

Finance Committee Report



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ANNUAL TOWN MEETING - MAY 4, 2026
MARBLEHEAD HIGH SCHOOL FIELD HOUSE
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 2027 ("FY27") general fund operating budget and other financial matters to be voted on at the 2026 Annual Town Meeting.

The Finance Committee makes its recommendations to Town Meeting based upon our own review of all available information. While the Committee hopes that our insight is a benefit to Town Meeting, and while we further believe that our recommendations are both thoughtful and thorough, it is ultimately up to Town Meeting to review what the proponents of the articles have presented, to weigh the arguments for and against each article, and to vote the most beneficial course of action for our Town.

The FY27 budget cycle began in the fall with the completion and delivery of the revenue forecast by the Town Finance Director. This forecast detailed the expected FY27 revenues available to cover all general fund operating expenses. The FY27 revenue forecast showed a **decrease** of \$600,000 compared to FY26 forecasted revenues, indicating a 0.6% decline in available revenues to fund the operating budget year-over-year.

The following assumptions were made in the development of the FY27 revenue forecast.

- The tax levy will increase in accordance with the allowed 2.5% under Proposition 2 ½, which, when coupled with an increase for projected new growth, will yield \$2.1 million of additional property tax revenues to support services.
- Net State Aid assumes an increase of \$200,000 in available revenue year-over-year.
- Local receipts have been forecasted to decrease by \$1.0 million compared to FY26, primarily driven by a decrease in interest income from declining rates and cash balances and a decrease in the expected revenue generated from motor vehicle excise taxes. The FY27 local receipts estimates are approximately 90% of expected actuals, in line with conservative budgeting practices recommended by the Massachusetts Department of Revenue.
- The amount of free cash utilized to offset the operating budget has decreased by \$2.0 million compared to last year. This decrease is driven by a reduction in certified free cash year-over-year as a result of tighter budgeting practices and the decision by Town leadership to reduce the amount of free cash used to balance the operating budget, in line with Town Financial Policies.

Once the FY27 revenue projections were finalized, the Town Administrator and Finance Director worked closely with department heads to develop the FY27 balanced general fund operating budget as outlined in Article 23. During this process, a \$7.7 million deficit was identified across Town and School Departments. The primary sources of the deficit include:

- The \$600,000 reduction to available revenue as described above;
- Salary and wages increase across Town and School Departments of \$3.1 million, which reflects costs associated with recently signed collective bargaining agreements;
- An increase in health insurance costs for active employees and retirees of \$1.7 million;
- An increase in waste and recycling collection and disposal costs of \$1.0 million, reflecting the

higher expense associated with the newly signed, five-year contract;

- Pension contributions growing \$500,000;
- Out-of-District Tuition and Transportation cost increases of \$300,000; and
- \$500,000 of increases in all other expenses.

As shown above, among the largest drivers of the identified deficit are benefit costs attributable to Town and School employees and retirees — costs that, under Marblehead’s current accounting framework, are carried entirely on the Town’s side of the operating budget. With assistance from the Finance Committee, leadership undertook a thorough analysis and reallocation of these shared expenses between the Town and the Schools so that the budget would more accurately reflect the full costs of each. Under this revised methodology, the FY26 Town/School budget split was recalculated to be 38%/62%, respectively, compared to the 49%/51% split presented in last year’s budget.

This revised cost accountability framework aligns the budgeting process more closely with the real operating costs of both the Town and the Schools. On a go-forward basis, it allows the Town and Schools to assume their share of the rapidly growing cost of benefits. The cost accountability framework aligns operating decisions to cost outcomes and sets expectations with respect to the future allocation of new available revenue, allowing both the Town and Schools to more accurately forecast multi-year projections. Ultimately, the methodology was applied to the FY27 level services budget, resulting in a split of the \$7.7 million deficit, with \$4.0 million being attributable to Town costs and \$3.7 million being attributable to School costs. The Finance Committee supports the new cost accountability framework and expects Town and School leadership will implement it on an annual basis.

To address its \$4.0 million share of the deficit, Town leadership made cuts across all departments while prioritizing public safety and town infrastructure, including:

- The reduction of 22 FTEs, representing a 12% reduction in the total Town workforce funded by the general fund;
- The introduction of an annual fee that will generate \$2.2 million to pay for the cost of curbside waste and recycling services;
- The elimination of annual contributions of \$250,000 to fund the Town’s OPEB liability, \$250,000 to fund its Stabilization Fund, and \$90,000 to fund Workers’ Compensation. These are all short-term adjustments that come at the expense of long-term financial stability.

School leadership addressed its \$3.7 million share of the deficit through the following budget adjustments:

- The reduction of 18.25 FTEs, representing a 4% reduction in School department headcount funded by the general fund. It is important to note that these reductions reflect the school administration’s efforts to find efficiencies and right-size its cost structure to its current enrollment and will not be returned in any override scenario.
- A shift of certain expenses to revolving funds to ensure they are utilized to the fullest extent possible. Some of these expenses will need to return to the general fund in future years to match revolving fund revenue.

- A prepayment of \$1.5 million in Out-of-District Tuition and corresponding budget reduction. This is a one-time adjustment made to avoid a significant impact on student learning in FY27, but as a result, this \$1.5 million will need to be returned to the School's FY28 budget, contributing to a significant school budget deficit expected in FY28.

Over the last several years, the Finance Committee has highlighted the fact that Marblehead faces a structural deficit where recurring expenses are outpacing recurring revenues. Town and School leadership have worked hard to mitigate these budget challenges by cutting costs, generating efficiencies, finding new revenue sources (e.g., the Meals and Rooms Tax), increasing fees and tapping into revolving funds. However, at the same time, leadership has also had to turn to short-term, unsustainable fixes, like relying heavily on free cash and deferring capital investment. This approach is no longer an option. As a result, the Select Board and School Committee have jointly developed a multi-year Proposition 2½ override request for residents to consider. The override request offers optionality as it presents three separate tiers for residents to vote. The Finance Committee advised leadership in their development of the override request by assisting in the review of forecasted available revenue and expenses while ensuring the cost accountability framework described above was applied.

We believe that an override is necessary at this time to maintain the level of services residents receive today. The Finance Committee voted unanimously to recommend the passing of Article 29, which would move the override request to the ballot to be voted on by residents at the June election/vote.

On April 10, 2026, S&P Global affirmed Marblehead's AAA rating; however, the outlook was revised from 'stable' to 'negative' due to budgetary stress. At the start of FY27, the Town's reserve accounts will constitute approximately 2% of the operating budget. Town officials remain committed to the objective of building reserves to 5% of the operating budget moving forward. It is crucial for the Town to sustain a sufficient level of reserves to preserve its AAA bond rating each year.

We would like to thank the members of our current Finance Committee for all their contributions to another successful budget process. We'd also like to thank and commend the Select Board, School Committee, all department heads, municipal employees, appointed and elected boards, and involved citizens for their collaboration. We specifically wish to express our thanks to Town Administrator Thatcher Kezer, Finance Director Aleesha Benjamin, School Superintendent John Robidoux and Assistant Superintendent of Finance Mike Pfifferling for the significant time, resources, and guidance that they dedicated to this budget process.

Respectfully submitted,

Alec Goolsby
Chair, Marblehead Finance Committee

Pat Franklin
Vice Chair, Marblehead Finance Committee

Molly Teets
Vice Chair, Marblehead Finance Committee

Fiscal 2025 RESERVE FUND

The following is an accounting of funds entrusted to the Finance Committee for Fiscal 2025 Reserve Fund use.

Reserve Funds – Fiscal 2025 ending June 30, 2025.....\$144,000.00

DEPARTMENTS FUNDS TRANSFERRED TO:

COA Transportation Coordinator Expense.....	\$31,319.00
Police Assessment Center Expense.....	\$12,520.00
BOA Patriot Abatement Consulting Expense.....	\$15,000.00
BOA Assessor Consulting Expense.....	\$5,000.00
Fire Ladder Truck Emissions Expense.....	\$16,000.00
Total Transferred.....	<u>\$79,839.00</u>
Returned to Treasury.....	<u>\$64,161.00</u>

Fiscal 2026 RESERVE FUND

The following detail represents funds voted to various departments by the Finance Committee from the Reserve Fund covering the period July 1, 2025, through April 30, 2026.

Annual Town Meeting Appropriation June 30, 2026,\$444,000.00

DEPARTMENTS FUNDS TRANSFERRED TO:

Public Building Windows Expense.....	\$36,000.00
Police Removal/Closure Expense.....	\$12,261.00
Town Clerk Audio Equipment Expense.....	\$53,000.00
Town Clerk Audio Equipment Expense.....	\$27,263.00
Total Transferred.....	<u>\$128,524.00</u>
Balance Remaining.....	<u>\$315,476.00</u>

Respectfully Submitted,

MARBLEHEAD FINANCE COMMITTEE

Alec Goolsby, Chair
Molly Teets, Vice Chair
Pat Franklin, Vice Chair
Timothy Shotmeyer
Lindsay Dube
Michael Janko
Michael O'Neil
Ramon Garcia
Eric Knight

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 Select Board.

Recommendation: 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 Select Board.

Recommendation: No recommendation under this article.

