

Finance Committee Report



Photo By Rob Kipp

ANNUAL TOWN MEETING
MAY 2, 2011
MARBLEHEAD VETERANS MIDDLE SCHOOL
PERFORMING ARTS CENTER
MARBLEHEAD, MASSACHUSETTS

TO THE VOTERS OF MARBLEHEAD

The Finance Committee respectfully welcomes the opportunity to present this report and to make a series of recommendations concerning the Fiscal Year 2012 (FY12) budget for the Town of Marblehead, as well as other financial matters to be voted on at the Town Meeting. The Finance Committee's paramount duty is to present you with a balanced budget recommendation, and we are pleased to report that we have satisfied that obligation. For the sixth consecutive year the town concludes its budget process in the black—and we need not propose a general override of Proposition 2 ½ to achieve that balance.

As in previous years, the budget season commenced with a joint meeting of the Board of Selectmen and the Finance Committee on January 5, 2011. Town Administrator Anthony Sasso and Finance Director John McGinn delivered the “State of the Town” fiscal analysis.

Their analysis included several positive factors; higher free cash, no deficits, strong budget oversight, appropriate revenue estimates, and a Town bond rating that was reaffirmed at AAA this past August by S&P—1 of only 23 Massachusetts communities with the S&P's highest rating!

The FY12 projections include 2 significant unresolved issues that could further impact the budget process:

1. Resolution of the FY12 state budget and the impact on state aide
2. Increases in Charter School student enrollment from Marblehead

As such the following conservative assumptions were made in order to develop the FY12 budget:

- Estimated local receipts are level funded (note: estimated local receipts have been reduced 15% over the past 2 years)
- A 5 % reduction in anticipated State Aid
- All existing contractual obligations satisfied in FY12 budget
- Free cash increased by approximately \$328,000 over FY10
- The statutory 2 1/2% increase on the Town's tax levy and new growth combine to generate \$48,783,990 (3.1% more than FY11) in tax revenues available to fund municipal services; and

Also, Collective bargaining agreements between the town and all Marblehead employee unions extend through the conclusion of Fiscal Year 2012. Plan design changes to the health insurance plans offered municipal employees have contributed the savings needed to offset the costs of employee raises negotiated with each bargaining unit.

Accordingly, **for the sixth year**, we were able to ask town departments to prepare level funded budgets that did not require them to propose cuts in personnel or services.

We note the following concerns, which we have tried to plan for and incorporate into our budget assumptions:

- Over 50% of the Town's estimated local receipts come from automobile excise taxes. Since FY06, these revenues have declined 12.4%
- Revenue from various fees collected decreased by 18.2% since FY06
- Bank and MMDT interest of deposits was down over 52% from FY09 to FY10 due to the continued low interest rate environment
- Although municipal employee group insurance costs have been stabilized since the town joined the Massachusetts Interlocal Insurance Association (MIIA) and became premium based, health insurance rates are set to increase by approximately 12% in FY12
- Utility and fuel costs continue to rise and remain unpredictable. Our energy reserve is level funded and should cover any fluctuations for FY12

As it has done for the last several budget seasons, the Finance Committee formed smaller liaison groups to work with department heads, managers, administrators, and elected officials to review their respective budgets. In addition, several meetings were held to review the ongoing economic situation, potential cuts in state aid, and possible federal stimulus money. The Finance Committee then reviewed the budgets, held an open forum on the Town Warrant, and we voted to make our recommendations to the Town.

Assuming Finance Committee recommendations on the various money articles are approved by Town Meeting, the FY12 budget, as presented in **Article 25** will be balanced (pending finalization of the Commonwealth's budget and associated local aid figures).

This budget season was not unlike those of previous years. Town-wide, the teamwork was an essential component of being able to present you with a balanced budget. The Finance Committee would like to commend all department heads, union representatives, appointed and elected boards, and involved citizens for all of their efforts this year.

In closing, I would like to thank my colleagues on the Finance Committee for their devoted efforts during the FY12 budget cycle as well the unfaltering dedication of Vice Chairmen Patricia Moore and Moses Grader. Additionally, I must specifically thank our Secretary, Bob Ross for his ongoing logistical support, as well as the Board of Selectmen, Town Administrator Anthony Sasso, Finance Director John McGinn, School Committee Chairman Eurim Chun Business Manager Brian Salzer, and School Superintendent Dr. Paul Dulac who each devoted significant time, resources and guidance to this budget process.

Respectfully submitted,

David E Harris Jr.
Chairman, Marblehead Finance Committee

Fiscal 2010 RESERVE FUND

The following is an accounting of funds entrusted to the Finance Committee for Fiscal 2010 Reserve Fund use.

Reserve Fund -- Fiscal 2010 ending June 30, 2010..... \$144,000.00

DEPARTMENTS FUNDS TRANSFERRED TO:

Selectmens Expense.....	\$33,670.00	
Zoning Board Legal Services.....	20,000.00	
Election & Registration Salaries.....	9,500.00	
Election & Registration Expense.....	2,500.00	
Fire Expense.....	11,700.00	
Building Commisioner Expense.....	4,617.00	
Highway Expense.....	3,000.00	
Park Salaries.....	1,400.00	
Veterans Salaries.....	100.00	
Old Burial Hill.....	9,000.00	
Total Transferred		\$95,487.00
Returned to Treasury		<u>\$48,513.00</u>

Fiscal 2011 RESERVE FUND

The following detail represents funds voted to various departments by the Finance Committee from the Reserve Fund covering the period July 1, 2010 thru April 8, 2011.

Annual Town Meeting Appropriation May 3, 2010 \$144,000.00

DEPARTMENTS FUNDS TRANSFERRED TO:

Planning Board Expense	\$3,800.00	
Library Expense.....	4,805.51	
Snow Removal.....	25,000.00	
Total Transferred		\$33,605.51
Balance Remaining		<u>\$110,394.49</u>

Respectfully Submitted,
MARBLEHEAD FINANCE COMMITTEE

David Harris, Chairman
Moses Grader Vice-Chairmen
Patricia Moore Vice-Chairmen
Eric Cole
Stephen Haskell
Matthew Herring
Lisa Louden
Robert Ross, Clerk

Article 1 Articles in Numerical Order

To see if the Town will vote to adopt an order requiring articles in the Warrant to be taken up in their numerical order, as requested by the Board of Selectmen.

Recommended: That this article be adopted.

Article 2 Reports of Town Officers and Committees

To receive the report of the Town Accountant, the reports of the Town Officers, and special Committees and act thereon.

Recommended: That this article be adopted.

Article 3 Assume Liability

To see if the Town will assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws, for all damages that may be incurred by work to be performed by the Massachusetts Highway Department for the improvement, development, maintenance and protection of tidal and non tidal rivers and streams, harbors, tidewaters, foreshores and shores along a public beach in accordance with Section 11 of Chapter 91 of the General Laws and authorize the Selectmen to execute and deliver a bond of indemnity therefor to the Commonwealth, or take any other action relative thereto, as sponsored by the Board of Selectmen.

Recommended: That this article be adopted.

Article 4 Accept Trust Property

To see if the Town will vote to accept certain trust property, gifts or grants to be administered by the Town or modify the terms thereof, or take any other action relative thereto, as sponsored by Town Counsel.

