



Town of Hamilton

**SPECIAL TOWN MEETING
MONDAY, OCTOBER 27, 2008**

Warrant

**Hamilton Wenham Regional High School
Auditorium
7:30 p.m.**



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ESSEX, SS

TO THE CONSTABLE OF THE TOWN OF HAMILTON:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hamilton qualified to vote in election and Town affairs, to meet at the Hamilton-Wenham Regional High School in said town, on Monday, the 27th day of October, in the year Two Thousand Eight (October 27, 2008) at seven thirty o'clock in the evening (7:30 p.m.), then and there to act on the following articles.

SPECIAL TOWN MEETING – WARRANT – OCTOBER 27, 2008

<p><u>ARTICLE</u> 2007/10 -1-1</p> <p><i>Reports</i></p>	<p>To hear reports of Town Officers and selected committees and to take action thereon or relative thereto.</p>
<p><u>ARTICLE</u> 2008/10 -1-2</p> <p><i>Appropriation Transfer- Debt Principal and Interest</i></p>	<p>To see if the Town will transfer a sum of money from the FY09 appropriation for the Essex County Retirement account to pay Debt Principal and Interest on the RAN, or take any other action thereon or relative thereto. (Expected request \$10,400)</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the Town Meeting.</p>
<p><u>ARTICLE</u> 2008/10 -1-3</p> <p><i>Appropriation Transfer – Community Notification System</i></p>	<p>To see if the Town will transfer a sum of money from the FY09 appropriation for the Board of Health to fund operations of the Emergency Report Center, or take any other action thereon or relative thereto. (Expected request \$5,000)</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the Town Meeting.</p>
<p><u>ARTICLE</u> 2008/10 -1-4</p> <p><i>Citizens Petition - Property Tax Exemption Petition to the Legislature</i></p>	<p>To see if the Town will authorize the Selectmen to petition the Legislature to allow the Town, upon the affirmative vote at a regular or special Town Meeting to adopt a property tax exemption for certain qualifying parcels of owner-occupied real estate classified as Class One, residential, on substantially the terms and conditions set forth in APPENDIX A to this warrant; provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objective of this petition, or take any action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the Town Meeting.</p>
<p><u>ARTICLE</u> 2007/10 -1-5</p> <p><i>Closing Financial Actions</i></p>	<p>To see if the Town will reserve, appropriate and authorize the Assessors to use available certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2008, or take any action thereon, or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the Town Meeting.</p>

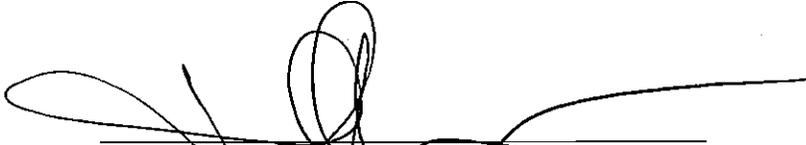
SPECIAL TOWN MEETING – WARRANT – OCTOBER 27, 2008

Given under our hands

SELECTMEN OF THE TOWN OF HAMILTON



Richard A. Low, Chairman



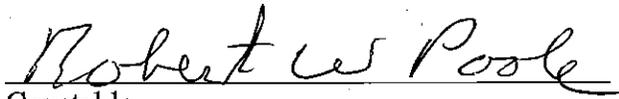
David S. Carey, Clerk



William F. Bowler, Selectman

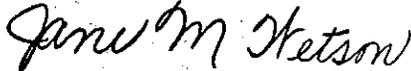
Hamilton, Massachusetts
October 8, 2008

I have this day served this warrant as directed by Chapter 1, Section 1b of the Town By-laws.



Constable

A TRUE COPY ATTEST



Town Clerk, Hamilton

SPECIAL TOWN MEETING – WARRANT – OCTOBER 27, 2008

APPENDIX A

**PROPOSED ACT FOR THE EXEMPTION OF CERTAIN QUALIFYING REAL ESTATE FROM
PROPERTY TAXES IN THE TOWN OF HAMILTON**

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same, as follows:

SECTION 1: With respect to each qualifying parcel of real property classified as Class One, residential, there shall be an exemption from property taxes, sufficient so as the resulting tax will be no greater than 10% with provisions to vary in subsequent years up to 15%, set by majority vote of the town, of the owner occupied combined household, income, subject to the criteria set forth below.

SECTION 2: Real property shall qualify for the exemption set forth in Section 1 if all of the following criteria are met:

- a. The domicile of the qualifying real estate is owned and occupied by persons or family where 10 % and variable to 15% in subsequent years of the total combined income of all property owners and their spouses is less than the assessed real estate tax.
- b. The domicile of the qualifying real estate is owned and occupied by at least one person having reached 65 or more years of age. For the purposes of this exemption, either spouse or owner must be 65 years or older before the beginning of the fiscal year for which an exemption is sought.
- c. One or more of the property owners has been a resident of Hamilton for at least 5 consecutive years or more prior to the submission of an application for this exemption.
- d. The combined total income of the property owners [and their spouses] does not exceed \$80,000. The property is the primary residence of one or more of the property owners.

SECTION 3: This exemption shall be in addition to any exemption provided for by the laws of the Commonwealth, and for which the Commonwealth provides funding.

SECTION 4: Where as the exemption is based upon the total household income rather than the assessed valuation of the property, the computation shall be calculated by using the amount on line 22 of the IRS form 1040 or its equivalent of the various owners and their spouses, multiplied by 10 percent or the percentage set by the town set in subsequent years. The resulting figure shall be the maximum collectible property tax. If the resultant amount is higher than the present real estate tax, the lower figure will prevail.

SECTION 5: Definitions: For the purposes of this act;

“parcel” shall mean a unit of real property as defined by the Assessors in accordance with the deed for such property and shall include a condominium.

[other definitions to be added...for property owner; real property; income; primary residence; owner-occupied; qualifying parcel; ...]

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SECTION 6: A taxpayer seeking an exemption pursuant to this act shall, in each year in which the exemption is being sought, apply for such residential exemption to the Hamilton Board of Assessors in writing, on a form submitted to the Assessors, who shall develop and promulgate such a form within three (3) months following the passage of this act. Said form shall be submitted together with any and all documents necessary to establish eligibility for such exemption, including income tax returns, and shall be submitted within sixty (60) days following the receipt of the first annual tax bill for the year in which the exemption is being sought.

SECTION 7: Following Legislative approval, acceptance of this act by the Town of Hamilton shall be by an affirmative vote of a majority of the voters at any regular or special Town Meeting. This act shall become effective on the next day following the affirmative vote.

**BULK RATE
U.S. POSTAGE PAID
PERMIT #24
HAMILTON, MA 01936**

POSTAL PATRON

Please join us

Monday, October 27, 2008

SPECIAL TOWN MEETING

Hamilton Wenham Regional High School

Auditorium

7:30 p.m.

DEMOCRACY IS NOT A SPECTATOR'S SPORT