ARTICLE 3: Consent Articles

To see if the Town will vote to approve the following consent articles:

a. Assume Liability

That 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 Department of Transportation 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 Select Board to execute and deliver a bond of indemnity therefore to the Commonwealth. Sponsored by the Select Board.

b. Accept Trust Property

That the Town will vote to accept certain trust property, gifts or grants to be administered by the Town or modify the terms thereof. Sponsored by Town Counsel.

c. Lease Town Property

That 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. Sponsored by the Select Board.

d. Contracts in Excess of 3 Years

That the Town will authorize the Select Board, 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 Select Board.

e. Financial Assistance for Conservation

That 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. Sponsored by the Conservation Commission.

Recommendation: That this article be adopted.

Comment: There is no trust property to be accepted at this time.

ARTICLE 4: Amend Zoning Bylaw - 3A Multi-Family Overlay District

To see if the Town will vote to amend the Zoning Bylaw and map to adopt a 3A Multifamily Overlay District by adding a new provision, as follows:

Amendment #1

ARTICLE 200-43.

- A. Purpose. The purposes of 3A Multi-family Overlay District (3A Overlay) are:
 - (1) To lower the permitting barrier for multifamily housing and to comply with the MBTA Communities Act, G.L. c. 40A § 3A;
 - (2) To allow as-of-right multi-family housing in a variety of overlay zoning districts; and
 - (3) To ensure high-quality site planning, architecture, and landscape elements that are consistent with the visual identity of the Town of Marblehead.

- B. Scope and authority.
 - (1) The 3A Multifamily Overlay District is superimposed over the underlying zoning district (s) as shown on the 3A Multifamily Overlay District Map dated [insert date], which is hereby made part of the Zoning Map of the Town of Marblehead. The use and dimensional regulations and all other provisions in the underlying district(s) shall remain in full force except for uses allowed in the 3A Overlay. At the option of the owner, development of land within a 3A Overlay may be undertaken through the plan approval process under this § 200-43 or by complying with all applicable requirements of the underlying district. Uses and dimensional controls of the 3A Overlay are not subject to any special permit requirements of the underlying district or applicable overlay districts.
 - (2) The 3A Overlay consists of two subdistricts: the Broughton Road 3A Subdistrict and the Tedesco 3A Subdistrict. The boundaries of each district are as shown on the 3A Multifamily Overlay District Map

- C. Definitions. All definitions are as they appear in §200-7 and §20-44D of this Bylaw. To the extent that there is any conflict between §200-44 and G.L. c. 40A, § 3A, the latter shall control.

- D. Use Regulations.
 - (1) The following uses shall be permitted subject to plan approval:

Table D: Permitted Uses		
Residence Uses	3A Broughton Road Subdistrict	3A Tedesco Subdistrict
Multifamily development project	Yes	Yes
Mixed-use development project	No	Yes

- (2) Nonresidential uses permitted as-of-right in the underlying district(s) are permitted as part of a mixed-use development project in the 3A Tedesco Subdistrict.
- (3) Prohibited uses or activities in the 3A District.
 - (a) Any use prohibited by the underlying zoning in effect as of the date of adoption of this

Bylaw.

(b) Any use not listed in § 200-43D is expressly prohibited.

E. Dimensional Regulations.

(1) New buildings within the 3A Overlay shall be subject to the bulk, dimensional, and density requirements in Table E, Table of Dimensional and Density Requirements:

	3A Broughton Road Subdistrict	3A Tedesco Subdistrict
Minimum lot area (sq. ft.)	7,460	27,460
Maximum Residential Density (units/acre)	19	25
Minimum frontage (lin. ft.)	35	35
Minimum front setback (lin. ft.)	6	6
Minimum side setback (lin. ft.)	(a)	(a)
Minimum rear setback (lin. ft.)	(a)	(a)
Minimum open space (% lot area)	(b)	(b)
Maximum building height (ft.)	35	35

Notes to Table E:

(a) Except as to any boundary abutting any other business district, six feet; as to any boundary abutting any residential district, nine feet. May be reduced at the discretion of the approving authority.

(b) One square foot of open land area (in addition to the areas of required parking spaces on the lot) for each two square feet of gross floor area.

(2) Renovation of existing buildings may maintain the existing building footprints and may expand them only to the extent that the expansion complies with the dimensional requirements for new buildings.

(3) When applying the allowable density in Table E, Table of Dimensional and Density Requirements results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if it is 0.5 or greater. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number.

(4) Signage. Commercial signage proposed within a mixed-use development project shall comply with the Marblehead Sign Bylaw, Chapter 148 of the Marblehead General Bylaws, in effect as of the date of adoption of this § 200-43.

F. Off-Street parking.

(1) Off-street parking shall comply with the following minimum requirements:

	3A Broughton Road Subdistrict	3A Tedesco Subdistrict
Dwelling unit (2 or more bedrooms)	2.0	2.0
Nonresidential use	N/A	1.0 space/300 sq. ft.

(2) Fractional spaces. When applying the minimum required parking standards in § 200-43F results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if it is 0.5 or greater. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number.

- (3) Location of parking. Any surface parking lot shall be located at the side or rear of a building, relative to any public right-of-way or public open space. Subsurface parking that requires blasting may be disallowed if the approving authority finds, based on the results of a geotechnical analysis, that it is not possible to mitigate any extraordinary adverse impact of blasting on nearby properties.
- (4) During the plan approval process, the approving authority may modify the parking requirements in Table F or prescribe safeguards and conditions as it deems appropriate, provided it finds that:
 - (a) Meeting the requirements in Table F is impractical for the proposed development;
 - (b) The modifications are appropriate for the proposed use; and
 - (c) The modifications will not result in or exacerbate existing parking or traffic problems in or near the proposed development.
- (5) The approving authority may impose use or occupancy conditions appropriate to the modifications.
- (6) Each parking space shall be at least nine feet wide and 18 feet long and shall be designed with appropriate means of vehicular access to a street as well as maneuvering areas. Access and maneuvering areas shall not be obstructed or used for the parking of motor vehicles.

G. Design standards.

- (1) To ensure that new development shall be of high quality, all applications shall comply with the Town of Marblehead Smart Growth Overlay District design standards as approved by the Executive Office of Housing and Livable Communities (EOHLC) on May 1, 2009 ("Design Standards"). The Design Standards shall govern the issuance of plan approvals for development projects within the 3A Districts. All applicants shall file an application with the plan approval authority for development projects within 3A Districts. In the event of any conflict between this Bylaw and the Design Standards, this Bylaw shall govern.
- (2) The following additional requirements shall apply to structures in the 3A district:
 - (a) All structures shall have a 9 x 12 pitch gable roof.
 - (b) Dormers shall be permitted, provided that:
 - (i) No dormer shall exceed the peak of the roof;
 - (ii) There shall be a clear visual separation between the roof eaves of the building and the dormer; and
 - (iii) There shall be at least three feet of space between the side walls of the dormer and the edges of the roof; and
 - (iv) Each dormer shall have clear windows only on the front wall, accounting for at least 25 percent of the wall area.
 - (c) All windows shall be double-hung.
 - (d) All siding shall be clapboard.
- (3) The following site development and landscaping requirements shall apply to development projects in the 3A Overlay District:
 - (a) A landscaping plan prepared by a registered landscape architect with a valid Massachusetts license shall be submitted as part of the plan approval submission process and shall comply with the plan approval authority's 3A Overlay Rules and Regulations. Landscape plans should be designed to integrate with building placement, circulation, and open space, thereby creating a cohesive environment.
 - (b) Plantings shall include species that are native or adapted to the region. Plants on the

Massachusetts Prohibited Plant List, as may be amended, shall be prohibited.

- (c) A landscape edge shall be provided along public street frontages and maintained consistent with the requirements of this section.
 - (d) Street trees should be provided along the property line. Wherever possible, the trees should match the existing street trees in type and planting detail. Existing rows of trees along a street should be maintained.
 - (i) Shade trees should be provided at an average rate of one tree per 15 lineal feet of street frontage, preferably planted as groups of trees than rigidly spaced apart and located between 12 to 20 feet away from the traveled way. The caliper width shall be not less than two and one-half inches in diameter.
 - (ii) Transitional buffers shall be required between properties in the 3A Overlay and abutting residential districts to create a compatible transition with the surrounding neighborhoods. Landscaping within buffer areas may include shade, ornamental, or evergreen varieties, considering the quality and character of existing vegetation, soil types, light conditions, drainage, and so forth.
 - (e) Parking Area Design.
 - (i) Parking Area Plantings. In parking lots containing 30 or more spaces, a minimum of one deciduous shade or ornamental tree and two shrubs, exclusive of any required perimeter plantings, shall be planted for every 3000 square feet of parking lot. When planted, deciduous trees shall have a minimum height of 10 feet or a caliper width not less than two and one-half inches in diameter.
 - (ii) Trees and soil plots shall be so located as to provide visual relief and wind interruption within the parking area, and to assure safe patterns of internal circulation.
 - (iii) In parking lots with more than 75 spaces, the expanse of pavement shall be interrupted by separating rows of parking spaces from each other by installing a combined planting strip and sidewalk at least eight feet in width. Design of planting strips and sidewalks shall take into account the need to store snow, locate light poles, install deciduous trees, and allow safe pedestrian movement. In addition, if an existing parking lot is expanded to over 75 spaces, planting strips and sidewalks may be required for the entire lot as determined by the plan approval authority. All proposals to construct or modify parking lots shall be approved by the plan approval authority.
- H. Affordable housing. Affordable Housing Requirements shall apply to any development under this § 200-43. In any development with more than six dwelling units, at least 10 percent of the units shall be affordable for households with income not exceeding 80 percent of the area median income as determined by EOHLC.
- I. Administration. The Planning Board shall act as the approving authority and shall adopt Rules and Regulations to implement this § 200-43. The Board's Rules and Regulations shall include, at a minimum, administrative rules and submission requirements and procedures for plan review, and shall be filed with the Town Clerk. The plan review process for development under this § 200-43 shall be as provided under § 200-44(K), together with any rules and regulations adapted by the Planning Board to administer this § 200-43.
- J. Effective Date. The effective date of this § 200-43 shall be the date of adoption by Town Meeting, However, no applicant shall proceed with construction pursuant to this § 200-43 until final approval by the Office of the Massachusetts Attorney General.

