

# Finance Committee Report



Photo By Colleen King

Photo By Colleen King

ANNUAL TOWN MEETING MAY 3, 2021  
OUR LADY STAR OF THE SEA COMMUNITY CENTER  
REAR PARKING LOT  
MARBLEHEAD, MASSACHUSETTS

## TO THE RESIDENTS OF MARBLEHEAD

The Finance Committee once again respectfully welcomes the opportunity to present this report and to make its recommendations regarding the Town of Marblehead's Fiscal Year 2022 budget and other financial matters to be voted on at the 2021 Annual Town Meeting.

The Finance Committee is pleased to report that we will present to you a balanced budget recommendation for the sixteenth consecutive year without proposing a general override of Proposition 2½ to achieve that balance. In doing so, it is important to remember that the Town continues its pattern of using an increasing amount of its free cash to balance the Town's operating budget. In future fiscal years this is an issue we will continue to monitor closely to maintain the long-term financial health of the Town while also committing to meet the critical needs of the Town and delivering the high quality level of municipal services Marblehead has come to expect.

The budget cycle commenced on February 12, 2021 when Town Administrator Jason Silva delivered the "State of the Town" fiscal analysis. His breakdown offered several positive factors consistent with a well-managed budget: conservative revenue estimates and no budget deficits across the Town departments and enterprises. The "State of the Town" also highlighted the projection that state aid would be level funded and major operating expense increases were expected in health insurance and pension liability. Again, the presentation reviewed the Town's free cash position which provided an overview of historical and expected reliance on free cash.

The Town continues to enjoy a AAA bond rating for the twelfth consecutive year, which is the result of the Town's long-term consistency regarding budget oversight, strong cooperation from the departments/schools on service levels within level funding expectations, and proactive management of the largest cost drivers that impact all of the Town (energy costs, health care insurance, and collective bargaining). As of now, the Town is actively negotiating new collective bargaining agreements with its unions - Fire, Police and Municipal Employees. Current contracts expire at the end of Fiscal Year 2021.

To develop the FY22 budget, the following conservative revenue assumptions were made:

- The statutory 2½% increase on the Town's tax levy and projected new growth combine to generate approximately 3% more tax revenues to fund municipal services.
- Net State Aid assumes level funding from FY21 levels (except charter school reimbursement which is based on a state formula).
- Local receipts remain at estimated FY21 levels, reflecting the stabilization of receipts in the past nine years.

On the expense side, assumptions were made based on level-funded expense budgets and multi-year assessments of needs.

- Health insurance budget is projected to increase by 5.2%.
- The energy reserve is level-funded for the twelfth year in a row at \$533,544, sufficient to cover potential fluctuations for FY22.
- The utility reserve is level-funded for the sixth year in a row at \$100,000, sufficient to cover potential water and sewer expense fluctuations for FY22.
- Debt service expenses are based on schedules as of 2021 issuance.
- Funding the OPEB Trust Fund at \$250,000.

At the 2020 Annual Town Meeting, the Town created a general fund Stabilization Fund and for the first time this year the Town is appropriating \$250,000 to the Stabilization Fund. This practice annually will ensure the Town has a sufficient reserve fund balance over time. It will also effectively account for, protect, and provide increased transparency on the Town's reserve funds. Once approved, the only way the Town can access these funds is through a 2/3rds vote of Town Meeting.

It is also important to note that over the last several months the Town has worked with the Collins Center at UMASS to improve upon our financial forecasting model which will be an important and useful tool moving forward. Town officials are also working with Collins Center representatives on building a more comprehensive and robust annual operating budget document with the hopes of meeting the criteria of achieving a Distinguished Budget Presentation Award from the Government Finance Officials Association. This work is expected to continue through to the end of this fiscal year.

Lastly, Article 10 on this year's warrant includes significant capital investments made possible by the sale of the former Gerry School. Due to the sale, upon closing on the property which is expected to happen in Fiscal Year 2021 subsequent to Town Meeting, \$857,000 of the \$870,000 sale proceeds will be utilized to implement improvements to our streets, recreational areas, seawalls, municipal buildings, and critical equipment. The Town has created a comprehensive 5-year Capital Improvement Plan and these investments were identified through the capital improvement planning process.

Once again, during the budget season, the Finance Committee formed smaller liaison groups to work with department heads, managers, administrators, and elected officials to review their respective budgets in a series of posted liaison meetings. The Finance Committee held budget meetings to discuss and vote on recommendations of the individual department budgets. The Finance Committee then held an open public hearing on the Town Warrant and voted to make the recommendations contained in this book to Town Meeting. Assuming Finance Committee recommendations on the various money articles are accepted by the Town Meeting, the FY22 budget, as presented in Article 23, will be balanced.

The Finance Committee would like to thank and commend the Board of Selectmen, all department heads, municipal employees, appointed and elected boards, and involved citizens for all their efforts this year. We also wish to thank the Superintendent and the School Committee for their cooperation, transparency, and accountability in the budget process.

We specifically wish to express our thanks to our new Finance Director Steve Poulos and the Town's accounting department for the significant time, resources, and guidance that they dedicated to this budget process. Thanks too to our colleagues on the Finance Committee for their devoted efforts during the FY22 budget cycle, and to our new Secretary, Emma Puglisi. Finally, we would like to thank Town Administrator Jason Silva for his counsel, support, encouragement and responsible guiding hand focused on the best financial interests of the town long term while appreciating the priorities of the present fiscal cycle.

Respectfully submitted,

Benjamin S. Berman  
Chairman, Marblehead Finance Committee

Blair Nelson  
Vice Chairman, Marblehead Finance Committee

Emily Belfbecker  
Vice Chairman, Marblehead Finance Committee

**Fiscal 2020 RESERVE FUND**

The following is an accounting of funds entrusted to the Finance Committee for Fiscal 2020 Reserve Fund use.

Reserve Funds – Fiscal 2020 ending June 30, 2020.....	\$144,000.00
<b>DEPARTMENTS FUNDS TRANSFERRED TO:</b>	
Town Counsel Expense.....	\$48,000.00
Fire Expense.....	\$28,500.00
Highway Expense.....	\$6,000.00
Veterans Expense.....	\$4,525.00
Cemetery Expense.....	\$4,704.00
 Total Transferred.....	<u>\$91,729.00</u>
Returned to Treasury.....	<u>\$52,271.00</u>

**Fiscal 2021 RESERVE FUND**

The following detail represents funds voted to various departments by the Finance Committee from the Reserve Fund covering the period July 1, 2020 thru April 12, 2021.

Annual Town Meeting Appropriation June 29, 2020 .....	\$144,000.00
<b>DEPARTMENT FUNDS TRANSFERRED TO:</b>	
Tree Expense.....	\$7,995.00
Selectman Expense.....	\$40,000.00
 Total Transferred.....	<u>\$47,995.00</u>
Balance Remaining.....	<u>\$96,005.00</u>

Respectfully Submitted,  
MARBLEHEAD FINANCE COMMITTEE

Benjamin Berman, Chairman  
Emily Belfbecker, Vice Chair  
Blair Nelson, Vice Chair  
Kevin Brodrick  
Pat Franklin  
Alec Goolsby

**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, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**No recommendation under this article.**

**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, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**No recommendation under this article.**

**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 therefore to the Commonwealth, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation: 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. 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. Sponsored by the Board of Selectmen.

**Recommendation: That this article be adopted.**

**Article 6 Contracts in Excess of Three Years**

To see if the Town will authorize the Board of Selectmen, pursuant to G. L. c. 30B § 12, to enter into contracts in the best interest of the Town in excess of three (3) years but not more than ten (10) years. Sponsored by the Board of Selectmen.

**Recommendation: That this article be adopted.**

**Article 7 Departmental Revolving Funds**

To see if the Town will vote to:

- a. fix the maximum amount that may be spent during FY 2022 beginning July 1, 2021 for the revolving funds established in the town bylaws for certain departments, boards, committees, agencies or officers in accordance with G.L. c. 44 § 53E 1/2, and

- b. Amend Chapter 63, section 63-9, of the Town of Marblehead General Bylaws by adding a new section 63-9(E)(12) as follows:

12. Hobbs Memorial Building Revolving Fund

a. There shall be a separate fund called the Samuel Hobbs Memorial Building Revolving Fund authorized for use by the Board of Selectmen.

b. The Finance Director/Town Accountant shall establish the Samuel Hobbs Memorial Building Revolving Fund as a separate account and credit to the fund all of the revenues received by the Samuel Hobbs Memorial Building in connection with receipts from the Samuel Hobbs Memorial Building.

c. During each fiscal year, the Board of Selectmen may incur liabilities against and spend monies from the Samuel Hobbs Memorial Building Revolving Fund for expenses related to operating maintenance and repair of the building.

d. The Samuel Hobbs Memorial Building Revolving Fund shall operate for the fiscal year that begins on July 1, 2021, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation: That the maximum amount to be spent during FY2022 be as follows:**

<b>Animal Control</b>	<b>\$20,000</b>
<b>Council on Aging</b>	<b>\$250,000</b>
<b>Board of Health, commercial waste disposal</b>	<b>\$550,000</b>
<b>Board of Health, vaccines</b>	<b>\$10,000</b>
<b>Highway, street opening fees</b>	<b>\$150,000</b>

