

COMMONWEALTH OF MASSACHUSETTS
TOWN OF MANCHESTER-BY-THE-SEA

ANNUAL TOWN MEETING

Essex, ss.

To any of the Constables of the Town of Manchester-by-the-Sea:

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Manchester-by-the-Sea qualified to vote in elections, to meet for the **Annual Town Meeting** at the Memorial Elementary School on Lincoln Street, in Manchester-by-the-Sea, on **Wednesday, the 24th day of April**, two thousand and twenty-four AD, at six thirty o'clock in the evening.

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 Select Board

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 MGL 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

ARTICLE 3. To see if the Town will vote to raise and appropriate or transfer from available funds \$243,385 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 Select Board

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, 2024, and appropriate the same.

Per petition of the Select Board

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	\$550,000	\$550,000	Taxation
2. DPW	DPW Facility Siting: geotechnical analysis	\$250,000	\$250,000	Taxation & Fund Bal.
3. DPW	Drainage/Sidewalk Improvements	\$250,000	\$250,000	Taxation
4. DPW	Storm Damage Repair	\$ 50,000	\$ 0	
5. DPW	General Building Upgrades	\$ 50,000	\$ 50,000	Fund Balance
6. DPW	Backhoe replacement	\$150,000	\$ 150,000	Fund Balance
7. Town Hall	Upgrades inc. IT & telephone	\$ 30,000	\$ 30,000	Fund Balance
8. Land Mgmt	Planning and Zoning Studies	\$ 20,000	\$ 0	(in operating budget)

9.	Library	Walkway repairs	\$ 6,500	\$ 6,500	Reappropriate
10.	Library	Building Assessment	\$ 43,500	\$ 43,500	Reappropriate
11.	Public Safety	Fire Engine Replacement Fund	\$250,000	\$ 0	
12.	Public Safety	Ambulance 2 replacement	\$470,000	\$470,000	Taxation
13.	Public Safety	Police Tasers	\$ 12,600	\$ 12,600	Fund Balance
14.	Public Safety	Police Admin Vehicle Replacement	\$ 73,000	\$ 73,000	Fund Balance
15.	Public Safety	Cardiac Monitors & Defibrillators	\$ 54,000	\$ 54,000	Fund Balance
16.	Public Safety	Fire Station repairs/upgrades	\$ 30,000	\$ 0	(in operating Budget)
17.	Harbor	Dredging Engineering/Permitting	\$100,000	\$100,000	Waterway Fund
18.	Harbor	No Wake Buoys	\$ 9,500	\$ 9,500	Waterway Fund
19.	Water	Plant Upgrades/PFAS Design	\$2,000,000	\$ 150,000	Water Enterprise*
20.	Water	Pipe replacement/improvements	\$2,000,000	\$ 0	(Bond)*
21.	Water	Meter Replacement ("smart" meters)	\$1,500,000	\$ 0	(Bond)*
22.	Water	Water Truck replacement	\$ 50,000	\$ 50,000	Water Enterprise
23.	Sewer	Plant Upgrades/Equipment Replacement	\$4,100,000	\$ 550,000	Taxation & Sewer Enterprise*
		TOTAL	\$12,049,100	\$ 2,799,100	

* See Article 8 for additional bonded capital appropriation

Per petition of the Select Board

ARTICLE 6: To see if the Town will vote to authorize the Select Board to: acquire, by purchase, gift and/or eminent domain and for senior center, community center and/or general municipal purposes, all or a portion of the Mason's parcel of land with the building and other improvements located at 10 Church Street, containing 26,045 square feet, more or less, and described in a deed recorded with the Essex South District Registry of Deeds in Book 5102, Page 358, which portion may consist of a condominium unit created pursuant to the provisions of G.L. c. 183A, establish a condominium under the provisions of G.L. c. 183A, §20, record a master deed, and convey any interests therein, if applicable, and participate in the organization of unit owners and pay the Town's proportionate share of the common expenses of said condominium, all on such terms and conditions as the Select Board deems appropriate, and to enter into any and all agreements and take any and all actions as may be necessary and/or appropriate to accomplish the foregoing, and, further, to raise and appropriate, transfer from available funds, and/or borrow the sum of \$1,000,000.00 for the purpose of acquiring the foregoing property and costs incidental or related thereto, and to or take any other action related thereto.

Per petition of the Select Board

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from available funds sums of money to operate a Town sponsored Launch Service in Manchester Harbor including:

- a. Transferring from available funds \$9,500 for FY24 launch operating expenses and,
- b. Transferring from available funds \$125,000 for the purchase of two launch boats and,
- c. Appropriating \$41,000 for FY25 launch operating expenses.

The Launch Service is to be fully funded by user fees. Or take any other action related thereto.

