

**TOWN OF HAMILTON
ANNUAL TOWN MEETING
Held
Saturday, May 12, 2012
At
Hamilton-Wenham Regional High School**

At the close of registration on April 20, 2012 there were 5,695 registered voters.

Moderator declared a quorum present (75) and the Warrant returned showing it had been properly served, opened the 219th Annual Town Meeting at 9:00 A.M. with 299 voters checked and present.

Precinct 1 – 119
Precinct 2 – 95
Precinct 3 – 85

The Moderator appointed the Assistant Moderator who was duly sworn.

Assistant Moderator

Richard Flynn 183 Linden Street

Tellers were appointed by the Moderator and duly sworn.

AUDITORIUM

Left Sue Ackerman 16 Greenbrook Rd
 Robert Preston 297 Sagamore St

Center Walter Leszczynski 10 Honeysuckle Rd
 Gelean Campbell 11 Naples Rd

Right Carol Mazzetta 4 Gifford Road
 Emily Cook 110 Linden St

Cafeteria Mary Lou Groesbeck 163 Railroad Avenue

He asked non-resident members of the regional school system, town officials and those assisting the Selectmen or Finance Committee to be present here so they may be available to answer questions. Members of the press and the video crew have also been allowed to be present. He reminded those allowed here to do nothing, which may influence the counting of a vote.

The Moderator said we have set up the cafeteria across the hall as overflow space. There is a closed circuit television set in the cafeteria and one teller. All other non-registered visitors must be seated in the visitors' area in the cafeteria.

Another procedural note, we record these proceedings so as to have an accurate record of the meeting. Therefore, unless I recognize you by name, please use the microphones provided and give your name and address when you arise to address the moderator. People in the cafeteria desiring to speak to any article should contact one of the tellers and arrange to be brought to the microphones in the auditorium.

All registered voters have been given a distinctive voter ID card when checking into the meeting. Do not lose or destroy this card. You will need to show the card on any counted vote. If you cannot show the card, your vote may not be counted.

Announcements or other: Refreshments by Generals Volleyball Boosters supervised by Cheryl and John Walsh. The Moderator recognized Jen Scuteri, Selectmen Chair, John McWane, Finance Committee Chair, and Michael Lombardo, Town Manager who gave reports. Ms. Scuteri thanked Selectman David Carey for five years of service on the Board of Selectmen and John McWane thanked Laurie Wilson for her contribution to Finance Committee.

The audience was led by the Cub Scouts in saying the Pledge of Allegiance.

The Moderator proceeded to announce members at the front of the auditorium.
Introduction of front table:

Bruce Ramsey – Moderator
Jane Wetson – Town Clerk

Board of Selectmen:

Jeffrey Hubbard
Jeffrey Stinson
Marc Johnson
Jennifer Scuteri – Chair
David Carey

Finance and Advisory Committee:

John McWane – Co-Chair
Laurie Wilson – Co-Chair
William Boesch
Joseph Santarelli

Michael Lombardo – Town Manager
Deborah Nippes-Mena – Finance Director
Donna Brewer – Town Counsel
Christine Lindberg – Assistant to the Town Manager

On a procedural note, the Moderator noted that a time clock would be used giving ten minutes to presenters and three minutes for debate as a guideline. Also, if voters left the auditorium that they should bring their voter cards to get back into the Town Meeting. In addition, that ringer on cell phones should be turned off and calls taken outside and texting done with discretion. He mentioned that Town Meeting would be recessed until May 24, 2012 at 7 o'clock at the Winthrop School for the Town election. The Moderator noted that the meeting would be televised and outlined appropriate ATM meeting etiquette by participants. He also explained corrections in the warrant.

SECTION 1: ELECTIONS, REPORTS, PROCEDURES

ARTICLE 2012/5 1-1 Election of Officers and Ballot Questions

To elect the following Town Officers and to vote for the ballot questions at the Annual Town Election on Thursday, May 24, 2011 from 7:00 a.m. to 8:00 p.m. at the Winthrop School.

