



WARRANT

For

Annual Town Meeting

May 12, 2012

9:00 a.m.

Hamilton-Wenham Regional High School
Auditorium

Annual Town Election

May 24, 2012

7:00 a.m. – 8:00 p.m.

Winthrop School
Cafeteria

Please note: The appendices are available at Town Hall, on-line at www.hamiltonma.gov, and at the meeting. They were omitted from the warrant mailing to save on printing and postage costs.

Town By-Laws

CHAPTER II

RULES AND PROCEDURE OF TOWN MEETINGS

SECTION 1. All articles in the warrant shall be taken up in the order of their arrangement, unless otherwise decided by a two-thirds vote, except that unanimous consent shall be required for inclusion of an Article in a "Consent Motion" group of Articles that will be taken up by the meeting for voting on the group.

SECTION 2. In case of motions to amend, or to fill out blanks, the one expressing the largest sum or the longest time shall be put first, and an affirmative vote thereon shall be a negative vote on any smaller sum or shorter time.

SECTION 3. The report of a committee shall be deemed properly before a meeting if a request for its acceptance is included in an article of the warrant and a copy is published in the Special Report or is filed with the Town Clerk fifteen days prior to the meeting. A vote to accept a final report shall discharge the committee but shall not be equivalent to a vote to carry out its recommendations. A vote on recommendations included in a committee report shall only be in order under an article to that effect in the warrant. A vote to accept a report of progress shall continue the committee under its original authority unless otherwise specified.

SECTION 4. If an article of the Warrant has once been acted upon and disposed of, it shall not be again considered at the meeting except by a two-thirds vote.

SECTION 5. No money shall be appropriated from the Stabilization Fund except by a 2/3 vote at a Town Meeting.

SECTION 6. Only registered voters of the Town shall be admitted and entitled to vote at any Annual or Special meeting provided that upon prior request the Moderator may admit to the meeting persons who are not registered voters and in his discretion may permit them to speak on a subject. Any person so permitted to speak at a meeting shall announce his full name and address to the meeting.

SECTION 7. Motions at Town Meeting shall be made orally, but the Moderator may require any motion also to be submitted in writing. Unless otherwise directed thereby the Moderator shall appoint all committees created by the vote of the Town.

SECTION 8. The conduct of all Town Meetings not prescribed by law or by the foregoing rules shall be determined by the rules of practice contained in Town Meeting Time, A Handbook of Parliamentary Law, Second Edition.

SECTION 9. On matters requiring a two-thirds vote, either by statute or these By-Laws, a count need not be taken and the vote need not be recorded unless the vote declared is immediately questioned by seven or more voters as provided in General Laws, Chapter 39, Section 15.

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Please note: The appendices are available at the Town Hall, on-line @ www.hamiltonma.gov and at the meeting. They were omitted from the warrant mailing to save on printing and postage costs.

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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 Saturday, the Twelfth day of May, in the year Two Thousand Twelve (May 12, 2012) at nine o'clock in the morning (9:00 a.m.), then and there to act on the following articles.

SECTION 1: ELECTIONS, REPORTS, PROCEDURES

<p>ARTICLE 2012/5 1-1 <i>Election of Officers</i></p>	<p>To elect the following Town Officers at the Annual Town Election on Thursday, May 24, 2012 from 7:00 a.m. to 8:00 p.m. at the Winthrop School.</p> <ul style="list-style-type: none"> i Town Moderator for one year i Two Selectmen for three years i Assessor for three years i One member of Planning Board for five years i One member of the Planning Board for two years (to fill unexpired term) i Hamilton Housing Authority for five years i Two Hamilton-Wenham Public Library Trustees for three years i Three members of the Hamilton-Wenham School Committee for three years i Hamilton-Wenham School Committee for one year (to fill unexpired term) <p>Moderator: The vote on Article 1-1 is by ballot on Thursday, May 24, 2012 at the Winthrop School. The polls will open at 7:00 a.m. and close at 8:00 p.m.</p>
<p>ARTICLE 2012/5 1-2 <i>Reports</i></p>	<p>To hear reports of Town Officers and selected committees and to take action thereon or relative thereto. Reports will appear in the Town Report for Calendar Year 2011.</p>
<p>ARTICLE 2012/5 1-3 <i>Article for Consent Motion</i></p>	<p>To see if the Town will consolidate in one consent motion containing the motions for those articles that, in the opinion of the Moderator, are not controversial and can be passed without debate, or take any other action thereon or relative thereto.</p>

