

Town of Essex 2026 Fall Town Meeting Warrant



Monday, November 16, 2026
6:45 PM
Essex Elementary School

Board of Selectmen

Ann Cameron, Chair
Peter Phippen
Dexter Lee-Viator

Finance Committee

Jodi Harris, Chair
Benjamin Buttrick, V. Chair
Joshua Franklin
Michael Flynn
William Gause
Ruth Pereen
Brian Gressler

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2026
Commonwealth of Massachusetts
Town of Essex
Warrant for Special Town Meeting

Essex, ss:

To either of the Constables of the Town of Essex;

GREETINGS:

In name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Essex, qualified to vote as the laws direct, to meet in said Essex at the Essex Elementary School at 12 Story Street on Monday, November 16, 2026 at 6:45 p.m. and there and then to act on the following Articles, viz:

NOTE: Please see the summary handout that will be made available at the Fall Town Meeting to review the recommendations of each relevant board or committee on each article.

ARTICLE 1 – Wetlands Overlay District

To see if the Town will vote to amend the Town's Zoning Bylaw, Section 6-3.4.1.2: Wetlands District Delineation as shown below, with additions shown in **bold** and deletions shown in ~~striketrough~~; or take any other action relating thereto.

SECTION 6-3.4: OVERLAY DISTRICTS

6-3.4.1: Wetlands Overlay District (Wetlands District)

6-3.4.1.2: Wetlands District Delineation

- b. ~~The boundaries of each area of the Wetlands District are shown on the set of maps accompanying these Bylaws, prepared by the Autometrics Division of Raytheon Corp., Wayland, Massachusetts, dated April, 1974 (scale: one inch equals 600 feet) which are on file with the Clerk of the Town of Essex.~~ **The boundaries of the Wetlands Overlay District shall be set by the existing jurisdictional limits of the Essex Conservation Commission under M.G.L. c. 131, §40: The Wetlands Protection Act and 310 CMR 10.00 regulations.**

; or take any other action relating thereto.

Explanation of Article: This article is intended to remove references to paper maps that are over 50 years old and to replace them with references to the current standards of the Wetlands Protection Act in order to more accurately assess actual wetlands in the town.

ARTICLE 2 – Energy Storage and Data Centers

To see if the Town will vote to amend the Town’s Zoning Bylaw, Section 6-2: Definitions as shown below, with additions shown in **bold**; or take any other action relating thereto.

SECTION 6-2: DEFINITIONS

6-2.2: Definitions

BATTERY ENERGY STORAGE SYSTEM (BESS): A system consisting of one or more battery modules for storing electrical energy, any equipment needed to support the safe and proper function or usage of the battery modules, and one or more physical containers providing secondary containment to any of the above. It may be a primary use or an accessory use including, but not limited to, an accessory use to a solar generating facility, power generation facility, electrical substation, or other similar uses.

DATA CENTER: A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data operations.

; or take any other action relating thereto.

Explanation of Article: This article provides new definitions for two new use categories, for which limitations are proposed in subsequent articles on this warrant.

ARTICLE 3 – Special Permit Category

To see if the Town will vote to amend the Town’s Zoning Bylaw, Section 6-4.3.2: Uses Requiring a Special Permit as shown below, with additions shown in **bold** and deletions shown in ~~striketrough~~; or take any other action relating thereto.

SECTION 6-4: USE REGULATIONS

6-4.3: Special Permit Uses

6-4.3.2: Uses Requiring a Special Permit

6-4.3.2.23: Battery Energy Storage Systems

; or take any other action relating thereto.

Explanation of Article: This article proposes adding BESS to the list of uses requiring a Special Permit, since these installations present unique challenges including fire potential. Requiring a Special Permit will allow the Planning Board to assess a proposed location and to ensure appropriate public safety measures around these installations.

ARTICLE 4 – Temporary Data Center Moratorium

To see if the Town will vote to amend the Town’s Zoning Bylaw, Section 6-7.6.1 as shown below, with additions shown in **bold**; or take any other action relating thereto.