- Town Moderator for one year
- Two Selectmen for three years
- Assessor for three years
- One member of Planning Board for five years
- One member of the Planning Board for two years (to fill unexpired term)
- Hamilton Housing Authority for five years
- Two Hamilton-Wenham Public Library Trustees for three years
- Three members of the Hamilton-Wenham School Committee for three years
- Hamilton-Wenham School Committee for one year (to fill unexpired term)

Moderator said the vote on Article 1-1 is by ballot on Thursday, May 24, 2011 at the Winthrop School. The polls will be opened at 7:00 a.m. and will close at 8:00 p.m.

ARTICLE 2012/5 1-2 Reports

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the reports of town officers and committees be received and placed on file.

VOICE VOTE: MOTION PASSES

Article 2012/5 1-3

Article for Consent Motion

CONSENT MOTIONS

Moderator said this is a procedural motion to take up certain articles out of order with a second part to have a vote on the motions that are contained in the condensed, consent motion.

The Moderator recognized Jennifer Scuteri.

Procedural Motion to Take Up Certain Articles Out of Order:

Moved by Jennifer Scuteri, Chair Board of Selectmen, duly seconded, that the following numbered Motions as set forth in Proposed Consent Motions List for this 2012 Annual Town Meeting, a copy of which has been delivered to the Town Clerk to be filed with the minutes of this meeting with copies made available to voters in attendance, be approved by one vote, each motion to be deemed a separate action under the Warrant Article having the same corresponding number:

Motion numbers:

- 2-1 Transfer from Overlay Surplus to Allowance for Abatements & Exemptions – That the Town transfer \$9,090.00 from Overlay Surplus to FY 12 Allowance for Abatements and Exemptions
- 2-2 Increase FY 12 Waste Enterprise Budget to Accommodate Purchases of Bins – That the Town transfer \$35,527.00 from available funds to increase the FY 12 Waste Reduction Enterprise Budget
- 2-3 Waste Enterprise Retained Earnings – That the Town appropriate \$12,000.00 from Waste Reduction Enterprise Earnings to be used in FY 12 for the purchase of solid and organic waste bins.
- 2-4 Compensation/Classification Table – That the Town amend the Personnel By-law by adopting changes to the classification and compensation table, copies of which are on file with the Town Clerk and which are set forth in **Appendix A** to the 2012 Appendix Book.
- 2-12 OPEB Trust Fund – That the Town – That the Town raise and appropriate \$25,000.00 for deposit in the Other Post Employment Benefits Liability Trust Fund.

ARTICLES THAT WERE HELD

2-6 Water Enterprise Budget – That the Town approve \$1,009,895.00 for the FY 13 Water Enterprise Budget as set forth in **Appendix D** to the 2012 Appendix Book.

2-10 Annual Financial Actions – That the Town authorize the following financial actions:

- A. To transfer \$2,000.00 from the Cemetery Sale of Lots and Graves Fund to the General Fund to be used for cemetery purposes;
- B. To transfer \$413.00 from the Clark Property Fund to the Conservation Fund;
- C. To transfer \$334,307.00 from the Water Enterprise Fund to the General Fund to be used for indirect expenses;
- D. To transfer \$334,270.00 from the General Fund to the Waste Reduction Enterprise Fund to be used for solid waste expenses.

2-13 Retained Earnings For Capital Purchases for Water Enterprise – That the Town appropriate \$140,000.00 from Water Enterprise Retained Earnings to fund capital purchases of a dump truck and a utility truck to be used for Water Enterprise purposes.

5-5 Drainage Easements on Gregory Island Road – That the Town authorize the Board of Selectmen to accept three gifts of easements on Gregory Island Road, on terms and conditions acceptable to the Selectmen, for the purpose of maintaining or protecting the Town’s drainage system.

The Moderator explained the procedural motion to authorize the meeting to consider what is called a Consent Motion and vote on a group of motions for non-controversial actions in several Articles with a single vote, where he gives the meeting an opportunity to remove from this list any article to which there is opposition or questions that voters want to raise during debate. The motions appear on the Motions List, which was handed out at check in both in the Lobby and front of the Hall. The Motion numbers are the same as the corresponding Warrant Article numbers. He read the list of article motions and anyone with a question about a motion, or wanted to debate or oppose the motion, should loudly say “**HOLD**” when he states the motion number. If he hears the voter saying “**HOLD**”, he will remove such motion from the list and it will be taken up in the usual order. Town Meeting will then vote on the motions that were not held out as a group.

The Moderator said the remaining articles in the Consent Motion are: 2-1, 2-2, 2-3, 2-4, and 2-12 then he called for the vote on Article 1-3.

