

## MANCHESTER-BY-THE-SEA

### Annual Town Meeting

June 21, 2021

The Annual Town Meeting of the Town of Manchester-By-The-Sea was held on Monday June 21, 2021 at 6:30PM at the Middle-High School Hyland Athletic Field on Lincoln Street, pursuant to the warrant being duly posted and the return of the Constable being received. Check-in was managed by several election officials including Eileen Buckley, Kathy Ryan, Kellie Dodd, Muffin Driscoll, Ellen Flatley, Elaine Persons, Michelle Baer, Pam Thorne, Lee Simonds, Carolyn Kelly, Martha Gubbins, Alison Anholt-White and Susan Mirak. Two hundred and seventy-five (275) registered voters were checked in and twenty (20) non-residents were present for the event. A quorum of 100 was reached by 6:30PM and the meeting was called to order at 6:33PM. Moderator Alan Wilson waived the reading of the warrant but confirmed it was properly posted. Moderator Wilson asked the meeting to rise for the invocation given by Rabbi Judith Epstein followed by the Pledge of Allegiance. Moderator Wilson continued with the usual preliminaries consisting of the Memorial Resolution honoring deceased Town officials and employees. He submitted the following resolution which includes those who died during 2019 and 2020:

### RESOLUTION

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

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

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

**Leonard "Neil" Andrews**

Police Sargent

**Myles A. Carroll**

Department of Public Works

**George Putnam**

Library Trustee

Chair, Finance Committee

**Carole A. Faller**

School Aide

**Carolyn A. Hardwick**

School Cafeteria Aide

**Andrew S. Harris**

Chair, Downtown Improvement Committee

**Lawrence P. Hall**

Firefighter

**Charles E. Capello**

Department of Public Works, School Custodian

**William H. Hatcher**

School Committee, Board of Selectmen

**John R. Adams**

Board of Health

**Athena E. Thibodeau**

Town Accounting Office

**Suzanne Baker**

School Crossing Guard

**Theodore Brown**

Planning Board

**Philip Gauthier**

Department of Public Works Foreman

**Lloyd Wilson**

Town Wiring Inspector, Planning Board

**Vincent Terrill, Sr.**

MBTA Advisory Board

**Christina St. Pierre**

Town Clerk

**Bruce Hudson**

Police Officer

**William Vachon**

Planning Board, Zoning Board of Appeals, Energy Efficiency Programs Advisory Board

**Gloria Tanner**

School Teacher

**Benjamin Gannett**

Chair, School Committee

**John Rezza**

Water Department

**Kenneth Sucharski**

Police Sargent

Eli Boling, Chair of the Board of Selectmen, moved the resolution as read, and Jeffrey Bodmer-Turner, Vice Chair, seconded. The memorial resolution was unanimously adopted. The meeting rose for a moment of silence for their former town citizens.

Moderator Wilson kindly introduced the new Town Clerk, Dianne K. Bucco. In the interest of time, the Moderator then read through a shortened list of procedural points emphasizing the use of electronic voting with the help of the Turning Technologies representative Jessica Mancini. Moderator Wilson also thanked resident Jim Starkey for his technical assistance.

Non-voters were permitted to attend the Meeting with the consent of the Moderator. Those non-voters with permission of the Moderator to speak were: Gregory Federspiel, Town Administrator; the heads of all Town Departments; Andrea Mainville, Town Accountant; Dianne K. Bucco, Town Clerk; Teresa von Staats, administrative assistant to the Town Clerk, Jason Cleary, Fire Chief; Chuck Dam, Director of Public Works; Nate Desrosiers, DPW Project and Facility Manager; Bion Pike, Harbormaster; Chris Bertoni, Conservation Administrator; Sue Brown, Town Planner; Cheryl Marshall, Parks and Recreation Director; Jennifer Yaskell, Treasurer/Collector; Sarah Collins, Library Director; Pamela Beaudoin, Superintendent of the Manchester Essex Regional School District; Avi Urbas, Business Manager of the Regional School District; Michelle Randazzo, Town Counsel with K-P Law.

Moderator Wilson thanked everyone who helped to bring the Meeting to its present form; from the Scouts who assembled the materials to the Parks & Recreation crew who delivered them, the DPW who set everything up to the Town Officials who prepared their reports and were ready to speak on any issue if the need arose.

The Chair of the Board of Selectmen, Eli Boling shared opening remarks.

### **CONSENT CALENDAR**

Moderator Wilson explained the use of a consent calendar to handle five warrant articles. The Moderator explained that in Article II § 18 of the Town's General By-law, it authorizes the Moderator to publish a Consent Calendar consisting of those warrant articles that in the Moderator's judgment are non-controversial.

Eli Boling, Chair of the Board of Selectmen moved to approve the motions under Articles 1, 2, 6, 9 and 10 in the Consent Calendar without debate, and Jeff Bodmer-Turner seconded the motion. No one wished to remove any article from the consent calendar although there was a question from resident Timothy Gates of 2 Desmond Avenue regarding a Water Resources Committee. Town Administrator Greg Federspiel stated there was no official committee and therefore no report from it. Moderator Wilson reminded the Meeting that the bylaw required a unanimous vote.

There was no further discussion.