K. Severability. The provisions of this § 200-43 are severable. If any provision of this § 200-43 is held invalid, the other provisions shall not be affected but shall remain in full force.

Amendment #2

To amend the Marblehead Zoning Map by adding the 3A Multifamily Overlay District and its two subdistricts: the Broughton Road District and Tedesco District. The boundaries of the two districts are delineated as 3A Broughton Road Subdistrict and 3A Tedesco Subdistrict are as shown in the 3A Multifamily Overlay District Map dated February 11, 2026, which is hereby incorporated in the Marblehead Zoning Map and which is on file with the Town Clerk.

Or take any other action relative thereto. Sponsored by the Select Board.

Recommendation: That this article be adopted.

Comment: Currently, Marblehead is not in compliance with 3A requirements, which makes the Town ineligible for certain state grants and leads to increased litigation expenses related to non-compliance with the legally enforceable mandate.

The update to this article from last year is that the sub-districts included in the adoption plan have changed. Otherwise, the financial impact debate of this article is the same as last year. The Finance Committee voted 8 in favor and 1 against recommending the adoption of this article for each of the last two years.

ARTICLE 5: Amend Zoning Bylaw - Accessory Dwelling Units

To see if the Town will vote to amend the Town of Marblehead Zoning Bylaws Accessory Dwelling Units, as follows (underline and bold is new language and ~~cross-out~~ is removed language) and change all the rubrics accordingly.

§ 200 Article IX, § 200-42. Accessory dwelling units.

- A. Purpose. This section authorizing the provision of accessory dwelling units is intended to:
- (1) Increase the number of small dwelling rental units available in the Town;
 - (2) Increase the number of affordable rental units available in Town;
 - (3) Increase the range of choice of housing accommodations to meet the needs of households;
 - (4) To increase the supply of housing and the diversity of housing options, in response to demographic changes such as smaller households and older households;
 - (5) To encourage the efficient use of the Town's housing supply while preserving the character of the town's neighborhoods;
 - (6) To maximize privacy, dignity, and independent living among family members preserving domestic family bonds as well as to protect the stability, property values, and the residential character of the neighborhood.
- B. General requirements.
- (1). Accessory dwellings units shall only be permitted in a zoning district that permits single-family residential dwellings.

- (2). No more than one accessory dwelling unit shall be permitted for each principal dwelling unit.
- (3). Accessory dwellings units are only allowed in or as an accessory to **Principal Dwellings** ~~single-family dwellings~~.
- (4). Accessory dwelling units are allowed within or attached to an existing **Principal Dwelling** ~~single-family structure~~ or detached accessory building **that is affixed to a foundation with a permanent foundation** and that is accessory to **an** existing **Principal Dwelling** ~~single-family structure~~.
- (5). Short-term rentals, as defined, are prohibited in both the accessory and principal dwelling units.

C. Exterior appearance and size. The accessory dwelling unit shall be designed to maintain the appearance and essential character of **the Principal Dwelling** ~~a one-family dwelling~~ with accessory structures, subject further to the following conditions and requirements:

- (1). Where two or more entrances exist on the front facade of a dwelling, one entrance shall appear to be the principal entrance and other entrances appear to be secondary.
- (2). All stairways to the accessory dwelling unit above the first floor shall be located on the rear or side of the dwelling.
- (3). The accessory dwelling unit shall not contain in excess of 900 square feet of gross floor area or exceed 50% of the gross floor area of the principal dwelling, whichever is less.
- (4). ~~The accessory dwelling unit shall not contain more than two bedrooms.~~
- (45). The accessory dwelling unit shall meet all regulations of the Board of Health.
- (56). The accessory dwelling unit shall be clearly subordinate in use, size and design to the principal dwelling.

D. Procedure. For all detached accessory dwelling units or accessory dwelling units which require a change in footprint or height and which are attached to the principal dwelling, shall require Site Plan Review by the Planning Board in accordance with section 200-38 hereof and which the Planning Board shall approve or approve with conditions but shall not deny.

Any accessory dwelling unit which is proposed on a pre-existing non-conforming lot shall be subject to review by the Zoning Board of Appeals pursuant to G.L. c. 40A sec. 6 which shall consider the issuance of a finding that the proposed accessory dwelling unit is not substantially more detrimental to the neighborhood than the existing non-conforming structure(s) located thereon. Said review shall ONLY consider any extension or intensification of existing non-conformities. In the event the proposed accessory dwelling unit is located within all required setbacks and does not intensify the open area requirements, then no review by the Zoning Board shall be required. The Zoning Board of Appeals may not consider the use but only the impact on the dimensional standards when considering the finding.

E. Additional conditions and requirements for all accessory dwelling units.

- (1) The accessory dwelling unit must be capable of being discontinued as a separate dwelling unit without demolition of any structural component of the principal dwelling.
- (2) There shall be no occupancy of the accessory dwelling unit until the Building Department has issued a certificate of occupancy certifying that the principal dwelling and accessory dwelling unit are in compliance with all applicable health and building and fire codes.

- (3) The building permit/certificate of occupancy shall be revoked upon determination by the Building Inspector that any condition imposed by the Town has not been fulfilled.
- (4) By filing the application for a building permit for an accessory dwelling unit, all owners consent to an inspection upon reasonable notice by the Building Inspector to ensure compliance with all terms of this section.
- (5) Parking for accessory dwelling units there shall be one additional parking space per accessory dwelling unit which is in addition to what is required for the principal use. Except if the ADU is located within ½ mile form a commuter rail station, subway station, ferry terminal or bus station no parking is required. A bus station is defined as a location serving as a point of embarkation for any bus operated by a Transit Authority. For routes that allow flag stop locations where passengers may signal for a bus to stop at any point along its designated route, the entire route shall be considered a Bus Station.

F. Enforcement and termination. In addition to the authority of the Building Commission under any other provisions of this bylaw, statute or regulations, the following shall apply:

- (1) It shall be the duty of the Building Commissioner to administer and enforce the provisions of this bylaw.
- (2) No building shall be constructed or changed in use or configuration until the Building Commissioner has issued a permit.
- (3) Any new building or structure shall conform to all adopted state and Town laws, bylaws, codes and regulations. No building shall be occupied until a certificate of occupancy has been issued by the Building Inspector where required.
- (4) The Building Commissioner shall issue a cease-and-desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this chapter.
- (5) The accessory dwelling unit use shall terminate immediately upon any violation of any term or condition of this bylaw that the owner fails to appeal or cure, upon 30 days' written notice mailed to the applicant and to the occupants at the dwelling address by certified mail, return receipt requested.
- (6) Duties of owner upon termination include:
 - (a) The owner shall discontinue the use of the accessory dwelling unit as a separate dwelling unit.
 - (b) The kitchen facilities of the accessory dwelling unit shall be removed.
 - (c) Any additional exterior entrance constructed to provide access to the accessory dwelling unit shall be permanently closed.

G. Severability. All the clauses of this bylaw are distinct and severable, and if any clause shall be deemed illegal, void, or unenforceable, it shall not affect the validity, legality, or enforceability of any other clause or portion of this bylaw.

H. Definitions. For the purpose of this Section 200-42 the following words shall have the following meanings:

ACCESSORY DWELLING UNIT

A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state

building code for safe egress; (ii) is not larger in gross floor area than ½ the gross floor area of the principal dwelling or 900 square feet, whichever is smaller .”

EXISTING DETACHED ACCESSORY BUILDING – A detached accessory building that is lawfully existing as of the effective date of this bylaw and that has a permanent foundation.

GROSS FLOOR AREA – The sum of the areas of all stories of the building of compliant ceiling height pursuant to the Building Code, including basements, lofts, and intermediate floored tiers, measured from the interior faces of exterior walls or from the centerline of walls separating buildings or dwelling units but excluding: crawl spaces, garage parking areas, attics, enclosed porches and similar spaces. Where there are multiple Principal Dwellings on the lot, the Gross Floor Area of the largest Principal Dwelling shall be used for determining the maximum size of a Protected Use ADU.

PRINCIPAL DWELLING UNIT

A dwelling unit permitted as a principal residential use under § 200-11 Classification of uses, limitation of uses.

SHORT-TERM RENTAL UNIT

An owner-occupied, tenant-occupied or non-owner-occupied property, including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed-and-breakfast establishment, or accessory dwelling unit where: (i) at least one room or unit is rented to an occupant or sub-occupant; and (ii) all accommodations are reserved in advance; provided, however, that a private owner-occupied property shall be considered a single unit if leased or rented as such. For the purpose of this, the Accessory Dwelling Unit Bylaw, a short-term rental shall be anything leased for fewer than ~~90~~ **31** days.