SECTION 6-7: ADDITIONAL REQUIREMENTS

6-7.6: Special Regulations

6-7.6.1: Temporary Moratoria

6-7.6.1.3: Temporary Moratorium on Data Centers

No building permit shall be issued for any work and no use shall be made of land that results in the development of a data center on any land located in the Town of Essex until January 1, 2028. Any vote by the Planning Board to lift the moratorium shall be after a public hearing with notice published in accordance with Massachusetts General Laws, Chapter 40A, Section 5. During the moratorium period, the Planning Board, Board of Selectmen and other Town officials shall review and address the impacts of data center development and they shall develop a plan to mitigate future impacts of such developments on the general health, safety, welfare and quality of life of the residents of the Town of Essex, which may include but not be limited to the presentation of suggested bylaw amendments to a future town meeting.

The purpose of this bylaw is to temporarily prohibit development of data centers in the Town so that there can be an opportunity to study the impacts of such development and determine how to best address it in the future. The Town of Essex is relatively unique insofar as it does not have traditional zoning districts such as residential, business, agricultural, or industrial and it does not have a use table in its zoning bylaws. Time is needed to study the issue and determine whether there should be amendments to the Town’s zoning bylaws to address these and other issues.

; or take any other action relating thereto.

Explanation of Article: The Temporary Moratorium will allow the Planning Board to further study this use, to understand currently developing state regulations around data centers, and to come to either of the next two Town Meetings with a proposal for detailed and appropriate use limitations for Essex.

ARTICLE 5 – Inclusionary Housing

To see if the Town will vote to amend the Town’s Zoning Bylaw, Section 6-6: Development Regulations and Section 6-2: Definitions as shown below, with additions to section 6-2 shown in **bold** and with subsection 6-6.6 inserted as a new subsection as shown; or take any other action relating thereto.

SECTION 6-2: DEFINITIONS

6-2.2: Definitions

INCLUSIONARY HOUSING: See 6-6.6.1: Description and Definitions for this and additional definitions specific to 6-6.6: Inclusionary Housing.

SECTION 6-6: DEVELOPMENT REGULATIONS

6-6.6: Inclusionary Housing

6-6.6.1: Purpose and Intent

The purpose of this section is to expand the Town of Essex's housing stock, especially its affordable housing units; to leverage market-rate housing production towards the production of affordable housing units; to provide for housing choices for households of all incomes, ages, and sizes; to increase the production of affordable housing units to meet employment needs; and to establish standards and guidelines in order to implement the foregoing. At a minimum, affordable housing produced through this bylaw should be in compliance with the requirements set forth in M.G.L. c. 40B § 20-24 and other affordable housing programs developed by state, county, and local governments. It is intended that the affordable housing units that result from this section be considered as Local Action Units, in compliance with the requirements specified by the Massachusetts Local Initiative Program.

6-6.6.2: Definitions

As used in this Section 6-6.6: Inclusionary Housing, the terms listed below shall have the following meanings:

Affordable Housing Restriction: A deed restriction, contract, mortgage agreement, or other legal instrument, acceptable in form and substance to the Town of Essex, that effectively restricts occupancy of an affordable housing unit to qualified purchaser or qualified renter, and which provides for administration, monitoring and enforcement of the restriction during the term of affordability. An affordable housing restriction shall run with the land in perpetuity or for the maximum period of time allowed by law, and be enforceable under the provisions of M.G.L. c. 184, §26 or §31-32.

Affordable Housing Unit: A dwelling unit that is affordable to and occupied by a low- or moderate-income household and meets the requirements of the Massachusetts Local Initiative Program, for inclusion on the Chapter 40B Subsidized Housing Inventory.

Area Median Income: The median income for households within the metropolitan area that includes the Town of Essex, as defined in the annual schedule of low-income limits published by the U.S. Department of Housing and Urban Development, adjusted for household size.