<b>Sump pump improvement</b>	<b>\$10,300</b>
<b>Historical Commission Gift Shop</b>	<b>\$15,000</b>
<b>Recreation and Parks</b>	<b>\$800,000</b>
<b>Marblehead Public Schools, Special Education</b>	<b>\$1,200,000</b>
<b>Conservation fines</b>	<b>\$75,000</b>
<b>Storm Water bylaw</b>	<b>\$10,000</b>

**Article 8 Purchase of Equipment of Several Departments**

To see if the Town will raise and appropriate any sums of money for the purchase and/or lease of equipment for several departments of the Town, to authorize the Board of Selectmen to trade old equipment as part of the purchase price and 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 the sum of \$239,429.42 be appropriated, and to meet this appropriation; \$45,559.20 is to be transferred from Cemetery Perpetual Care Funds and \$193,870.22 is to be raised by taxation. To include the following:**

- Police Department: 2 Ford Interceptor Hybrid**
- Fire Department: 1 Ford Interceptor Hybrid; Fire Rescue Boat Repair**
- Cemetery Department: 1 Ford F350 Pick-up**
- Tree Department: 1 Brush Cutter Head**
- School Department: 1 Ford F350 Pick-up**

**Article 9 Lease Purchase**

To see if the Town will vote pursuant to G.L. c. 44 §21C, to authorize the Board of Selectmen to enter into lease purchase agreements for the lease and purchase of vehicles and certain capital for a period of time not in excess of the useful life of the property to be procured on such terms and conditions as the Board of Selectmen deem in the best interest of the Town; and to authorize the Board of Selectmen to take all actions necessary to administer and implement such agreement and to fund said lease purchase through an annual appropriation in the Capital Budget or take any action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation: That the sum of \$191,596.00 be appropriated, and to meet this appropriation; \$27,696.00 to be transferred from Waste Revolving Funds and \$163,900.00 is to be raised by taxation. To include the following:**

- Police Department: 1 Ford Interceptor**
- Tree Department: 1 Dump Truck**
- Waste Department: 1 4WD Loader**
- School Department: 1 School bus**
- Recreation and Park Department: 1 Ford 550 Dump Truck**
- Public Works Department: 1 Sidewalk Trackless**

**Article 10 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 or School buildings, infrastructure, 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.

**Recommendation: That the sum of \$857,189.00 be appropriated, and to meet this appropriation; \$857,189.00 is to be transferred from Gerry School Special Revenue Funds. To include the following:**

- Public Works Department: Street repaving**
- Animal Control Building: Block open penetration from basement of Animal Shelter**
- Building Department : Paint Old Town House; Paint and minor repairs to OKOS Building**
- Finance: Replace Town computers to upgrade from Windows 7 to Windows 10; Upgrade Town-wide IT servers (grant match)**
- Fire Station- Headquarters: Protective turnout gear; attack hose and supply lines replacement**
- Fire Station – Franklin Street: Window replacement**
- Rail Trail: Final redesign plans for crossing improvements**
- Mary Alley Building: New exterior and interior doors and locks; New alarm system with coverage**
- Recreation and Parks Department: Resurface Seaside Park tennis courts**
- Police Station: Roof replacement – lobby and detectives offices; Repair exterior trim and paint building**
- School Department: High School – replace main fire alarm panel; High School – install card swipe system; Veterans – replace fire alarm system; Veterans- install card swipe system; 4 Schools – hardwired CO detectors to alarm panel**
- Seawalls: Ongoing seawall maintenance and repair**

**Tower Way – Garage: Exhaust system for mechanics garage**  
**Town-Wide: Shoe shed signal communications radio box alarm**

**Article 11 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 therefore; 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 12 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, or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

**Recommendation: That the sum of \$768,853.00 be appropriated, to be appropriated from Water Retained Earnings.**

**Article 13 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, or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

**Recommendation: That the sum of \$917,246.00 be appropriated, to be appropriated from Sewer Retained Earnings.**

**Article 14 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 or sewer systems, or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

**Recommendation: That this article be adopted.**

**Article 15 Storm Drainage Construction**

To see if the Town will vote to appropriate, borrow or otherwise fund a sum of money for the construction, reconstruction, permitting and maintenance of storm sewers for surface drainage, including engineering services in connection therewith, and for general Drain Department purposes, including the purchase or lease of equipment, and to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easements necessary therefore, and to raise the money for such purposes by the issue of bonds or notes or in any other manner, to be expended by the Department of Public Works; or to take any other action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation: That the sum of \$314,000.00 be appropriated, to be raised by taxation.**

**Article 16 Essex North Shore Agricultural and Technical School District**

To see if the Town will vote to approve the gross operating and maintenance budget of the Essex North Shore Agricultural and Technical School District for the fiscal year commencing July 1, 2021 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.

**Recommendation: That the sum of \$652,392.00 be appropriated, to be raised by taxation.**

**Article 17 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.

**Recommendation: That the sum of \$9,280,000.00 be appropriated from the following sources for the use of the Assessors in making the Tax Rate:**

From Free Cash	\$8,950,000.00
From Electric Surplus	<u>330,000.00</u>
	\$9,280,000.00

**Article 18 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 the sum of \$7,143.14 be appropriated as follows:**

Recreation and Parks Expense	\$2,800.00
School Expense	\$3,398.30
111F Expense	\$944.84

**Article 19 Transfer Funds to the Special Education Stabilization Account**

To see if the Town will vote to raise, appropriate or otherwise transfer funds to the Special Education Reserve Fund; or take any other action relative thereto. Sponsored by the Finance Director.

**Recommendation: That this article be indefinitely postponed.**

**Article 20 Collective Bargaining (Fire)**

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2022 with the International Association of Firefighters AFL/CIO CLC Local 2043, or take any action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation to be made at Town Meeting.**

**Article 21 Collective Bargaining (Police)**

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2022 with MASS C.O.P., AFL-CIO, Local 437, or take any action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation to be made at Town Meeting.**

**Article 22 Collective Bargaining (IUE/CWA – Local 1776)**

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2022 with Local 1776 of the IUE/CWA, AFL-CIO, or take any action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation to be made at Town Meeting.**

**Article 23 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, 2021, or take any other action relative thereto. Sponsored by the Finance Director.

**Recommendation to be made at Town Meeting.**

**TABLE OF ESTIMATED APPROPRIATIONS**

(Required by Mass. General Laws, Chapter 41, Section 60)

Fiscal 2020		Fiscal 2021				Fiscal 2022	
Appropriation	Expended	Appropriation	6 Mos. Actual	6 Mos. Estimated	Item No.	Departmental Requests	Recommended
<b>GENERAL GOVERNMENT</b>							
<b>Moderator</b>							
100.00		100.00		100.00	1	Officials Expense	100.00 100.00
<b>Selectmen</b>							
5,500.00	5,500.00				2	Officials Expense	5,500.00 5,500.00
380,963.00	377,187.92	349,903.00	172,373.91	177,529.09	3	Salaries	372,108.48 372,108.48
91,915.00	46,889.29	90,450.00	39,348.66	51,101.34	4	Expense	92,302.00 92,302.00
27,000.00	12,369.00	27,000.00	1,701.00	25,299.00	5	Zoning Board Legal Services	27,000.00 27,000.00
2,000.00	2,000.00	2,000.00		2,000.00	6	Out of State Travel	2,000.00 2,000.00
<b>507,378.00</b>	<b>443,946.21</b>	<b>469,353.00</b>	<b>213,423.57</b>	<b>255,929.43</b>			<b>498,910.48 498,910.48</b>
<b>Finance Committee</b>							
10,141.00	2,535.27				7	Salaries	
5,585.00	397.52	5,585.00	280.00	5,305.00	8	Expense	5,585.00 5,585.00
175.00		175.00		175.00	9	Local Travel	175.00 175.00
<b>15,901.00</b>	<b>2,932.79</b>	<b>5,760.00</b>	<b>280.00</b>	<b>5,480.00</b>			<b>5,760.00 5,760.00</b>
144,000.00		144,000.00		144,000.00	10	<b>Reserve Fund</b>	144,000.00 144,000.00
	91,729.00			7,995.00		Less Transfers	
<u>144,000.00</u>	<u>52,271.00</u>	<u>144,000.00</u>		<u>136,005.00</u>		Net	
<b>Finance</b>							
684,167.00	626,899.06	650,396.00	292,515.72	357,880.28	12	Salaries	662,605.00 662,605.00
264,610.00	259,516.79	254,610.00	165,887.62	88,722.38	13	Expense	323,655.00 323,655.00
<b>948,777.00</b>	<b>886,415.85</b>	<b>905,006.00</b>	<b>458,403.34</b>	<b>446,602.66</b>			<b>986,260.00 986,260.00</b>
<b>Assessor</b>							
300.00	300.00	300.00		300.00	17	Officials Expense	300.00 300.00