Recommendation: That this article be indefinitely postponed.

Article 5 Lease Town Property

To see if the Town will vote to authorize the appropriate Town Officers to let or lease such land, buildings or structures owned by the Town on such terms as they may determine, or take any other action relative thereto, as sponsored by the Board of Selectmen.

Recommended: That this article be adopted.

Article 6 Unpaid Accounts

To see if the Town will vote to appropriate or transfer from available funds a sum of money to provide for the payment of any unpaid accounts brought forward from previous years, or take any other action relative thereto. Sponsored by the Finance Director.

Recommendation: That this article be indefinitely postponed.

Article 7 Proposed Acceptance of Section 18 of MGL Chapter 32B

To see if the Town will vote to accept the provisions of Section 18 of Chapter 32B of the Massachusetts General Laws. Sponsored by the Finance Director.

Recommended: That this article be adopted.

Article 8 Walls and Fences

To see if the Town will vote to raise and appropriate a sum of money for the construction and reconstruction of walls and fences for the protection of highways and property, including engineering services in connection therewith; to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easements necessary therefor; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommendation: That this article be indefinitely postponed.

Article 9 Revolving Funds

To see if the Town will vote to authorize various revolving funds as required by M.G.L. c 44 s.53E ½, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: To continue the authorization of the following revolving funds as required by M.G.L. C.44, s.53E 1/2 as recommended by the Board of Selectmen.

- 1. Historical Commission Gift Shop Revolving Fund in the amount of \$13,000 in fiscal 2012 for the use of the Historical Commission to be taken from Historical Commission revenues from the sale of items at the gift shop operated by said commission; said appropriation to be used for expenses of operating said gift shop; and expended by the Commission.**
- 2. Recreation and Park Revolving Fund in the amount of \$300,000 in fiscal 2012 for the use of the Recreation and Park Commission to be taken from revenues in connection with recreation programs and activities including teen center, program fees, rentals, miscellaneous sales, promotional fees, \$5.00 of out of town parking fees charged on weekends and various recreational fund raising events; said appropriation to be used for the expense of said activities including equipment and promotions; and expended by the Commission.**
- 3. Council on Aging Revolving Fund in the amount of \$250,000 in fiscal 2012 for the use of the Council on Aging Board of Directors to be taken from revenues in connection with the meals on wheels, and nutrition programs, mini-bus donations, trips, miscellaneous programs, instructional classes, recreational programs, games and tournaments, luncheons and entertainment, and other activities including program fees, fund raising, rentals, miscellaneous sales and promotional fees; said appropriation to be used for the expense of said activities and trips, including equipment and promotions; and expended by the Council on Aging Board of Directors.**
- 4. Dog Officer/Animal Control Officer Revolving Fund in the amount of \$20,000 in fiscal 2012 for the use of the Dog Officer to be taken from revenues in connection with fees, reimbursements, deposits and refunds of animal medical expenses including spay and neuter expenses, miscellaneous other sales and various fund raising events; said appropriation to be used for the expense of said programs and activities including medical bills, animal food, pet supplies and equipment, and promotional expenses; and expended by the Dog Officer/ Animal Control Officer.**
- 5. RAD Program Revolving Fund in the amount of \$7,500 in fiscal 2012 for the use of the Police Chief to be taken from revenues in connection with tuition, fees, reimbursements, miscellaneous sales, gifts and donations of the RAD program; said appropriation to be used for the expense of said program including salaries and expenses including equipment.**
- 6. School Tuition Revolving Fund in the amount of \$40,000 in fiscal 2012 for the use of the School Committee to be taken from revenues in connection with tuition's from nonimmigrant foreign students; said appropriation to be used for the expenses of instruction including salaries, instructional supplies and equipment.**
- 7. Commercial Waste Revolving Fund in the amount of \$450,000 in fiscal 2012 for the use of the Board of Health to be taken from revenues in connection with commercial waste disposal receipts; said fund to be expended for the cost of solid waste disposal.**
- 8. Conservation Fines Revolving Fund in the amount of \$10,000 in fiscal 2012 for the use of the Conservation Commission to be taken from revenues in connection with receipts collected from fines assessed by the commission; said fund to be expended for remediation of wetlands violations and for the care and maintenance of lands under the control and jurisdiction of the Conservation Commission.**

9. **Sump Pump Improvement Revolving Fund in the amount of \$25,000 in fiscal 2012 for the use of the Sewer and Water Commission; to be taken from revenues in connection with receipts collected from money received as a result of permitting fees; said fund to be expended for the aid in removal of sump pumps currently tied into the sewer system.**
10. **Special Education Revolving Fund in the amount of \$450,000 in fiscal 2012 for the use of the School Committee; revenues to be taken from tuition collected for special education students tuitioned in to the Marblehead Public Schools and from funds collected to pay for the other special education contracted services for out of district special education students being provided service through the North Shore Special Education Consortium and other approved special education public and private placements; said funds to be expended on costs directly related to the special education programs provided to these out of district students.**
11. **Storm Water By-Law Revolving Fund in the amount of \$10,000 in fiscal 2012 for the use of the conservation Commission; to be taken from revenues in connection with receipts collected from application fees associated with the town's storm water management and erosion control regulations; said funds to be expended for expenses related to the enforcement and administration of the Storm water By-Law.**

Article 10 Purchase of Equipment of Several Departments

To see if the Town will raise and appropriate any sums of money for the purchase of equipment for the several departments of the Town; to authorize the Board of Selectmen to trade old equipment as part of the purchase price; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Finance Committee.

Recommended: That the sum of \$624,615.00 be appropriated, and to meet this appropriation; \$110,000.00 to be transferred from Sewer Retained Earnings, \$135,000.00 is to be transferred from Water Retained Earnings and \$379,615.00 is to be raised by taxation. To include the following:

Police Department	Highway Department
2 Police Vehicles	1 Paint Machine
Tree Department	1 Dump Truck w/Sander
1 Brush Chipper	Replace Fuel Pumps
Building Department	Park Department
Repair Bucket Truck	1 Utility vehicle
School Department	Water Department
1 School Bus	1 Dump Truck
Sewer Department	1 Utility Vehicle
1 Dump Truck	

Article 11 Capital Improvements for Public Buildings

To see if the Town will vote to raise and appropriate a sum of money for remodeling, reconstructing and making extraordinary repairs to existing Town buildings and the purchase of necessary equipment including computer hardware and software to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That the sum of \$182,300.00 be appropriated. \$160,000.00 to be raised by taxation and \$22,300.00 to be taken from the sale of lots fund.

Abbot Hall	Fire Department
Clock Tower Survey	New Turnout Gear
Park Department	New Roof Headquarters
Tennis Courts	Composite Cylinders SCBA
Old Town House	Wire Inspector
Reconstruction of Ramp	Fire Alarm Circuit Upgrade

years of service, as described above, shall receive longevity pay for the calendar year.