VOICE VOTE: MOTION PASSES

MOTION TO TAKE ARTICLE OUT OF ORDER (Article 2-9)

Requires a 2/3rds Vote

Moderator said there is another motion to take another article out of order.

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town move the consideration of Article 2-9, the Community Preservation Committee Budget, until

directly after consideration of Article 5-1 and before Article 5-2.

The Moderator explained that this motion **requires a 2/3rds vote**, pursuant to Ch. II, Section 1 of our Town By-laws.

Johnson explained that Community Preservation Committee budget and Community Preservation Act funds could be used to pay for closing costs associated with Patton Family Gift so the motion on Article 2-9 was taken out of order before vote on whether or not Town should accept Patton property as gift.

The Moderator called for the voice vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY
To move article to after Article 5-1

ARTICLE 2012/5 2-5 General Town Appropriations

The Moderator read page 5 of the 2012 Appendix Book, and read each appropriation and said for any item a voter would like to discuss separately, please shout out **“HOLD”**:

HELD	\$ 1,680,111	for General Government,
	\$ 2,274,967	for Protection of Persons & Property,
	\$ 15,437,356	for HW Regional School District,
	\$ 909,639	for Department of Public Works,
	\$ 613,902	for Health and Human Services,
	\$ 600,400	for Library,
	\$ 34,433	for Elder Van Program,
	\$ 113,709	for Recreation,
	\$ 1,775,004	for Unclassified,
\$ 1,380,313	for Debt-Principal & Interest,	

Totaling \$ 24,819,834.

Moved by William Boesch, Finance and Advisory Committee, duly seconded, that the Town raise and appropriate the sums read by the Moderator for highways and all other Town expenses which are set forth in the 2013 Fiscal Year Budget in **Appendix B** of the 2012 Appendix Book [with the additions and corrections read by the Moderator] **excepting those items held.**

VOICE VOTE: MOTION PASSES UNANIMOUSLY

The Moderator called for the motion on the **HELD** item: HW Regional School District and recognized William Boesch.

Moved by William Boesch, Finance and Advisory Committee, duly seconded, that the Town raise and appropriate \$15,437,356.00 for schools.

Acting Superintendent of Schools Peter Gray summarized the FY 13 HWRSD level services budget where he described capital projects and technology request, also mentioning \$793,787 was the projected amount to be returned to the towns if Excess & Deficiency fund were kept at 3%.

The Moderator recognized John McWane.

Moved by John McWane, Chair Finance and Advisory Committee, duly seconded, to **amend** the amount to raise and appropriate for schools to be \$15,151,673.00.

Comments are heard from John McWane, School Committee Vice Chair Roger Keubel, Bill Bowler, Essex Street, Tracey Mayor, Fox Run Road, Jay Burnham, North Street, Finance Director Deborah Nippes-Mena, Jennifer Scuteri, and William Boesch.

The Moderator called for the vote to amend the main motion to change the amount to raise and appropriate to \$15,151,673.00.

**VOICE VOTE: MOTION PASSES
 To Amend**

The Moderator then called for the vote on the amended motion to raise and appropriate for the schools to be \$15,151,673.00.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

ARTICLE 2012/5 2-6 Water Enterprise Budget

The Moderator recognized John McWane.

Moved by John McWane, Chair Finance and Advisory Committee, duly seconded, that the Town approve \$1,009,895.00 for the FY 13 Water Enterprise Budget as set forth in **Appendix D** to the 2012 Appendix Book.

The Moderator calls for the vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

ARTICLE 2012/5 2-7 Waste Reduction Enterprise Budget

Moved by John McWane, Chair Finance and Advisory Committee, duly seconded, that the Town approve \$445,029.00 for the FY 13 Waste Reduction Enterprise Budget as set forth in **Appendix E** to the 2012 Appendix Book.

The Moderator calls for the vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

ARTICLE 2012/5 2-8 North Shore Regional Vocational School District Budget

The Moderator recognized David Ketchum.

Moved by David Ketchum, member of North Shore Regional Vocational School District, duly seconded, that the Town raise and appropriate \$144,600.00 for the Town's assessed portion of the North Shore Regional Vocational School District's FY 13 budget.