224,270.00	208,836.04	218,092.39	103,779.48	114,312.91	18	Salaries	224,353.79	224,353.79
33,685.00	31,259.58	63,685.00	33,109.26	30,575.74	19	Expense	37,750.00	37,750.00
500.00		500.00		500.00	20	Local Travel	500.00	500.00
<b>258,755.00</b>	<b>240,395.62</b>	<b>282,577.39</b>	<b>136,888.74</b>	<b>145,688.65</b>			<b>262,903.79</b>	<b>262,903.79</b>
<b>Town Counsel</b>								
2,000.00	2,000.00	2,000.00	1,000.00	1,000.00	29	Salaries	2,000.00	2,000.00
96,575.00	152,668.25	96,575.00	24,812.00	71,763.00	30	Expense	100,000.00	100,000.00
<b>98,575.00</b>	<b>154,668.25</b>	<b>98,575.00</b>	<b>25,812.00</b>	<b>72,763.00</b>			<b>102,000.00</b>	<b>102,000.00</b>
<b>Parking Tickets</b>								
13,095.00	4,787.22	12,650.00	780.00	11,870.00	35	Expense	12,650.00	12,650.00
<b>Town Clerk</b>								
192,790.00	192,097.45	195,651.00	95,970.62	99,680.38	39	Salaries	197,987.00	197,987.00
10,137.00	9,286.76	10,137.00	1,077.89	9,059.11	40	Expense	10,137.00	10,137.00
<b>202,927.00</b>	<b>201,384.21</b>	<b>205,788.00</b>	<b>97,048.51</b>	<b>108,739.49</b>			<b>208,124.00</b>	<b>208,124.00</b>
<b>Election &amp; Registration</b>								
25,334.00	12,864.78	32,462.00	16,973.31	15,488.69	43	Salaries	18,206.00	18,206.00
25,375.00	23,614.28	25,375.00	9,628.73	15,746.27	44	Expense	24,175.00	24,175.00
<b>50,709.00</b>	<b>36,479.06</b>	<b>57,837.00</b>	<b>26,602.04</b>	<b>31,234.96</b>			<b>42,381.00</b>	<b>42,381.00</b>
<b>Planning Board</b>								
1,675.00	1,020.50	1,675.00	2,232.82	-557.82	50	Expense	1,675.00	1,675.00
<b>Public Buildings</b>								
105,972.00	99,864.84	113,334.00	52,264.47	61,069.53	55	Salaries	118,088.00	118,088.00
105,790.00	93,112.13	105,790.00	35,007.10	70,782.90	56	Expense	106,034.00	106,034.00
400.00		400.00		400.00	57	Local Travel	400.00	400.00
<b>212,162.00</b>	<b>192,976.97</b>	<b>219,524.00</b>	<b>87,271.57</b>	<b>132,252.43</b>			<b>224,522.00</b>	<b>224,522.00</b>
4,300.00	3,808.71	4,300.00		4,300.00	59	Town Reports	4,300.00	4,300.00
54,500.00	54,500.00	54,500.00	16,500.00	38,000.00	60	Town Audit	54,500.00	54,500.00
<b>2,512,854.00</b>	<b>2,223,315.39</b>	<b>2,461,645.39</b>	<b>1,065,242.59</b>	<b>1,388,407.80</b>		<b>TOTAL GENERAL GOVERNMENT</b>	<b>2,548,086.27</b>	<b>2,548,086.27</b>

---

---

**PUBLIC SAFETY**

					<b>Police Department</b>			
4,048,871.00	3,891,208.61	4,089,754.00	1,991,912.22	2,097,841.78	62	Salaries	4,094,438.00	4,094,438.00
182,390.00	192,842.29	182,390.00	97,828.99	84,561.01	63	Expense	182,390.00	182,390.00
5,000.00	439.25	5,000.00		5,000.00	64	Indemnif. of Officers	5,000.00	5,000.00
<b>4,236,261.00</b>	<b>4,084,490.15</b>	<b>4,277,144.00</b>	<b>2,089,741.21</b>	<b>2,187,402.79</b>			<b>4,281,828.00</b>	<b>4,281,828.00</b>
					<b>Fire Department</b>			
3,885,738.00	3,689,626.26	3,990,113.00	1,976,283.69	2,013,829.31	68	Salaries	4,142,792.00	4,142,792.00
189,600.00	205,708.98	196,503.00	83,105.24	113,397.76	69	Expense	201,619.00	201,619.00
5,000.00	2,718.38	5,000.00	866.29	4,133.71	70	Fire Alarm Expense	5,000.00	5,000.00
					71	Fire SCBA Equipment		
<b>4,080,338.00</b>	<b>3,898,053.62</b>	<b>4,191,616.00</b>	<b>2,060,255.22</b>	<b>2,131,360.78</b>			<b>4,349,411.00</b>	<b>4,349,411.00</b>
					<b>Building Inspection</b>			
532,585.00	496,133.15	485,242.00	220,075.59	265,166.41	73	Salaries	487,242.12	487,242.12
21,355.00	10,959.20	21,355.00	14,635.41	6,719.59	74	Expense	44,809.00	44,809.00
6,000.00	2,858.14	6,000.00	1,030.08	4,969.92	75	Local Travel	6,000.00	6,000.00
<b>559,940.00</b>	<b>509,950.49</b>	<b>512,597.00</b>	<b>235,741.08</b>	<b>276,855.92</b>			<b>538,051.12</b>	<b>538,051.12</b>
					<b>Sealer of Weights &amp; Measures</b>			
250.00	65.00	250.00		250.00	80	Expense	250.00	250.00
					<b>Animal Inspector</b>			
2,400.00	2,400.00	2,400.00	1,200.00	1,200.00	86	Salaries	2,400.00	2,400.00
<b>8,879,189.00</b>	<b>8,494,959.26</b>	<b>8,984,007.00</b>	<b>4,386,937.51</b>	<b>4,597,069.49</b>		<b>TOTAL PUBLIC SAFETY</b>	<b>9,171,940.12</b>	<b>9,171,940.12</b>

---

---

**EDUCATION**

39,624,425.00	39,556,504.03	40,521,000.00	14,953,041.13	25,567,958.87	101	Schools	41,839,543.00	41,839,543.00
<b>39,624,425.00</b>	<b>39,556,504.03</b>	<b>40,521,000.00</b>	<b>14,953,041.13</b>	<b>25,567,958.87</b>		<b>TOTAL SCHOOLS</b>	<b>41,839,543.00</b>	<b>41,839,543.00</b>

**PUBLIC WORKS & FACILITIES**

					<b>Engineering</b>			
167,903.00	167,902.97	168,827.00	82,323.10	86,503.90	105	Salaries	169,219.00	169,219.00
10,645.00	6,992.87	10,645.00	3,010.04	7,634.96	106	Expense	10,645.00	10,645.00
<b>178,548.00</b>	<b>174,895.84</b>	<b>179,472.00</b>	<b>85,333.14</b>	<b>94,138.86</b>			<b>179,864.00</b>	<b>179,864.00</b>
					Source:			
9,000.00		9,000.00				Conservation Wetlands Fee		9,000.00
169,548.00		170,472.00				Taxation		170,864.00
<u>178,548.00</u>		<u>179,472.00</u>						<u>179,864.00</u>
					<b>Highway</b>			
913,989.00	887,417.01	936,783.00	442,680.41	494,102.59	112	Salaries	1,331,850.00	1,331,850.00
107,084.00	90,231.91	107,084.00	50,101.51	56,982.49	113	Expense	160,812.00	160,812.00
<b>1,021,073.00</b>	<b>977,648.92</b>	<b>1,043,867.00</b>	<b>492,781.92</b>	<b>551,085.08</b>			<b>1,492,662.00</b>	<b>1,492,662.00</b>
14,425.00	14,267.08	14,425.00	14,425.00		116	Maintain Streets and Sidewalks	14,425.00	14,425.00
100,000.00	110,167.93	100,000.00	72,171.15	27,828.85	117	Snow Removal	100,000.00	100,000.00
128,820.00	128,820.00	128,820.00	56,619.79	72,200.21	118	Street Lighting	128,820.00	128,820.00
<b>1,264,318.00</b>	<b>1,230,903.93</b>	<b>1,287,112.00</b>	<b>635,997.86</b>	<b>651,114.14</b>			<b>1,735,907.00</b>	<b>1,735,907.00</b>
					<b>Waste Collection</b>			
376,075.00	350,439.45	379,796.00	181,046.97	198,749.03	126	Salaries	403,752.00	403,752.00
1,839,716.00	1,693,721.71	1,861,502.00	698,114.77	1,163,387.23	127	Expense	1,893,887.00	1,893,887.00
114,600.00	114,600.00	114,600.00	64,752.91	49,847.09	129	Landfill Monitoring Expense	114,600.00	114,600.00
<b>2,330,391.00</b>	<b>2,158,761.16</b>	<b>2,355,898.00</b>	<b>943,914.65</b>	<b>1,411,983.35</b>			<b>2,412,239.00</b>	<b>2,412,239.00</b>
					<b>Drains</b>			
178,071.00	150,718.02	149,627.00	42,204.90	107,422.10	132	Salaries		
5,650.00	4,046.38	5,647.00	1,726.57	3,920.43	133	Expense		
<b>183,721.00</b>	<b>154,764.40</b>	<b>155,274.00</b>	<b>43,931.47</b>	<b>111,342.53</b>				
					<b>Cemetery</b>			
300.00	300.00	300.00		300.00	141	Officials Expense	300.00	300.00

