



WARRANT

For

Special Town Meeting

October 17, 2009

9:00 a.m.

Winthrop School

Cafeteria

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

Please recycle this warrant after the Town meeting.

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.

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.

Special Town Meeting – October 17, 2009

SPECIAL TOWN MEETING

OCTOBER 17, 2009

TABLE OF CONTENTS

WARRANT ARTICLE	DESCRIPTION	PAGE NO.
SECTION 1	ELECTIONS, REPORTS, PROCEDURES	
2009/10 1-1	Reports	
SECTION 2	FINANCIAL ACTIONS	
2009/10 2-1	Compensation Table (Appendix A)	
2009/10 2-2	Prior Year Bill FY 08	
2009/10 2-3	Community Preservation Committee (Appendix B)	
2009/10 2-4	General Town FY10 Appropriation Transfer	
2009/10 2-5	General Town FY10 Appropriation Increase	
2009/10 2-6	Water Enterprise FY10 Appropriation Transfer	
2009/10 2-7	Water Enterprise FY10 Retained Earnings	
SECTION 3	PLANNING / ZONING ACTIONS	
	No articles in this section.	
SECTION 4	TOWN BY-LAW AMENDMENTS	
2009/10 4-1	Sealer of Weights and Measures (Appendix C)	
2009/10 4-2	Town Manager Language	
2009/10 4-3	HWRSD Stabilization Fund	
2009/10 4-4	Paper ballot votes at Town Meeting	
2009/10 4-5	Water bylaw amendments to comply with DEP (Appendix D)	
SECTION 5	OTHER APPROPRIATIONS AND ACTIONS	
2009/10 5-1	Regional ECO	
2009/10 5-2	Police Regionalization	
2009/10 5-3	Water MGL c.40 §G-I (Appendix E)	
2009/10 5-4	Water MGL c.40 §J	
2009/10 5-5	Approve Merger of North Shore Technical High School and Essex Aggie	
2009/10 5-6	Firehouse Place: Amend septic easement	
2009/10 5-7	Home Rule Petition: Increase Selectmen from 3 to 5	
2009/10 5-8	Meals Tax	
SECTION 6	CLOSING FINANCIAL ACTIONS	
2009/10 6-1	Free Cash Application	

Special Town Meeting – October 17, 2009



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 Winthrop School in said town, on Saturday, the Seventeenth day of October, in the year Two Thousand Nine (October 17, 2009) 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

ARTICLE 2009/10 1-1 <i>Reports</i>	No articles in this section.
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SECTION 2: FINANCIAL ACTIONS

ARTICLE 2009/10 2-1 <i>Compensation/ Classification Table</i>	<p>To see if the Town will amend the Personnel By-law, as recommended by the Personnel Board, 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 this Appendix Book.]</p> <p>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</p>
ARTICLE 2009/10 2-2 <i>Appropriation Transfer- Prior Year Bill FY08</i>	<p>To see if the Town will authorize payment of a FY08 prior year bill from the appropriated FY10 Total General Government or take any other action thereon or relative thereto. (Expected request \$82.62)</p> <p>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</p>
ARTICLE 2009/10 2-3 <i>Community Preservation Committee Projects</i>	<p>To see if the Town will appropriate monies from Community Preservation fund special revenues, specific reserves or other available funds for the undertaking of community preservation projects as recommended by the Community Preservation Committee, or take any other action thereon or relative thereto.</p> <p>[The proposed projects appear as Appendix B to this Appendix Book.]</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the meeting.</p>