Per petition of the Select Board

ARTICLE 8 To see if the Town will vote to appropriate \$7,550,000 to pay costs of capital improvements to the Town's water and wastewater systems as follows: i) \$4,100,000 to pay costs of capital improvements to the Town's water system, including the payment of all costs incidental and related thereto, and ii) \$3,450,000 to pay costs of capital improvements to the Town's wastewater system, including the payment of all costs incidental and related thereto, and to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amounts under and pursuant to Chapter 44 Sections 7 and 8 of the General Laws, or pursuant to any other enabling authority, to issue bonds or notes of the Town therefore; and further that the incurrence of such indebtedness shall be submitted to

the voters as a ballot question at a Town election in accordance with the provisions of Chapter 270 of the Acts of 1991 and Article II, Section 18 of the Town's General By-law. No amount shall be borrowed or expended hereunder unless and until voters approve excluding the amounts required to repay any borrowing pursuant to the vote from the limitation on total property taxes contained in Chapter 59, Section 21C of the General Laws (also known as Proposition 2 ½.) Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any other action relative thereto.

Per petition of the Select Board

ARTICLE 9: To see if the Town will vote to apply for, accept and expend Massachusetts Public Library Construction Program (MPLCP) grant funds if approved, and reappropriate \$150,000 of the \$200,000 previously appropriated for Library Restroom renovations as part of the FY24 capital appropriation under Article 5 of the April 2023 Town Meeting, as the Town's match of the MPLCP grant if approved, to be expended by the Town for planning and design activities related to possible library renovations and expansion or take any other action related thereto.

Per petition of the Select Board

ARTICLE 10: To see if the Town will vote in accordance with the provisions of Chapter 77 of the Acts of 2023 to create a Special Opioid Settlement Stabilization Fund and dedicate 100% of the opioid litigation settlement funds received by the Town to such fund pursuant to G.L. c. 40, §5B, such funds henceforth to be placed in this special stabilization fund to be expended without further appropriation for all of the purposes allowed by law, including those outlined in applicable opioid litigation settlement documents; and further, to transfer from the Town's Free Cash account the sum of \$8,892 into this special stabilization fund which was previously received and rolled into the Town's Free Cash account, or take any other action related thereto.

Per petition of the Select Board

ARTICLE 11: 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 MGL 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-four; or take any other action relative thereto.

Per petition of the Manchester-Essex Regional School Committee

ARTICLE 12: To see if the Town will vote to raise and appropriate or transfer from available funds \$660,000, or some other sum, which represents its apportioned share of the Essex Elementary School feasibility study, authorized by the Manchester Essex Regional School District (MERSD), for the purpose of paying costs of the Essex Memorial Elementary School feasibility study, for the school currently located at 12 Story St, Essex, MA 01929, and further described in two separate deeds recorded in a) Book 4203 on Page 399, and b) in Book 4216 on Page 501 and shown together on a plot plan in Plan Book 86, Plan 88 in the Essex South Registry of Deeds and depicted on Map 129, Lot 5 of the Town of Essex Assessors' maps, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended at the direction of MERSD Essex Elementary School Building Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities. Any grant that the District may receive from the MSBA for the Study shall

be as set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA. Said appropriation shall be contingent upon the approval by voters of a Capital Exclusion ballot question in accordance with G. L. c.59 sec. 21c, or take any other action related thereto.

Per petition of the Manchester-Essex Regional School Committee

ARTICLE 13: To see if the Town will vote to appropriate or transfer from available funds \$248,348 for the purpose of funding the Town’s final share of the cost to refurbish the turf fields, or take any other action related thereto.

Per petition of the Manchester-Essex Regional School Committee

ARTICLE 14: To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2025 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 2025; 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 2025 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)	\$ 25,000*
2. Winthrop Field Drainage Project	(open space & recreation)	\$ 10,000
3. Masconomo Park ADA Accessibility Study	(open space & recreation)	\$ 10,000
4. Powder House Hill Parking and Access Easement	(open space & recreation)	\$ 20,000
5. Resurface Basketball Court at Sweeney Park	(open space & recreation)	\$ 28,500
6. Double Lifeguard Chair for Singing	(open space & recreation)	\$ 4,500
7. Mobility Mat for Singing Beach	(open space & recreation)	\$ 7,270
8. Research Unknown Land Parcels, Western Woods	(open space & recreation)	\$ 25,000
9. Causeway Brook Restoration @ Memorial School	(open space & recreation)	\$ 35,000
10. Manchester Affordable Housing Trust Project Funding	(community housing)	\$ 200,000
11. Restoration of Town Cemeteries	(historic preservation)	\$ 25,000
12. Church Steeple Restoration (First Parish Church)	(historic preservation)	\$ 60,000
13. UV Window Protection for Historic Assets (MHM)	(historic preservation)	\$ 7,000
14. Portico Restoration at Hooper Trask House (MHM)	(historic preservation)	\$ 24,400
	TOTAL	\$ 481,670

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

Per petition of the Select Board and the Community Preservation Comm.