**THE CONSENT CALENDAR FOR ARTICLES 1, 2, 6, 9, 10 DID NOT RECEIVE A UNANIMOUS APPROVAL AND THEREBY DID NOT PASS WITH 225 YES VOTES AND 8 NO VOTES**

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

Per petition of the Board of Selectmen

The Board of Selectmen and Finance Committee recommended approval.

Eli Boling, Chair of the Board of Selectmen, moved the article as printed in the Warrant. Jeffrey Bodmer-Turner, Vice Chair of the Board of Selectmen, seconded.

There was no discussion.

**THE MOTION UNDER ARTICLE 1 PASSED WITH 236 YES VOTES AND 1 NO VOTE.**

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

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

Per petition of the Board of Selectmen

The Board of Selectmen and Finance Committee recommended approval.

Eli Boling, Chair of the Board of Selectmen moved to set the salaries of the listed officers at \$0.00. Sarah Mellish, Chair of the Finance Committee, seconded.

There was no discussion.

**THE MOTION UNDER ARTICLE 2 PASSED WITH 237 YES VOTES AND 4 NO VOTES.**

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

Per petition of the Board of Selectmen

The Board of Selectmen and Finance Committee recommended approval.

Ann Harrison of the Board of Selectmen moved and Jeff Bodmer-Turner, Vice -Chair of the Board of Selectmen seconded that the Town raise and appropriate \$184,523 and that it be funded by taxation, for the purpose of funding the Town's FY22 share of the Essex North Shore Agricultural and Technical School District.

There was no discussion.

**THE MOTION UNDER ARTICLE 3 PASSED WITH 240 YES VOTES AND 7 NO VOTES.**

**ARTICLE 4.** To see what sums of money the Town will raise by taxation or otherwise to pay Town debts and charges for the ensuing 12 months, effective July 1, 2021, and appropriate the same.

Per petition of the Board of Selectmen

The Board of Selectmen and Finance Committee recommended approval.

Becky Jaques of the Board of Selectmen moved and Sarah Mellish, Chair of the Finance Committee seconded that the Town raise by taxation or otherwise to pay Town debts and charges for the ensuing 12 months, effective July 1, 2021, and appropriate the same as presented in the "Expenses Budget Summary" section under the "recommended" and "funding sources" columns of the Finance Committee Report, page 28 under Article 4, provided however that, with prior approval of the Board of Selectmen and the Finance Committee, the Town Administrator is authorized to transfer unexpended funds within a summary category (for example, within General Government).

Becky Jaques of the Board of Selectmen and Sarah Mellish, Chair of the Finance committee spoke on the budget.

There were no holds or discussion on the line items.

**THE MOTION UNDER ARTICLE 4 PASSED WITH 242 YES VOTES AND 11 NO VOTES.**

**DEPARTMENTAL REQUESTS AND  
FINANCE COMMITTEE RECOMMENDATIONS**

Item No.	Appropriations FY - 2021	Requests FY - 2022	Recommendations FY - 2022	Funding Sources	
<b>GENERAL GOVERNMENT</b>					
32%					
<b><u>SELECTMEN'S DEPARTMENT</u></b>					
1	Salaries	243,664	309,884	309,884	TAXATION
2	Expenses	32,050	65,300	63,500	TAXATION
3	Audit	47,000	38,500	38,500	TAXATION
<b><u>INFORMATION TECHNOLOGY</u></b>					
4	Expenses	125,000	135,000	135,000	TAXATION
<b><u>FINANCE COMMITTEE</u></b>					
5	Salaries	3,500	3,500	3,500	TAXATION
6	Expenses	320	300	300	TAXATION
7	Reserve Fund	160,000	160,000	160,000	TAXATION OVERLAY SUR.
<b><u>ELECTION &amp; REGISTRATION</u></b>					
8	Salaries	4,650	4,650	4,650	TAXATION
9	Expenses	20,265	17,475	17,475	TAXATION
					35,000 125,000