Special Town Meeting – October 17, 2009

<p>ARTICLE 2009/10 2-4</p> <p><i>General Town FY10 Appropriation Transfers</i></p>	<p>To see if the Town will authorize the following transfers for the FY10 General Town Appropriations or take any other action thereon or relative thereto:</p> <ul style="list-style-type: none"> a. From Total Department of Public Works to Total Health & Human Services (expected amount \$5,000) b. From Total Protection of Persons & Property to Total Health & Human Services (expected amount \$4,900) c. From Total Protection of Persons & Property to Total Unclassified (expected amount \$36,160) <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the meeting.</p>
<p>ARTICLE 2009/10 2-5</p> <p><i>General Town FY10 Appropriation Increases</i></p>	<p>To see if the Town will raise and appropriate or transfer from available funds the following additional FY10 General Town Appropriations or take any other action thereon or relative thereto:</p> <ul style="list-style-type: none"> a. Increase the appropriation for Total Health & Human Services (expected request of \$1,640) b. Increase the appropriation for Total General Government (expected request of \$51,514) <p>The Board of Selectmen will make a recommendation at the meeting. The Finance and Advisory Committee will make a recommendation at the meeting.</p>
<p>ARTICLE 2009/10 2-6</p> <p><i>Water Enterprise FY10 Budget</i></p>	<p>To see if the Town will amend the FY '10 Water Enterprise Budget by amending certain line item expenses or take any other action thereon or relative thereto. (expected request of \$22,000).</p> <p>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</p>
<p>ARTICLE 2009/10 2-7</p> <p><i>Water Enterprise FY10 Retained Earnings</i></p>	<p>To see if the Town will authorize the transfer of a sum of money from the Water Enterprise Retained Earnings to the Water Plant Capital Improvement expense for FY10 or take any other action thereon or relative thereto. (expected amount \$22,000)</p> <p>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</p>

SECTION 3: PLANNING /ZONING ACTIONS

	No articles in this section.
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SECTION 4: TOWN BY-LAW AMENDMENTS

<p>ARTICLE 2009/10 4-1</p> <p><i>Sealer of Weights and Measures Fee Schedule</i></p>	<p>To see if the Town will amend the General By-laws, Section XXI Schedule of Fees by increasing certain fees of the Sealer of Weights and Measures, or take any other action thereon or relative thereto. [The proposed fee schedule appears as Appendix C to this Appendix Book.]</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the meeting.</p>
<p>ARTICLE 2009/10 4-2</p> <p><i>Town Manager language changes</i></p>	<p>To see if the Town will amend the General By-laws, <i>passim</i>, to delete the term “Town Administrator” and replace it with “Town Manager,” to take effect upon the initial employment of a Town Manager, or take any other action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the meeting.</p>

Special Town Meeting – October 17, 2009

<p>ARTICLE 2009/10 4-3 <i>Regional School Stabilization Fund</i></p>	<p>To see if the Town of Hamilton will approve the establishment of a Stabilization Fund by the Hamilton-Wenham Regional School District in accordance with the provisions of Chapter 71, Section 16G ½ of the General Laws, or to take any other action relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the meeting.</p>
<p>ARTICLE 2009/10 4-4 <i>Paper Ballot Votes at Town Meeting</i></p>	<p>To see if the Town will amend the General By-laws, Ch. II “Rules and Procedures of Town Meetings” by adding a new Section 10 to provide for a secret ballot vote whenever 25% of the Town Meeting votes in the affirmative in response to a motion for a paper ballot with respect to an article for overrides, a debt exclusion or a capital outlay expenditure exclusion of greater than \$250,000.00, or take any other action thereon or relative thereto.</p> <p>The Board of Selectmen will make a recommendation at the meeting. The Finance and Advisory Committee recommend favorable action.</p>
<p>ARTICLE 2009/10 4-5 <i>Water Bylaw amendments to comply with DEP</i></p>	<p>To see if the Town will amend the General By-laws by striking Chapters XXV and XXVI therefrom and replacing them with a new Chapter XXV, or take any action thereon or relative thereto. [The proposed language appears as Appendix D to this Appendix Book.]</p> <p>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</p>