379,822.00	370,482.35	366,569.76	180,304.29	186,265.47	142	Salaries	373,947.56	373,947.56
26,226.00	30,138.59	26,226.00	14,071.09	12,154.91	143	Expense	26,226.00	26,226.00
<b>406,348.00</b>	<b>400,920.94</b>	<b>393,095.76</b>	<b>194,375.38</b>	<b>198,720.38</b>			<b>400,473.56</b>	<b>400,473.56</b>
<b>Source</b>								
380,348.00		367,095.76				Taxation		374,473.56
26,000.00		26,000.00				Perpetual Care		26,000.00
<u>406,348.00</u>		<u>393,095.76</u>						<u>400,473.56</u>
<b>Tree Department</b>								
247,898.00	247,898.00	256,637.00	127,024.29	129,612.71	148	Salaries		
56,578.00	52,786.92	56,578.00	24,953.37	39,619.63	149	Expense		
<b>304,476.00</b>	<b>300,684.92</b>	<b>313,215.00</b>	<b>151,977.66</b>	<b>169,232.34</b>				
<b>4,667,802.00</b>	<b>4,420,931.19</b>	<b>4,684,066.76</b>	<b>2,055,530.16</b>	<b>2,636,531.60</b>				
<b>TOTAL PUB. WORKS &amp; FAC.</b>							<b>4,728,483.56</b>	<b>4,728,483.56</b>

Note: Highway, Drain and Tree budgets have been consolidated into one budget under Highway in FY22

**HUMAN SERVICES**

400.00	400.00	400.00		400.00	153	Health Dept. Officials Expense	400.00	400.00
176,261.00	175,306.36	176,284.00	86,439.74	89,844.26	154	Salaries	205,998.00	205,998.00
15,655.00	9,497.32	18,155.00	7,066.94	11,088.06	155	Expense	19,120.52	19,120.52
1,632.00	472.09	1,632.00	256.36	1,375.64	157	Local Travel	1,632.00	1,632.00
4,000.00		4,000.00		4,000.00	158	HAWC	4,000.00	4,000.00
<b>197,948.00</b>	<b>185,675.77</b>	<b>200,471.00</b>	<b>93,763.04</b>	<b>106,707.96</b>			<b>231,150.52</b>	<b>231,150.52</b>
<b>Mental Health</b>								
60,000.00	60,000.00	60,000.00	24,248.15	35,751.85	162	Contractual Services	60,000.00	60,000.00
<b>Council on Aging</b>								
289,129.00	268,996.10	274,382.94	138,593.62	135,789.32	164	Salaries	280,667.88	280,667.88
11,990.00	11,980.60	11,990.00	4,837.42	7,152.58	165	Expense	11,990.00	11,990.00
<b>301,119.00</b>	<b>280,976.70</b>	<b>286,372.94</b>	<b>143,431.04</b>	<b>142,941.90</b>			<b>292,657.88</b>	<b>292,657.88</b>

					<b>Veterans Benefits</b>			
68,485.00	68,482.73	68,226.00	33,520.06	34,705.94	175	Salaries	68,226.00	68,226.00
1,243.00	1,059.92	1,243.00	99.94	1,143.06	176	Expense	1,243.00	1,243.00
1,100.00	410.41	1,100.00	95.12	1,004.88	177	Local Travel	1,100.00	1,100.00
40,000.00	44,523.25	40,000.00	20,258.22	19,741.78	178	Benefits	45,000.00	45,000.00
<b>110,828.00</b>	<b>114,476.31</b>	<b>110,569.00</b>	<b>53,973.34</b>	<b>56,595.66</b>			<b>115,569.00</b>	<b>115,569.00</b>
<b>669,895.00</b>	<b>641,128.78</b>	<b>657,412.94</b>	<b>315,415.57</b>	<b>341,997.37</b>		<b>TOTAL HUMAN SERVICES</b>	<b>699,377.40</b>	<b>699,377.40</b>

**CULTURE AND RECREATION**

					<b>Library</b>			
893,077.00	849,909.14	900,080.11	430,883.84	469,196.27	185	Salaries	904,192.12	904,192.12
267,365.00	277,489.33	257,259.00	133,994.70	123,264.30	186	Expense	268,010.00	268,010.00
100.00	100.00	100.00		100.00	187	Local Travel		
<b>1,160,542.00</b>	<b>1,127,498.47</b>	<b>1,157,439.11</b>	<b>564,878.54</b>	<b>592,560.57</b>			<b>1,172,202.12</b>	<b>1,172,202.12</b>
					<b>Park Department</b>			
615,074.00	584,564.06	625,114.74	288,948.01	336,166.73	190	Salaries	619,148.50	619,148.50
171,590.00	157,889.94	171,590.00	22,599.53	148,990.47	191	Expense	171,590.00	171,590.00
46,093.00	41,007.24	46,093.00	8,270.67	37,822.33	192	Facility Expense	46,093.00	46,093.00
<b>832,757.00</b>	<b>783,461.24</b>	<b>842,797.74</b>	<b>319,818.21</b>	<b>522,979.53</b>			<b>836,831.50</b>	<b>836,831.50</b>
6,300.00	3,542.18	6,500.00		6,500.00	210	Memorial & Veterans Day	7,050.00	7,050.00
<b>1,999,599.00</b>	<b>1,914,501.89</b>	<b>2,006,736.85</b>	<b>884,696.75</b>	<b>1,122,040.10</b>		<b>TOTAL CULTURE &amp; RECREATION</b>	<b>2,016,083.62</b>	<b>2,016,083.62</b>

**DEBT SERVICE**

4,425,000.00	4,425,000.00	4,640,012.00	4,640,012.00		214	Maturing Debt	5,375,000.00	5,375,000.00
2,491,991.86	2,521,379.84	2,868,947.99	1,782,329.18	1,086,618.81	215	Interest	4,064,700.77	4,064,700.77
<b>6,916,991.86</b>	<b>6,946,379.84</b>	<b>7,508,959.99</b>	<b>6,422,341.18</b>	<b>1,086,618.81</b>		<b>TOTAL DEBT SERVICE</b>	<b>9,439,700.77</b>	<b>9,439,700.77</b>

**MISCELLANEOUS**

100,000.00	48,426.80	100,000.00		100,000.00	211	Utility Reserve	100,000.00	100,000.00
3,253,489.00	3,253,489.00	3,513,768.00	3,513,768.00		217	Contributory Retirement	3,822,649.00	3,822,649.00
710,000.00	652,174.87	720,000.00	278,763.50	441,236.50	218	Medicare	730,000.00	730,000.00
397,169.00	397,169.00	397,169.00	397,169.00		219	Worker's Compensation	397,169.00	397,169.00
15,000.00	13,491.29	15,000.00	3,500.00	11,500.00	220	Training Expense	15,000.00	15,000.00
13,461,211.00	10,655,945.66	13,812,644.00	5,927,982.92	7,884,661.08	221	Group Insurance	14,475,406.43	14,475,406.43
475,888.00	475,888.00	475,888.00	478,848.60	-2,960.60	222	Other Insurance	523,476.80	523,476.80
110,770.00	65,740.72	110,770.00	13,026.77	97,743.23	223	Salary Reserve	260,770.00	260,770.00
80,964.00	58,157.35	61,845.00	30,329.86	31,515.14	224	NonContributory Retirement	63,468.60	63,468.60
533,544.00	383,334.04	533,544.00	35,098.05	498,445.95	225	Energy Reserve	533,544.00	533,544.00
					226	Other Post Employment Benefits	250,000.00	250,000.00
					229	Stabilization	250,000.00	250,000.00
<b>19,138,035.00</b>	<b>16,003,816.73</b>	<b>19,740,628.00</b>	<b>10,678,486.70</b>	<b>9,062,141.30</b>		<b>TOTAL MISCELLANEOUS</b>	<b>21,421,483.83</b>	<b>21,421,483.83</b>

**ENTERPRISE**

					<b>Sewer</b>			
790,426.00	737,901.49	858,027.00	353,781.32	504,245.68	227	Salaries	860,108.00	860,108.00
790,517.00	741,255.36	825,867.00	352,510.17	473,356.83	228	Expense	797,874.00	797,874.00
3,312,677.00	3,163,623.63	3,353,386.00	2,225,476.67	1,127,909.33	230	South Essex Sewer District	3,446,034.76	3,446,034.76
<b>4,893,620.00</b>	<b>4,642,780.48</b>	<b>5,037,280.00</b>	<b>2,931,768.16</b>	<b>2,105,511.84</b>			<b>5,104,016.76</b>	<b>5,104,016.76</b>
					Source			
<u>4,893,620.00</u>	<u>5,037,280.00</u>						<u>5,104,016.76</u>	
<u><u>4,893,620.00</u></u>	<u><u>5,037,280.00</u></u>						<u><u>5,104,016.76</u></u>	
					<b>Water</b>			
771,445.00	723,148.40	855,186.00	367,211.55	487,974.45	231	Salaries	870,596.00	870,596.00
683,239.00	612,705.52	719,823.00	294,981.74	424,841.26	232	Expense	761,887.00	761,887.00
2,757,628.00	2,580,646.00	3,060,357.00	1,331,368.81	1,728,988.19	235	Metropolitan Water	3,676,315.00	3,676,315.00
<b>4,212,312.00</b>	<b>3,916,499.92</b>	<b>4,635,366.00</b>	<b>1,993,562.10</b>	<b>2,641,803.90</b>			<b>5,308,798.00</b>	<b>5,308,798.00</b>
					Source:			
<u>4,212,312.00</u>	<u>4,635,366.00</u>						<u>5,308,798.00</u>	
					<b>Light</b>			
Revenue				Revenue	236	Operating Expenditures	Revenue	
					<b>Harbor</b>			
401,972.00	377,454.75	409,803.00	180,931.81	228,871.19	238	Salaries	409,803.00	409,803.00
407,991.00	394,138.36	417,056.00	145,343.69	271,712.31	239	Expense	438,576.00	438,576.00
133,000.00	76,580.83	190,000.00	57,749.51	132,250.49	241	Outlays	120,000.00	120,000.00
<b>942,963.00</b>	<b>848,173.94</b>	<b>1,016,859.00</b>	<b>384,025.01</b>	<b>632,833.99</b>			<b>968,379.00</b>	<b>968,379.00</b>
					Source			