Or take any other action relative thereto. Sponsored by the Planning Board.

Recommendation: No recommendation under this article.

ARTICLE 6: Unpaid Accounts

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

Recommendation: That the sum of \$60,182.27 be appropriated as follows:

Department	Amount
School	3,499.27
Assessor	1,435.00
Town Clerk	495.00
Fire	6,398.08
Rec & Park	16,511.44
Public Buildings	31,761.52
Library	81.96
TOTAL UNPAID BILLS	\$ 60,182.27

Comment: This article allows payment of bills of the previous fiscal year ending June 30, 2025, at Town Meeting by 4/5 vote to be approved for payment in fiscal year ending June 30, 2026, per MGL c. 44 § 64.

ARTICLE 7: Departmental Revolving Funds

To see if the Town will vote to fix the maximum amount that may be spent during FY 2027 beginning July 1, 2026, 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 ½, or take any other action relative thereto. Sponsored by the Select Board.

Recommendation: That the maximum amounts to be spent from department revolving funds during FY27 be as follows:

<u>MGL C44 s 53E1/2</u>		<u>Actual</u>	<u>Voted</u>	<u>Request</u>
<u>Description</u>	<u>Project #</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Park Revolving Fund	470	\$791,157	\$2,000,000	\$2,000,000
Historic Comm Gift Shop	471	\$6,214	\$25,000	\$25,000
Council on Aging	473	\$77,575	\$250,000	\$350,000
Animal Control	474	\$14,677	\$740	\$5,000
Street Opening	475	\$24,995	\$280,000	\$200,000
Commercial Waste Coll	478	\$965,977	\$2,008,495	\$1,367,598
Conservation Fines	479	\$6,978	\$75,000	\$75,000
Hobbs Memorial Building	480	\$0	\$15,000	\$15,000
Vaccine Revolving	481	\$7,889	\$10,000	\$10,000
Special Education	486	\$10	\$500,000	\$200,000
School Transportation	832	\$0	\$25,000	\$15,000
Sump Pump Revolving	495	\$0	\$10,300	\$10,300
Storm Water Bylaw	494	\$0	\$0	\$0
TOTAL		\$1,895,472	\$5,199,535	\$4,272,898

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, and to determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto. Sponsored by the Select Board.

Recommendation: No recommendation under this article.

Comment: There are no capital requests at this time.

ARTICLE 9: Lease Purchase

To see if the Town will vote pursuant to G.L. c. 44 §21C, to authorize the Select Board 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 Select Board deem in the best interest of the Town; and to authorize the Select Board 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 Select Board.

Recommendation: That the sum of \$510,682.00 be appropriated, and to meet this appropriation; \$236,077.00 to be transferred from Waste Revolving Fund, and \$274,605.00 is to be appropriated from free cash. To include the following:

Department	Description	Amount
Waste Department	John Deere Wheel Loader Lease	\$26,077
Waste Department	Trash Carts Lease	\$210,000
Waste Department	Backhoe Lease	\$29,916
Police Department	2023 Ford Interceptor Police Utility AWD Lease	\$15,005
Police Department	2023 Ford Interceptor Police Utility AWD Upfitting Lease	\$6,533
Police Department	2025 Ford Interceptor Police Utility AWD Lease	\$23,760
School	Bus Lease	\$32,207
Fire Department	Ford F-150 Super Crew Truck Lease	\$15,704
DPW	Plow Truck Lease	\$67,105
DPW	Ford F-550 Bucket Truck	\$39,263
DPW	Ford F-550 Stake Body Truck with Plow	\$23,953
Recreation & Parks	2024 Ford F-450 Dump Truck	\$21,159
TOTAL		\$510,682

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 Select Board.

Recommendation: No recommendation under this article.

Comment: There are no capital requests at this time.

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 Select Board.

Recommendation: That the sum of \$25,000 be appropriated, to be raised by taxation.

Comment: In FY26, this article appropriated \$50,000. As a result of the deficit, this article has been decreased by 50% year-over-year. It will need to be brought back up in future years.

ARTICLE 12: Stormwater 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 Town's stormwater system for surface drainage, including engineering services in connection therewith, and for general Department of Public Works purposes as they relate to the Town's stormwater system, 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 Select Board.

Recommendation: That the sum of \$200,000 be appropriated, to be raised by taxation.

Comment: In FY26, this article appropriated \$400,000. As a result of the deficit, this article has been decreased by 50% year-over-year. It will need to be brought back up in future years.

ARTICLE 13: Consent Articles, Water and Sewer

To see if the Town will vote to approve the following consent articles:

a. Water Department Construction

That 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.

Recommendation: That the sum of \$2,400,000 be appropriated, to be appropriated from Water Retained Earnings.

Comment: In FY26, this article appropriated \$1,236,000.

b. Sewer Department Construction

That 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.

Recommendation: That the sum of \$2,100,000 be appropriated, to be appropriated from Sewer Retained Earnings.

Comment: In FY26, this article appropriated \$1,599,000.

c. Water and Sewer Commission Claims

That the Town will vote to authorize the Water and Sewer Commission and the Select Board acting jointly to compromise any claims for damages or suits pending against the Town of Marblehead on account of acts which may have occurred during the construction of the water, sewer and storm water systems,

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

Recommendation: That this article be adopted.

ARTICLE 14: MWRA Local Water System Assistance Program, Interest Free Loan, Water Distribution Improvements.

To see is the Town will vote to appropriate \$3,500,000 for the construction and reconstruction of the water distribution system, including all incidental or related costs; and to authorize the treasurer with the approval of the Select Board, 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 therefore, whether through the Massachusetts Water Recourse 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, or take any other action relative thereto. Sponsored by the Water and Sewer Commission.

Recommendation: That this article be adopted.

ARTICLE 15: 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 Select Board.

Recommendation: That this article be adopted with a 3% cost of living increase effective July 1, 2026.

Comment: The Cost-of-Living adjustment of 3% for non-union administrative positions is in line with previous years' contractual increases. Generally, the percent increase aligns with the COLA increase provided for in union contracts. The adjustment is reflected in the Article 23 General Fund Operating Budget departmental salaries.

ARTICLE 16: 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 Select Board.

Recommendation: That this article be adopted with a 3% cost of living increase effective July 1, 2026.

Comment: The Cost-of-Living adjustment of 3% for non-union administrative positions is in line with previous years' contractual increases. Generally, the percent increase aligns with the COLA increase provided for in union contracts. The adjustment is reflected in the Article 23 General Fund Operating Budget departmental salaries.

ARTICLE 17: 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 Select Board.

Recommendation: That this article be adopted with a 3% cost of living increase effective July 1, 2026.

Comment: The Cost-of-Living adjustment of 3% for non-union administrative positions is in line with previous years' contractual increases. Generally, the percent increase aligns with the COLA increase provided for in union contracts. The adjustment is reflected in the Article 23 General Fund Operating Budget departmental salaries.

ARTICLE 18: 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 Select Board.

Recommendation: That the yearly compensation for the Town Clerk be established at \$97,460.

ARTICLE 19: 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 2027 with the International Association of Firefighters AFL/CIO CLC Local 2043, or take any action relative thereto. Sponsored by the Select Board.

Recommendation: That the Town appropriate \$143,238 from free cash to fund the collective bargaining agreement.

Comment: The Fire Department's budget included in the FY27 balanced budget includes the Town's original estimate for Fire Department salaries. The Fire collective bargaining agreement was signed after the FY27 budget was finalized. The final agreement requires \$143,238 of additional funds in excess of the estimate used in the balanced budget. Article 19 requests that amount be funded from available free cash.

ARTICLE 20: 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: That the Town ratify certain actions taken by the Compensation Committee.

Comment: If passed, the following positions on the Administrative Pay Scale will be reclassified as previously approved by the Compensation Committee:

Grade Changes

- A. Assistant Director of Waste (Solid Waste Department)**
- B. Superintendent of Recreation (Recreation & Parks)**
- C. Technical Services Assistant (Abbot Public Library)**
- D. Billing Technician (Water & Sewer Department)**
- E. Chief Procurement Officer (Town Administration)**
- F. Senior Clerk (Select Board Office)**

New Position Grading

- A. Technical Services Supervisor (Abbot Public Library)**
- B. Special Clerk (Department of Public Works)**
- C. Customer Service & Community Engagement Coordinator (Recreation & Parks)**
- D. Part-Time Mechanic (Department of Public Works)**

Title Change

- A. Town Planner / Conservation Agent (Community Development & Planning)**

Job Description Updates (No Grade Change)

- A. Full-Time Custodian (Abbot Public Library)**
- B. Part-Time Custodian / General Laborer I (Abbot Public Library)**
- C. Mechanic (Department of Public Works)**
- D. Special Clerk (Water & Sewer Department)**
- E. Office Assistant (Town-Wide Administrative)**
- F. Technical Services Assistant (Abbot Public Library)**
- G. Temporary Special Clerk (Solid Waste Department)**
- H. Assistant Engineer (Department of Public Works)**
- I. Public Health Nurse (Health Department)**
- J. Senior Clerk (Police Department)**

ARTICLE 21: 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, 2026, and appropriate a sum of money for the Town's assessment of the same, or take any other action relative thereto. Sponsored by the Select Board.