Commuter Rail Station: Any Massachusetts Bay Transportation Authority (MBTA) commuter rail station with year-round, rather than intermittent, seasonal, or event-based, service.

Local Action Unit: An affordable housing unit developed through a city's zoning or permit issuance process as part of the Local Initiative Program and eligible for inclusion on the Subsidized Housing Inventory.

Local Initiative Program: A program administered by the Executive Office of Housing and Livable Communities (EOHLC), formerly the Massachusetts Department of Housing and Community Development (DHCD), pursuant to 760 CMR 56.00 to develop and implement local housing initiatives that produce low- and moderate-income housing, with or without a comprehensive permit as defined in Chapter 40B.

Low- or Moderate-Income Household: A household with income at or below 80% of area median income, adjusted for household size, for the metropolitan area that includes the Town of Essex, as determined annually by the United States Department of Housing and Urban Development (HUD).

Market Rate Unit: All dwelling units in a development subject to Section 6-6.6: Inclusionary Housing that are not affordable housing units as defined therein.

Maximum Affordable Purchase Price or Rent: A selling price or monthly rent that does not exceed the maximum purchase price or rent guidelines of the program used to qualify affordable housing units for inclusion on the Massachusetts Chapter 40B Subsidized Housing Inventory. For homeownership units, the maximum affordable purchase price shall account for the monthly cost of a mortgage payment, property taxes, insurance, and condominium fees where applicable. For rental units, the maximum affordable rent shall account for the monthly cost of rent and utilities. The household income used to compute the maximum affordable purchase price or rent shall be adjusted for household size, considering the household size for which a proposed affordable unit would be suitable under guidelines of the Local Initiative Program or any successor affordable housing program established by the state.

Monitoring Agent: A qualified individual or agency for the purposes of administration, monitoring and enforcement of the affordability requirement for a project pursuant to the Affordability Monitoring Services Agreement.

Essex Affordable Housing Trust Fund: A fund established by the Town of Essex pursuant to M.G.L. c. 44, §55C for the purpose of creating or preserving affordable housing in the Town of Essex for the benefit of low- and moderate-income households.

Subsidized Housing Inventory (SHI): The Executive Office of Housing and Livable Communities (formerly the Department of Housing and Community Development) Chapter 40B Subsidized Housing Inventory as provided in 760 CMR 31.04.

6-6.6.3: Applicability

1. This section applies to any subdivision or development, whether new construction, conversion, or adaptive reuse or expansion of an existing structure, involving the resulting creation of six (6) or more dwelling units above the number existing on a parcel of land or contiguous parcels in common ownership. It applies to all residential dwelling types as defined by the Essex Zoning Bylaw with the exception of assisted living residences, nursing or convalescent homes, and other similar uses.

- a. A subdivision or division of land shall mean any subdivision as defined in the Subdivision Control Law, M.G.L. c.41, §81K-81GG, or any division of land under M.G.L. c.41, §81P, into lots for residential use.
- b. Developments shall not be segmented or phased to avoid compliance with this Section. "Segmentation" shall mean any development or any division of

land that would cumulatively result in an increase of six or more residential lots or dwelling units above the number existing on a parcel of land or contiguous parcels in common ownership up to twenty-four months prior to the application. Where such segmentation occurs, it shall be subject to this Section.

2. This section does not apply to the rehabilitation, repair or reconstruction of any building or structure, all of or substantially all of which is destroyed or damaged by fire or other casualty or a natural disaster; provided, however, no rehabilitation, repair or reconstruction shall result in a net increase of six (6) units beyond what previously existed prior to the damage or destruction thereof except in conformance with this section.
3. No Special Permit or Site Plan Review for a development requiring a Special Permit or Site Plan Review, and no building permit for a use permitted as of right, shall be issued for a development subject to this section unless the applicant provides the percentage of the total dwelling units in the development as affordable housing units as described herein.