<b><u>ACCOUNTING</u></b>						
10	Salaries	157,722	160,663	160,663	TAXATION	
11	Expenses	4,700	4,700	4,700	TAXATION	
<b><u>ASSESSORS</u></b>						
12	Salaries	160,795	131,118	131,118	TAXATION	
13	Expenses	52,875	57,200	57,200	TAXATION	
<b><u>TREASURER/COLLECTOR</u></b>						
14	Salaries	153,572	159,584	159,584	TAXATION	
15	Expenses	28,940	28,940	28,940	TAXATION	
<b><u>TOWN CLERK</u></b>						
16	Salaries	119,603	104,886	104,886	TAXATION	
17	Expenses	5,300	5,300	5,300	TAXATION	
<b><u>LEGAL/PROF. SERVICES</u></b>						
18	Expenses	120,000	80,000	80,000	TAXATION	
<b><u>APPEALS BOARD</u></b>						
19	Salaries	1,600	8,320	8,320	TAXATION	
20	Expenses	8,750	9,550	9,550	TAXATION	
<b><u>PLANNING DEPARTMENT</u></b>						
21	Salaries	93,762	96,635	96,635	TAXATION	
22	Expenses	6,600	6,600	6,600	TAXATION	
<b><u>TOWN HALL &amp; COMMON</u></b>						
23	Salaries	-	25,000	25,000	TAXATION	
24	Expenses	84,050	60,500	60,500	TAXATION	
<b><u>PENSIONS</u></b>						
25	Contributory	1,330,489	1,461,004	1,461,004	TAXATION	1,329,898
					SEWER RATES	74,670
					WATER RATES	56,436
26	Non-Contributory	2,111	-	-	TAXATION	
<b><u>INSURANCE</u></b>						
27	Group Health Insurance	1,350,000	1,285,000	1,285,000	TAXATION	1,128,652
					MOORING FEES	18,500
					SEWER RATES	81,483
					WATER RATES	56,365
28	Workers' Compensation	95,000	95,000	95,000	TAXATION	74,000
					SEWER RATES	10,000
					WATER RATES	11,000
29	Fire/Auto/Liability	130,000	130,000	130,000	TAXATION	106,900
					SEWER RATES	11,550
					WATER RATES	11,550
30	Unemployment Compensation	7,000	7,000	7,000	TAXATION	
31	FICA-Medicare	97,850	100,500	100,500	TAXATION	90,764
					SEWER RATES	5,300
					WATER RATES	4,436
<b>Total General Government</b>		<b>4,647,168</b>	<b>4,752,109</b>	<b>4,752,109</b>	<b>TAXATION</b>	<b>4,285,819</b>
					<b>OVERLAY SUR.</b>	<b>125,000</b>
					<b>MOORING FEES</b>	<b>18,500</b>
					<b>SEWER RATES</b>	<b>183,003</b>
					<b>WATER RATES</b>	<b>139,787</b>
						<b>4,752,109</b>

		PUBLIC SAFETY 25%			
<b><u>POLICE</u></b>					
32	Salaries	1,665,592	1,730,836	1,730,836	TAXATION
33	Expenses	97,164	96,314	96,314	TAXATION
<b><u>PARKING CLERK/RESIDENT PARKING</u></b>					
34	Salaries	12,674	6,264	6,264	TAXATION
35	Expenses	16,550	21,600	21,600	TAXATION
<b><u>FIRE</u></b>					
36	Salaries	1,320,336	1,346,748	1,346,748	TAXATION
37	Expenses	143,850	142,750	142,750	TAXATION
<b><u>HARBOR MASTER</u></b>					
38	Salaries	154,760	157,468	157,468	MOORING FEES
39	Expenses	23,260	23,260	23,260	MOORING FEES 180,728
<b><u>BUILDING DEPARTMENT</u></b>					
40	Building Inspector	46,173	46,981	46,981	TAXATION
41	Gas/Plumbing Inspector	13,634	13,873	13,873	TAXATION
42	Sealer of Weights & Measures	3,000	3,000	3,000	TAXATION
43	Electrical Inspector	13,634	13,873	13,873	TAXATION
44	Inspector's Expenses	4,500	4,500	4,500	TAXATION
45	Permit Software	-	27,920	27,920	TAXATION 23,040.00 MOORING FEES 4,880.00
<b><u>EMERGENCY MANAGEMENT</u></b>					
46	Salaries	4,000	-	-	TAXATION
47	Expenses	1,000	1,000	1,000	TAXATION
48	Emergency Notification	4,500	4,725	4,725	TAXATION
<b><u>ANIMAL CONTROL</u></b>					
49	Expenses	16,315	16,315	16,315	TAXATION
<b>Total Public Safety</b>		<b>3,540,942</b>	<b>3,657,427</b>	<b>3,657,427</b>	<b>TAXATION 3,471,819 MOORING FEES 185,608 3,657,427</b>

		PUBLIC WORKS 15%			
<b><u>DEPARTMENT OF PUBLIC WORKS</u></b>					
50	Salaries	861,026	894,464	894,464	TAXATION 866,860 SEWER RATES 13,802 WATER RATES 13,802
51	Expenses	389,800	382,800	382,800	TAXATION
<b><u>SNOW REMOVAL</u></b>					
52	Salaries	32,000	32,000	32,000	TAXATION
53	Expenses	170,000	170,000	170,000	TAXATION
54	STREET LIGHTING	35,000	35,000	35,000	TAXATION
<b><u>SANITATION/COMPOSTING/RECYCLING</u></b>					
55	Salaries	14,500	15,000	15,000	TAXATION
56	Expenses	60,000	60,000	60,000	TAXATION
57	Rubbish Collection/Recycling	416,000	426,400	426,400	TAXATION
58	Disposal	164,250	174,250	174,250	TAXATION