SECTION 5: OTHER ACTIONS

<p>ARTICLE 2009/10 5-1 <i>Regional ECO</i></p>	<p>To see if the Town will authorize the Selectmen to enter into an intergovernmental agreement for a period of ten years on terms acceptable to the Selectmen, to provide emergency and non-emergency police, fire, and emergency medical services dispatch with other municipalities in Essex County, based on a per-capita chargeback through the Cherry Sheet, or take any other action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the meeting.</p>
<p>ARTICLE 2009/10 5-2 <i>Police Regionalization</i></p>	<p>To see if the Town will form a committee comprising the Chairmen of the Boards of Selectmen of the Towns of Hamilton and Wenham and a representative from the Capital Management Advisory Board, as chosen by said Boards, to investigate and report on the costs and benefits to the Towns of Hamilton and Wenham to share police services or merge police departments, including an assessment of the most appropriate location for police headquarters and satellite offices for such shared services or merged departments; the report and recommendations including an outline implementation plan for such recommendations, to be presented to the two towns’ Boards of Selectmen no later than forty-five (45) days after the date by which both towns have voted to approve the committee’s formation, all contingent upon the Town of Wenham approving the same, or take other action thereon or relative thereto.</p> <p>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee recommends unfavorable action.</p>

Special Town Meeting – October 17, 2009

<p>ARTICLE 2009/10 5-3</p> <p><i>Water MGL c.40 §42G-I</i></p>	<p>To see if the Town will accept the provisions of MGL c.40, §42 G-I regarding assessments for the laying of water pipes in public and private ways and to amend the Town By-laws consistent with these statutes, or take any other action thereon or relative thereto.</p> <p>[The proposed language appears as Appendix E to this Appendix Book.]</p> <p>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</p>
<p>ARTICLE 2009/10 5-4</p> <p><i>Water MGL c.40 §42J</i></p>	<p>To see if the Town will accept the provisions of MGL c.40, §42J to defer charges to certain property owners who currently receive state Circuit Breaker exemptions on their real estate tax bills, or take any action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</p>
<p>ARTICLE 2009/10 5-5</p> <p><i>Merger of North Shore Vocational Tech. H.S. and Essex Aggie</i></p>	<p>To see if the Town will elect to become a member of the North Shore Agricultural and Technical School District, pursuant to Section 4 of Chapter 463 of the Acts of 2004, as amended, or take any other action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the meeting.</p>
<p>ARTICLE 2009/10 5-6</p> <p><i>Firehouse Place: Amend septic easement</i></p>	<p>To see if the Town will grant an amendment of the septic system easement to the owner of 69 Willow St. to maintain and repair the septic system under the Town lot located at the corner of Railroad Ave. and Willow St., or take any other action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the meeting.</p>
<p>ARTICLE 2009/10 5-7</p> <p><i>Home Rule Petition: Increase Selectmen from 3 to 5</i></p>	<p>To see if the Town will approve and authorize the Selectmen to petition the Legislature to enact a special act to increase the number of selectmen from 3 to 5, 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 other action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the meeting.</p>
<p>Article 2009/10 5-8</p> <p><i>Meals Tax</i></p>	<p>To see if the Town will accept the provisions of MGL c.64L, §2(a) to impose a local meals excise tax, or take any other action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee recommend taking no action.</p>

SECTION 6: CLOSING FINANCIAL ACTIONS

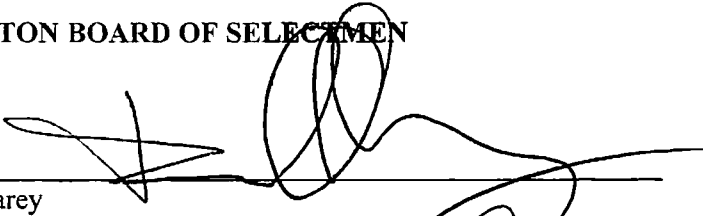
<p>ARTICLE 2008/10 6-1</p> <p><i>Free Cash Application</i></p>	<p>To see if the Town will reserve, appropriate and authorize the Assessors to use available certified free cash to reduce the tax rate for the Fiscal Year beginning July 1, 2009, or take any action thereon or relative thereto.</p> <p>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at the Town Meeting</p>
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Special Town Meeting – October 17, 2009