6-6.6.4: Process

An applicant proposing a project subject to this section shall convene a pre-application meeting with the Planning Board or its designee to review these bylaws and submission requirements for an Inclusionary Housing Project Application, which must be approved in its entirety by the Planning Board or its designee prior to issuance of any building permit for the development.

6-6.6.5: Mandatory Provision of Affordable Units

1. Affordable Housing Requirement: As a condition of development, the applicant shall contribute to the local stock of affordable housing units in accordance with the following requirements:
 - a. In any development subject to this section, at least ten (10) percent of the dwelling units shall be affordable housing units;
 - b. Affordable Housing Units required by this section shall be made available to eligible households with incomes at or below 80% of Area Median Income (AMI) at purchase prices or rents that adhere to the income limits determined by the U.S. Department of Housing and Urban Development (HUD) applicable to the Town of Essex, and shall comply with the Massachusetts Local Initiative Program regulations; and
 - c. Nothing in this section shall preclude the applicant from providing additional affordable units, or greater affordability, or both, than the minimum requirements.
2. On-Site Requirement: All affordable housing units shall be provided on-site.
3. Fractions: When the requirement for affordable housing units results in a fraction of a unit, the applicant shall have the choice to round up to the next whole number or convert the fraction of a unit to a cash payment to the Essex Affordable Housing Trust Fund. For example, a 24-unit project would require 2.4 affordable housing units (10% of 24); the last 0.4 unit may be satisfied by providing an additional affordable housing unit (for a total of 3 affordable housing units) or through a cash payment equivalent to 0.4 unit.

The payment shall be based on the total development cost limit for urban areas outside Metro Boston as articulated in the most current Massachusetts Qualified Allocation Plan for the Low Income Housing Tax Credit Program, issued by the Department of Housing and Community Development (DHCD), the Executive Office of Housing and Livable Communities (EOHLC), or its successor agency.

For projects using historic tax credits or other historic preservation incentives, the cost of the historic credit or incentive may be subtracted from the total development cost limit.

6-6.6.6: Incentives

In approving the application, the Planning Board shall, at its sole discretion, include one or more of the following incentives, as requested by the application:

1. Development Bonus: For each affordable unit provided, the Planning Board may grant a density bonus of one additional housing unit at market rate.
2. Unit Size Reduction: The size of the affordable units may be smaller than the market rate units as long as the units meet the requirements under M.G.L. c. 40B Sections 20-23, its regulations, or any amendments thereto, and consistent with all other provisions herein, provided the affordable units must be eligible to be included in the Town's Subsidized Housing Inventory (SHI), as maintained by the EOHLC.
3. Interior Finishes: Affordable units may have different interior finishes and features than market rate units so long as the interior features are durable, of good quality, and consistent with current Massachusetts State Building Code standards, provided the affordable units must be eligible to be included in the Town's SHI, as maintained by the EOHLC.

Said incentives granted shall be in the form of a decision recordable at the Essex South Registry of Deeds relative to the project.

6-6.6.7: Provisions Applicable to Affordable Housing Units

1. Location: All affordable housing units must be dispersed evenly throughout the development.
2. Exterior Design: The exterior of affordable housing units must be indistinguishable from the market-rate units in terms of design, appearance, materials, and quality of construction.
3. Interior Size and Finishes: The size and interior finishes of the affordable housing units may differ from the market-rate units within the parameters described below:
 - a. The affordable housing units must be supplied with the same base appliances and fixtures as the market rate units; for example, if market-rate units include a dishwasher, affordable units must include one as well. However, the product specifications for the fixtures, appliances, and interior finishes in affordable units may differ from those in the market-rate units, provided that such finishes and features are durable, of good quality, consistent with contemporary standards for new housing, and in compliance with the standards set forth by Local Initiative Program design and construction standards.
 - b. Affordable housing units must be supplied with the same mechanical systems and energy efficiency features as market-rate units, including windows, insulation, plumbing, and heating and cooling systems.
 - c. The bedroom mix in the affordable housing units shall be proportionate to the bedroom mix of the market-rate units.