Recommendation: That the sum of \$749,920 be appropriated, to be raised by taxation.

ARTICLE 22: Available Funds Appropriate to Reduce Tax Rate

To see if the Town will vote to appropriate the 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 setting the tax rate, or take any other action relative thereto. Sponsored by the Finance Director.

Recommendation: That the sum of \$5,360,000 be appropriated from the following sources for the use of the Assessors in making the Tax Rate:

From Free Cash	\$5,000,000
<u>From Electric Surplus</u>	<u>360,000</u>
TOTAL	\$5,360,000

Comment: Certified free cash available for appropriation is \$6.1 million, of which \$5 million (approximately 82%) will be used to balance the FY27 operating budget. This represents a \$2 million decline from the \$7 million in free cash used to balance the FY26 operating budget. Approximately \$275,000 of free cash is being requested to fund contractual lease purchase obligations and approximately \$143,000 to fund discrepancies between the actual costs of the final collective bargaining fire contract and the amount originally projected in the Article 23 operating budget.

This leaves approximately \$682,000 of Free Cash not appropriated, which represents unrestricted reserves. The Town’s stabilization account, a restricted reserve, currently has a balance of \$1,500,000. The Town has also budgeted \$414,000 in the Finance Committee reserve fund included in the operating budget, which represents a \$30,000 decrease in this reserve fund year-over-year.

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, 2026, or take any other action relative thereto. Sponsored by the Finance Director.

Recommendation: That the sum of \$123,510,589 be appropriated. \$110,176,497 is to be raised from taxation and other available funds and \$13,334,092 is to be appropriated from available Enterprise Funds.

Comment: Waste Curbside Collection costs are included in FY27 General Fund expenses with a corresponding increase in Revenue from the implementation of an Annual Fee. Residents will have the chance to vote on a stand-alone proposition 2 ½ override, which will be included as a question on the ballot at this June’s Town election/vote. If approved by voters, the override would result in the funding of Waste Curbside Collection expenses through taxation instead of the newly established Annual Fee.

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

ITEM	DESCRIPTION	FY2025 BUDGET	FY2025 EXPENDED	FY2026 BUDGET	FY2027 PROPOSED	\$ CHANGE FY26-FY27
Moderator						
1	Officials Expense	100	100	100	100	0
		100	100	100	100	0
Select Board						
2	Officials Expense	0	0	5,500	0	-5,500
3	Salaries	544,005	369,673	502,138	502,714	576
4	Expense	200,213	212,251	192,413	220,462	28,049
		744,218	581,924	700,051	723,176	23,125
Finance Committee						
7	Salaries	0	0	0	0	0
8	Expense	3,210	2,985	6,375	6,375	0
		3,210	2,985	6,375	6,375	0
Reserve Fund						
10	Reserves	144,000	0	444,000	414,000	-30,000
Finance Department						
12	Salaries	814,438	798,886	841,786	847,395	5,609
13	Expense	759,490	901,017	847,127	931,410	84,283
		1,573,928	1,699,903	1,688,913	1,778,805	89,892
Assessor						
17	Officials Expense	300	300	300	300	0
18	Salaries	239,890	263,503	258,696	268,502	9,806
19	Expense	59,250	121,602	135,225	119,201	-16,024
		299,440	385,405	394,221	388,003	-6,218
Town Counsel						
29	Salaries	2,000	2,000	2,000	2,000	0
30	Expense	110,000	170,352	113,000	276,000	163,000
		112,000	172,352	115,000	278,000	163,000
Parking Clerk						
35	Expense	12,650	4,080	8,400	8,400	0
Town Clerk						
39	Salaries	224,945	224,727	231,396	173,785	-57,611
40	Expense	13,787	17,953	13,337	28,092	14,755
		238,732	242,680	244,733	201,877	-42,856
Election and Registration Department						
43	Salaries	36,150	13,114	16,150	49,150	33,000
44	Expense	55,265	67,833	54,865	83,050	28,185
		91,415	80,947	71,015	132,200	61,185
Planning Board						
50	Expense	1,675	7,835	5,775	1,775	-4,000
Public Buildings Department						
55	Salaries	131,000	126,862	136,931	18,976	-117,955
56	Expense	142,945	135,478	149,895	159,695	9,800
		273,945	262,340	286,826	178,671	-108,155

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

ITEM	DESCRIPTION	FY2025 BUDGET	FY2025 EXPENDED	FY2026 BUDGET	FY2027 PROPOSED	\$ CHANGE FY26-FY27
Human Resources Department						
57	Salaries	267,460	269,369	279,927	289,480	9,553
58	Expense	15,000	89,083	15,000	4,000	-11,000
		282,460	358,452	294,927	293,480	-1,447
Comm Dev & Planning Department						
59	Salaries	0	252,947	456,696	177,946	-278,750
60	Expense	0	86,235	37,706	25,736	-11,970
		0	339,181	494,402	203,682	-290,720
VOTE TOTAL GENERAL GOVERNMENT		3,777,773	4,138,185	4,754,738	4,608,544	-146,194
Police Department						
62	Salaries	4,644,044	4,608,022	4,730,006	4,988,616	258,610
63	Expense	235,909	248,153	254,681	228,298	-26,383
		4,879,953	4,856,174	4,984,687	5,216,914	232,227
Fire Department						
68	Salaries	5,202,528	4,996,060	5,220,615	5,644,187	423,572
69	Expense	281,951	453,642	340,645	372,780	32,135
		5,484,479	5,449,701	5,561,260	6,016,967	455,707
Building Inspection Department						
73	Salaries	548,045	443,894	599,354	598,471	-883
74	Expense	120,693	110,047	87,959	34,859	-53100
		668,738	553,941	687,313	633,330	-53,983
Sealer of Weights and Measures						
80	Expense	250	1050	2,100	2,100	0
Animal Inspector						
86	Salaries	2,400	2,400	2,400	2,400	0
VOTE TOTAL PUBLIC SAFETY		11,035,820	10,863,267	11,237,760	11,871,711	633,951
School Department						
101	Schools	46,759,111	46,294,268	49,120,287	47,620,287	-1,500,000
VOTE TOTAL SCHOOLS		46,759,111	46,294,268	49,120,287	47,620,287	-1,500,000
Engineer						
105	Salaries	199,914	41,994	0	0	0
106	Expense	10,645	808	0	0	0
		210,559	42,802	0	0	0

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

ITEM	DESCRIPTION	FY2025 BUDGET	FY2025 EXPENDED	FY2026 BUDGET	FY2027 PROPOSED	\$ CHANGE FY26-FY27
Public Works (Highway, Tree, Drains)						
112	Salaries	1,606,217	1,504,796	1,851,836	1,868,711	16,875
113	Expense	275,045	229,250	391,180	437,560	46,380
116	Maintain Streets and Sidewalks	15,726	19,447	58,026	63,500	5,474
		1,896,988	1,753,493	2,301,042	2,369,771	68,729
117	Snow Removal	105,000	311,368	105,000	105,000	0
Waste Collection						
126	Salaries	503,274	482,394	634,777	569,999	-64,778
127	Expense	2,222,164	2,222,548	2,194,025	1,105,745	-1,088,280
128	Landfill Monitoring Expense	114,600	114,600	114,600	114,600	0
		2,840,038	2,819,542	2,943,402	1,790,344	-1,153,058
NEW Curbside Collection						
129	Salaries	0	0	0	69,000	69,000
130	Expense	0	0	0	2,117,516	2,117,516
		0	0	0	2,186,516	2,186,516
Cemetery Department						
141	Officials Expense	300	580.26	300	300	0
142	Salaries	456,448	434,286	459,670	374,906	-84,764
143	Expense	35,793	33,719	35,073	35,333	260
		492,541	468,585	495,043	410,539	-84,504
VOTE TOTAL PUBLIC WORKS AND FACILITIES		5,545,126	5,395,790	5,844,487	6,862,170	1,017,683
Health Department						
153	Officials Expense	400	400	400	400	0
154	Salaries	236,477	222,819	237,560	253,939	16,379
155	Expense	87,313	82,575	88,081	84,981	-3,100
		324,190	305,794	326,041	339,320	13,279
Council on Aging						
164	Salaries	392,649	392,648	395,401	351,118	-44,283
165	Expense	14,050	14,050	28,059	36,259	8,200
		406,699	406,698	423,460	387,377	-36,083
Veterans Benefits						
175	Salaries	62,258	61,942	78,725	80,572	1847
176	Expense	2,543	4,200	4,800	9,300	4,500
178	Benefits	45,000	62,906	65,000	65,000	0
		109,801	129,048	148,525	154,872	6,347
VOTE TOTAL HUMAN SERVICES		840,690	841,540	898,026	881,569	-16,457
Abbot Public Library						
186	Salaries	1,088,496	1,042,706	1,148,053	666,755	-481,298
187	Expense	295,626	295,695	345,239	190,878	-154,361
		1,384,122	1,338,401	1,493,292	857,633	-635,659