Annual longevity for Town Clerk

Pay Schedule

Not less than 5 years	\$300.00
Not less than 10 years	400.00
Not less than 15 years	500.00
Not less than 20 years	600.00
Not less than 25 years	700.00
30 years and over	800.00

Article 16 Water Department Construction

To see if the Town will vote to appropriate a sum of money to be expended by the Water and Sewer Commission for the construction, reconstruction and extending of water mains, replacement of water meters, appurtenances, engineering, consultants, surveys including revenue studies and other general Water Department purposes, and to authorize the Board of Water and Sewer Commissioners to acquire by purchase, eminent domain or otherwise any lands or easements necessary to take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Recommended: That the sum of \$440,928.00 be appropriated, to be taken from Water Retained Earnings

Article 17 Sewer Department Construction

To see if the Town will vote to appropriate a sum of money to be expended by the Water and Sewer Commission for the construction or reconstruction of sewers for sanitary purposes and for sewerage disposal, pump stations, original pumping equipment, metering equipment, safety equipment, replacement of said equipment, engineering, consultants, surveys, including revenue studies and other general Sewer Department purposes, and to authorize the Board of Water and Sewer Commissioners to acquire by purchase, eminent domain or otherwise any lands or easements necessary to take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Recommended: That the sum of \$450,585.00 be appropriated, to be taken from Sewer Retained Earnings.

Article 18 Storm Drainage Construction

To see if the Town will vote to appropriate a sum of money for the construction or reconstruction of sewers for surface drainage purposes, and to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easements necessary therefor, to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Recommended: That the sum of \$324,000.00 be appropriated.

Article 19 Water and Sewer Commission Claims

To see if the Town will vote to authorize the Water and Sewer Commission and the Board of Selectmen acting jointly to compromise any claims for damages or suits pending against the Town of Marblehead on account of acts which may have occurred during the construction of the water, sewer and storm water system or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Recommended: That this article be adopted.

Article 20 Surface Drainage Construction

To see if the Town will vote to appropriate a sum of money for the construction or reconstruction of storm sewers for surface drainage purposes, including engineering services in connection therewith, and to authorize the appropriate Town Officers to acquire by

purchase, eminent domain or otherwise, and land or easements necessary therefor; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Recommendation: That this article be indefinitely postponed.

Article 21 Financial Assistance for Conservation

To see if the Town will vote to authorize the Conservation Commission and other proper officers of the Town to apply for financial assistance from public and private sources to be expended by the Conservation Commission for the purchase of vacant land and any other purpose, authorized by Section 8C of Chapter 40 of the General Laws as amended, or to reimburse the Town for sums of money expended for such purposes, or both, and to take any other action relative thereto. Sponsored by the Conservation Commission.

Recommended: That this article be adopted.

Article 22 North Shore Regional Vocational School District

To see if the Town will vote to approve the gross operating and maintenance budget of the North Shore Technical High School for the fiscal year commencing July 1, 2011 and appropriate a sum of money for the Town's assessment of the same, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That the sum of \$86,339.00 be appropriated.

Article 23 Essex North Shore Agricultural and Technical School District

To see if the Town will vote to appropriate a sum of money to pay the Town's share of the costs associated with the design, construction, and furnishing of the Essex North Shore Agricultural and Technical School District's new District High School facility for the fiscal year commencing July 1, 2011; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommendation: That this article be indefinitely postponed.

Article 24 Available Funds appropriate to Reduce Tax Rate

To see if the Town will vote to appropriate free cash balance in the hands of the Town Treasurer, including any surplus or part of surplus in the Electric Light Department for use of the Assessors in making the tax rate or take any other action relative thereto. Sponsored by the Finance Director.

That the sum of \$4,925,434.00 be appropriated for the use of the Assessors in making the Tax Rate.

From Free Cash	\$ 4,595,434.00
From Electric Surplus	330,000.00
	<u>\$ 4,925,434.00</u>

Article 25 Expenses of Several Departments

To see what sums of money the Town will raise and appropriate, including appropriations from Federal Revenue Sharing moneys, to defray the necessary and usual expenses of the several departments of the Town for the fiscal year beginning July 1, 2011, or take any other action relative thereto, as sponsored by the Finance Department.

TABLE OF ESTIMATED APPROPRIATIONS
(Required by Mass. General Laws, Chapter 41, Section 60)

Fiscal 2010		Fiscal 2011			Fiscal 2012			
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated	Item No.		Departmental Requests	Recommended
GENERAL GOVERNMENT								
100.00	100.00	100.00		100.00	1	Moderator Officials Expense	100.00	100.00
5,500.00	5,500.00	5,500.00	2,750.00	2,750.00	2	Selectmen Officials Expense	5,500.00	5,500.00
322,208.00	321,046.06	334,202.00	161,253.38	172,948.62	3	Salaries	341,171.00	341,171.00
125,833.00	111,820.53	92,163.00	40,941.72	51,221.28	4	Expense	98,163.00	98,163.00
27,000.00	24,745.52	7,000.00	4,060.00	2,940.00	5	Zoning Board Legal Services	7,000.00	7,000.00
2,000.00	270.00	2,000.00		2,000.00	6	Out of State Travel	2,000.00	2,000.00
482,541.00	463,382.11	440,865.00	209,005.10	231,859.90			453,834.00	453,834.00
7,987.00	7,987.00	8,147.00	4,073.48	4,073.52	7	Finance Committee Salaries	8,310.00	8,310.00
5,585.00	4,339.00	5,585.00	268.00	5,317.00	8	Expense	5,585.00	5,585.00
175.00	166.69	175.00		175.00	9	Local Travel	175.00	175.00
13,747.00	12,492.69	13,907.00	4,341.48	9,565.52			14,070.00	14,070.00
144,000.00		144,000.00		144,000.00	10	Reserve Fund	144,000.00	144,000.00
95,487.00		4,805.51		4,805.51		Less Transfers		
<u>48,513.00</u>		<u>139,194.49</u>		<u>139,194.49</u>		Net		
619,841.00	609,002.52	634,901.00	301,897.16	333,003.84	12	Finance Salaries	641,231.00	641,231.00
246,205.00	234,134.78	246,205.00	75,292.04	170,912.96	13	Expense	246,205.00	246,205.00
866,046.00	843,137.30	881,106.00	377,189.20	503,916.80			887,436.00	887,436.00
300.00	300.00	300.00		300.00	17	Assessor Officials Expense	300.00	300.00
167,954.00	166,297.68	174,390.00	81,364.39	93,025.61	18	Salaries	178,166.00	178,166.00
33,985.00	33,226.70	33,785.00	18,109.70	15,675.30	19	Expense	33,785.00	33,785.00
200.00	181.81	400.00		400.00	20	Local Travel	400.00	400.00
202,439.00	200,006.19	208,875.00	99,474.09	109,400.91			212,651.00	212,651.00
2,000.00	2,000.00	2,000.00	1,000.00	1,000.00	29	Town Counsel Salaries	2,000.00	2,000.00
62,932.00	60,932.00	62,932.00	18,448.33	44,483.67	30	Expense	62,932.00	62,932.00
64,932.00	62,932.00	64,932.00	19,448.33	45,483.67			64,932.00	64,932.00
10,484.00	5,282.66	10,484.00	1,303.86	9,180.14	35	Parking Tickets Expense	10,484.00	10,484.00
147,188.00	145,282.07	151,847.00	71,953.77	79,893.23	39	Town Clerk Salaries	155,519.00	155,519.00
7,537.00	6,553.40	9,037.00	2,938.75	6,098.25	40	Expense	9,037.00	9,037.00
154,725.00	151,835.47	160,884.00	74,892.52	85,991.48			164,556.00	164,556.00