Total Dept. of Public Works	2,142,576	2,189,914	2,189,914	TAXATION	2,162,310
				SEWER RATES	13,802
				WATER RATES	13,802
					2,189,914
<b>OTHER ENVIRONMENTAL</b>					
0%					
<b><u>HISTORIC DISTRICT COMMISSION</u></b>					
59 Salaries	1,600	1,600	1,600	TAXATION	
60 Expenses	850	950	950	TAXATION	
<b><u>CONSERVATION COMMISSION</u></b>					
61 Salaries	78,813	59,595	59,595	TAXATION	54,595
				WETLANDS FD.	5,000
62 Expenses	2,640	2,760	2,760	TAXATION	
63 CHEBACCO WOODS	-	1,250	1,250	TAXATION	
Total Other Environmental	83,903	66,155	66,155	TAXATION	61,155
				WETLANDS FD.	5,000
					66,155
<b>HUMAN SERVICES</b>					
2%					
<b><u>HEALTH</u></b>					
64 Salaries	66,505	72,510	72,510	TAXATION	
65 Expenses	50,800	48,750	48,750	TAXATION	
<b><u>VETERANS' SERVICES</u></b>					
66 Expenses	15,000	15,000	15,000	TAXATION	
67 Veterans' Benefits	28,000	28,000	28,000	TAXATION	
<b><u>COUNCIL ON AGING</u></b>					
68 Salaries	172,808	175,897	175,897	TAXATION	
69 Expenses	19,100	18,600	18,600	TAXATION	
Total Human Services	352,213	358,757	358,757	TAXATION	358,757
<b>LIBRARY</b>					
3%					
<b><u>LIBRARY</u></b>					
70 Salaries	338,203	345,683	345,683	TAXATION	
71 Expenses	163,029	165,575	165,575	TAXATION	
Total Culture and Informational Services	501,232	511,258	511,258	TAXATION	511,258
<b>RECREATION</b>					
2%					
<b><u>PARKS &amp; RECREATION</u></b>					
72 Salaries	146,827	149,633	149,633	TAXATION	99,633
				PROGRAM FEES	50,000
73 Expenses	7,609	7,909	7,909	TAXATION	
<b><u>SINGING BEACH OPERATIONS</u></b>					
74 Salaries	74,341	75,642	75,642	TAXATION	
75 Expenses	16,800	17,500	17,500	TAXATION	
<b><u>LIFEGUARDS</u></b>					
76 Salaries	60,740	61,803	61,803	TAXATION	
77 Expenses	3,400	3,400	3,400	TAXATION	

**TUCK'S POINT**

78	Salaries	6,600	6,715	6,715	TAXATION	
79	Expenses	31,195	31,820	31,820	TAXATION	

**OTHER RECREATION**

80	Memorial Day	3,000	3,000	3,000	TAXATION	
81	Fourth of July	10,000	10,000	10,000	TAXATION	

Total Recreation		<u>360,512</u>	<u>367,422</u>	<u>367,422</u>	TAXATION	317,422
					PROGRAM FEES	50,000
						<u>367,422</u>

**DEBT SERVICE  
8%**

**DEBT SERVICE**

	Principal on Bonds	850,018	822,409	822,409		
	Interest on Bonds	322,746	295,646	295,646		
	WPAT Administration Fees	2,038	1,873	1,873		

82	Total Debt Service	<u>1,174,802</u>	<u>1,119,928</u>	<u>1,119,928</u>	TAXATION	927,895
					SEWER RATES	192,033
						<u>1,119,928</u>

**ENTERPRISE FUNDS  
12%**

**SEWER FUND**

83	Salaries	323,332	365,484	365,484	SEWER RATES	
84	Expenses	300,950	306,500	306,500	SEWER RATES	

**WATER FUND**

85	Salaries	268,749	305,909	305,909	WATER RATES	
86	Distribution Expenses	136,000	138,500	138,500	WATER RATES	
87	Treatment Expenses	583,225	597,652	597,652	WATER RATES	

Total Enterprise Funds		<u>1,612,256</u>	<u>1,714,045</u>	<u>1,714,045</u>	SEWER RATES	671,984
					WATER RATES	1,042,061
						<u>1,714,045</u>

<b>TOTAL ARTICLE 4</b>		<u>14,415,604</u>	<u>14,737,015</u>	<u>14,737,015</u>		
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**EXPENSES BUDGET SUMMARY**

<b>GENERAL GOVERNMENT</b>	32%	4,647,168	4,752,109	4,752,109	TAXATION	4,285,819
					OVERLAY SUR.	125,000
					MOORING FEES	18,500
					SEWER RATES	183,003
					WATER RATES	139,787
						<u>4,752,109</u>
<b>PUBLIC SAFETY</b>	25%	3,540,942	3,657,427	3,657,427	TAXATION	3,471,819
					MOORING FEES	185,608
						<u>3,657,427</u>
<b>DEPARTMENT OF PUBLIC WORKS</b>	15%	2,142,576	2,189,914	2,189,914	TAXATION	2,162,310
					SEWER RATES	13,802
					WATER RATES	13,802
						<u>2,189,914</u>
<b>OTHER ENVIRONMENTAL</b>	0%	83,903	66,155	66,155	TAXATION	61,155
					WETLANDS FD.	5,000

						<u>66,155</u>
HUMAN SERVICES	2%	352,213	358,757	358,757	TAXATION	<u>358,757</u>
LIBRARY	3%	501,232	511,258	511,258	TAXATION	<u>511,258</u>
PARKS & RECREATION	2%	360,512	367,422	367,422	TAXATION PROGRAM FEES	317,422 50,000 <u>367,422</u>
DEBT SERVICE	8%	1,174,802	1,119,928	1,119,928	TAXATION SEWER RATES	927,895 192,033 <u>1,119,928</u>
ENTERPRISE FUNDS	12%	1,612,256	1,714,045	1,714,045	SEWER RATES WATER RATES	671,984 1,042,061 <u>1,714,045</u>
<b>TOTALS</b>	<b>100%</b>	<b>14,415,604</b>	<b>14,737,015</b>	<b>14,737,015</b>		<u><u>14,737,015</u></u>