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

ITEM	DESCRIPTION	FY2025 BUDGET	FY2025 EXPENDED	FY2026 BUDGET	FY2027 PROPOSED	\$ CHANGE FY26-FY27
Recreation and Park Department						
190	Salaries	724,387	669,293	749,527	702,216	-47,311
191	Expense	253,950	235,288	287,500	300,818	13,318
		978,337	904,581	1,037,027	1,003,034	-33,993
Memorial & Veterans Day						
210	Expense	7,550	4,488	7,550	9,500	1,950
VOTE TOTAL CULTURE AND RECREATION		2,370,009	2,247,470	2,537,869	1,870,167	-667,702
Maturing Bonds and Interest						
214	Maturing Debt	7,540,000	7,540,000	5,955,000	7,535,940	1,580,940
215	Interest	3,518,075	3,545,298	3,359,141	3,961,017	601,876
TOTAL DEBT SERVICE		11,058,075	11,085,298	9,314,141	11,496,957	2,182,816
Other General Government						
118	Street Lighting	128,820	73,630	60,000	60,000	0
216	Utility Reserve	50,000	46,060	0	0	0
217	Contributory Retirement Fund	4,879,451	4,879,451	5,380,625	5,843,360	462,735
218	Medicare	272,000	248,379	280,000	277,629	-2,371
219	Transfer to Workers Compensation/111F	398,000	398,000	398,000	300,338	-97662
220	Training	15,000	12,100	15,000	0	-15000
221	Group Insurance	14,465,018	12,994,934	15,100,893	16,754,748	1,653,855
222	Other Insurance	800,218	799,955	964,554	978,309	13,755
223	Salary Reserve	50,000	20,478	50,000	145,000	95,000
224	Noncontributory Retirement	0	0	0	0	0
225	Energy Reserve	140,000	9,589	0	0	0
226	Other Post Employment Benefits	0	0	250,000	0	-250,000
229	Stabilization Fund	0	0	0	0	0
241	Flex Spending Admin Charge	0	5,282	0	8,500	8,500
242	Transfer to Fireworks Trust	0	25,529	0	0	0
243	Transfer to Other Special Revenue Fund	0	65,000	0	0	0
244	Unemployment	0	0	0	597,208	597,208
VOTE TOTAL OTHER GENERAL GOVERNMENT		21,198,507	19,578,386	22,499,072	24,965,092	2,466,020
TOTAL GENERAL FUND ACCOUNTS		102,585,111	100,444,204	106,206,380	110,176,497	3,970,117

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

ITEM	DESCRIPTION	FY2025 BUDGET	FY2025 EXPENDED	FY2026 BUDGET	FY2027 PROPOSED	\$ CHANGE FY26-FY27
Sewer						
227	Salaries	1,127,582	1,014,439	1,150,375	1,673,018	522,643
228	Expense	1,116,422	816,982	1,114,149	852,953	-261,196
230	South Essex Sewer District	3,150,539	3,150,539	3,267,745	2,273,320	-994,425
VOTE TOTAL SEWER ENTERPRISE FUND		5,394,543	4,981,959	5,532,269	4,799,291	-732,978
Water						
231	Salaries	1,102,313	927,397	1,140,856	1,703,041	562,185
232	Expense	1,162,980	947,395	1,248,799	939,541	-309,258
235	Mass Water Resource Authority	3,942,140	3,569,938	4,074,302	4,222,719	148,417
VOTE TOTAL WATER ENTERPRISE FUND		6,207,433	5,444,730	6,463,957	6,865,301	401,344
Light						
236	Operating Expenditures					
Harbor						
238	Salaries	475,153	449,908	490,136	755,711	265,575
239	Expense	525,966	520,403	586,738	363,789	-222,949
240	Outlays	180,000	150,107	200,000	550,000	350,000
VOTE TOTAL HARBOR ENTERPRISE FUND		1,181,119	1,120,418	1,276,874	1,669,500	392,626
TOTAL ENTERPRISES		12,783,095	11,547,107	13,273,100	13,334,092	60,992
TOTAL BUDGETS		115,368,206	111,991,311	119,479,480	123,510,589	4,031,109

FY 2027 General Fund Revenues:	
Property Tax Levy	\$ 77,543,708
New Growth	260,000
Debt Exclusions	11,496,957
Total Property Taxes	\$ 89,300,665
Less: Overlay/Amts to be raised	(904,747)
Total Property Taxes Available	\$ 88,395,918
Curbside Trash Fee or Override	2,186,516
State Aid	9,456,063
Less: State Assessments	(2,783,125)
Net State Aid	\$ 6,672,938
Local Receipts	7,917,995
Perpetual Care Fund Transfer	-
ConCom Fund Transfer	9,000
Total Other Available Funds	\$ 9,000
Water, Sewer, Harbor Gen Govt	609,050
Free Cash	5,000,000
Municipal Light Surplus	360,000
Total Funds voted to reduce tax rate	\$ 5,360,000
Total General Fund Revenue	\$ 111,151,417
General Fund Operating Budget	\$ 110,176,497
Taxy Levy Funded Warrant Articles	\$ 974,920
Total General General Fund Expenses	\$ 111,151,417

FY 2027 Enterprise Funds Revenues:	
Water User Charges	\$ 6,865,301
Water Retained Earnings	\$ 2,400,000
Total Water Revenue	\$ 9,265,301
Sewer User Charges	\$ 4,799,291
Sewer Retained Earnings	\$ 2,100,000
Total Sewer Revenue	\$ 6,899,291
Harbor User Charges	\$ 1,119,500
Harbor Retained Earnings	\$ 550,000
Total Harbor Revenue	\$ 1,669,500
Total Enterprise Revenue	\$ 17,834,092
Water Enterprise Budget	\$ 6,865,301
Water Enterprise Capital Article	\$ 2,400,000
Sewer Enterprise Budget	\$ 4,799,291
Sewer Enterprise Capital Article	\$ 2,100,000
Harbor Enterprise Budget	\$ 1,669,500
Total Enterprise Expenses	\$ 17,834,092

*Total General Fund and Enterprise Revenue for Budget \$123,510,589

FY2027 WARRANT ARTICLES		TOTAL	TAX LEVY	WATER RETAINED EARNINGS	SEWER RETAINED EARNINGS	FREE CASH	WASTE REVOLVING FUND
Art. 9	Lease Purchase	510,682				274,605	236,077
Art. 11	Walls & Fences	25,000	25,000				
Art. 12	Stormwater	200,000	200,000				
Art. 13 a.	Water Construction	2,400,000		2,400,000			
Art. 13 b.	Sewer Construction	2,100,000			2,100,000		
Art. 19	Collective Bargaining (Fire)	143,238				143,238	
Art. 21	Essex NS Tech	749,920	749,920				
Art. 22	Reduce Tax Rate	5,000,000				5,000,000	
Total FY2027 Warrant Articles		11,128,840	974,920	2,400,000	2,100,000	5,417,843	236,077

ARTICLE 24: General Stabilization Fund

To see if the Town will vote to transfer a sum of money from Free Cash to fund Town's General Stabilization Account, or take any other action relative to. Sponsored by the Finance Director.

Recommendation: No recommendation under this article.

Comment: Since 82% of FY27 available Free Cash will be used to fund the Operating Budget, contractual lease purchase obligations, and a portion of the collective bargaining agreement for Fire, there will be no available funds to transfer to the Stabilization Fund. The Stabilization Fund has a current balance of \$1.5 million, which represents 1.4% of the Town's total operating budget (excluding Enterprise Funds). This ranks Marblehead as the 4th lowest town in all of Massachusetts on this metric. The MA Department of Revenue recommends that towns maintain Stabilization Fund balances in the range of 5% to 7% of their Operating Budgets, and Marblehead's financial policies recommend at least 3% to 5%. The Finance Committee continues to recommend that contributions to the Stabilization Fund be a priority as funds are available. This is viewed favorably by bond rating agencies as this is a restricted reserve. In the future, use of funds from this account will require a 2/3 vote of Town Meeting.

ARTICLE 25: School Buildings Capital Needs

To see if the Town will vote to appropriate a sum of money for the purpose of making renovations and extraordinary repairs, including all professional feasibility studies, design, architectural and engineering fees, or significant capital expenditures for the Brown, Glover, Village, Veterans Middle, Marblehead High School and the school building known as the Eveleth School and their respective school grounds, and to raise the money for these purposes by the issue of bonds or notes, by the transfer of an unused/prior appropriation and borrowing authority for such purposes, by the passage of a one-time capital exclusion and/or debt exclusion or in any other manner, or take any other action relative thereto. Sponsored by the School Committee

Recommendation: No recommendation under this article.

Comment: As of the date of the printing of this report, this article is not being brought forward by the sponsor.

ARTICLE 26: School Buildings Technology Needs

To see if the Town will vote to appropriate a sum of money for the purpose of making renovations, upgrades and extraordinary repairs, including all professional feasibility studies, design, architectural and engineering fees, or significant Technology expenditures for the Brown, Glover, Village, Veterans Middle, Marblehead High School, and to raise the money for these purposes by the issue of bonds or notes, by the transfer of an unused/prior appropriation and borrowing authority for such purposes, by the passage of a one-time capital exclusion and/or debt exclusion or in any other manner, or take any other action relative thereto. Sponsored by the School Committee.

Recommendation: No recommendation under this article.

Comment: As of the date of the printing of this report, this article is not being brought forward by the sponsor.