- d. Residents of affordable housing units shall have similar access to all building and site common areas and amenities as residents of market-rate units, including but not limited to outdoor spaces, amenity spaces, storage, parking, bicycle parking facilities, and resident services.
 - e. Compliance with this section shall be determined by the Planning Board or its designee.
4. Timing of Construction of Affordable Units and Payment Made: Affordable housing units must be constructed at a proportion of one (1) affordable unit for every five (5) market rate units. The payment for fractional units, if applicable, shall be made before issuance of the final Certificate of Occupancy.

6-6.6.8: Preservation of Affordability

Each affordable housing unit created in accordance with this section shall have limitations governing its resale through the use of an Affordable Housing Restriction. The purpose of these limitations is to preserve the long-term affordability of the unit and to ensure its continued availability for households at income levels required by this section.

1. As a condition of development, all affordable housing units provided under this section shall be subject to an Affordable Housing Restriction in a form consistent with the Local Initiative Program guidelines or any other applicable guidelines issued by DHCD, EOHLC, or its successor agency acceptable to the Planning Board, that ensures affordable units can be counted toward Essex's Subsidized Housing Inventory. The Affordable Housing Restriction shall run with the land and be in force in perpetuity or for the maximum period allowed by law, and be enforceable under the provisions of M.G.L. c. 184, §26 or §31-32. Affordability restrictions shall be contained in applicable Affordable Housing Restrictions, regulatory agreements, deed covenants, contractual agreements, land trust arrangements, and/or other mechanisms to ensure compliance with the affordability requirements of this section. The applicant shall be responsible for preparing and complying with any documentation that may be required by DHCD, EOHLC, or its successor agency to qualify affordable housing units for listing on the Chapter 40B Subsidized Housing Inventory as Local Action Units.
2. The Affordable Housing Restriction shall contain limitations on use, occupancy, resale and rents, and provide for periodic monitoring, by the Town or its designee named in the deed rider as the monitoring agent, to verify compliance with and enforce said restriction. This monitoring is intended to verify that affordable homeownership units remain owner-occupied and are resold at a price consistent with this section, and that affordable rental units are occupied by tenants earning incomes described in this section at rents they can afford. The applicant is responsible for providing ongoing monitoring through an organization qualified to serve as a monitoring agent on behalf of the Town.
3. The restriction shall establish that affordable units created under the provisions of this section shall remain affordable to the designated income group in perpetuity, or for as long as legally permissible, per Affordable Housing Restrictions that comply with Local Initiative Program requirements as they may be amended for inclusion in the Chapter 40B Subsidized Housing Inventory and is enforceable under M.G.L. c. 184, §26 or §31-32.
4. The restriction shall grant the Town of Essex or its designee the right of first refusal to purchase the property in the event that a subsequent qualified homebuyer cannot be located. In any and all instances this section shall remain in effect.
5. The Affordable Housing Restriction shall provide that initial sales and rentals of affordable housing units and subsequent re-sales and rentals shall comply with federal, state and local fair housing laws, regulations and policies, and Local Initiative Program

guidelines. For affordable homeownership units, the procedure for resale and the responsibilities of the homeowner, the Town and/or its monitoring agent, and EOHLIC are described in detail in the Local Initiative Program regulations.

6. The Affordable Housing Restriction shall provide that, in the event that any affordable rental unit is converted to a condominium unit, the condominium unit shall be restricted in perpetuity as affordable to the income level required for affordable ownership units in this section.
7. No Certificate of Occupancy shall be issued until the applicant executes an enforceable agreement with the Town and provides evidence acceptable to the Planning Board that the agreement has been recorded at the Essex County South Registry of Deeds. It is the applicant's responsibility to prepare a complete regulatory agreement, to obtain the necessary signatures and to record a fully-executed agreement at the Registry of Deeds prior to the issuance of any Certificate of Occupancy (or in the case of a subdivision, lot releases).
8. For an affordable homeownership unit, no Certificate of Occupancy shall be issued until the applicant submits documentation acceptable to the Planning Board that an affordable housing deed rider has been signed by the homebuyer and recorded at the Essex County South Registry of Deeds.