801,963.00		883,859.00			Harbor Receipts	848,379.00
141,000.00		133,000.00			Harbor Retained Earnings	120,000.00
942,963.00		1,016,859.00				968,379.00
<b>10,048,895.00</b>	<b>9,407,454.34</b>	<b>10,689,505.00</b>	<b>5,309,355.27</b>	<b>5,380,149.73</b>	<b>TOTAL ENTERPRISE</b>	<b>11,381,193.76</b>
<b>94,457,685.86</b>	<b>89,608,991.45</b>	<b>97,253,961.93</b>	<b>46,071,046.86</b>	<b>51,182,915.07</b>	<b>TOTAL BUDGETS</b>	<b>103,245,892.33</b>

**SPECIAL ARTICLES**

**Fiscal 2020 Special Articles**

472,665.00	423,874.45	-	Art 10, 2019 - Purchase of Equipment
386,241.64	240,939.78	16,864.55	Art 11, 2019 - Capital Improvements for Public Buildings
7,500.00	3,685.96	182.92	Art 12, 2019 - Walls and Fences
773,398.00	-	-	Art 13, 2019 - Water Construction
896,182.00	-	603,730.52	Art 14, 2019 - Sewer Construction
314,000.00	-	-	Art 16, 2019 - Drain Construction
726,435.00	723,921.00	-	Art 20, 2019 - Essex North Shore Agricultural and Tech
592,783.00	592,783.00	-	Art 22, 2019 - Unpaid Accounts
250,000.00	250,000.00	-	Art 23, 2019 - Special Education Stabilization Fund
137,820.00	137,820.00	-	Art 24, 2019 - Medicaid Reimbursement Money
40,000.00	-	-	Art 40, 2019 - Affordable Housing/Tax Title
4,318.40	4,318.00	-	Art 41, 2019 - Transportation Network Funds
750,000.00	388,549.46	353,453.95	Art 50, 2019 - Repairs to Fort Sewall
54,844,767.00	6,860,575.67	9,962,823.24	Art 51, 2019 - Construct a New School

**Fiscal 2021 Special Articles**

68,000.00	1,883.15	Art 8, 2020- Purchase of Equipment
100,596.00	26,078.91	Art 9, 2020 - Lease Purchase of Equipment
125,040.00	18,418.93	Art 10, 2020 - Capital Improvements for Public Buildings
314,000.00	32.26	Art 15, 2020 - Storm Drain Construction
787,946.00	590,959.50	Art 16, 2020 - Essex North Shore Agricultural and Tech
3,628.38	3,628.38	Art 18, 2020 - Unpaid Accounts

34,500.00                    -  
6,199.60                    6,199.60

Art 30, 2020 - Affordable Housing/Tax Title  
Foreclosure  
Art 31, 2020 - Transportation Network Funds

**Fiscal 2022 Special Articles**

Art 8, 2021 - Purchase of Equipment                    239,429.42  
Art 9, 2021 - Lease Purchase of Equipment                    191,596.00  
Art 10, 2021 - Capital Improvements for Public  
Buildings                    857,189.00  
Art 12, 2021 - Water Construction                    768,853.00  
Art 13, 2021 - Sewer Construction                    917,246.00  
Art 15, 2021 - Storm Drain Construction                    314,000.00  
Art 16, 2021 - Essex North Shore Agricultural and  
Tech                    652,392.00  
Art 18, 2021 - Unpaid Accounts                    7,143.14  
Art 30, 2021 - Affordable Housing/Tax Title  
Foreclosure                    44,400.00  
Art 31, 2021 - Transportation Network Funds                    7,811.00  
Art 32, 2021 - Pumper Truck                    750,000.00  
Art 35, 2021 - Abbot Public Library                    8,500,000.00

**TOTAL SPECIAL ARTICLES**                    13,250,059.56

Less: Bond Issue                    9,250,000.00

4,000,059.56

Total Depart. Budgets(Above)                    103,245,892.33                    103,245,892.33

**TOTAL BUDGETS AND ARTICLES**                    103,245,892.33                    107,245,951.89

60,196,110.04	9,626,467.32	1,439,909.98	11,584,255.91
55,594,767.00		-	
4,601,343.04	9,626,467.32	1,439,909.98	11,584,255.91
94,457,685.86	89,608,991.45	97,253,961.93	46,071,046.86
99,059,028.90	99,235,458.77	98,693,871.91	57,655,302.77

**Article 24 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, or take any other action relative thereto. Sponsored by the Conservation Commission.

**Recommendation: That this article be adopted.**

**Article 25 Proposed Reclassification and Pay Schedule (Administrative)**

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Administrative Pay Schedule; to strike out the pay schedule as it relates to Administrative personnel, substitute in place thereof the new pay schedules and to transfer from available funds and/or appropriate a sum of money to make said new pay schedules effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation to be made at Town Meeting.**

**Article 26 Proposed Pay Schedule and Reclassification (Traffic Supervisors)**

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Traffic Supervisors Pay Schedule; to waive the pay schedule as it relates to Traffic Supervisor personnel, substitute in place thereof the new pay schedules and to transfer from available funds and/or appropriate a sum of money to make said new pay schedules effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation to be made at Town Meeting.**

**Article 27 Proposed Reclassification and Pay Schedule (Seasonal and Temporary Personnel)**

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Seasonal and Temporary Personnel Pay Schedules; strike out the pay schedules as they relate to seasonal and temporary personnel, substitute in place thereof the new pay schedules and to transfer from available funds and/or appropriate a sum of money to make said new pay schedules effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation to be made at Town Meeting.**

**Article 28 Compensation - Town Officers**

To see if the Town will vote to revise the compensation of the Town Clerk as the Town by vote may determine and to transfer from available funds and/or appropriate a sum of money to make said revision effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation to be made at Town Meeting.**

**Article 29 Ratification of Salary Bylaw**

To see if the Town will vote to ratify certain actions taken by the Compensation Committee under Chapter 43 Section 3(e) as last amended and amend the classification table by reclassifying certain positions, or take any other action relative thereto. Sponsored by the Compensation Committee.

**Recommendation to be made at Town Meeting.**

**Article 30 Affordable Housing /Tax Title Foreclosures**

To see if the Town will vote to appropriate, an amount of \$44,400 from Free Cash to be paid to the Affordable Housing Trust, which is a 10% portion of the proceeds received from the sale of tax foreclosure properties, or take any action relative thereto. Sponsored by the Board of Selectmen.

**Recommendation: That the sum of \$44,400.00 be appropriated, to be appropriated from free cash.**

**Article 31 Release Funds from Transportation Network** To see if the Town will vote to appropriate or transfer from the reserve for appropriation Fund 27 for the purpose of implementing Transportation Infrastructure Enhancement Fund related to improvements to the rail trail, or take any other action relative thereto. Sponsored by the Finance Director.

**Recommendation: That the sum of \$7,811 be appropriated, to be transferred from Transportation Network Receipts Reserved for Appropriation.**

### **Article 32 Pumper Truck**

To see if the Town will vote to appropriate a sum of money for the purchase of a pumper truck for the Fire Department, and 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 the sum of \$750,000.00 be appropriated subject to a Proposition 2 ½ override.**

### **Article 33 Demolition by Neglect**

To see if the Town will vote to amend the Town of Marblehead General Bylaws by adding a new Chapter 111 as follows:

Chapter 111: Demolition by Neglect.

§111-1: Authority.

This Chapter is adopted pursuant to the Old and Historic Marblehead Districts Act, Chapter 101 of the Massachusetts Acts of 1965 (the "Act") and, more particularly, pursuant to the purposes set forth in Sections 2 and 5(b) of the Act, and in furtherance of the authority set forth in Section 5(a) and 5(c) of the Act which establish, among other things, the duty of the Old and Historic Districts Commission (the "Commission") to pass upon the removal of any building within the districts so established as well as alterations to those buildings, structures and the exterior architectural features of those buildings and structures. This Chapter is also adopted pursuant to the Home Rule Amendment, Art. 89, § 6, of the Amendments to the Massachusetts Constitution to prevent irreparable harm from the demolition of historical buildings and structures.

§111-2: Purpose.

This Chapter is enacted for the purpose of preserving and protecting Significant Buildings and Structures and to encourage owners of such buildings and structures to seek out persons who might be willing to purchase, preserve, rehabilitate or restore such buildings and structures rather than demolish them. To achieve these purposes, this Chapter empowers the Commission to work with the Building Commissioner and advise the Building Commissioner with respect to the issuance of permits for the demolition of Significant Buildings and Structures and with respect to such buildings and structures suspected of being Demolished by Neglect.

§111-3: Definitions.

- A. The term "Commission" as used in this Chapter shall mean the Marblehead Old & Historic Districts Commission.
- B. The term "Demolition by Neglect" as used in this Chapter shall mean the process of ongoing damage to the fabric, viability and/or functionality of an occupied or unoccupied building, or structure, leading towards and/or causing its eventual demolition due to decay and/or structural failure and/or severe degradation over a period of time as a result of a general lack of maintenance, and/or failure to secure the building from pests or vandals, and/or failure to take reasonable measures to prevent the ingress of water, snow, ice and wind through the roof, walls, or apertures.
- C. The term "Significant Building or Structure" as used in this Chapter shall mean all buildings and structures, as defined in Chapter 110-7(B), including the exterior architectural features of those buildings and structures, which are subject to the jurisdiction of the Commission.

