Tucks Point Road spoke in her personal capacity as the opposition vote on the Board of Selectmen. She explained that she did not feel this was necessary as there have been 65 years where a women served as Selectmen and she did not want to dishonor their service.

Nellie Boling, 99 Pleasant Street appreciates the article. She felt as if we as a community need to evolve with the times and grow. She feels that this new name will open the respected opportunity to everyone. It will make the position more inclusive which is a positive change.

Others who spoke in opposition of the article were Sue Thorne, 9 Saw Mill Road, Don Schwartz, 8 Ocean Street and Jim Starkey, 13 Tucks Point Road.

Other speakers in support of the article were Laura Tenny, 86 Pine Street and Isabella Bates, 2 Masconomo Road.

210 voters present.

**Article 12 was approved with a majority vote: 116 yes, 83 no, 6 abstentions.**

**ARTICLE 13          Appropriation or Transfer to Reduce the Tax Rate**

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

**MOTION:** Jeffrey Bodmer-Turner moved and Sarah Mellish seconded to pass over the article.

**Voice vote called unanimous by the Moderator**

Jeffrey Bodmer-Turner moved to dissolve the Annual Town Meeting and Becky Jaques seconded the motion.

**Voice vote called unanimous by the Moderator**

Moderator Wilson declared the Annual Town Meeting dissolved at 9:32PM