6-6.6.9: Conflict with Other Sections

The provisions of this section shall be considered supplemental of existing sections of this chapter. To the extent that a conflict exists between this section and others, the provisions of this section shall apply.

6-6.6.10: Severability

If any portion of this section is declared to be invalid, the remainder shall continue to be in full force and effect.

; or take any other action relating thereto.

Explanation of Article: This bylaw will increase affordable housing options in Essex by requiring developments of 6 or more new dwelling units to provide a percentage of affordable units. These units will count towards the Subsidized Housing Inventory under MGL c. 40B.

ARTICLE 6 – Zoning Fines

To see if the Town will vote to amend the Town's Zoning Bylaw, Section 6-10.1.3: Penalties as shown below, with additions shown in **bold** and deletions shown in ~~striketrough~~; or take any other action relating thereto.

SECTION 6-10: ADMINISTRATION AND REGULATIONS

6-10.1: Enforcement, Violations & Penalties

6-10.1.3: Penalties

Any person who shall violate any provision of this chapter shall be subject to a fine not to exceed ~~twenty dollars (\$20.00)~~ **two hundred dollars (\$200.00)** for each day such violation exists.

; or take any other action relating thereto.

Explanation of Article: This article is presented at the request of the Building Inspector and is intended to help ensure compliance with regulations and to bring Essex enforcement standards in line with surrounding communities.

ARTICLE 7 – Essex Elementary School Replacement

To see if the Town will vote to approve the \$95,351,985 borrowing authorized by the Manchester Essex Regional School District, for the purpose of paying costs of the Essex Elementary School new school construction project, for replacement of the school at 12 Story Street in Essex, Massachusetts, 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, including the payment of all costs incidental or related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the 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 the School Building Committee. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project 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 Project shall not exceed the lesser of (1) thirty-six and eighty-four one hundredths of a percent (36.84%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; provided that the approval of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2 1/2); or take any other action relating thereto.

Explanation of the Article: The Towns of Essex and Manchester by-the-Sea, along with the Manchester Essex Regional School District, are contemplating the replacement of the Essex Elementary School at a total cost of \$95,351,985. According to calculations prescribed by the Regional Agreement, the Town of Manchester will be expected to pay 66.64% of the cost (\$49,555,028), with Essex paying 33.36% of the cost (\$24,802,081), after the Massachusetts School Building Authority (MSBA) subsidizes the project by \$20,994,876. Passage of this article is contingent upon a similar vote to be made by the Town of Manchester and on the passage of Proposition 2 ½ Debt Exclusion votes in questions proposed at Special Elections to be held in both communities on December 10, 2026. Passage of this article will result in the final design of a replacement school building and campus, the demolition of the existing school building and campus, and the construction of a new school building and campus at the same site. This article requires a 2/3's vote at Town Meeting since it involves borrowing. The Commonwealth requires the Town Meeting in each town to approve the entire amount of the District's borrowing even though the MSBA subsidy is expected to be approved. The separate ballot question vote requires a simple majority on December 10.

ARTICLE 8 – Adoption of Fire Chief Statute

To see if the Town will vote to accept the provisions of G.L. c. 48, § 42A, the so called “weak chief statute”, said acceptance to be effective on February 1, 2027; or take any other action relative thereto.

Explanation of the Article: The Town presently operates under the default statute for management of the fire department (Section 45 of Chapter 48 of the General Laws), which provides for a Board of Fire Engineers. The adoption of Section 42A supersedes Section 45, and allows the Selectmen to hire, likely with an employment contract, a full-time fire chief. Section 42A also allows the Selectmen to hire other officers and firefighters as they deem necessary, and make suitable regulations governing the fire department. The Board of Fire Engineers will exist through the end of January, 2027, at which point the new Fire Chief will take over.