FUNDING SOURCES SUMMARY	
TAXATION	12,096,435
OVERLAY SURPLUS	125,000
MOORING FEES	204,108
PROGRAM FEES	50,000
WETLANDS FD	5,000
SEWER RATES	1,060,822
WATER RATES	1,195,650
<b>TOTAL</b>	<u>14,737,015</u>

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

Dept.	Item	Requested	Recommended	Funding Source
1.	DPW Road resurfacing	\$350,000	\$209,000	Fund Balance
2.	DPW Vehicle Replacements (3)	\$180,000	\$180,000	Taxation
3.	DPW Compost Facility Engineering	\$ 30,000	\$ 30,000	Taxation
4.	DPW Shop Equipment	\$ 10,000	\$ 10,000	Taxation
5.	DPW Drainage/Sidewalk Improvements	\$300,000	\$300,000	Fund Balance
6.	DPW DPW Garage Assessment	\$ 50,000	\$ 50,000	Taxation
7.	DPW Central Street Culvert	\$300,000	\$150,000	Fund Balance
8.	DPW Storm Damage Repair	\$ 50,000	\$ 50,000	Taxation
9.	Town Hall Renovations/Upgrades incl. elevator	\$200,000	\$200,000	Taxation
10.	Town Hall Room 5 AV equipment	\$ 52,000	\$ 52,000	PEG Access
	Funds			
11.	Land Mgmt Planning Board Studies/Rezoning	\$ 38,000	\$ 0	NA
12.	Library Accessible Bathroom Design; Furnishings	\$ 40,000	\$ 40,000	Taxation
13.	Park/Rec Sweeney Park Design/Engineering Efforts	\$ 70,000	\$ 70,000	Taxation
14.	Public Safety Fire Engine Replacement Fund	\$250,000	\$250,000	Fund Balance
15.	Public Safety Police Speed Trailer	\$ 13,100	\$ 13,100	Taxation
16.	Public Safety Police Station Access Control; Cell Cameras	\$ 26,000	\$ 26,000	Taxation
17.	Public Safety Replacement Police Cruiser & Motorcycle	\$ 56,325	\$ 56,325	Taxation
18.	Public Safety Fire Gear and rope rescue equipment	\$ 34,000	\$ 34,000	Taxation
19.	Public Safety Fire Station repairs/upgrades	\$ 30,000	\$ 30,000	Taxation
20.	Harbor Harbormaster Floating Office	\$ 50,000	\$ 50,000	WaterwayFund

21. Water Plant Upgrades/Equipment Replacement	\$190,000	\$190,000	
			Water Enterprise, Retained Earnings, & Taxation
22. Water Pipe replacement/improvements	\$1,000,000	\$1,000,000	
			Water Enterprise, Retained Earnings, & Taxation
23. Sewer Plant Upgrades/Equipment Replacement	\$300,000	\$300,000	
			Sewer Enterprise, Retained Earnings, & Taxation
			Per petition of the Board of Selectmen
			\$3,290,42
			TOTAL

The Board of Selectmen and Finance Committee recommended approval.

John Round of the Board of Selectmen moved and Sarah Mellish, Chair of the Finance Committee seconded that the Town raise by taxation or otherwise to pay for the items listed and appropriate the same as presented under the “recommended” and “funding sources” columns of Article 5.

John Round of the Board of Selectmen and Sarah Mellish, Chair of the Finance committee spoke on the capital budget.

There were no holds on the items listed.

Brian Miller of 92 School Street spoke in favor of the motion regarding number 12.

**THE MOTION UNDER ARTICLE 5 PASSED WITH 234 YES VOTES AND 11 NO.**

**ARTICLE 6:** To see if the Town will vote to raise and appropriate or transfer from available funds \$1,780 for the purpose of paying charges for trail work done in Chebacco Woods (\$1150) and for filings at the Southern Essex Registry of Deeds (\$630) from fiscal year 2020 which were received after the closing of accounts for that fiscal year or take any other action relative thereto.

Per petition of the Board of Selectmen

The Board of Selectmen and the Finance Committee recommended approval.

This article requires a 4/5th vote due to MGL 44 sec 64 regarding payment of bills from a previous fiscal year.

Eli Boling, Chair of the Board of Selectmen moved to transfer from available funds \$1,780 for the purpose stated in the article. Sarah Mellish, Chair of the Finance Committee seconded.

There was no discussion.

**THE MOTION UNDER ARTICLE 6 PASSED BY MORE THAN THE REQUIRED 4/5<sup>TH</sup> VOTE, 250 YES VOTES AND 5 NO VOTES.**

**ARTICLE 7:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Town’s assessment from the District for the Gross Operating and Maintenance Budget of the Manchester-Essex Regional School District including debt service - said sum to be calculated solely in accordance with the "Agreement Between the Towns of Essex and Manchester-by-the-Sea, Massachusetts with Respect to the Formation of a Regional School District", as most recently amended, by invoking and approving the provision found in paragraph four of G.L. c. 71, § 16B allowing District members "to reallocate the sum of their required local contributions to the District in accordance with the regional agreement", for the fiscal year beginning July first, two thousand twenty-one; or take any other action relative thereto.