SECTION 2: FINANCIAL ACTIONS

<p>ARTICLE 2012/5 2-1 <i>Appropriation Transfer from Overlay Surplus to FY12 Allowance for Abatements & Exemptions</i></p>	<p>To see if the Town will transfer a sum of money from Overlay Surplus to FY12 Allowance for Abatements & Exemptions, or take any other action thereon or relative thereto. <i>(Expected request \$9,200)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
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<p>ARTICLE 2012/5 2-2</p> <p><i>Appropriation Increase for FY12 Waste Reduction Enterprise Budget To Accommodate Purchases of Bins</i></p>	<p>To see if the Town will appropriate a sum of money from available funds to increase the FY 12 Waste Reduction Enterprise Budget to accommodate the purchase of waste bins, or take any other action thereon or relative thereto. <i>(Expected request \$35,527)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-3</p> <p><i>Waste Reduction Enterprise Retained Earnings</i></p>	<p>To see if the Town will appropriate a sum of money from Waste Reduction Enterprise Retained Earnings to be used in FY '12 for the purchase of solid and organic waste bins, or take any other action thereon or relative thereto. <i>(Expected request of \$12,000)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-4</p> <p><i>Compensation/ Classification Table</i></p>	<p>To see if the Town will amend the Personnel By-law by adopting changes to the classification and compensation table, or take any other action thereon, or relative thereto.</p> <p>[The Proposed Compensation/Classification Table appears as Appendix A to the 2012 Appendix Book.]</p> <p>The Board of Selectmen will make a recommendation at Town Meeting. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-5</p> <p><i>General Town Appropriations</i></p>	<p>To see if the Town will raise and appropriate money for schools and all other Town expenses and determine the manner of expending same, or take any action thereon or relative thereto. <i>(Expected request of \$24,864,846)</i></p> <p>[The proposed budget appears as Appendix B to the 2012 Appendix Book.] [The approved school budget appears as Appendix C to the 2012 Appendix Book.]</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make recommendations at Town Meeting.</p>
<p>ARTICLE 2012/5 2-6</p> <p><i>Water Enterprise Budget</i></p>	<p>To see if the Town will approve the FY 13 Water Enterprise Budget or take any other action thereon, or relative thereto. <i>(Expected request of \$1,022,324)</i></p> <p>[The proposed budget appears as Appendix D to the 2012 Appendix Book.]</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-7</p> <p><i>Waste Reduction Enterprise Budget</i></p>	<p>To see if the Town will approve the FY 13 Waste Reduction Enterprise Budget or take any other action thereon, or relative thereto. <i>(Expected request of \$445,029)</i></p> <p>[The proposed budget appears as Appendix E to the 2012 Appendix Book.]</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-8</p> <p><i>North Shore Regional Vocational</i></p>	<p>To see if the Town will raise and appropriate a sum of money for the Town's assessed portion of the North Shore Regional Vocational School District's FY 12 budget, or take any other action thereon, or relative thereto. <i>(Expected request of \$144,600)</i></p>