Fiscal 2010		Fiscal 2011			Item No.		Fiscal 2012	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated			Departmental Requests	Recommended
22,450.00	21,602.76	22,750.00	9,904.77	12,845.23	43	Election & Registration		
23,115.00	22,046.59	21,865.00	6,813.47	15,051.53	44	Salaries	18,000.00	18,000.00
						Expense	21,865.00	21,865.00
45,565.00	43,649.35	44,615.00	16,718.24	27,896.76			39,865.00	39,865.00
1,675.00	1,463.32	1,675.00	1,483.54	191.46	50	Planning Board		
						Expense	1,675.00	1,675.00
81,631.00	80,401.47	85,296.00	41,610.06	43,685.94	55	Public Buildings		
101,100.00	101,042.12	101,100.00	41,511.60	59,588.40	56	Salaries	88,516.00	88,516.00
400.00		400.00	23.10	376.90	57	Expense	101,100.00	101,100.00
						Local Travel	400.00	400.00
183,131.00	181,443.59	186,796.00	83,144.76	103,651.24			190,016.00	190,016.00
4,300.00	2,746.82	4,300.00		4,300.00	59	Town Reports	4,300.00	4,300.00
42,000.00	40,000.00	40,000.00	10,000.00	30,000.00	60	Town Audit	40,000.00	40,000.00
2,120,198.00	2,008,471.50	2,197,733.49	897,001.12	1,300,732.37		TOTAL GENERAL GOVERNMENT	2,227,919.00	2,227,919.00

PUBLIC SAFETY

2,905,651.00	2,806,342.03	3,024,523.00	1,433,566.60	1,590,956.40	62	Police Department		
232,399.00	220,700.14	192,399.00	133,519.18	58,879.82	63	Salaries	3,047,579.00	3,047,579.00
10,000.00	7,799.17	10,000.00		10,000.00	64	Expense	187,399.00	187,399.00
						Indemnif. of Officers	10,000.00	10,000.00
3,148,050.00	3,034,841.34	3,226,922.00	1,567,085.78	1,659,836.22			3,244,978.00	3,244,978.00
2,670,916.00	2,498,681.66	2,778,544.00	1,305,169.25	1,473,374.75	68	Fire Department		
146,798.00	146,114.03	139,298.00	85,026.54	54,271.46	69	Salaries	2,856,164.00	2,856,164.00
						Expense	143,308.00	143,308.00
2,817,714.00	2,644,795.69	2,917,842.00	1,390,195.79	1,527,646.21			2,999,472.00	2,999,472.00
429,943.00	382,052.76	429,526.00	187,051.89	242,474.11	73	Building Inspection		
14,372.00	12,938.65	9,755.00	5,526.31	4,228.69	74	Salaries	443,502.00	443,502.00
3,000.00	1,720.63	3,000.00	1,484.28	1,515.72	75	Expense	9,755.00	9,755.00
						Local Travel	3,000.00	3,000.00
447,315.00	396,712.04	442,281.00	194,062.48	248,218.52			456,257.00	456,257.00
150.00		150.00		150.00	80	Sealer of Weights & Measures		
						Expense	250.00	250.00
2,400.00	2,400.00	2,400.00	1,200.00	1,200.00	86	Animal Inspector		
						Salaries	2,400.00	2,400.00
6,415,629.00	6,078,749.07	6,589,595.00	3,152,544.05	3,437,050.95		TOTAL PUBLIC SAFETY	6,703,357.00	6,703,357.00

EDUCATION

27,421,550.00	27,421,550.00	28,447,127.00	11,028,188.84	17,418,938.16	101	Schools	28,838,012.00	28,838,012.00
27,421,550.00	27,421,550.00	28,447,127.00	11,028,188.84	17,418,938.16		TOTAL SCHOOLS	28,838,012.00	28,838,012.00

Fiscal 2010		Fiscal 2011			Item No.	Fiscal 2012	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated		Departmental Requests	Recommended

SCHOOL RECEIPTS AND REIMBURSEMENTS -- FISCAL 2010

	Funds Received for General Purposes or Reserved for Appropriation	Funds Received to be Expended without Appropriation
School Aid	\$4,805,402.00	
Charter School Aid.....	416,565.00	
Charter School Assessment.....	-1,228,018.00	
Essex Agricultural Assessment.....	-12,463.00	
Revolving Funds		
All Day Kindergarten		\$323,188.81
Athletic Programs		60,716.73
Drivers Education		28,131.00
Evening School.....		202.60
Fine Arts.....		21,211.25
Guidance Services Fund		5,980.00
Lost Books		1,057.50
School Building Rent		75,994.49
School Choice.....		5,000.00
School Lunch - State & Federal		126,483.44
School Lunch - Sale of Lunches		549,056.33
School Lunch General Fund Transfer..		100,149.00
School User Fees		241,310.60
Special Education Tuition.....		449,956.73
Federal, State and Private Grants		
Academic Support Services.....		7,736.00
Circuit Breaker.....		281,745.00
Enhancing Education Technology.....		3,088.00
Essential School Health.....		82,820.00
IDEA American Recovery Act.....		504,648.00
Metco	12,900.00	397,018.00
Drug Free Schools		6,144.00
Quality Full day Kindergarden.....		170,300.00
School Community Partnership.....		13,611.00
SPED 94-142.....		662,109.00
SPED Childhood Allocation.....		19,161.00
SPED Early Childhood AARA.....		21,552.00
Summer Academic Support.....		3,810.54
Teacher Quality.....		64,632.00
Title I AARA.....		76,515.00

Fiscal 2010		Fiscal 2011			Item No.	Fiscal 2012	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated		Departmental Requests	Recommended
				225,619.00			
				5,500.00			
Donation Funds							
				2,911.16			
				8,480.00			
				9,893.14			
				4,191.12			
				910.00			
				757.50			
			<u>\$3,994,386.00</u>	<u>\$4,561,589.94</u>			
			<u>\$8,555,975.94</u>				