The Moderator calls for the vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

ARTICLE 2012/5 2-10 Annual Financial Actions

The Moderator recognized John McWane.

Moved by John McWane, Chair Finance and Advisory Committee, duly seconded, that the Town authorize the following financial actions:

- A. To transfer \$2,000.00 from the Cemetery Sale of Lots and Graves Fund to the General Fund to be used for cemetery purposes;
- B. To transfer \$413.00 from the Clark Property Fund to the Conservation Fund;
- C. To transfer \$334,307.00 from the Water Enterprise Fund to the General Fund to be used for indirect expenses;
- D. To transfer \$334,270.00 from the General Fund to the Waste Reduction Enterprise Fund to be used for solid waste expenses.

The Moderator calls for the vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

ARTICLE 2012/5 2-11 Annual Authorization of Revolving Funds

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town, pursuant to M.G.L. c. 44, § 53E ½, reauthorize the Recreation and Parks Revolving Fund, with a FY 13 spending limit of \$223,739.00, reauthorize the Council on Aging Revolving Fund, with an FY 13 spending limit of \$16,700.00 and authorize the Emergency Dispensing Services and Clinic Revolving Fund, with an FY 13 spending limit of \$3,000.00, with specified programs for expenditures, receipts to be credited, boards authorized to expend and disposition of fund balance to be as set forth in **Appendix G** to the 2012 Appendix Book.

The Moderator called for the vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

**ARTICLE 2012/5 2-13 Retained Earnings for Capital Purchases
for Water Enterprise**

The Moderator recognized David Carey.

Moved by David Carey, Board of Selectmen, duly seconded, that the Town appropriate \$140,000.00 from Water Enterprise Retained Earnings to fund capital purchases of a dump truck and a utility truck to be used for Water Enterprise purposes.

The Moderator called for the vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

**ARTICLE 2012/5 2-14 Debt Borrowing for Vehicle and Howard Street Culvert
*Requires 2/3rd vote***

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, that \$175,000 is appropriated for the purchase of a Department of Public Works truck plow/sanding vehicle and for reconstructing the Howard St Culvert, including the payment of all costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$175,000 under Chapter 44 of the General Laws or any other enabling authority; that the Board of Selectmen is authorized to contract for and expend any federal or state aid available for the projects;

and further, to raise and appropriate \$63,000 for the FY 2013 debt service on such debt; and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out the projects.

The Moderator noted that an authorization of debt requires a 2/3rd vote.

Marc Johnson and Dick Flynn, Linden Street, spoke to the motion.

The Moderator called for the vote.

VOICE VOTE: MOTION PASSES by 2/3rds vote
Declared by the Moderator

ARTICLE 2012/5 2-15 Debt Borrowing for Water Enterprise Distribution
System Replacement Program *Requires 2/3rd vote*

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, that \$5,000,000 is appropriated for the purpose of financing the construction of designing and reconstructing the town's water system and facilities including the payment of all costs incidental and related thereto, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$5,000,000 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws, or any other enabling authority; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Board of Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

The Moderator recognized Town Manager Michael Lombardo who spoke to the motion.

The Moderator called for the **2/3rd vote**.

**VOICE VOTE: MOTION PASSES by 2/3rds vote
 Declared by the Moderator**

ARTICLE 2012/5 2-16 Capital Appropriation for Side Walks

The Moderator recognized Jeffrey Stinson.

Moved by Jeffrey Stinson, Board of Selectmen, duly seconded, that the Town raise and appropriate \$50,000.00 for construction, reconstruction or repair of Town sidewalks.

Michael Lombardo spoke to the motion.

The Moderator called for the vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

ARTICLE 2012/5 2-17 Fund for Downtown Improvements

The Moderator recognized Jeffrey Hubbard.

Moved by Jeffrey Hubbard, Board of Selectmen, duly seconded, that the Town appropriate from Certified Free Cash \$23,000 for Downtown Improvements as presented in the **Appendix H** made available to voters in attendance, a copy of which has been delivered to the Town Clerk to be filed with the minutes of this meeting.

Jeff Hubbard, Bob Bullivant, Essex Street, Marc Johnson, John McWane, Robert Forsetti, Cutler Road, and Jennifer Scuteri spoke to the motion.

The Moderator called for the vote.