Per petition of the Manchester-Essex Regional School Committee

The Board of Selectmen and Finance Committee recommended approval.

#1. Ken Warnock of the Manchester Essex Regional School Committee moved and Matthew Harrington of the Manchester Essex Regional School Committee seconded that the Town approve the assessment calculation in accordance with the “Agreement Between the Towns of Essex and Manchester-by-the-Sea, Massachusetts with Respect to the Formation of a Regional School District”, by invoking and approving the provision found in paragraph four of G.L. c. 71, § 16B allowing District members “to reallocate the sum of their required local contributions to the district in accordance with the regional agreement”, for the fiscal year beginning July first, two thousand twenty-one.

Ken Warnock spoke in favor of the motion. There was no further discussion.

**MOTION 1 UNDER ARTICLE 7 PASSED WITH 246 YES VOTES AND 9 NO VOTES.**

#2. Ken Warnock of the Manchester Essex Regional School Committee moved, and Matthew Harrington of the Manchester Essex Regional School Committee seconded that the Town raise and appropriate \$15,589,705 to fund the Town’s assessment from the Manchester Essex Regional School District for the fiscal year beginning July first, two thousand twenty-one for the gross operating and maintenance budget.

There was no discussion.

**MOTION 2 UNDER ARTICLE 7 PASSED WITH 236 YES VOTES AND 16 NO VOTES.**

#3. Ken Warnock of the Manchester Essex Regional School Committee moved, and Matthew Harrington of the Manchester Essex Regional School Committee seconded that the Town raise and appropriate \$2,851,524 to fund the Town’s assessment

from the Manchester Essex Regional School District to cover the long-term debt for the fiscal year beginning July first, two thousand twenty-one.

There was no discussion.

**MOTION 3 UNDER ARTICLE 7 PASSED WITH 243 YES VOTES AND 12 NO VOTES.**

**ARTICLE 8.** To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2022 Community Preservation budget and to appropriate from the Community Preservation Fund estimated annual revenues a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2022; and further to reserve for future appropriation a sum of money from the Community Preservation Fund estimated annual revenues for open space, including land for recreational space, historic resources, and community housing purposes, as well as a sum of money to be placed in the 2022 Budgeted Reserve for general Community Preservation Act purposes; and further to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes as recommended by the Community Preservation Committee as follows; or take any other action relative thereto.

1. Community Preservation Committee Expenses (studies, etc.) (administrative)	\$ 20,000*
2. Sweeney Park: Design/engineering for field upgrades (Open Space and Recreation)	\$ 68,375
3. Landscape Restoration for all Parks and Tucks Point (Open Space and Recreation)	\$ 20,000
4. Pickleball Courts at Sweeney Park (Open Space and Recreation)	\$ 75,000
5. Automatic Defibrillators for Parks (Open Space and Recreation)	\$ 15,000
6. Singing Beach Bathroom preservation (Open Space and Recreation)	\$ 5,000
7. Title Research/Survey Work Western Woods (Open Space and Recreation)	\$ 25,000
8. Friends of Manchester Trees – Tree Restoration (Open Space and Recreation)	\$ 11,000
9. Affordable Housing Trust Project Funding (Community Housing)	\$ 200,000
10. Historic Restoration of Library Landscaping (Historic Preservation)	\$ 15,000
11. Morss Pier Engineering Study for restoration (Historic Preservation)	\$ 33,000
12. Tuck’s Point Public Access Restoration (Historic Preservation)	\$135, 629
TOTAL	\$ 623,004

(\*Administrative amount limited to a maximum of 5% of total annual revenue)  
Per petition of the Community Preservation Committee and the Board of Selectmen

The Board of Selectmen and Finance Committee recommended approval.

Jack Burke of the Community Preservation Committee moved, and Ron Mastrogiacomo seconded the article as presented with the following clarifications:

- Items 1 and 2 to be funded from FY2022 estimated receipts for the purposes stated and
- Items 3-12 to be funded from FY2021 undesignated fund balance for the purposes stated
- for a grand total of \$623,004

There was no discussion.

**THE MOTION UNDER ARTICLE 8 PASSED WITH 248 YES VOTES AND 7 NO VOTES.**

**ARTICLE 9.** To see if the Town will vote to raise and appropriate or transfer from available funds \$271,388 to be deposited into the Town’s Other Post-Employment Benefits Trust Fund, subject to said appropriation being expended from the Trust Fund only for the purposes authorized by section 20 of Chapter 32B of the General Laws of the Commonwealth of Massachusetts; or take any other action relative thereto.

Per petition of the Board of Selectmen

The Board of Selectmen and Finance Committee recommended approval.

Eli Boling, Chair of the Board of Selectmen moved to transfer \$271,388 from available funds for the purpose and subject to the condition stated in the article. Sarah Mellish, Chair of the Finance Committee seconded.

There was no discussion.