ARTICLE 9 - Elderly and Disabled Taxation Fund

To see if the Town will adopt the provisions of Section 3D of Chapter 60 of the General Laws, thereby establishing an Elderly and Disabled Taxation Fund, and a Taxation Aid Committee to be comprised of the chair of the Board of Assessors, the Treasurer/Collector and three residents appointed by the Board of Selectmen, for the purpose of defraying the real estate taxes of elderly and disabled persons of low income and which shall be funded by voluntary donations made by taxpayers through an earmark on their real estate and/or motor vehicle excise tax bills; or take any other action relating thereto.

Explanation of the Article: Acceptance of this statute will allow a new check-box to be added to future real estate and/or motor vehicle excise tax bills that will allow taxpayers to voluntarily pay additional money beyond what is owed on their own bill into a new fund that will be used to help ease the tax burden of eligible elderly and disabled persons. If adopted, a Tax Aid Committee will be formed to administer the Fund, as required by the statute.

ARTICLE 10 – Water Plant Carbon Media Replacement

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the Board of Public Works to replace the activated carbon filter media in the Essex Water Filtration Plant; and anything incidental or related thereto; or take any other action relating thereto.

Explanation of the Article: The activated carbon filter media in the Water Filtration Plant is necessary to produce quality drinking water. Our filter is reaching the end of its useful life. The Town has access to a fund that receives money from industrial companies that produced chemicals in the family known as PFAS after the industry was successfully sued for the presence of PFAS in surface and groundwater. This fund will likely be used for this appropriation.

ARTICLE 11 – Water and Sewer Rate Studies

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the Board of Public Works to conduct water and sewer rate studies; and anything incidental or related thereto; or take any other action relating thereto.

Explanation of the Article: The Board of Public Works would like to conduct studies to enable it to establish water and sewer rates that are sufficient to cover the annual operation of the water and sewer enterprises while beginning to put aside funding for future capital repairs, replacements, and improvements to these aging systems. Rate studies will allow for this calculated future planning.

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ARTICLE 12 – Public Works Equipment

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purchase of the following equipment and facilities for use by the Department of Public Works:

Replacement of generator at the DPW barn and the installation of an automatic transfer switch.

New sidewalk plow.

New, removable, plastic/composite sanders for installation in DPW pickup trucks.

and anything incidental or related thereto; and further, to authorize the Board of Public Works to enter into any necessary agreements to effectuate the purposes of this vote and to dispose of any old vehicles or equipment by sale or trade; or take any other action relating thereto.

Explanation of the Article: The Board of Public Works would like to purchase the equipment listed above, with funding likely coming from General Free Cash and from Water Enterprise Retained Earnings.

ARTICLE 13 – Police Cruiser

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum or sums of money to purchase or to lease-purchase, which may be for a period of more than three years, a fully-equipped new vehicle for the Police Department to replace an existing police vehicle, and anything incidental or related thereto; and further, to authorize the Board of Selectmen to enter into any necessary agreements to effectuate the purposes of this vote and to dispose of the old police vehicle by sale or trade; or take any other action relating thereto.

Explanation of the Article: As part of the Town's police vehicle replacement plan, the Chief of Police is asking to replace an aging vehicle based on mileage and overall condition.

ARTICLE 14 – Community Preservation Projects

To see if the Town will vote to appropriate or reserve from the Community Preservation Fund, a sum or sums of money for Community Preservation projects or purposes, including, to supplement prior appropriations having shortfalls, to close out prior appropriations so that any unspent funds will be available for future projects, and any other appropriation that is recommended by the Community Preservation Committee; or take any other action relating thereto.