PUBLIC WORKS & FACILITIES

					Engineering			
114,277.00	96,796.60	108,221.00	48,404.26	59,816.74	105	Salaries	108,829.00	108,829.00
10,395.00	4,821.11	10,395.00	999.60	9,395.40	106	Expense	10,395.00	10,395.00
500.00		500.00		500.00	107	Local Travel	500.00	500.00
125,172.00	101,617.71	119,116.00	49,403.86	69,712.14			119,724.00	119,724.00
					Source:			
3,000.00		3,000.00				Conservation Wetlands Fee		6,000.00
122,172.00		116,116.00				Taxation		113,724.00
<u>125,172.00</u>		<u>119,116.00</u>						<u>119,724.00</u>
					Highway			
672,644.00	665,620.82	721,131.00	349,580.50	371,550.50	112	Salaries	734,284.00	734,284.00
88,934.00	86,804.32	87,084.00	48,298.46	38,785.54	113	Expense	87,084.00	87,084.00
761,578.00	752,425.14	808,215.00	397,878.96	410,336.04			821,368.00	821,368.00
33,750.00	33,045.71	33,750.00	29,274.45	4,475.55	116	Maintain Streets and Sidewalks	33,750.00	33,750.00
100,000.00	244,035.18	100,000.00	21,376.24	78,623.76	117	Snow Removal	100,000.00	100,000.00
128,820.00	128,819.57	128,820.00	51,357.68	77,462.32	118	Street Lighting	128,820.00	128,820.00
1,024,148.00	1,158,325.60	1,070,785.00	499,887.33	570,897.67			1,083,938.00	1,083,938.00
					Waste Collection			
281,609.00	274,840.20	287,655.00	137,247.81	150,407.19	126	Salaries	288,354.00	288,354.00
1,578,494.00	1,347,530.79	1,632,889.00	746,311.27	886,577.73	127	Expense	1,668,655.00	1,668,655.00
1,512.00	1,512.00	1,512.00	756.00	756.00	128	Local Travel	1,512.00	1,512.00
1,861,615.00	1,623,882.99	1,922,056.00	884,315.08	1,037,740.92			1,958,521.00	1,958,521.00
					Drains			
96,344.00	92,070.31	98,727.00	46,434.44	52,292.56	132	Salaries	100,650.00	100,650.00
5,150.00	4,069.47	5,150.00	2,348.17	2,801.83	133	Expense	5,150.00	5,150.00
101,494.00	96,139.78	103,877.00	48,782.61	55,094.39			105,800.00	105,800.00

Fiscal 2010		Fiscal 2011			Item No.		Fiscal 2012	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated			Departmental Requests	Recommended
300.00	262.00	300.00		300.00	141	Cemetery		
294,187.00	284,749.46	299,964.00	147,369.91	152,594.09	142	Officials Expense	300.00	300.00
21,846.00	20,658.75	21,846.00	8,803.05	13,042.95	143	Salaries	305,775.00	305,775.00
316,333.00	305,670.21	322,110.00	156,172.96	165,937.04		Expense	21,846.00	21,846.00
							327,921.00	327,921.00
259,333.00		272,110.00				Source		
57,000.00		50,000.00				Taxation		277,921.00
316,333.00		322,110.00				Perpetual Care		50,000.00
								327,921.00
230,442.00	215,038.42	227,610.00	110,732.42	116,877.58	148	Tree Department		
51,578.00	27,629.53	51,578.00	17,510.82	34,067.18	149	Salaries	237,916.00	237,916.00
282,020.00	242,667.95	279,188.00	128,243.24	150,944.76		Expense	51,578.00	51,578.00
3,710,782.00	3,528,304.24	3,817,132.00	1,766,805.08	2,050,326.92			289,494.00	289,494.00
						TOTAL PUB. WORKS & FAC.	3,885,398.00	3,885,398.00

HUMAN SERVICES

400.00	400.00	400.00		400.00	153	Health Dept.		
127,185.00	126,557.67	131,039.00	65,241.05	65,797.95	154	Officials Expense	400.00	400.00
13,055.00	13,034.07	13,055.00	10,362.76	2,692.24	155	Salaries	134,939.00	134,939.00
2,100.00	1,816.03	2,100.00	818.10	1,281.90	157	Expense	13,055.00	13,055.00
4,000.00	4,000.00	4,000.00		4,000.00	158	Local Travel	2,100.00	2,100.00
146,740.00	145,807.77	150,594.00	76,421.91	74,172.09		HAWC	4,000.00	4,000.00
							154,494.00	154,494.00
60,000.00	60,000.00	60,000.00	13,851.63	46,148.37	162	Mental Health		
182,015.00	170,953.29	183,829.00	91,604.40	92,224.60	164	Contractual Services	60,000.00	60,000.00
2,859.00	2,765.37	3,459.00	1,643.76	1,815.24	165	Council on Aging		
184,874.00	173,718.66	187,288.00	93,248.16	94,039.84		Salaries	193,818.00	193,818.00
						Expense	3,459.00	3,459.00
							197,277.00	197,277.00
55,165.00	55,165.00	56,251.00	27,332.89	28,918.11	175	Veterans Benefits		
1,243.00	1,210.03	1,243.00	261.88	981.12	176	Salaries	57,357.00	57,357.00
1,100.00	1,095.39	1,100.00		1,100.00	177	Expense	1,243.00	1,243.00
19,000.00	14,197.68	19,000.00	8,139.86	10,860.14	178	Local Travel	1,100.00	1,100.00
76,508.00	71,668.10	77,594.00	35,734.63	41,859.37		Benefits	19,000.00	19,000.00
468,122.00	451,194.53	475,476.00	219,256.33	256,219.67			78,700.00	78,700.00
						TOTAL HUMAN SERVICES	490,471.00	490,471.00

Fiscal 2010		Fiscal 2011			Item No.		Fiscal 2012	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated			Departmental Requests	Recommended
CULTURE AND RECREATION								
Library								
701,340.00	694,754.54	725,323.00	354,798.93	370,524.07	185	Salaries	746,403.00	746,403.00
240,778.00	240,673.62	247,673.51	141,044.96	106,628.55	186	Expense	245,295.00	245,295.00
100.00	97.42	100.00		100.00	187	Local Travel	100.00	100.00
942,218.00	935,525.58	973,096.51	495,843.89	477,252.62			991,798.00	991,798.00
Park Department								
529,009.00	524,105.36	546,222.00	283,179.57	263,042.43	190	Salaries	559,878.00	559,878.00
171,590.00	154,207.75	171,590.00	88,429.73	83,160.27	191	Expense	171,590.00	171,590.00
46,093.00	41,906.29	46,093.00	14,475.61	31,617.39	192	Facility Expense	46,093.00	46,093.00
746,692.00	720,219.40	763,905.00	386,084.91	377,820.09			777,561.00	777,561.00
1,950.00	1,944.00	1,950.00		1,950.00	210	Memorial & Veterans Day	1,950.00	1,950.00
1,690,860.00	1,657,688.98	1,738,951.51	881,928.80	857,022.71		TOTAL CULTURE & RECREATION	1,771,309.00	1,771,309.00
DEBT SERVICE								
2,820,000.00	2,820,000.00	2,925,000.00	2,475,000.00	450,000.00	214	Maturing Debt	2,525,000.00	2,525,000.00
1,602,955.00	1,601,955.00	1,445,950.00	880,718.75	565,231.25	215	Interest	1,789,596.25	1,789,596.25
4,422,955.00	4,421,955.00	4,370,950.00	3,355,718.75	1,015,231.25		TOTAL DEBT SERVICE	4,314,596.25	4,314,596.25
MISCELLANEOUS								
1,902,903.00	1,902,903.00	1,902,903.00	1,902,903.00		217	Contributory Retirement	1,881,112.00	1,881,112.00
425,000.00	423,039.33	450,000.00	176,460.77	273,539.23	218	Medicare	480,000.00	480,000.00
250,000.00	250,000.00	270,000.00	270,000.00		219	Workmens Compensation	285,000.00	285,000.00
9,812,084.00	9,237,350.44	10,246,964.00	5,161,521.08	5,085,442.92	221	Group Insurance	11,454,905.00	11,454,905.00
475,888.00	206,956.35	475,888.00	222,298.70	253,589.30	222	Other Insurance	475,888.00	475,888.00
110,770.00	88,659.84	110,770.00		110,770.00	223	Salary Reserve	195,242.00	195,242.00
142,567.00	131,510.98	140,010.00	64,972.65	75,037.35	224	NonContributory Retirement	116,324.00	116,324.00
485,040.00	233,068.48	533,544.00		533,544.00	225	Energy Reserve	533,544.00	533,544.00
9,000.00	9,000.00				226	Old Burial Hill		
13,613,252.00	12,482,488.42	14,130,079.00	7,798,156.20	6,331,922.80		TOTAL MISCELLANEOUS	15,422,015.00	15,422,015.00