**THE MOTION UNDER ARTICLE 9 PASSED WITH 249 YES VOTES AND 4 NO VOTES.**

**ARTICLE 10.** To see if the Town will vote, pursuant to the provisions of G.L. c.44, §53E½ as most recently amended, to set the following Fiscal Year 2022 spending limitations on expenditures from the revolving fund(s) set forth in the Town’s Revolving Fund By-law, Article IV, Section 11 of the General By-laws:

Program or Purpose: Costs Associated with Town of Manchester-by-the-Sea Recreation Programs; FY2022 spending limit: \$325,000. Or take any other action relative thereto.

Per petition of the Board of Selectmen

The Board of Selectmen and Finance Committee recommended approval.

Eli Boling, Chair of the Board of Selectmen moved the article as printed in the Warrant. Sarah Mellish, Chair of the Finance Committee seconded.

There was no discussion.

**THE MOTION UNDER ARTICLE 10 PASSED WITH 249 YES VOTES AND 4 NO VOTES.**

**ARTICLE 11.** To see if the Town will vote to: (a) transfer from the Board of Selectmen, acting as the Board of Water and Sewer Commissioners, for the purpose of holding, storing, purifying or preserving water, to the Board of Selectmen for the conveyance of easements, the care, custody and control of portions of the Town-owned property located in the Town of Hamilton, which property is shown on Hamilton Assessors Map 71 as Parcel 1, described in the Order of Taking recorded with the Essex South District Registry of Deeds in Book 3713, Page 278, and subject to a conservation restriction held by the Hamilton Conservation Commission and recorded in Book 15373, Page 403, and which portions to be transferred are shown approximately as “Proposed Permanent 40’ Easement 33,530 Sq. Ft., 0.77 Acres” and “Proposed Temporary Construction Easement 20,916 Sq. Ft., 0.48 Acres” on a plan entitled “Town of Hamilton & Town of Manchester-By-The-Sea Proposed Easement Plan”, prepared by Woodard & Curran, dated February, 2021, on file in the Town Clerk’s office, as the same may be amended, (b) authorize the Board of Selectmen to convey to the Town of Hamilton a permanent public way easement and a temporary construction easement in, on and under the foregoing portions for the purpose of altering the layout of Chebacco Road in Hamilton, (c) to authorize the Board of Selectmen to accept from the Town of Hamilton, if applicable, deeds conveying Hamilton’s right, title and interest in the portions of Chebacco Road to be discontinued upon said alteration, which discontinued portions are shown approximately on the aforesaid plan as “Existing ROW (To Be Abandoned) 31,272 Sq.Ft., 0.72 Acres” and “1964 ROW (To Be Abandoned) 44,726 Sq.Ft., 1.03 Acres” and are to be subject to the conservation restriction; and (d) authorize the Board of Selectmen to submit a petition to the General Court under Article 97 of the Massachusetts Constitution to authorize the change in use, transfer, and conveyance of easements in said portions of the Town-owned property and to amend the conservation restriction encumbering said property; or take any other action relative thereto.

Per petition of the Board of Selectmen

The Board of Selectmen recommended approval; the Finance Committee took no position.

John Round of the Board of Selectmen moved to pass over and do nothing on this article. Becky Jaques of the Board of Selectmen seconded the motion.

Moderator Wilson explained that this article “fell through the cracks”. Article IV, § 8 of the Town’s General By-law requires that for Town Meeting to approve any acquisition or disposition of any interest in real property, the matter must have been referred to the Planning Board, and the Planning Board must have submitted a written report with a recommendation. Because that is a precondition to Town Meeting action and it did not happen, Town Meeting cannot act under the article. The Town expects that this article will come back to a future Town Meeting.

There was no further discussion.

**THE MOTION TO PASS OVER AND DO NOTHING PASSED WITH 247 YES VOTES AND 8 NO VOTES.**

**ARTICLE 12.** To see if the Town will vote:

To express its opposition to the proposal by Strategic Land Ventures (SLV) to erect a large, multi-family complex on the parcel recorded as #43 0 18, which is adjacent to School Street and Route 128 and abuts land dedicated to conservation purposes which in aggregate approximate 1,600 acres in Manchester and Essex, and which is located within the major watershed supplying Manchester’s drinking water, given that proposal’s threats to the life, health and safety of residents throughout the Town and of wildlife on and near the parcel; and

To express support for the goal of producing more affordable housing units in Manchester as noted in the Manchester Housing Production Plan, and to commend and endorse the work of the Manchester Affordable Housing Trust, the Manchester Housing Authority and their allied organizations in their efforts to do so including through expansion/renovation of housing units at Newport Park and The Plains, and through the pursuit of means other than the proposal by SLV to erect a large, multi-family complex on the parcel recorded as #43 0 18, i.e. that are more consistent with the scale of existing commercial properties in the Town, more pedestrian friendly in their locations and design, and not a significant threat to life, health and safety of Town residents or of wildlife.

Per petition of Citizens

The Board of Selectmen and the Finance Committee took no position.

Moderator Wilson stated that the article was non-binding.

Victoria Esser, 15 Highland Avenue moved the article as printed and the motion was seconded from the floor.

Those who spoke in favor of the motion were Victoria Esser of 15 Highland Avenue and Michael Carvalho, 2 Jersey Lane who also thanked the Board of Selectmen for all their work during the SLV negotiations.