Explanation of the Article: The Community Preservation Committee reviews requests from Town departments and from outside organizations to approve funding from the Town's Community Preservation Act Fund, for projects in Essex that relate to open space and recreation, historic preservation, and/or affordable housing. The Committee's recommendations will be available the evening of Town Meeting and will be noted on a separate handout. Any projects approved pursuant to this Article will be appropriated from existing amounts in the CPA Fund.

ARTICLE 15 – Special-Purpose Stabilization Funds

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum or sums of money to be added to the Town's building capital improvements fund; and/or recreational capital improvements fund; and/or purchase of vehicles and major equipment that qualify as capital purchases fund; and/or Town Hall/Library repair and maintenance fund; and/or Conomo Point Repair, Maintenance, and Improvement fund; and/or municipal street lighting repair and maintenance fund; and/or Public Safety Building repair and maintenance fund; and/or dredging match fund; and/or Town celebrations fund; and/or school apportionment fund; and/or climate change fund; and/or downtown beautification fund; or take any other action relating thereto.

Explanation of the Article: The Town has created a total of twelve special-purpose funds over the years to intentionally put aside money for specific needs and purposes, subject to future appropriation. The Town typically appropriates money to these funds at the Fall Town Meeting, using free cash that was certified after the closing out of the previous fiscal year.

ARTICLE 16 – Reserve Fund

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to replenish the Finance Committee's Reserve Fund for fiscal year 2027; or take any other action relating thereto.

Explanation of the Article: The Finance Committee manages a Reserve Fund that exists as part of every municipal budget approved at the Annual Town Meeting. The Finance Committee uses this Reserve Fund at its discretion to deal with unexpected or unanticipated events.

ARTICLE 17 – Retiree Health Insurance

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to fund the Town's Other Post-Employment Benefits (OPEB) Trust Fund; or take any other action relating thereto.

Explanation of the Article: The OPEB Trust Fund allows the Town to set aside money for retiree health insurance benefits, as required by law. The Town is close to fully funding its OPEB Trust, allowing investment earnings to cover annual benefit costs and ongoing accruals. Once full funding is achieved, the Town can redirect future free cash contributions and reduce pressure on the operating budget, freeing resources for other priorities.

ARTICLE 18 – Budget Adjustments

To see if the Town will vote to amend any aspect of the fiscal year 2027 operating budgets (General Fund, Water Enterprise Fund, Sewer Enterprise Fund), and to raise and appropriate, transfer from available funds, or borrow a sum of money to effectuate any amendments that are made; or take any other action relating thereto.

Explanation of the Article: The Annual Town Meeting votes on an operating budget in May for the ensuing fiscal year that begins on July 1. On occasion, the facts and circumstances known to the Board of Selectmen and the Finance Committee at the time of the Annual Town Meeting change by the time the Fall Town Meeting rolls around. In limited cases, Fall Town Meeting is asked to approve adjustments to the operating budget based on new information.

ARTICLE 19 – Unpaid Bills

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for unpaid bills from past fiscal years; or take any other action relating thereto.

Explanation of the Article: Vendors that supply goods or services to the Town should invoice the Town in a timely fashion, especially near the end of a fiscal year. If an invoice is not presented to the Town by June 30 of a given year or if a Town department fails to pay such an invoice at the end of a fiscal year, the invoice cannot be paid without Town Meeting approval (4/5's vote at an Annual Town Meeting and 9/10's vote at a Special / Fall Town Meeting).

And you are hereby directed to serve this Warrant by posting attested copies; one at the Post Office, one at the Town Hall, and one at the Essex Elementary School, in said Essex, fourteen days at least before the time for holding said meeting.

Given under our hand this 19th day of October, two thousand twenty-six.

Ann O. Cameron

Peter D. Phippen

Dexter Lee-Viator

BOARD OF SELECTMEN
TOWN OF ESSEX

Return of the Warrant:

Date: _____

I have served this warrant by posting attested copies thereof – one at the Post Office; one at the Town Hall; and, one at the Essex Elementary School in said Essex; at least fourteen days before the time for holding said meeting.

Constable