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<p align="center"><i>School District Budget</i></p>	<p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-9</p> <p align="center"><i>Community Preservation Committee Budget</i></p>	<p>To see if the Town will act on the Report of the Community Preservation Committee on the Fiscal Year 2013 Community Preservation Budget and specified other projects and 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, or take other action thereon or relative thereto. <i>(Expected request of \$417,000)</i></p> <p>[The Budget appears as Appendix F of the 2012 Appendix Book.]</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make recommendations at Town Meeting.</p>
<p>ARTICLE 2012/5 2-10</p> <p align="center"><i>Annual Financial Actions</i></p>	<p>To see if the Town will authorize the following financial actions, or take any other action thereon, or relative thereto.</p> <p>A. To transfer a sum of money from the Cemetery Sale of Lots and Graves Fund to be used for cemetery purposes <i>(Expected request \$2,000)</i>;</p> <p>B. To transfer a sum of money from the Clark Property Fund to the Conservation Fund <i>(Expected request \$413)</i>;</p> <p>C. To transfer a sum of money from the Water Enterprise Fund to the General Fund to be used for indirect expenses <i>(Expected request \$334,307)</i>;</p> <p>D. To transfer a sum of money from the General Fund to the Waste Reduction Enterprise Fund to be used for solid waste expenses <i>(Expected request \$334,270)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-11</p> <p align="center"><i>Annual Authorization of Revolving Funds</i></p>	<p>To see if the Town, pursuant to M.G.L. c. 44, § 53E ½, will authorize or reauthorize revolving funds for certain town departments for the fiscal year beginning July 1, 2012, or take any other action thereon, or relative thereto. <i>(Expected requests of \$223,739, \$15,000, and \$3,000)</i></p> <p>[The proposed budgets and details of expenditure appear as Appendix G to the 2012 Appendix Book.]</p> <p>The Board of Selectmen will make a recommendation at Town Meeting. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-12</p> <p align="center"><i>OPEB Trust Fund</i></p>	<p>To see if the Town will raise and appropriate, or transfer from available funds, a sum of money to the Other Post Employment Benefits Liability Trust Fund to reduce the unfunded liability of health care and other post employment benefits to meet the normal cost of all such future benefits for which the Town is obligated, or take any other action thereon or relative thereto. <i>(Expected request of \$25,000)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>

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<p>ARTICLE 2012/5 2-13</p> <p><i>Retained Earnings for Capital Purchases for Water Enterprise</i></p>	<p>To see if the Town will appropriate a sum of money from Water Enterprise Retained Earnings to fund capital purchases to be used for Water Enterprise purposes, or take any other action thereon or relative thereto. <i>(Expected request of \$140,000)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-14</p> <p><i>Debt Borrowing for Vehicle and Howard Street Culvert</i></p>	<p>To see if the Town will appropriate a sum of money for the purchase of a Department of Public Works vehicle and for reconstructing the Howard St Culvert, including the payment of all costs incidental and related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action thereon or relative thereto. <i>(Expected request of \$175,000 or \$63,000 annually)</i> (This article requires a 2/3 majority for approval)</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-15</p> <p><i>Debt Borrowing for Water Enterprise Distribution System Replacement Program</i></p>	<p>To see if the Town will appropriate a sum of money for designing and reconstructing the town’s water system and facilities, including the payment of all costs incidental and related thereto; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; and to take any other action thereon or relative thereto. <i>(Expected request of \$5 million to be paid by water rates)</i> (This article requires a 2/3 majority for approval)</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-16</p> <p><i>Capital Appropriation for Side Walks</i></p>	<p>To see if the Town will raise and appropriate a sum of money for construction, reconstruction or repair of Town sidewalks, and to take any other action thereon or relative thereto. <i>(Expected request of \$50,000)</i></p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 2-17</p> <p><i>Fund for Downtown Improvements</i></p>	<p>To see if the Town will raise and appropriate or transfer from available funds a sum of money for Downtown Improvements as presented in the Appendix, and to take any other action thereon or relative thereto.</p> <p>[The proposed Improvements Budget appears as Appendix H to be presented at Town Meeting]</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make recommendations at Town Meeting.</p>