VOICE VOTE: MOTION PASSES

SECTION 3: PLANNING/ZONING ACTIONS

**ARTICLE 2012/5 3-1 V.F Flood Plain District (FEMA Flood Maps)
 *Requires 2/3rd vote***

The Moderator recognized Peter Clark for zoning by-law amendment.

Moved by Peter Clark, Chair Planning Board, duly seconded, that the Town amend the Zoning By-law by deleting Chapter V.F and replacing it with a new Section V.F entitled "Flood Plain District," the language being that set forth in **Appendix I** to the 2012 Appendix Book.

Clark, Bill Bowler, Essex Street, and Lombardo spoke to the motion.

The Moderator called for the 2/3rd vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

SECTION 4: TOWN BY-LAW AMENDMENTS

NONE

SECTION 5: OTHER APPROPRIATIONS AND ACTIONS

The Moderator noted that Articles 5-1, 5-3, and 5-5 do not require two-thirds votes.

ARTICLE 2012/5 5-1 Accept Gift of Patton Homestead

The Moderator recognized Stacy Carpenter.

Moved by Stacy Carpenter, Patton Family Advisory Committee, duly seconded, that the Town authorize the Board of Selectmen to accept the deed to the town of a gift of land, fee simple interest, to one parcel of land at 650 Asbury Street, Hamilton, Essex County, Massachusetts, being a property known as the Patton Homestead, the parcel consisting of 27.20 ± acres of land, buildings and structures, identified as Map 19, Lot 1 in the records of the Hamilton Assessors, on file with the Town Clerk all on such terms and conditions as are acceptable to the Board of Selectmen.

Stacy Carpenter presented information about proposed gift and spoke to motion.

Moved by Bill Dery, Chebacco Road, duly seconded, moved an amendment that this matter be referred to the Advisory Committee for further study and development of which will include a definitive business plan which has inclusive a zero cost projection and escape clause in the event of failure and it becomes a tax burden.

Bill Dery, Marc Johnson, Peter Clark, Bill Bowler, Essex Street, Forrester Clark, Bridge Street, Mrs. Joanne Patton, Asbury Street, and Zachary Peters, Lake Drive, and Jennifer Scuteri spoke to the motion.

The Moderator called for the vote on Dery's amendment to amend motion to refer to the Advisory Committee for further study.

VOICE VOTE: MOTION TO AMEND ---DOES NOT PASS

The Moderator called for the vote on the main motion moved by Stacy Carpenter to accept the gift of the Patton homestead. He noted that this required a majority vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

ARTICLE 2012/5 2-9 Community Preservation Committee Budget

The Moderator read the recommendations of the Community Preservation Committee and explained to voters to shout out a **"HOLD"** for any item they were interested in separating for discussion. The budget appears as **Appendix F** of the 2012 Appendix Book. The proposed financial actions are as follows:

1. Historic Preservation, Open Space and Recreation – Project
To appropriate \$24,000 of the Community Preservation FY12 Fund Balance Unreserved for the closing and related legal costs for the Patton Estate Acquisition.
2. Open Space and Recreation – Project
To appropriate \$75,000 of the Community Preservation FY12 Fund Balance Unreserved for the design, engineering and permitting costs for the development of the open space and recreation fields at the Patton property.
3. Open Space – Project
To appropriate \$47,800.00 of FY13 Community Preservation Fund Revenues to fund the debt service for the Donovan Acquisition (\$43,900.00 in principle and \$3,900.00 in interest).
4. Historic Preservation – Reserve
To reserve \$41,700.00 of FY13 Community Preservation Fund Revenues to the Community Preservation Fund Historic Preservation Reserve.
5. Community Housing – Reserve
To reserve \$41,700.00 of FY13 Community Preservation Fund Revenues to the Community Preservation Fund Community Housing Reserve.

6. Administration – Expense

To appropriate \$20,850.00 of FY13 Community Preservation Fund Revenues for administration costs including, but not limited to, Annual Community Preservation Coalition membership fees and salary for part-time Community Preservation Committee Coordinator position.

The Moderator recognized Tom Catalano for the Community Preservation Committee Report, Property and Uses.

Moved by Tom Catalano, Chair Community Preservation Committee, duly seconded, that the Town appropriate or reserve for later appropriation monies from community preservation fund annual revenues, specific reserves or other available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year as read [and corrected] by the moderator [excepting those items held- **NO ITEMS WERE HELD**], with each item to be considered a separate appropriation and further that the Town authorize the Board of Selectmen to execute agreements, on terms acceptable to the Board, to the extent necessary to effectuate the public benefits of such projects.