Fiscal 2010		Fiscal 2011			Item No.	Fiscal 2012		
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated		Departmental Requests	Recommended	
ENTERPRISE								
589,798.00	576,468.07	587,149.00	276,708.17	310,440.83	227	Salaries	597,054.00	597,054.00
524,090.00	467,923.32	552,587.00	197,520.12	355,066.88	228	Expense	555,651.00	555,651.00
2,102,264.00	2,102,264.00	2,165,332.00	1,536,754.00	628,578.00	230	South Essex Sewer District	2,165,332.00	2,165,332.00
3,216,152.00	3,146,655.39	3,305,068.00	2,010,982.29	1,294,085.71			3,318,037.00	3,318,037.00
						Source		
3,216,152.00		3,305,068.00				Sewer Receipts		3,318,037.00
<u>3,216,152.00</u>		<u>3,305,068.00</u>						<u>3,318,037.00</u>
579,840.00	566,580.75	580,107.00	272,352.77	307,754.23	231	Salaries	585,669.00	585,669.00
497,247.00	396,359.08	521,557.00	161,009.77	360,547.23	232	Expense	537,807.00	537,807.00
1,768,698.00	1,768,433.00	1,805,608.00	902,804.00	902,804.00	235	Metropolitan Water	1,816,156.00	1,816,156.00
2,845,785.00	2,731,372.83	2,907,272.00	1,336,166.54	1,571,105.46			2,939,632.00	2,939,632.00
						Source:		
		2,907,272.00				Water Receipts		2,939,632.00
		Revenue			236	Light Operating Expenditures		Revenue
300,834.00	288,019.73	307,222.00	159,729.80	147,492.20	238	Salaries	342,776.00	342,776.00
297,857.00	271,039.64	300,860.00	111,680.26	189,179.74	239	Expense	308,407.00	308,407.00
47,250.00	47,250.00				240	Bonds and Interest		
64,960.00	64,216.31	74,800.00	22,307.15	52,492.85	241	Outlays	250,000.00	250,000.00
710,901.00	670,525.68	682,882.00	293,717.21	389,164.79			901,183.00	901,183.00
						Source		
621,907.00		591,846.00				Harbor Receipts		651,183.00
88,994.00		91,036.00				Harbor Retained Earnings		250,000.00
710,901.00		682,882.00						901,183.00
<u>6,772,838.00</u>	<u>6,548,553.90</u>	<u>6,895,222.00</u>	<u>3,640,866.04</u>	<u>3,254,355.96</u>		TOTAL ENTERPRISE	7,158,852.00	7,158,852.00
66,636,186.00	64,598,955.64	68,662,266.00	32,740,465.21	35,921,800.79		TOTAL BUDGETS	70,811,929.25	70,811,929.25

SPECIAL ARTICLES

5,122,360.97	5,122,360.97	3,407,027.18	2,897,457.23	Art 39, 2008 - Village School Renovations
195,000.00	195,000.00	60,000.00	38,283.01	Art 39, 2008 - Glover School Feasibility
324,000.00	292,463.73		31,536.27	Art 16, 2009 - Drain Construction
691,899.00	273,629.55		53,111.10	Art 17, 2009 - Sewer Construction
941,664.00	80,562.49		274,695.29	Art 18, 2009 - Water Construction
468,730.00	441,056.48		26,300.52	Art 19, 2009 - Purchase of Equipment
176,594.00	79,856.09		10,878.20	Art 20, 2009 - Capital Improvements for Public Buildings
135,020.00	132,820.00			Art 36, 2009 - NS Tech School District

Fiscal 2010		Fiscal 2011			Item No.	Fiscal 2012	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated		Departmental Requests	Recommended
242,400.00	175,553.85		9,500.00		Art 41, 2009 - Landfill Regulatory Compliance Activities		
505,000.00	399,712.50		63,007.79		Art 42, 2009 - Disposal Area Remediation		
		449,615.00	431,915.35		Art 11, 2010 - Purchase of Equipment		
		161,500.00	82,958.13		Art 12, 2010 - Capital Improvements for Public Buildings		
		114,600.00			Art 21, 2010 _ Disposal Area Assessment		
		735,264.00	598,060.10		Art 32, 2010 - Water Construction		
		525,584.00	338,897.70		Art 33, 2010 - Sewer Construction		
		324,000.00	95,008.05		Art 34, 2010 - Drain Construction		
		138,368.00	103,838.25		Art 43, 2010 - NS Tech School District		
					Fiscal 2012 Special Articles		
					Art 22, 2011 - NS Tech School District	86,339.00	86,339.00
					Art 10, 2011 - Purchase of Equipment	624,615.00	624,615.00
					Art 11, 2011 - Capital Improvements for Public Building	182,300.00	182,300.00
					Art 16, 2011 - Water Construction	440,928.00	440,928.00
					Art 17, 2011 - Sewer Construction	450,585.00	450,585.00
					Art 20, 2011 - Surface Drain Construction	324,000.00	324,000.00
					Art 28, 2011 - Old Town House	667,793.00	667,793.00
					Art 32, 2011 - Landfill Remediation, New Facility	15,102,000.00	15,102,000.00
					Art 33, 2011 - Landfill Regulatory Compliance Activities	770,600.00	770,600.00
					Art 34, 2011 - Stoney Brook Road Cleanup	3,072,578.00	3,072,578.00
					Art 35, 2011 - Stoney Brook Real Property Taking		
					Art 39, 2011 - School Construction	25,450,000.00	25,450,000.00
					TOTAL SPECIAL ARTICLES	47,171,738.00	47,171,738.00
					Less: Bond Issue		
						47,171,738.00	47,171,738.00
					Total Depart. Budgets(Above)	70,811,929.25	70,811,929.25
					TOTAL BUDGETS AND ARTICLES	117,983,667.25	117,983,667.25
8,802,667.97	7,193,015.66	5,915,958.18	5,055,446.99				
5,317,360.97		3,467,027.18					
3,485,307.00	7,193,015.66	2,448,931.00	5,055,446.99				
66,636,186.00	64,598,955.64	68,662,266.00	32,740,465.21				
70,121,493.00	71,791,971.30	71,111,197.00	37,795,912.20				

Article 26 Supplemental Expenses of Several Departments

To see what sums of money the Town will raise and appropriate, including appropriations from Federal Revenue Sharing moneys, to defray the supplemental expenses of the several departments of the Town for the fiscal year beginning July 1, 2011, or take any other action relative thereto, as sponsored by the Finance Department.