§111-4: Determination of Demolition by Neglect.

- A. If the Commission has reason to believe, through visual inspection or other means, that a Significant Building or Structure may be undergoing Demolition by Neglect, then the Commission shall notify the Building Commissioner and the owner, and the Commission and the Building Commissioner shall jointly hold a public hearing to i) confirm whether or not the building or structure is a Significant Building or Structure and ii) determine whether or not it is undergoing Demolition by Neglect, which shall require the concurrence of the Building Commissioner. In furtherance of determining its condition, the Commission may, at any time, request an inspection of the building or structure by the Building Commissioner.

- B. Notice of the Public Hearing shall be published in a newspaper of general circulation at least two times at least 14 days in advance of said hearing. Notice of the public hearing shall be provided to the property owner by certified mail at least 14 days prior to said public hearing.

§111-5: Demolition by Neglect Prohibited.

- A. No Significant Building or Structure shall be Demolished by Neglect. Notwithstanding, nothing herein is intended to or shall alter the Commission's authority under Chapter 110.
- B. If the Commission and the Building Commissioner both determine that the Significant Building or Structure is undergoing Demolition by Neglect, the Commission and the Building Commissioner shall attempt to negotiate a voluntary agreement with the owner for appropriate and timely repairs sufficient to structurally stabilize the building or structure and/or prevent further deterioration.
- C. In the event that the Commission and the Building Commissioner both determine that they are not able to negotiate such an agreement with the owner, for any reason, or that the owner has agreed to undertake but has failed to satisfactorily complete such repairs in a timely manner, then the Commission shall state in writing the findings of fact in support of such determination of violation of this Chapter and shall issue and cause to be served upon the owner and/or other parties in interest therein an order to correct within a time to be specified in the written decision. The Commission's determination may be appealed to the Board of Selectmen by a written application filed by an aggrieved party within ten (10) business days following receipt of the Commission's order. A hearing on the appeal shall be held within sixty (60) days of the written application. If no appeal is filed, or, if an appeal is filed, upon a finding that the Significant Building or Structure is undergoing Demolition by Neglect, the Commission and the Building Commissioner may take such action as is permitted under the following section, including seeking a court order that specific repairs be undertaken to secure the Significant Building or Structure against the elements, vandals and vermin, to halt further deterioration, and to stabilize it structurally.
- D. Upon completion of all repairs that have been agreed upon between the owner and the Commission and the Building Commissioner or that have been ordered by the Commission and the Building Commissioner, or that have been ordered by the court, and upon certification by the Building Commissioner that said repairs have been completed, the Commission shall certify that the Significant Building or Structure is no longer undergoing Demolition by Neglect.

§111-6: Enforcement and remedies.

- A. Subject to Sections 4 and 5, the Commission and the Building Commissioner are each authorized to issue written orders and to institute any and all proceedings available in law or equity as they deem necessary and appropriate to obtain compliance with the requirements of this Chapter, or to prevent a violation thereof.

§111-7: Demolition on account of threat to public safety.

Notwithstanding any other provision of this Chapter, nothing herein shall be construed to prevent the demolition of any structure or portion thereof which the Building Commissioner certifies is required by the public safety because of an unsafe or dangerous condition; and nothing herein is intended to alter, amend or regulate any matters governed by State Code.

§111-8: Adoption of Regulations.

The Commission shall have the authority, following a duly noticed public hearing, to adopt regulations pursuant to the provisions hereof to further the purposes hereunder.

§111-9: Severability.

If any section, paragraph or part of this Chapter be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect. Or take any other action relative to. Sponsored by the Old and Historic Districts Commission.

**No recommendation under this article.**

**Article 34 Amend the Bylaws of the Old and Historic District Commission Chapter 110 Old and Historic**

## **Districts**

To see if the Town will vote to amend the Town of Marblehead Bylaws section 110 as follows (**bold and underline** text added and ~~cross out~~ deleted):

1). Amend §110-4 Structures and features not requiring certificates of appropriateness. Paragraph D. Arbors, trellises, ~~terraces, patios~~, flagpoles, yardarms, screens, screen doors, storm doors, storm windows, radio or television antennas, weather vanes, wind direction or wind speed vanes, masts, derricks, and cranes.

2). Amend §110 -7 Definitions Paragraph B.:

The term "structure" shall mean and include any product or piece of work built up or composed of parts joined together in some definite manner, other than a building or a sign including but not limited to walls, terraces, **patio** walks or driveways, parking areas, tennis courts and swimming pools.

Or any action relative thereto. Sponsored by the Old and Historic District Commission

**No recommendation under this article.**

## **Article 35 Abbot Public Library**

To see if the Town will vote to raise, appropriate, or borrow a sum of money for renovating, remodeling, reconstructing, originally equipping and replacing infrastructure to the existing Town building known and identified at Abbot Public Library, and to determine whether this appropriation shall be raised by borrowing or otherwise, or by taking any other action relative thereto. Sponsored by the Abbot Public Library Board of Trustees.

**Recommendation: That the sum of \$8,500,000.00 be appropriated subject to a Proposition 2 ½ override.**

## **Article 36 Joseph Brown Conservation Area**

To see if the Town will vote to replace the signs at the Norman Street entrance to Steer Swamp (which currently read "Black Joe's Pond: Named after Joseph Brown, Revolution Veteran" and "Steer Swamp Conservation Area" to reflect the intent and vote of the 1973 town Meeting which renamed the area around and including Black Joe's Pond as the "Joseph Brown Conservation Area". Sponsored by Kimberly Poitevin and others.

**No recommendation under this article.**

## **Article 37 Transparency & Accountability**

To see if the Town will vote to:

- I. Provide a direct line of contact to all elected officials, Boards and Committees with the expectation of a response
- II. Establish, document and publicize all Boards and Committees', a) active pursuit of and an on-going registry of potential citizens who are interested in serving b) adoption of terms limits and staggered terms c) annual review of members' potential conflict of interest d) purpose, goals/accomplishments, authority, and membership
- III. Establish an Ethics Board, with the "Board of Selectmen" appointing three (3) to five (5) Community Members who are not 1) officers or employees of the municipality, 2) officers in a political party, 3) appointed/elected to another Board or Committee, 4) benefitting directly or indirectly from the appointment:
  - a. The Board will serve as a resource to municipal employees and townspeople to safely report ethics violations, thereby adopting whistle-blower protections.
  - b. The Code of Ethics will be posted online and reviewed annually. It will include but is not limited to bids and contracts, donations, cronyism, nepotism, conflict of interest, discrimination, open meeting violations, misallocation of resources, gifts/favors, disclosures, fines and penalties for violations.
  - c. The Board is empowered to adjust the grievances provided that such adjustment shall not involve the Town in an expenditure of money in excess of the appropriation made for the use of said Board.

Sponsored by Megan Sweeney and others.

**No recommendation under this article.**

## **Article 38 Peace and Good Order**

- I. To ask if the Town will vote to amend the Bylaw Ch. 119 Peace and Good Order to include prohibition of disruptive behavior from anchored, moored, and transient boaters and/or visitors gaining access to Public Ways, Beaches, Trustees of Reservation Properties or public space in/on/along the water. No person shall engage in persistent or repeated yelling, hooting, whistling, singing, or the playing of loud excessive music from any radio or sound making device in such a manner as to be plainly audible and as to annoy or disrupt the reasonable quiet, comfort or repose of persons in any dwelling, residence, office, or of any persons in the vicinity of the waterways or other public places.

II. To ask if the Town will vote to grant full authority of enforcement to the Harbormaster.  
Sponsored by Megan Sweeney and others.

**No recommendation under this article.**

### **Article 39 Board of Selectmen**

To see if the Town will vote to:

- I. Accept that there shall be a standing “Board of Selectmen” to consist of five (5) elected officials, with a sixth (6) appointed as an Alternate in case of death or an inability to serve. The alternate will assume responsibilities and serve for the unexpired term. No one of whom shall hold Town office position or be a voting member to any Board or Committee.
- II. Accept an extension of the elected terms of “Selectmen”, with staggered terms to ensure organizational knowledge is retained; three (3) seats will be designated for a one (1) year term, two (2) seats for a two (2) year term.
- III. Establish term limits, whereas an elected “Selectmen” would hold office for a maximum of (3) terms or six (years) 6, whichever is greater.

Sponsored by Megan Sweeney and others.

**No recommendation under this article.**

### **Article 40 Diversity**

To see if the Town will vote to:

- I. Adopt inclusive language:
  - a. Amend the Bylaws to reflect gender inclusive language whereas single gender use of “he/him/his/men” would be replaced with She/Her/He/Him/They/Persons/People throughout its entirety and on all governing documents, websites, media; and articles, town warrants and references in Town Meetings from here forward
  - b. Amend its Executive Leadership title “Board of Selectmen” to be replaced with “Select Board” in all references, bylaws, governing documents, websites, media, articles, town warrants.
  - c. Amend its standard equal opportunity hiring statement: “Marblehead embraces diversity and equal opportunity. We are committed to building a team that represents a variety of backgrounds, perspectives, and skills. The more inclusive we are, the better our service to Marblehead will be”.
  - d. Amend its job postings and job descriptions to reflect inclusiveness, reviewing as needed
- II. Amend all “Screening” or “Selection” Committees, including but not limited to Ch. 45 Article 1, to reflect a commitment to diversity and inclusion:
  - i. The seven (7) person committee will be qualified to attract and commit to selecting a diverse pool of candidates, with members rotating to retain organizational knowledge. A non-voting 8<sup>th</sup> member may be appointed to assist with administrative duties – This person may be nominated by the ad hoc committee, but should not be a current ad hoc committee member.
  - ii. There will be at least four (4) members who represent marginalized groups
  - iii. The members agree to participate in an organizational inclusion, diversity hiring and /or implicit bias training as a group to serve the dual purpose of educating and team building
  - iv. Within 30 days of creation, the “Selectmen” will make a public announcement certifying the intent of the Committee.