There was no further discussion.

**THE MOTION UNDER ARTICLE 12 PASSED WITH 247 YES VOTES AND 13 NO VOTES.**

**ARTICLE 13.** To see if the Town will vote to amend Article XII (Earth Removal) Section 4 (General Limitations,) of the General By-Laws by inserting the following:

P. In consideration of the safety and health of Town residents, no permit for the use of dynamite or other explosives (Blasting) shall be approved for the purposes of constructing:

- i) Any commercial (i.e. non-residential) structure containing more than 100,000 square feet; or
- ii) Any individual structure in the Town containing more than twenty (20) housing units,

Unless a) the Board is satisfied that in its specific circumstances such Blasting will conform to the guidelines promulgated by the Board for the safe and effective use of Blasting for large projects, and will be monitored by the Fire Department for compliance with all applicable safety codes, and b) the Board manifests such satisfaction by the affirmative vote of at least two-thirds of its then current members.

Per petition of Citizens

The Board of Selectmen recommended the advice of the Planning Board; the Finance Committee took no position.

Jay Bothwick, 7 Boardman Avenue moved and Tom Kehoe, 20 Lincoln Street seconded the article as presented.

Those who spoke in favor of the article were Jay Bothwick of 7 Boardman Avenue and Michael Carvalho of 2 Jersey Lane. Those who spoke against the article were Jeff Bodmer-Turner of the Board of Selectmen and Ron Mastrogiacomo, Chair of the Planning Board.

There was no further discussion.

**THE MOTION UNDER ARTICLE 13 PASSED WITH 187 YES VOTES AND 71 NO VOTES.**

**ARTICLE 14.** To see if the Town will vote to amend Article X (Police and other Regulations) of the General By-laws by adding a new Section 46, as follows:

Access to Large Developments: Construction of any housing project in the Town larger than either i) one hundred (100) units or ii) 75,000 square feet is prohibited unless such a project includes two paved access roads open at all times for ingress and egress. Two access roads are necessary to protect the safety and health of the residents of the project and the Town.

Per petition of Citizens

The Board of Selectmen recommended not approving.

The Finance Committee did not take a position.

Tom Kehoe, 12 Lincoln Street moved and Jay Bothwick, 7 Boardman Avenue seconded the article as presented.

Those who spoke in favor of the motion were Tom Kehoe of 12 Lincoln Street, Gar Morse of 11 Jersey Lane.

Ann Harrison of the Board of Selectmen and Maryjo Feuerbauch of 5 Harold Street spoke in opposition of the article.

Town Counsel, Michelle Randazzo expressed her opinion that the Town has regulated subjects like this under the Zoning By-law and that, therefore, the Attorney General was likely to disapprove of its regulation under a General By-law amendment.

There was no further discussion.

**THE MOTION UNDER ARTICLE 14 WAS DEFEATED WITH 110 YES VOTES AND 140 NO VOTES.**

**ARTICLE 15.** To see if the Town will vote to maintain and fully support Police and Fire Dispatch services here in Manchester, and not regionalize these vital services to the North Shore Regional 911 Services in Middleton, MA.

Per petition of Citizens

The Board of Selectmen and the Finance Committee did not recommend approving.

Sheila Hill, 2 Running Ridge Row moved the article as presented. The motion was seconded from the floor.

Ms. Hill spoke in favor of the motion.

Speaking against the motion were Eli Boling, Chair of the Board of Selectmen, Sarah Mellish, Chair of the Finance Committee, and Gary Russell, 9 Magnolia Avenue

A motion was made by Alfred Rossi of 89 Bridge Street for the previous question. It was seconded from the floor. Moderator Wilson stated that a 2/3 vote was required. The motion prevailed with a voice vote.

**THE MOTION UNDER ARTICLE 15 WAS DEFEATED WITH 82 YES VOTES AND 162 NO VOTES.**

**ARTICLE 16.** To see if the Town will vote to pass over proposed zoning by-law recodifications to the 2018 Zoning By-laws at the 2021 Manchester-by-the-Sea Annual Town Meeting

Per petition of Citizens

The Board of Selectmen recommended passing over the article; the Finance Committee took no position. Moderator Wilson stated that Sheila Hill moved to pass over and do nothing. It was seconded from the floor. There was no discussion.

**THE MOTION TO PASS OVER AND DO NOTHING UNDER ARTICLE 16 PASSED UNANIMOUSLY BY VOICE VOTE**

**ARTICLE 17.** To see what sum of money the Town will vote to appropriate or transfer from available funds for the purpose of reducing the tax rate or take any other action relative thereto.

Per petition of the Board of Selectmen

Eli Boling, Chair of the Board of Selectmen moved to pass over and do nothing on Article 17. Sarah Mellish, Chair of the Finance Committee seconded.

**THE MOTION TO PASS OVER AND DO NOTHING UNDER ARTICLE 17 PASSED UNANIMOUSLY BY VOICE VOTE.**

Eli Boling, Chair of the Board of Selectmen moved to dissolve the meeting, and Jeff Bodmer-Turner seconded the motion. **There was a unanimous vote to dissolve the Meeting.**

Moderator Wilson declared the Annual Town Meeting for 2021 dissolved at 8:12PM.