ARTICLE 15: To see if the Town will vote to authorize the Select Board to acquire an access and parking easement on property owned by the Manchester Housing Authority, located at Newport Park shown as Parcel 1 on Assessor’s Map 42 for the purpose of public access to Powder House Hill conservation lands, and, in consideration for the new easement, authorize the Select Board to release an existing easement the Town has on the Housing Authority property, or take any other action related thereto.

Per petition of the Select Board

ARTICLE 16: To see if the Town will vote to transfer from available funds \$100,000 to supplement the FY24 Legal Expenses account in order to cover additional expenses incurred for various legal services, or take any other action related thereto.

Per petition of the Select Board

ARTICLE 17: To see if the Town will vote to raise and appropriate or transfer from available funds \$300,000 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

ARTICLE 18: To see if the Town will vote, pursuant to the provisions of MGL c.44, §53E½ to set the following Fiscal Year 2025 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:

1. Program or Purpose: Costs Associated with Town of Manchester-by-the-Sea Recreation Programs; FY2025 spending limit: \$400,000.
2. Program or Purpose: Costs Associated with Town of Manchester Board of Health Emergency Dispensing Sites and Clinics Programs; FY25 spending limit: \$50,000

Or take any other action relative thereto.

Per petition of the Select Board

ARTICLE 19: To see if the Town will vote to amend Section 4, Subsections 5 and 6 of Article I General Provisions (Enforcement: Tobacco Products Regulations and Tobacco Use Regulations) of the Town's General By-laws, as follows, by deleting text shown below as stricken through, or take any action relative thereto. Fines and enforcement are covered by other bylaws and state statutes/regulations.

~~5. Tobacco Products Regulations~~

~~Fine allowed: — \$100 for the first violation;
\$200 for the second violation;
\$300 for the third and subsequent violations.~~

~~Enforcement agents: — Designated employees of the Police Department and the Board of Health Agent. [Added 1997]~~

~~6. Tobacco Use Regulations~~

~~Fine allowed: — \$50.00 for the first violation;
\$100.00 for the second violation;
\$125.00 for the third violation.~~

~~Enforcement agents: — Employees of the Police Department designated by the Police Chief and employees of the School Department as designated by the School Superintendent. [Added 1998]~~

Per petition of the Select Board and the Board of Health

ARTICLE 20: To see if the Town will vote to amend Article X, Section 23 of the General By-law by adding the underlined language after the second sentence: No person shall erect or maintain a non-accessory sign within the Town of Manchester, except as may be permitted by Section 32 of Chapter 93 of the General Laws or the Zoning By-laws of the Town. A non-accessory sign shall mean any sign other than a sign that advertises or indicates the person occupying the premises on which the sign is erected or maintained, or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent, and which contains no other matter. The provisions of this section shall not apply to non-accessory signs located on Town-owned property, subject to the approval by the Select Board, nor to non-accessory signs on Town-owned property used for educational purposes, subject to approval by the Manchester Essex Regional School Committee.

Per Citizen petition

ARTICLE 21: 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.

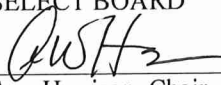


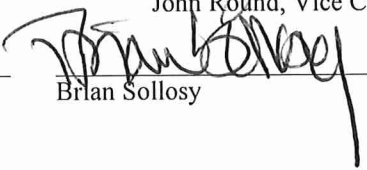

Per petition of the Board of Selectmen

And you are directed to serve this warrant by posting attested copies thereof, one at the Town Hall Building, one at the Police Station, one at the Fire House, one at the Memorial School, and one at the Post Office, twenty-one (21) days, at least, before the time of holding said meeting.

Hereof fail not to make due return of this warrant, with your doings thereon, to the Town Clerk three (3) days before the day of this meeting.

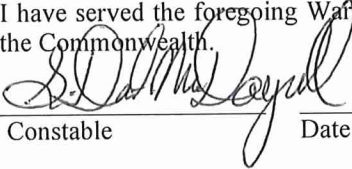
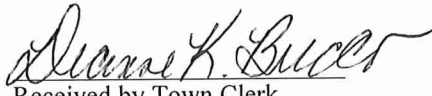
Given under our hands at Manchester-by-the-Sea, aforesaid, this 1st day of April, 2024.

SELECT BOARD

 _____ Ann Harrison, Chair	 _____ John Round, Vice Chair	
 _____ Catherine Bilotta	 _____ Brian Sollosy	 _____ Rebecca Jaques

To the Town Clerk:

I have served the foregoing Warrant by posting attested copies thereof as directed by the By-Law of the Town and the Commonwealth.

 _____ Constable	4/3/24 _____ Date of Posting	 _____ Received by Town Clerk
--	------------------------------------	--