SECTION 3: PLANNING /ZONING ACTIONS

<p>ARTICLE 2012/5 3-1</p> <p><i>V.F Flood Plain District (FEMA Flood Maps)</i></p>	<p>To see if the Town will amend the Zoning By-law by deleting the current Section V.F and replacing it with a new Section V.F entitled “Flood Plain District”, or take any other action thereon or relative thereto. (This article requires a 2/3 majority for approval)</p> <p>[The proposed language appears as Appendix I to the 2012 Appendix Book]</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make recommendations at Town Meeting.</p>
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SECTION 4: TOWN BY-LAW AMENDMENTS

	NONE
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SECTION 5: OTHER APPROPRIATIONS AND ACTIONS

<p>ARTICLE 2012/5 5-1</p> <p align="center"><i>Accept Gift of Patton Homestead</i></p>	<p>To see if the Town will 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; and further to raise and appropriate a sum of money for legal and acquisition costs, all on such terms and conditions as are acceptable to the Board of Selectmen, or take any action thereof or relative thereto. (This article requires a 2/3 majority for approval)</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make recommendations at Town Meeting.</p>
<p>ARTICLE 2012/5 5-2</p> <p align="center"><i>Citizen’s Petition – Right of Way Study and Topographic Survey for Essex Street Sidewalk and Trail</i></p>	<p>To see if the Town will appropriate monies 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, or take any action thereon or relative thereto. (<i>Expected request of \$19,500</i>)</p> <p>The Board of Selectmen makes no recommendation. The Finance and Advisory Committee recommends unfavorable action.</p>
<p>ARTICLE 2012/5 5-3</p> <p align="center"><i>Discover Hamilton Trail Easement</i></p>	<p>To see if the Town will 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, or take any other action thereon or relative thereto. (This article requires a 2/3 majority for approval)</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>
<p>ARTICLE 2012/5 5-4</p> <p align="center"><i>Rescind Vote of May 2006 ATM Article 5-1 to Sell Town-owned Land</i></p>	<p>To see if the Town will 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, or take any action thereon or relative thereto.</p> <p>The Board of Selectmen will make a recommendation at Town Meeting. The Finance and Advisory Committee recommends unfavorable action.</p>
<p>ARTICLE 2012/5 5-5</p> <p align="center"><i>Drainage Easement on Gregory Island Road</i></p>	<p>To see if the Town will authorize the Selectmen to acquire by purchase, grant, gift or otherwise, fee, easement, or other interests in land, all on terms and conditions as they may determine, and for the purpose of maintaining or protecting the Town's drainage system, or take any other action thereon, or relative thereto. (This article requires a 2/3 majority for approval)</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends favorable action.</p>

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SECTION 6: CLOSING FINANCIAL ACTIONS

<p>ARTICLE 2011/5 6-1</p> <p><i>Free Cash Application</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, 2012, or take any action thereon or relative thereto. (<i>Expected request \$300,000</i>)</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make recommendations at the Town Meeting.</p>
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**Annual Town Election will be held on Thursday, May 24, 2012 at the Winthrop School.
The polls will be open from 7:00 a.m. to 8:00 p.m.**

Annual Town Meeting – May 12, 2012

ADJOURNMENT

Given under our hands _____, 2012

HAMILTON BOARD OF SELECTMEN

Jennifer T. Scuteri, Chair

David S. Carey

Marc I. Johnson

Jeffrey T. Stinson

Jeffrey Hubbard

Hamilton, Massachusetts

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

Constable

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

POSTAL PATRON

Visit our website at www.hamiltonma.gov

Please join us

Saturday, May 12, 2012

ANNUAL TOWN MEETING

Hamilton-Wenham Regional High School
Auditorium

9:00 a.m.

DEMOCRACY IS NOT A SPECTATOR SPORT

Please bring this warrant with you to the Town Meeting. Thank you.