Recommendation: That this article be indefinitely postponed.

Article 27 Handicapped Parking

To see if the Town will vote to amend the By-Laws of the Town of Marblehead by adding the following new Article to Chapter 119 thereof:

Article V: Parking Spaces Reserved for Disabled Veterans or Handicapped Persons

§ 119-5 Standing or Leaving of Vehicles

Prohibited

The standing or leaving of vehicles unattended within parking spaces designated as reserved for vehicles owned and operated by disabled veterans or handicapped persons, including cross-hatch areas adjacent thereto, if any, is prohibited except where such vehicle is owned or operated by a disabled veteran or handicapped person or is transporting handicapped person(s), and only where such vehicle is properly identified as such as specified in G.L. c. 40, § 21(23). Parking in such a manner so as to obstruct a curb ramp designed for use by a handicapped person as a means of egress to a street or public way shall also be prohibited. The foregoing prohibition shall apply to all public and private ways and in all places where the public has a right of access as invitees or licensees.

§ 119-6 Violations and Penalties

The penalty for violation of this Article V shall be not less than \$100 nor more than \$300 per occurrence. The Board of Selectmen is further authorized to provide for the removal of vehicles as may be required hereunder, in accordance with G.L. c. 40, § 22D, and the violator shall be liable for all charges incurred for the removal and storage of such vehicle in addition to the foregoing penalty.

§ 119-7 Enforcement

Violations of this Article V may be processed pursuant to G.L. c. 40, § 21D, and shall be in the amount set forth above. Enforcement under the noncriminal disposition process shall be carried out by the Police Chief and /or by duly-sworn police officers, who shall have full enforcement powers.

Or take any action relative thereto. Sponsored by the Marblehead Disabilities Commission.

Recommended: That this article be adopted.

Article 28 Old Town House

To see if the Town will vote to appropriate a sum of money to fund improvements to the Old Town House, including but not limited to making the building universally accessible; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Selectmen.

Recommended: That the sum of \$667,793.00 be appropriated subject to a Proposition 2 ½ override.

Article 29 Devereux Beach, Non Smoking Area

To see if the Town will declare the playground area of Devereux Beach as a no-smoking area. Sponsored by Starr Campbell and others.

No recommendation under this article.

Article 30 Remove Position of Police Chief from Civil Service

To see if the Town will vote to petition the General Court to pass AN ACT EXEMPTING THE POSITION OF POLICE CHIEF OF THE TOWN

OF MARBLEHEAD FROM THE PROVISIONS OF THE CIVIL SERVICE LAW

Section 1: The position of Police Chief in the Town of Marblehead shall be exempt from the provisions of Chapter 31 of the General Laws and related regulations applicable thereto.

Section 2: The provisions of Section 1 of this act shall not impair the civil service status of the present incumbent Police Chief holding such status on the effective date of this act.

Section 3: This act shall take effect upon its passage.
or take any action relative thereto. Sponsored by the Board of Selectmen.

No recommendation under this article.

Article 31 Police Chief Selection Process

To see if the Town will vote to rescind Chapter 45, Article I, Section 45-1 of the General Bylaws which now reads:

The Board of Selectmen shall appoint the Chief of Police in accordance with the applicable provisions of the General Laws of the Commonwealth and amendments thereto and the applicable valid rules and regulations issued under said chapter and amendments thereto. Unless otherwise required by the applicable provisions of said chapter, amendments, rules and regulations, no member of the Board of Selectmen shall be eligible for appointment to such office.

and replace it with the following:

45-1 Police Chief

45-1-1 Appointment

45-1-1-1 Committee Composition

In the event there is an opening for the position of Police Chief, the Board of Selectmen shall exercise its authority as the Appointing Authority and appoint the Police Chief based upon the recommendation of the Police Chief Screening Committee (the "Committee"). Such Committee shall be comprised of seven (7) members appointed by the Board of Selectmen and representing the following municipal and/or community groups:

Town Administrator
School Department
Fire Department
Police Department
Council on Aging
Citizenry
Public Safety Professional

45-1-1-2 Recommendation Timeframe

- The Committee shall advertise for the position of Police Chief through any medium deemed appropriate by the Committee, including but not limited to the Town's municipal website and at least one newspaper of wide circulation throughout the Commonwealth.
- Applicants shall have at least forty-five (45) days from the date of initial publication to submit applications to the Board of Selectmen.

- At the close of the application period, the Board of Selectmen shall provide the Committee with all application response materials received.
- Within ten (10) days following the close of the application period, the Committee shall meet in accordance with G.L. c. 30A, § 21 to review all applications and determine by vote, the top 5 applicants.
- Within ten (10) days following the vote, the Committee shall interview the top five (5) applicants as determined by the Committee.
- Within ten (10) days of the completion of all interviews, the Committee shall determine the top three applicants and confirm with the Applicants that they are interested in moving forward in the selection process.
- The Committee shall thereafter submit forthwith a written recommendation to the Board of Selectmen indicating the top three (3) applicants.

45-1-1-3 Evaluation Criteria

The Recommendation Committee shall evaluate the applicants using criteria including but not limited to the following:

Character
 Education
 Prior Experience as a Police Officer
 Prior Experience as a Police Chief
 Prior Employment Record
 Recommendations (Personal and Professional)

45-1-1-4 Board of Selectmen Process

Within twenty-one (21) days of the receipt of the Committee's recommendation, the Board of Selectmen shall interview the Candidates and conduct further review and investigation that the Board deems necessary and appropriate.

45-1-1-5 Candidate Selection

The Board of Selectmen shall select a top candidate for the position of Police Chief. Within ten (10) days of the Board's vote, the Chairman shall contact the top applicant and notify him or her of the Board's selection. The top applicant shall have forty-eight (48) hours to accept the position of Police Chief, subject to contract negotiations. Thereafter the Board of Selectmen and the selected candidate shall enter into contract negotiations and submit to any other applicable preliminary hiring requirements. In the event the top applicant does not accept the position of Police Chief within the forty-eight (48) hour acceptance period, the Chairman of the Board of Selectmen shall contact the next ranked applicant and offer him or her the position of Police Chief. In the event that all three (3) top applicants refuse the position of Police Chief or the Board determines that none of the applicants meet the needs of the community at that time, then the Committee shall re-advertise for the position of Police Chief and follow the process as noted in section 45-1-1-2 above.

45-1-1-6 Physical Examination

Prior to commencement of employment, the newly appointed Police Chief must submit to a physical examination in accordance with Section 106-1 of the Town's General Bylaws

45-1-2 Term

The appointed Police Chief shall serve for three years subject to reappointment at the discretion of the Board of Selectmen.

45-1-3 Duties

The duties of the Police Chief shall be those established by the Board of Selectmen from time to time.

45-1-4 Employment Contract

The Board of Selectmen shall prepare an employment contract with the Police Chief covering the terms and conditions of the Chief's employment.

45-1-5 Non-eligibility

No member of the Board of Selectmen shall be eligible for appointment to the position of Police Chief.