ARTICLE 27: School Department Capital Needs

To see if the Town will vote to appropriate or transfer from available funds a sum of money for school department capital needs, and to raise the money for these purposes by the issue of bonds or notes, by the transfer of an unused/prior appropriation and borrowing authority for such purposes, by the passage of a one-time capital exclusion and/or debt exclusion or in any other manner, or take any other action relative thereto. Sponsored by the School Committee.

Recommendation: No recommendation under this article.

Comment: As of the date of the printing of this report, this article is not being brought forward by the sponsor.

ARTICLE 28: School Department Supplemental Appropriation

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 fiscal year 2027, contingent upon the passage of a Proposition 2 ½, so called, ballot question, or take any action relative thereto. Sponsored by the School Committee.

Recommendation: No recommendation under this article.

Comment: As of the date of the printing of this report, this article is not being brought forward by the sponsor.

ARTICLE 29: Supplemental Appropriation and Expenses of Several Departments

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to supplement the Town’s General Government operating budget beginning in FY2027, contingent upon the passage of a Proposition 2½, so called, ballot question, or take any action relative thereto. Sponsored by the Finance Director.

Recommendation: That the Town raise and appropriate up to \$4,296,718 for FY27 contingent upon the passage of a proposition 2 ½ Override:

<u>BUDGET CATEGORY</u>	<u>FY27 Tier 1</u>	<u>FY27 Tier 2</u>	<u>FY27 Tier 3</u>
GENERAL GOVERNMENT / OTHER GENERAL GOVERNMENT	457,942	1,032,374	2,102,374
PUBLIC SAFETY	119,982	333,464	546,946
PUBLIC WORKS AND FACILITIES	259,286	329,286	477,286
HUMAN SERVICES	76,171	136,171	196,171
CULTURE AND RECREATION	356,183	973,941	973,941
TOTAL	\$1,269,564	\$2,805,236	\$4,296,718

Comment: The Finance Committee voted unanimously to recommend the passing of Article 29, which would move the override request to the ballot to be voted on by residents at the June election/vote.

ARTICLE 30: Rescind Bond Authorization

To see if the Town will vote to rescind the \$1,619,627 portion of the \$54,844,767 borrowing authorization approved by the Town on May 7, 2019 (Article 51) and voted by ballot question on June 18, 2019 for the design and construction of a new Elementary School (Gerry Elementary School) that has not been used and that is no longer needed for such purpose; or to take any other action relative thereto. Sponsored by the Finance Director.

Recommendation: That this article be adopted.

Comment: The total amount authorized for a previous borrowing was not spent at the conclusion of the project. This article requests that the Town formally reduce the authorized borrowing by the amount not needed.

ARTICLE 31: Administrative Benefit Amendment

To see if the Town will vote to amend Chapter 43 of the bylaws to provide the administrative employees of the Town with updated benefits and to appropriate or transfer from available funds a sum of money to make such benefits effective as follows:

Add 3 Personal Days for Administrative personnel
Accelerate the award of a 5th week of vacation

	<u>Current Schedule</u>	<u>Proposed New Schedule</u>
0 – 4 years	3 weeks	3 weeks
5 – 9 years	3 weeks	4 weeks
10 – 14 years	4 weeks	5 weeks
15 – 19 years	5 weeks	6 weeks
20+ years	6 weeks	6 weeks

Longevity – increase each longevity amount by \$750 per year

	<u>Current Award</u>	<u>Proposed Award</u>
Not less than 5 years	\$1,000	\$1,750
Not less than 10 years	\$1,100	\$1,850
Not less than 15 years	\$1,200	\$1,950
Not less than 20 years	\$1,300	\$2,050
Not less than 25 years	\$1,400	\$2,150
Not less than 30 years	\$1,500	\$2,250

or take any other action relative thereto. Sponsored by the Select Board.

Recommendation: That Chapter 43 of the Town Bylaws be amended to provide administrative employees with updated benefits and to appropriate funds to make such benefits effective.

Comment: The estimated annual financial impact of this article is approximately \$12,000. It has been over 20 years since the administrative benefits outlined in this article have been adjusted. The proposed adjustments better align administrative staff benefits with union employee benefits.

ARTICLE 32: Mooring Fees in Marblehead Waters

To see if the Town will vote to amend Chapter 190, Section 190-5-C of the Town of Marblehead General Bylaws as set forth below (underline and bold new, ~~crossout~~ removed):

- C. The Harbormaster shall collect from the applicant a mooring permit fee of ~~\$10.00~~ **\$12.00** per foot for Marblehead Harbor, Little Harbor, and Dolibers Cove. All other locations in Marblehead anchorage shall be assessed ~~\$9.00~~ **\$11.00** per foot. Working commercial fishermen shall have their permit fee abated to a rate of ~~\$5.00~~ **\$7.00** per foot upon approval of the Harbormaster. Such fee shall be assessed on a per-foot basis, measured

from the stem in a straight line aft to the stem of the vessel. Booms, boomkins or pulpits are exempt from the measurement. The minimum mooring permit fee shall be \$20. The mooring permit fee for a float shall also be assessed at ~~\$6.50~~ \$12.00 per lineal foot basis of the overall length. Said fee shall be collected before a mooring permit is issued. All fees collected by the Harbormaster shall be paid to the Town of Marblehead. All permits shall expire on the first day of February following the year of issue.

Or take any action relative thereto. Sponsored by the Harbors and Waters Board.

Recommendation: That this article be adopted.

Comment: The last time Mooring Fees were increased was at the 2022 Town Meeting. Increased fees will cover expense growth and future capital needs.

ARTICLE 33: Amend General Bylaws Part I, Chapter 39 – Prohibition of Cryptocurrency Automatic Teller Machines

To see if the Town will vote to amend the General Bylaws Part I to include a new Chapter 39, Prohibition of Cryptocurrency Automatic Teller Machines as follows:

Chapter 39 Prohibition on Cryptocurrency Automated Teller Machines (ATMs)

§ 39-1 Purpose and Intent

The Town, acting upon reports of the Marblehead Police Department, finds that unregulated cryptocurrency Automated Teller Machines (ATMs) pose risks to consumers, including financial fraud, money laundering, and lack of recourse for users. Virtual currency ATMs are able to convert currency into virtual currency instantaneously and irreversibly, which exposes the most vulnerable of our citizens to unnecessary risk. The Town further finds that the current absence of sufficient federal and state consumer protections and regulatory oversight for such devices necessitates a municipal prohibition to safeguard residents and preserve public safety. The purpose of this article is to prohibit the use of Cryptocurrency ATMs within the Town in an effort to protect our citizens.

§ 39-2 Definitions

For purposes of this Bylaw, the following terms shall have the meanings indicated:

(a) Cryptocurrency: A digital or virtual currency that uses cryptography for security and operates independently of a central bank, including but not limited to Bitcoin, Bitcoin Cash, Coinhub, Dash, Litecoin, Ripple, ZCash, Ethereum, and similar blockchain-based tokens. Cryptocurrency is a digital representation of value used as a medium of exchange, a unit of account, or a store of value, but does not have legal tender status as recognized by the United States Government.

(b) Cryptocurrency Automated Teller Machine (Cryptocurrency ATM): Any self-service kiosk, machine, or device installed in a publicly accessible location that enables users to buy, sell, exchange, or transfer cryptocurrency through the machine using cash, debit card, credit card, or other means of payment.

§ 39-3 Prohibition of Cryptocurrency Automated Teller Machines

No person, business, or entity shall install, operate, maintain, or allow the installation or operation of a Cryptocurrency ATM within the geographic boundaries of the Town of Marblehead. All Cryptocurrency ATMs existing in the Town of Marblehead as of the Effective Date of this Bylaw must be removed within sixty (60) days after the Effective Date.

§ 39-4 Enforcement and Penalties

This Bylaw shall be enforced by the Marblehead Police Department, the Building Department or any other authorized designated agent of the Town Administrator.

Any person or entity found to be in violation of this bylaw shall be subject to a fine of three hundred dollars (\$300.00) per day, per device, enforceable under the non-criminal disposition pursuant to G.L. c. 40, § 21D.

Each day during which a violation continues shall constitute a separate offense.

§ 39-5 Severability

If any provision of this ordinance is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

or to act in any other manner in relation thereto. Sponsored by the Select Board.

Recommendation: No recommendation under this article.

ARTICLE 34: Dissolve Public Works Committee (adopted 3.19.70 ATM Article 20)

To see if the Town will vote to repeal Article VII Public Works Committee Section 24-15 of the Marblehead General Bylaws, and thereby dissolve the Public Works Committee, or take any other action relative thereto. Sponsored by the Select Board.

Recommendation: No recommendation under this article.

Comment: The article is no longer being brought forward by the sponsor.

ARTICLE 35: Amend General Bylaw, Public Works Committee

To see if the Town will vote to amend the Town of Marblehead General Bylaw Article VII, Section 24-15, Public Works Committee, as follows (underline and bold is new language and ~~cross-out is removed language~~).

Public Works Committee

§ 24-15. Membership; officers; report; duties.