Sponsored by Megan Sweeney and others.

**No recommendation under this article.**

### **Article 41 Common Sense Sidewalk Snow Removal Bylaw**

To see if the Town of Marblehead will vote the following bylaws:

The owner or any other person having care of any building or land abutting any street or public place within the town where there is a sidewalk shall clear sidewalks of snow to a minimum of 3 feet width within 24 hours after snow ceases to fall.

- 1) Waivers shall be available for disabled, elderly, and others with special needs or circumstances as promulgated by the Board of Selectmen.
- 2) Waivers shall be available for buildings or properties with no reasonable area to place removed sidewalk snow as promulgated by the Board of Selectmen.
- 3) During periods of heavy snow accumulation, the Town of Marblehead may suspend this bylaw until snow removal from sidewalks becomes possible.

Enforcement: The Marblehead Police shall have authority to issue a warning for first violation. \$50 fine for subsequent violations. Warnings and fines shall be issued to property owner. Sponsored by James R. Zisson and others.

**No recommendation under this article.**

#### **Article 42 3 Year Staggered Term for Selectmen**

To see if the Town of Marblehead will vote the following bylaws:

Change the current term of the Selectmen from a one year term to a three year staggered term similar to the Marblehead School Committee and most other local Select Boards.

- 1) A citizen recall provision would also be included

Sponsored by James R. Zisson and others

**No recommendation under this article.**

#### **Article 43 MWRA Local Water System Assistance Program, Interest Free Loan, Water Distribution Improvements**

To see if the Town will appropriate \$1,022,400.00 for the construction and reconstruction of the water distribution system, including all incidental or related costs; and to pay for said appropriation, to authorize the treasurer with the approval of the Board of Selectmen, to borrow said sum pursuant to G.L. c. 44, §§ 7 and 8 or any other enabling authority and to issue bonds or notes of the Town therefor, whether through the Massachusetts Water Resources Authority ("MWRA") Local Financial Assistance Program or federal or state loan programs, and to authorize the Town to apply for, accept and expend any federal or state grants or loans that may be available for the project, and further, that any premium received by the Town upon the sale of any bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by like amount. Sponsored by the Board of Water and Sewer Commissioners.

**Recommendation: That this article be adopted.**

#### **Article 44 Compensation**

To see if the Town will amend its compensation plan Chapter 43 Section 11 as follows (underline and bold new, strike through removed):

The starting rate for an employee who is promoted or transferred to a position in a higher classification group shall be the minimum or hiring rate of the higher rated position or the employee's own rate, whichever is higher, or if the employee's own rate is higher than the minimum or hiring rate and does not appear as a step rate in the higher grade, they shall receive the next higher step rate. If the rate established in the previous sentence does not result in at least a two percent increase, the employee shall receive an increase to the next higher step in the new grade, but in no event higher than the maximum step. Notwithstanding the foregoing, in the event the promotion or transfer is to a Department Head position, the Town Administrator shall revise, if necessary, with the approval of the Compensation Committee, the salary steps for said position, prior to the posting of the position so the salary schedule is current with competitive rates in the region and the promoted or transferred employee shall be placed in the step which is most commensurate with experience in the respective field of employment. Sponsored by the Finance Director.

**Recommendation: That this article be adopted.**

#### **Article 45 Transfer of Property**

To see if the Town will approve the change of use from school purposes to electric light purposes and then transfer the care and custody and control of Town-owned land, parcel 146-33-0, listed in the Assessing Department records as 21 Lincoln Avenue, to the Marblehead Municipal Light Department. The unimproved parcel is bordered by Tioga Way and Hoods Lane. Sponsored by the Marblehead Municipal Light Department.

**No recommendation under this article.**

#### **Article 46 Amend General Bylaw, Stormwater**

To see if the Town will vote to amend the Town of Marblehead General Bylaws section 195, Stormwater Management and Erosion Control, as follows (underline and bold is new language and ~~cross out~~ is removed language)

##### *Item 1*

§ 195-1 Purpose, amend as follows:

- A. Increased volumes of stormwater, contaminated stormwater runoff from impervious surfaces, and soil erosion and sedimentation are major causes of: impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; erosion of stream channels; alteration or destruction of aquatic and wildlife habitat; flooding; and overloading or clogging of the municipal storm sewer system, including catch basins and storm drainage systems. The United States Environmental Protection Agency has identified sedimentation from land disturbance activities and polluted stormwater runoff from land development and redevelopment, and pollutants from illicit connections and discharges to municipal storm sewer drain systems as major sources of water

pollution, impacting drinking water supplies, natural habitats and recreational resources. **In order to comply with state and federal statutes and regulations,** regulation of activities that result in the disturbance of land and the creation of stormwater runoff, and regulation of illicit connections and discharges to the municipal storm ~~sewer drain~~ system is necessary for the protection of the water bodies and groundwater resources within the Town of Marblehead, to safeguard the health, safety and welfare of the general public and protect the natural resources of the Town. [Amended 5-6-2019 ATM by Art. 35] **[Amended X-X-2021 ATM by Art. 46]**

B. The objectives of this by-law are to:

- (1) Protect water resources;
- (2) Require practices that eliminate soil erosion and sedimentation;
- (3) Control the volume and rate of stormwater runoff resulting from land disturbance activities in order to minimize potential impacts of flooding;
- (4) Require practices to manage and treat stormwater runoff generated from new development and redevelopment;
- (5) Protect groundwater and surface water from degradation;
- (6) Promote infiltration and the recharge of groundwater;
- (7) Prevent pollutants from entering the municipal storm ~~sewer drain~~ system; **[Amended X-X-2021 ATM by Art. 46]**
- (8) Ensure that soil erosion and sedimentation control measures and stormwater runoff management practices are incorporated into the site planning and design process and are implemented and maintained;
- (9) Ensure adequate long-term operation and maintenance of structural stormwater best management practices;
- (10) Require practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste at construction sites that may cause adverse impacts to water quality
- (11) Prohibit illicit connections and unauthorized discharges to the municipal storm ~~sewer drain~~ system; [Added 5-6-2019 ATM by Art. 35] **[Amended X-X-2021 ATM by Art. 46]**
- (12) **Establish the authority to enforce and r**Remove all such illicit connections; [Added 5-6-2019 ATM by Art. 35] **[Amended X-X-2021 ATM by Art X]**
- (13) Comply with state and federal statutes and regulations relating to stormwater discharges **and ensure low impact development site planning and design strategies are implemented as defined in the latest Massachusetts Stormwater Handbook;** and [Amended 5-6-2019 ATM by Art. 35] **[Amended X-X-2021 ATM by Art. 46]**
- (14) Establish the Town of Marblehead's legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring and enforcement. [Added 5-6-2019 ATM by Art. 35]

*Item 2*

§ 195-2 Definitions, **add** or **amend** as follows:

#### AUTHORIZED ENFORCEMENT AUTHORITY

The Conservation Commission and its employees or agents **are** designated to enforce this by-law. For permits pursuant to §195-7, where the Conservation Commission does not have jurisdiction over the land disturbance activity, the Planning Board is designated as the authorized enforcement authority. For illicit connections and discharges, the Board of ~~Selectmen Water & Sewer Commissioners~~ is designated as the authorized enforcement authority. [Amended 5-6-2019 ATM by Art. 35] **[Amended X-X-2021 ATM by Art. 46]**

#### ILLCIT CONNECTION

**Any non-stormwater** surface or subsurface drain or conveyance, which allows an illicit discharge into the storm ~~sewer drain~~ **system,** including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this by-law. Connections to the municipal storm ~~sewer drain~~ system which constitute illicit discharges as defined below which exist at the time of enactment of this regulation are considered illicit connections. [Added 5-6-2019 ATM by Art. 35] **[Amended X-X-2021 ATM by Art. 46]**

#### ILLCIT DISCHARGE

Any direct or indirect discharge to the municipal storm ~~sewer drain~~ system that is not composed entirely of stormwater, except as exempted in § 195-7. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit, or resulting from firefighting activities exempted pursuant to § 195-7 of this regulation. [Added 5-6-2019 ATM by Art. 35] **[Amended X-X-2021 ATM by Art. 46]**

~~MUNICIPAL STORM DRAIN SYSTEM~~ or ~~MUNICIPAL SEPARATE STORM SEWER SYSTEM~~ (MS4)

The system of conveyances designed or used for collecting or conveying stormwater, including any road with a **separate storm sewer** (drainage) system, streets, gutters, curbs, ditches, inlets, piped **separate storm sewers** (storm drains), pumping facilities, retention or detention basins, natural or man-made or altered drainage channels, open channels, reservoirs and other **separate storm sewers** or drainage structures that together comprise the storm **sewer drainage** system owned or operated by the Town of Marblehead. **[Amended X-X-2021 ATM by Art. 46]**