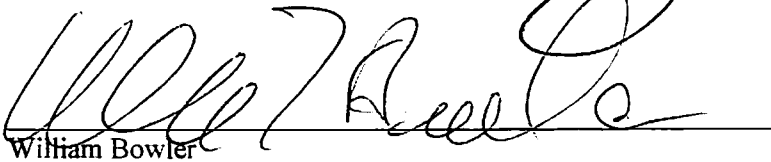
ADJOURNMENT

Given under our hands Sept 9, 2009

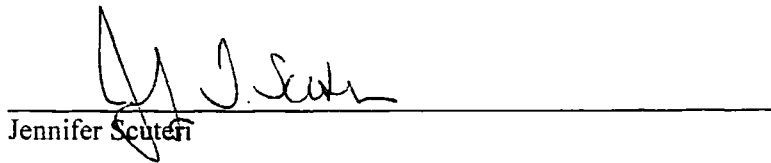
HAMILTON BOARD OF SELECTMEN



David Carey



William Bowler

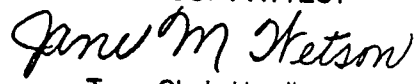


Jennifer Scuteri

Hamilton, Massachusetts

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

Constable Robert W Poole 9-9-2009

A TRUE COPY ATTEST

Town Clerk, Hamilton

APPENDIX A
COMPENSATION / CLASSIFICATION TABLE
FISCAL YEAR 2010

GENERAL GOVERNMENT

(#) = See footnote - end of Comp. Table

Salaried Positions - 52.2 weeks

	Steps	I	II	III	IV	V	VI	VII
		Start	6 months	18 months	30 months	42 months	54 months	66 months
	Town Administrator	72,516	75,416	78,433	81,570	84,833	88,226	91,755
	Director of Finance/Accountant	72,516	75,416	78,433	81,570	84,833	88,226	91,755
(1)	Treasurer-Collector	52,846	54,960	57,158	59,444	61,822	64,295	66,867
	Director of Assessors	52,846	54,960	57,158	59,444	61,822	64,295	66,867
	Town Accountant (vacant)	44,781	46,572	48,435	50,373	52,388	54,483	56,663
	Recreation Director	44,781	46,572	48,435	50,373	52,388	54,483	56,663
(14)	Building/Zoning Inspector	37,963	39,481	41,061	42,703	44,411	46,188	48,035
(3)	Conservation Coordinator	37,963	39,481	41,061	42,703	44,411	46,188	48,035
(3/11)	CPA/Planning Coordinator	37,963	39,481	41,061	42,703	44,411	46,188	48,035
(3)	Planning Coordinator	37,963	39,481	41,061	42,703	44,411	46,188	48,035

Hourly Positions

	Steps	I	II	III	IV	V	VI	VII
		Start	6 months	18 months	30 months	42 months	54 months	66 months
	Asst. to the Town Administrator	19.07	19.83	20.62	21.44	22.30	23.19	24.12
	Assistant Town Accountant	20.56	21.38	22.24	23.13	24.06	25.02	26.03
	Assistant Treasurer/Collector	20.56	21.38	22.24	23.13	24.06	25.02	26.03
	Facilities Repair & Maintenance	18.09	18.81	19.56	20.34	21.15	22.00	22.88
	Administrative Assistant	15.69	16.32	16.97	17.65			
	Custodian	15.32	15.93	16.57	17.23			
	Clerk/Typist	14.66	15.25	15.86	16.49			

Town Hall Union - Hourly Compensation table established by Union Contract. Negotiations in progress.

	Steps	I	II	III	IV	V	VI	VII
		Start	6 months	18 months	30 months	42 months	54 months	66 months
	Admin. Assistants - Grade I	16.74	17.41	18.11	18.83	19.58	20.36	21.17
	Admin. Assistants - Grade II	17.91	18.63	19.38	20.16	20.97	21.81	22.68

PUBLIC WORKS

Salaried Positions - 52.2 weeks

(1)	Steps	I	II	III	IV	V	VI	VII
		Start	6 months	18 months	30 months	42 months	54 months	66 months
	Director of Public Works	72,516	75,416	78,433	81,570	84,833	88,226	91,755

DPW Union - Hourly Compensation table established by Union Contract. Negotiations in progress.