- A. The Superintendents of the ~~Sewer, Water~~ and Sewer, of Recreation and Park, ~~Municipal Light,~~ and of Cemetery Departments; General Manager of Municipal Light; ~~the Surveyor of Highways,~~ ~~the Health Directors~~ of Public Works, of Public Health and of Community Development and Planning; ~~the Town Engineer;~~ ~~the Wire Inspector,~~ ~~the Tree Warden;~~ and ~~the Building Commissioner;~~ Fire Chief; Police Chief; and the Town Administrator, shall constitute a Public Works Committee for the Town. The Committee shall appoint one of the members of the Committee to be Chair and may from time to time remove and replace the individual

and appoint someone to act in the individual's place during that individual's absence. It shall be the Chair's duty to call and preside at the meetings of the Committee. The Chair ~~and it~~ shall file a written report to be included in the Town Report upon the activities, accomplishments, and proposals of the Committee. The Committee shall from time to time elect or designate a Secretary who shall keep minutes of the meetings and give notice of all regular and special meetings. The Committee shall meet at least ~~once each month~~ **quarterly** at a time and place designated by the Chair.

- B. It shall be the duty of the Committee:
- (1) To coordinate the work of ~~the~~ several departments engaged in public works for the purpose of obtaining the most efficient use of equipment and manpower;
 - (2) To make recommendations to appropriate Town officials with respect to proposed projects or plans within the public way, public property, or public buildings;**
 - (3) To make recommendations on proposed Articles to be presented at Town Meeting that involve the Public Way or Public Buildings;**
 - (4) To accept public comments regarding projects and proposals within the public way, public property, or public buildings;**
 - ~~(2) To devise uniform recordkeeping forms and procedures with reference to the use of manpower and personnel which will record the hours worked by each employee, the nature of the work done and for what department;~~
 - ~~(3) To devise uniform recordkeeping forms designed to show with respect to each vehicle or piece of equipment its utilization from day to day in terms of hours, location, project worked on, department for which used, and also to record mileage, maintenance, repairs, etc.;~~
 - ~~(4) To devise and implement so far as possible uniform personnel policies and procedures in all departments;~~
 - ~~(5) To take such steps as may be possible to bring about pooling and centralized housing, maintenance and repair of vehicles and equipment;~~
 - ~~(6) To review and implement communication procedures to the end that citizens' needs and requests may always be known and attended to promptly;~~
 - ~~(7) To continuously explore opportunities for joint purchasing, both among the departments engaged in public works and also with other Town departments;~~
 - ~~(8) To coordinate requests for capital equipment appropriations and purchases and to develop joint manpower forecasts for planning and budgeting purposes;~~
 - ~~(9)~~ **(5)** To make recommendations to appropriate Town officials respecting the combining or elimination of departments, the transfer of functions from one department to another or other modifications in the structure of the Town government which may lead to greater efficiency or economy in the carrying out of the public works.
- Or take any other action relative thereto. Sponsored by the Public Works Committee.

Recommendation: No recommendation under this article.

ARTICLE 36: Amend Certain Bylaws Related to the Department of Public Works – Housekeeping
To see if the Town will vote to amend the Town of Marblehead Bylaws related to the Department of Public Works to ensure uniformity and accuracy, as follows (**underline and bold is new language** and ~~cross-out~~ is removed language).

Chapter 45, Article II, §45-5. Composition.

Said Department shall be comprised of the Highway Department, **the Storm Water (Storm Sewer) Department** ~~the surface drain construction department~~, and the Tree Department.

Chapter 106, Article I, §106-1. Physical examination required.

Any person for any of the following positions, before becoming an employee of the Town, shall submit to a physical examination by a reputable doctor to be designated by the Select Board. Those positions are:

Fire fighters

EMTs

Police officers

Any employee that works under the water department, sewer department, ~~drains or department of public works, tree department, highway department~~

Recreation and Parks employees

Board of Health employees

Inspectors

Custodial staff

Animal Control employees

Cemetery employees

Harbor Master employees

And any other position which the Human Resources Director or, if there is none, the Town Administrator determines to be in the best interest of the Town to require a physical examination prior to employment with the Town.

Chapter 162, Article I, §162-2. Excavations.

A. No person, except the **Department of Public Works Director** ~~Highway Surveyor~~, in the lawful performance of the ~~Surveyor's~~ **Director's** duties, or those acting under the **Director's** ~~Surveyor's~~ orders, shall make or cause to be made any excavation in a public street or way, for any purpose whatever, without having first obtained written permission from the ~~Surveyor of Highways~~ **Director** acting for and in behalf of the Select Board.

B. When an excavation is made in a street for any purpose, the person or persons by whom or for whom such excavation has been made shall cause a rail or other sufficient fence to be placed so as to enclose such excavation, and the dirt, gravel or other material thrown therefrom, and such fence shall be maintained the whole time that such excavation continues.

C. Such **rail or** fence, excavation and material excavated shall be lighted by a lantern, lanterns, or other proper and sufficient light, from the beginning of twilight throughout the whole of every night, during the entire time that such excavation or construction exists.

Chapter 162, Article II, §162-7. Notice.

A. Whenever the Select Board or the **Department of Public Works Director** ~~Surveyor of Highways~~ are about to construct or repair any street or way, the surface of which is paved with block or macadam or rolled, they may, before beginning the work, give reason of such intention to the departments of the Town, to corporations liable to be affected thereby, and to all abutting owners having connections by drains or otherwise with structures in the street.

B. If any such parties have any work to be done in such public streets or ways, they shall consult and arrange with said Select Board in order that such work may be done before the surface of such way is again prepared for and opened to the public travel. After such notice and opportunity has been given, no such parties shall, for the space of three years, break up or disturb the surface of said street or way within the area so constructed and repaired, except in case of reasonable necessity.

Recommendation: No recommendation under this article.

ARTICLE 37: Limit Municipal Employment Contracts to One Calendar Year

To limit employment contracts for municipal employees, excepting union contracts, to the term of one calendar year. Existing multi-year contracts would become one year contracts upon expiration of said contract. Or take any other action relative to. Sponsored by William Kuker and others.

Recommendation: No recommendation under this article.

ARTICLE 38: Restore Elected Terms of the Select Board to One Calendar Year

To restore the elected terms of the Select Board to the duration of one calendar year, to take effect for the 2027 elections. Or take any other action relative thereto. Sponsored by William Kuker and others.

Recommendation: No recommendation under this article.

ARTICLE 39: Repeal Article 34, Department of Planning and Community Development

To repeal Article 34 as passed by 2024 Town Meeting establishing the “Department of Planning and Community Development” thereby eliminating, disbanding and de-funding said Department and all offices, positions and associations related to said Department. Or take any other action relative thereto. Sponsored by William Kuker and others.

Recommendation: In opposition to this article by a vote of 1 in favor and 8 in opposition.

Comment: Three of the five positions included in the Department of Planning and Community Development have been cut from the FY27 balanced budget. The remaining two positions in the balanced budget are the Town Planner and a clerk position, both of which existed prior to the establishment of the Department. The operational and financial impact of not employing a Town planner would be detrimental to the Town. For reference, below is Article 34 from 2024 Town Meeting as referenced in this article.

Article 34 Community Development and Planning Department

To see if the Town will vote to amend Chapter 106 of the General Bylaws by adding a new Article XI entitled "Community Development and Planning Department" as follows:

Article XI Community Development and Planning Department

Section 106-26 Appointment

The Select Board shall appoint a Director of Community Development and Planning for a period of three (3) years. The Director shall have the authority to appoint such employees as the Director's work requires, subject to number and compensation only to the approval of the Select Board.

Section 106-27 Duties

The Director of Community Development and Planning shall manage the operations of and be responsible for a wide range of activities and duties, including but not limited to land use planning, housing policy, transportation projects, historic preservation, community development, sustainability efforts, open space conservation programs, administration of regulatory boards and neighborhood improvement efforts; or take any action relative thereto. Sponsored by the Select Board.

ARTICLE 40: Resolution affirming the Town of Marblehead's commitment to the Declaration of Independence and the Constitution

To see if the Town will adopt the following resolution: Resolution affirming the Town of Marblehead's commitment to the Declaration of Independence and the Constitution

WHEREAS, in celebration of the 250th anniversary of our country, the Town of Marblehead recognizes the enduring importance of this nation's founding and the principles articulated in the Declaration of Independence and the Constitution of the United State which have sustained American democracy for nearly two and a half centuries; and

WHEREAS, Constitutional principles of separation of powers, enumerated checks and balances, and the independence of the judiciary, and the protections of free speech, free assembly, and other fundamental rights are steadfast commitments essential to the well-being of our nation and the integrity of its governance; and

WHEREAS, Marblehead proudly exhibits *The Spirit of '76* painting by Archibald Willard in Abbot Hall, which conveys not only the determination to achieve independence from tyrannical power, but also the successful conclusion of the Civil War which secured freedom and union for all; and

WHEREAS, Marblehead has a long and distinguished tradition of resisting authoritarian rule and usurpation of power on land, river, and sea, and of defending liberty through civic engagement, such as through Marblehead's Committee of Grievances established in 1772 by Messrs. Gerry, Orne, Doliber and others; and

WHEREAS the Town of Marblehead is compelled to stand against any threats and harms to these rights and principles.

NOW, THEREFOR, BE IT RESOLVED, that the Town of Marblehead hereby affirms its unwavering commitment to founding principles and documents, civic responsibility, and the rule of law protecting the rights and welfare of all its people as we honor and celebrate the 250th anniversary of the United States of America.

Or take any other action relative thereto. Sponsored by Kate Borten, Lynn Nadeau and others.

Recommendation: No recommendation under this article.