**NEW DEVELOPMENT**

**Any construction activities, land alterations or activities that are part of a larger common plan on an area that has not previously been developed to include impervious cover. [Amended X-X-2021 ATM by Art. 46]**

**QUALIFIED PERSON**

**A person designated by the authorized enforcing authority knowledgeable in the principles and practice of erosion and sediment controls and pollution prevention, who possesses the appropriate skills and training to assess conditions at the construction site that could impact stormwater quality, and the appropriate skills and training to assess the effectiveness of any stormwater controls selected and installed to meet the requirements of this permit and state and federal statutes and regulations. [Amended X-X-2021 ATM by Art. 46]**

**REDEVELOPMENT**

**Any construction, development, rehabilitation, expansion, demolition, land alteration, improvement of impervious surfaces, or phased projects that disturb the ground surface or increase the impervious area on previously developed sites that does not meet the definition of new development. [Amended X-X-2021 ATM by Art. 46]**

**SITE**

Any lot or parcel of land or area of property where land-disturbing activities are, were or will be performed, **including but not limited to the creation of new impervious cover and improvements of existing impervious cover. [Amended X-X-2021 ATM by Art. 46]**

*Item 3*

§ 195-4 Applicability, **amend** as follows:

This by-law **or the regulations promulgated thereunder** shall apply to all land-disturbing activities within the jurisdiction of the Town of Marblehead. Except as permitted by the authorized enforcement authority, or as otherwise provided in this by-law, no person shall perform any activity that results in land disturbance of 40,000 square feet or more, including 40,000 square feet of area which is comprised of smaller, individual parcels within the same project or unconnected areas which comprise 40,000 square feet or more in the aggregate. **[Amended X-X-2021 ATM by Art. 46]**

A. Regulated activities. Regulated activities shall include, but not be limited to:

- (1) Land disturbance of 40,000 square feet or more, whether or not associated with construction or reconstruction of structures;
- (2) Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development that all together disturbs 40,000 square feet or more of land;
- (3) Paving or other change in surface material over an area of 40,000 square feet or more causing a significant reduction of permeability or increase in runoff;
- (4) Construction of a new **municipal separate storm sewer system**, drainage system, or alteration of any existing drainage system or conveyance serving a drainage area of 40,000 square feet or more; **[Amended X-X-2021 ATM by Art. 46]**
- (5) Any other activity altering the surface of an area exceeding 40,000 square feet or more that will, or may, result in increased stormwater runoff flowing from the property into a public way, the municipal storm **sewer drain** system, or wetlands; or **[Amended X-X-2021 ATM by Art. 46]**
- (6) Construction or reconstruction of structures where 40,000 square feet or more of roof drainage is altered.

B. Erosion and sedimentation control requirement. A project which includes land disturbance of less than 40,000 square feet shall be considered to be in conformance with this by-law if soils or other eroded matter have been or will be prevented from being deposited onto adjacent properties, rights-of-way, the public storm **sewer drainage** system or wetlands and watercourses. The design, installation and

maintenance of erosion and sediment control operations and facilities shall adhere to the standards specified in the regulations adopted pursuant to this by-law. **[Amended X-X-2021 ATM by Art. 46]**

- C. Illicit discharges and illicit connections. Illicit discharges and connections shall include, but not be limited to: all flows of non-stormwater into the municipally owned storm ~~sewer drain~~ system, a watercourse, and any waters of the commonwealth located within the boundaries of the Town of Marblehead. [Added 5-6-2019 ATM by Art. 351] **[Amended X-X-2021 ATM by Art. 46]**

*Item 4*

§ 195-5 Administration, **amend** as follows:

The authorized enforcement authority shall administer, implement and enforce this by-law **or the regulations promulgated thereunder**. Any powers granted to or duties imposed upon the authorized enforcement authority through this by-law may be delegated in writing by the authorized enforcement authority to its employees and/or agents. **[Amended X-X-2021 ATM by Art. 46]**

*Item 5*

§ 195-7 Permits/prohibitions, **amend** paragraph A (3) and (5) and paragraph B as follows:

- (3) **Design requirements** and ~~information requests~~. **Stormwater management systems shall be designed to be at least as stringent as the latest Massachusetts Stormwater Handbook design requirements. Additionally, the stormwater management system shall meet the US EPA Total Phosphorus and TSS design requirements for new development and redevelopment per the Federal NPDES permit. If there is a conflict between the latest Massachusetts Stormwater Handbook and the US EPA Total Phosphorus and Total Suspended Solids requirements, the more stringent requirements apply.** The authorized enforcement authority may request such additional information as is necessary to enable the authorized enforcement authority to determine whether the proposed land disturbance activity will protect water resources and comply with the requirements of this by-law. **[Amended X-X-2021 ATM by Art. 46]**
- (5) Coordination with other boards. On receipt of a complete application for a land disturbance permit, the authorized enforcement authority shall distribute one copy each to the Planning Board, the Water and Sewer Commission, the Board of Health, ~~and the Building Commissioner,~~ **and the Department of Public Works as designated by the Board of Selectmen** for review and comment. Said agencies and persons shall, in their discretion, investigate the case and report their recommendations to the authorized enforcement authority. The authorized enforcement authority shall not hold a hearing on the land disturbance permit until it has received reports from said agencies or until said agencies have allowed 20 days to elapse after receipt of the application materials without submission of a report thereon. **[Amended X-X-2021 ATM by Art. 46]**
- B. Illicit discharges and illicit connections shall be prohibited.
- (1) Illicit discharges. No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into any storm ~~sewer drain~~ system, into a watercourse, or into waters of the United States and/or commonwealth. **[Amended X-X-2021 ATM by Art. 46]**
- (2) Illicit connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm ~~sewer drain~~ system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection. **[Amended X-X-2021 ATM by Art. 46]**
- (3) Obstruction of the municipal storm ~~sewer drain~~ system. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm ~~sewer drain~~ system without prior approval from the Marblehead **Department of Public Works as designated by the Board of Selectmen** ~~Water and Sewer Commission~~. **[Amended X-X-2021 ATM by Art. 46]**

*Item 6*

§ 195-11 Inspection and site supervision, **amend** as follows:

- B. Inspection. The authorized enforcement authority or its designated agent shall **designate a qualified person to complete** ~~make~~ inspections as hereinafter required and shall either approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the approved plans and/or any conditions of approval. One copy of the approved plans and conditions of approval, signed by the authorized enforcement authority, shall be maintained at the site during the progress of the work. To facilitate inspections, the permittee shall notify the agent of the authorized enforcement authority within 24 hours after each of the following events: **[Amended X-X-2021 ATM by Art. 46]**
- (1) Erosion and sediment control measures are in place and stabilized;
- (2) Rough grading has been substantially completed;
- (3) Final grading has been substantially completed;

- (4) Bury inspection, prior to backfilling of the municipal separate storm sewer system and/or any underground drainage or stormwater conveyance structures; [Amended X-X-2021 ATM by Art. 46]

*Item 7*

§ 195-14 Enforcement, **amend** as follows:

B. Orders

- (4) Upon discovery of illicit discharges or illicit connections, the authorized enforcement authority may issue a written order to enforce the provisions of this by-law or the regulations promulgated thereunder, which may include: [Added 5-6-2019 ATM by Art. 35]
- a. Elimination of illicit connections or discharges to the municipal storm sewer ~~drain~~ system; [Amended X-X-2021 ATM by Art. 46]
  - b. Performance of monitoring, analyses, and reporting;
  - c. That unlawful discharges, practices, or operations shall cease and desist; and
  - d. Remediation of contamination in connection;
  - e. Payment of a fine to cover administrative and remediation costs; and
  - f. Implementation of source control or treatment BMPs.

If the enforcing person determines that abatement or remediation of contaminations is required and is the responsibility of the property owner, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Marblehead may at its option, undertake such work, and expenses times three thereof shall be charged to the violator.

Within 30 days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town of Marblehead, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Department of Public Works as designated by the Board of Selectmen ~~Marblehead Water & Sewer Commission~~ within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Department of Public Works as designated by the Board of Selectmen ~~Marblehead Water & Sewer Commission~~ affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in MGL c. 59, § 57 after the thirty-first day at which the costs first become due. [Amended X-X-2021 ATM by Art. 46]

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

**No recommendation under this article.**

**Article 47 Use of Gas Powered Leaf Blowers**

1. Gas powered leaf blowers may be used by commercial landscapers from the day after Labor Day through the day before Memorial Day, Monday through Saturday, 7 am- 5 pm, in keeping with the Town permits for construction projects.
2. Individual homeowners are not restricted in their personal use of gasoline powered leaf blowers.
3. A representative chosen by the Board of Selectmen may implement the use of gas powered leaf blowers in a Town emergency situation at any time.
4. This Bylaw shall be effective on Memorial Day 2021.
5. Enforcement of the Bylaw shall be determined by the Board of Selectmen.

Sponsored by Kathy Breslin and others.

**No recommendation under this article.**

**Article 48 Supplemental Appropriation for the Schools**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to supplement the School Department's operating budget for FY2022, contingent upon the passage of a Proposition 2½, so called, ballot question, or take any action relative thereto. Sponsored by the School Committee.

**Recommendation: That this article be indefinitely postponed.**

**Article 49 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, 2021, or take any other action relative thereto. Sponsored by the Finance Director.

**Recommendation: That this article be indefinitely postponed.**