	Steps	I	II	III	IV	V	VI	VII
		Start	9 months	21 months	33 months	45 months		
	Foreman	20.65	21.47	22.33	23.22	24.15		
	Mechanic	20.65	21.47	22.33	23.22	24.15		
	Plant Operator - Primary	20.65	21.47	22.33	23.22	24.15		
	Foreman 2	18.85	19.61	20.39	21.21	22.05		
	Plant Operator - Secondary	18.53	19.28	20.05	20.85	21.68		
	Heavy Equipment Operator	17.91	18.62	19.37	20.14	20.95		
	Truck Driver/Laborer	16.68	17.34	18.05	18.77	19.52		

APPENDIX A
COMPENSATION / CLASSIFICATION TABLE
FISCAL YEAR 2010

PUBLIC SAFETY

(#) = See footnote - end of Comp. Table

Salaried Positions - 52.2 weeks

	Steps	I	II	III	IV	V	VI	VII
		Start	6 months	18 months	30 months	42 months	54 months	66 months
(9)	Chief of Police	72,516	75,416	78,433	81,570	84,833	88,226	91,755
	Chief of Fire	72,516	75,416	78,433	81,570	84,833	88,226	91,755
(2)	Health Agent	52,846	54,960	57,158	59,444	61,822	64,295	66,867
(1)	Emergency Center Supervisor	44,781	46,572	48,435	50,373	52,388	54,483	56,663
	Fire Inspector	44,781	46,572	48,435	50,373	52,388	54,483	56,663

Police Union - Weekly Compensation table established by Union Contract. Negotiations in progress.

	Base Wage Steps	I	II	III				
		Start	12 months	24 months				
(7)	Patrolman (weekly rates)	728.68	817.31	905.15				
	Sergeant (weekly rates)	837.98	939.91	1,040.92				
	Lieutenant (weekly rates)	910.85	1,021.64	1,131.44				
	EMT Stipend (weekly rates)	65.75						

Emergency Center Union - Wkly. Comp. table established by Union Contract. Negotiations in progress.

	Steps	I	II	III	IV	V	VI	VII
		Start	6 months	18 months	36 months	48 months	60 months	72 months
(6)	Dispatcher (weekly rates)	613.14	649.93	688.93	730.26	759.47	789.85	821.45
(4)	EMD Stipend (weekly rate)	30.00						

Hourly Positions

	Steps	I	II	III	IV	V	VI	VII
		Start	6 months	18 months	30 months	42 months	54 months	66 months
(5)	Asst. Fire Inspector/Firefighter	16.70	17.37	18.06	18.78	19.53	20.31	21.12
	Firefighter/Operator	16.70	17.37	18.06	18.78	19.53	20.31	21.12

	Steps	I	II	III	IV			
		Start	6 months	18 months	36 months			
(7)	Fire Equipment Mechanic	19.17	19.94	20.74	21.57			
	Reserve Patrolman	16.63	17.63	18.68	19.81			
	Matron	16.63	17.62	18.68	19.81			
(6)	Emergency Center Dispatcher (P/T)	15.32	16.24	17.22	18.25			
(10)	Animal Control Officer	14.47	15.05	15.65	16.27			
	Fire EMT Stipend (weekly rate)	50.00						

Call Firefighters

	Rank	Hourly Wage						
	Deputy Chief	24.59						
	Captain	22.78						
	Lieutenant	20.95						
	Inspector; Electrical/Building	20.95						
(8)	State Cert. Firefighter - Level I	19.13						
	Firefighter w/ CPR 1st. Responder	18.21						
	Probationary Firefighter	15.48						

APPENDIX A
COMPENSATION / CLASSIFICATION TABLE
FISCAL YEAR 2010

OTHER

Elected/Appointed Positions (MGL 41 s.108 & 108A)	Annual Pay
Town Clerk	56,663
Selectmen/Chairman	3,225
Board of Assessors/Chairman	2,878
Selectmen/Members	2,852
Board of Assessors/Members	2,150
Board of Appeals/Chairman	1,648
Board of Health/Chairman	856
Board of Health/Members	485

Professional Stipends	Annual Rate
Animal Pick-Up (Deceased)	2,400
Animal Control Officer/Wildlife	2,400
Dog Officer	2,400
Deputy Fire Chief	1,500
Certification EMD	1,300
Harbormaster	1,200
Certification Treasurer/Collector	1,000
Fire Dept. Captains	750
Fire Dept. Training Officer	500