Tom Catalano, Jerry Beauregard, Hamilton Avenue, and Michael Lombardo spoke to the motion.

The Moderator called for the majority vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

ARTICLE 2012/5 5-2 Citizen’s Petition – Right of Way Study and Topographic Survey for Essex Street Sidewalk and Trail

The Moderator recognized Rudolph Pizzano and Steven O’Brien.

Bill Bowler, Essex Street, Chris Davis, Partridge Berry Lane, Catalano, Karen Dieruf-McElvain, Rust Street, and Becky O’Brien, Essex Street, spoke to the article.

Moved by Rudolph Pizzano, Essex Street, duly seconded, that the Town appropriate \$19,500.00 from Certified Free Cash for a Right of Way and Topographic Survey for a planned Pedestrian/Bicycle Trail along the 2.5 mile long corridor of Essex Street, Hamilton, Massachusetts, from the Wenham, Massachusetts town line to the Sagamore Street, Hamilton intersection near the Essex, Massachusetts town line, and to authorize and require the Town Manager and Board of Selectmen, as appropriate, to execute documents, sign warrants of authorization to make payments and take such other action as may be necessary to complete this survey within three months.

The Moderator called for the majority vote.

VOICE VOTE: MOTION PASSES

ARTICLE 2012/5 5-3 Discover Hamilton Trail Easement

The Moderator recognized Tom Catalano.

Moved by Tom Catalano, Chair Community Preservation Committee, duly seconded, that the Town authorize the Board of Selectmen to accept an easement being shown on a plan on file with the Town Clerk for recreational purposes as part of the Discover Hamilton Trail program.

Catalano spoke to the motion.

The Moderator called for the majority vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

**ARTICLE 2012/5 5-4 Rescind Vote of May 2006 ATM Article 5-1 to Sell
Town-owned Land**

The Moderator recognized Elizabeth Silva.

Moved by Elizabeth Silva, Lake Drive, duly seconded, that the Town rescind the authorization extended to the Board of Selectmen by vote on the motion of Article 5-1 at the May 2006 Annual Town Meeting to sell a parcel of town-owned land, Map 54, Lot 6 in the records of the Hamilton Assessors.

Silva spoke to the motion.

The Moderator called for the vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

ARTICLE 2012/5 5-5 Drainage Easement on Gregory Island Road

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, that the Town authorize the Board of Selectmen to accept three gifts of easements on Gregory Island Road, on terms and conditions acceptable to the selectmen, for the purpose of maintaining or protecting the Town's drainage system.

Lombardo spoke to the motion.

The Moderator called for the vote.

VOICE VOTE: MOTION PASSES UNANIMOUSLY

SECTION 6: CLOSING FINANCIAL ACTIONS

ARTICLE 2012/5 6-1 Free Cash Application

The Moderator recognized William Boesch.

Moved by William Boesch, Finance and Advisory Committee, duly seconded, that the Town reserve, appropriate and authorize the Assessors to use \$300,000.00 of available certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2012.

Boesch spoke to the article.

The Moderator recognized Marc Johnson.

Moved by Marc Johnson, Board of Selectmen, duly seconded, to amend the amount to reserve, appropriate and authorize of available certified free cash to increase the amount to \$350,000.00 to reduce the tax rate for the Fiscal Year beginning July 1, 2012.

Jennifer Scuteri, Stinson, Laurie Wilson and John McWane spoke to the motion.

The Moderator called the vote on the motion to amend the amount by increasing it from \$300,000.00 to \$350,000.00.

**VOICE VOTE: MOTION PASSES to amend
Declared by the Moderator**

The Moderator called the vote on the main motion that the Town reserve, appropriate and authorize the Assessors to use \$350,000.00 of available certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2012.

VOICE VOTE: MOTION PASSES

The Annual Town Meeting adjourned at 1:04 p.m. The Moderator recessed the Annual Town Meeting until May 24, 2012 at 7 o'clock a.m. at the Winthrop School for the Annual Town Election.

A TRUE COPY: ATTEST:

Jane M. Wetson, CMMC
Town Clerk