45-1-6 Applicability

This by-law shall apply only to a Police Chief who is appointed subsequent to the time that the position of Police Chief is removed from Civil Service.

45-1-7.1.1 Effective Date

This by-law shall take effect if and when the General Court passes Special Legislation for the Town of Marblehead allowing the position of Police Chief to be exempted from the provision of Civil Service.

Or take any action relative thereto. Sponsored by the Board of Selectmen.

No recommendation under this article.

Article 32 Old Landfill Remediation/ Construct New Solid Waste Facility

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Health for constructing a cap for the area(s) encompassing the old landfill in accordance with and as required by applicable statutes and regulations, deconstructing the old Transfer Station, constructing stormwater controls, constructing and/or moving water and sewer mains, and constructing a new Transfer Station, new Recycling Drop-Off Area, new Swap Shed, and new Yard Waste Processing Area, and funding the purchase of all related real property easements or other real property interests; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Health.

Recommended: That the sum of \$15,102,000.00 be appropriated subject to a Proposition 2 ½ override.

Article 33 Landfill Regulatory Compliance Activities

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Health for continued water quality monitoring, soil gas monitoring, risk assessment, and any other engineering services to determine the extent of clean up or remediation necessary in connection with the old landfill; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action relative thereto. Sponsored by the Board of Health.

Recommended: That the sum of \$770,600.00 be appropriated. \$114,600.00 to be raised by taxation and \$656,000.00 subject to a Proposition 2 ½ override.

Article 34 Stony Brook Road Clean Up Real Property Purchase and/or Taking

To see if the Town will vote to purchase, acquire or take by eminent domain, and to raise and appropriate a sum of money, either by appropriation, borrowing or otherwise, to fund said purchase or taking, along with all legal costs, costs of remediation and costs of settlement in connection with the clean-up related to the historic operations of the former landfill, the property and/or building(s) located at the following:

- 56 Stony Brook Road, and more particularly described in a deed found at Book 12823 Page 8 recorded at the Essex South Registry of Deeds containing 28,456 square feet +/-
- A portion of 55 Stony Brook Road as more particularly described in a deed found at Book 11888 Page 451 and recorded in the Essex South Registry of Deeds that portion shown on a plan entitled "55 Stony Brook Road Taking or Acquisition Area" by Kleinfelder SEA and dated January 2011 and which area contains 7,582 sq ft +/- which said plan is available in the Town Clerk's office.
- A temporary construction easement on a portion of 52 Stony Brook Road as more particularly described in a master deed found at Book 27351 Page 3 that portion being shown on a plan entitled "52 Stony Brook Road Area of Remediation" by Kleinfelder SEA, dated January 2011 said area indicated as Area of Remediation which said plan is available in the Town Clerk's office.

or take any action relative thereto. Sponsored by the Board of Health and the Board of Selectmen.

Recommended: That the sum of \$1,820,808.00 be appropriated subject to a Proposition 2 ½ override.

Article 35 Stony Brook Road Clean-up, Funding for Real Property Taking and Remediation

To see if the Town will vote to raise and appropriate a sum of money, and to see whether such sum shall be raised by borrowing or otherwise, to fund the purchase or taking of the property and building(s), the remediation of the property and building(s) and associated legal costs, located at 57 Stony Brook Road, and more particularly described in a deed found at Book 22473 Page 485 recorded at the Essex South Registry of Deeds containing 18,430 square feet +/-, which said purchase or taking by eminent domain was approved in Article 23 of the 2010 Annual Town Meeting, as part of the clean-up related to the historic operations of the former landfill, or take any action relative thereto. Sponsored by the Board of Health and the Board of Selectmen.

Recommended: That the sum of \$1,251,770.00 be appropriated subject to a Proposition 2 ½ override.

Article 36 Zoning Bylaw, Lot Width Requirement

To see if the Town will vote to amend the Marblehead Zoning Bylaw by changing the minimum lot width requirement to apply within the Single Residence districts only to that portion of a lot between the front lot line and the required front yard setback, by changing the definition of Lot Width in Section 200-7, *which presently reads:*

The mean horizontal distance between the side lot lines measured perpendicular to the mean direction of the side lot lines. At no point between the front lot line and the rear lot line shall the lot be narrower than 75% of the required lot frontage. (see §200-16E, Minimum lot width.)

To read instead:

The mean horizontal distance between the side lot lines measured perpendicular to the mean direction of the side lot lines. At no point between the front lot line and the rear lot line shall the lot be narrower than 75% of the required lot frontage, except that within the Single Residence districts, this limitations shall apply only between the front lot line and the minimum front yard setback (See §200-16E, Minimum lot width)

And by changing Section 200-16(E), *which presently reads:*

Minimum lot width. The width of a lot shall not at any point be less than 75% of the required lot frontage (for corner lots only the frontage opposite the rear lot line) without having first

obtained a special permit for use and dimension from the Board of Appeals. (See the definition of “lot width” in § 200-7)

To read instead:

Minimum lot width. The width of a lot shall not at any point be less than 75% of the required lot frontage (for corner lots only the frontage opposite the rear lot line) without having first obtained a special permit for use and dimension from the Board of Appeals, except that this limitation shall apply only between the front lot line and the minimum front yard setback within the Single Residence districts. (See the definition of “lot width” in § 200-7)

Or take any other action relative thereto. Sponsored by Andrew Colby and others.

Article 37 Zoning Bylaw, Lot Frontage Requirement

To see if the Town will vote to amend the Marblehead Zoning Bylaw by changing the minimum lot frontage in the Single Residence districts from 100 feet to 75 feet by amending the Single Residence row of Table 2, Dimensional Regulations,

which presently reads:

Single residence	One family dwelling	10,000	100	20	15	15	(1)	35(6)
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To read instead:

Single residence	One family dwelling	10,000	75	20	15	15	(1)	35(6)
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or take any other action relative hereto. Sponsored by Andrew Colby and others.

No recommendation under this article.

Article 38 Schools Construction and/or Renovation Program

To see if the Town will vote to appropriate a sum of money for the purpose of remodeling, construction, purchasing technology software and equipment, furnishing or making extraordinary repairs, including all professional feasibility studies, design, architectural and engineering fees, to the Gerry, Coffin, Bell, Eveleth, Glover, Village, Veterans Middle and High School and/or any other schools and their respective playing fields; to determine whether such appropriation shall be raised by borrowing, by the transfer of an unused/prior appropriation and borrowing authority for such purposes, or in any other manner; or take any other action relative thereto. Sponsored by the School Committee.

Recommendation: That this article be indefinitely postponed.

Article 39 Marblehead-Glover/Eveleth Project

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the Glover School Building Committee for the Glover/Eveleth School Building Project, consisting of a new school building and all costs incidental and related thereto, to be located at 9 Maple Street, Marblehead, Massachusetts, 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 Town may be eligible for a school construction grant from the Massachusetts School Building Authority (MSBA). The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town of Marblehead may receive from the MSBA for the Project shall not exceed the lesser of (1) forty-percent (40%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. Sponsored by the School Committee.

Recommended: That the sum of \$25,450,000.00 be appropriated subject to a Proposition 2 ½ override.