Inspectional Services	Annual Pay
Building/Zoning Inspector	26,000
Plumbing/Gas Inspector	13,147
Electrical Inspector	13,147
Animal Inspector	3,999
Sealer of Weights & Measures	1,845
Asst. Plumbing/Gas Inspector	809
Asst. Electrical Inspector	809
Asst. Building Inspector	809

Contract Rates - Part-time	Contract Rate
MIS Systems Analyst (annually)	30,013
Valuation Consultant (annually)	24,735
Food Service Inspec.	41.00
Health Agent (hourly)	45.39
Facility Maintenance Technician	25.86
Health Inspector	25.00
Website Manager (hourly)	18.45
Senior Coordinator (hourly)	17.65

(12)

Occasional Help	Range of Compensation
Registrar of Voters (annually)	298
Poll Worker (hourly)	8.00 10.00
General Clerical (hourly)	8.00 10.88
Laborer: Light Work (hourly)	8.00 11.96
Recreation Instructor (Hourly or by Class)	8.00 80.00
Seasonal Recreation Help (hourly)	8.00 20.00
Senior Work-Off Program (hourly)	8.00

(13)

Legend:

- (1) Position also receives "Professional Stipends."
- (2) Currently under a contract which differs from the salary table. See Contract Rate Section.
- (3) Less than full-time. Hourly wage is based on annual salary from table calculated on a 37.5 hr. work week.
- (4) Dispatchers who hold Emergency Medical Dispatch Certification.
- (5) Firefighter/Operator holding officer position in Call Force will receive 5% differential.
- (6) The base pay differential for evening (3p.m. to 11p.m.) is 3% and nights (11p.m. to 7a.m.) is 5%.
- (7) The base pay differential for evening (4p.m. to 12a.m.) is 5% and nights (12a.m. to 8a.m.) is 7%.
- (8) State Certified Firefighters receive an additional 5% at any rank.
- (9) Contract includes allowances of a regular police officer and an annual base pay of \$112,500.
- (10) Compensation paid by stipend. See Stipend Table.
- (11) Funded by Community Preservation Act - Administration.
- (12) Funded through Elder Affairs Grant. Annual salary based upon Grant Award.
- (13) Annual Abatement not to exceed \$750.00 per household. Hourly rate based on minimum wage.
- (14) Full-time position vacant. Position paid as contracted services - see "Other."

APPENDIX B

COMMUNITY PRESERVATION COMMITTEE PROJECTS FY 10

No.	PURPOSE
	<u>Historic Preservation - Projects</u>
1.	To appropriate \$13,000 from FY 10 Community Preservation Fund Revenues to fund renovations to the cemetery building in Hamilton's historic Town Cemetery.
2.	To appropriate \$33,000 from FY 10 Community Preservation Fund Revenues to fund the painting of Hamilton's historic Town Hall.
3.	To appropriate \$38,000 from FY 10 Community Preservation Fund Revenues to fund an ADA elevator study, environmental assessment, and space needs study at Hamilton's historic Town Hall.
4.	To appropriate \$1,000 from FY 10 Community Preservation Fund Revenues to fund new signs for Hamilton's Historic District.
5.	To appropriate \$28,000 from Historic Preservation Reserves to fund the replacement of the front steps at Hamilton's historic Town Hall.
	<u>Recreation - Projects</u>
1.	To appropriate \$9,400 from FY 10 Community Preservation Fund Revenues for the Weaver Pond Nuisance Vegetation Control project.

APPENDIX C

FY 10 Sealer Of Weights and Measures Fees

Fees and Adjusting Charges authorized by Section 56, G.L., Chapter 98 as amended

	Type of Device	Unit	Number of Devices	Current Fee Charged per Device	Proposed Fee Charged per Device
Balances & Scales	Scales, 0 - 10	lbs			
	RX Balance	lbs		\$20	\$25
	Scales, 11-100	lbs		\$20	\$35
	Scales, 100 - 1000	lbs		\$25	\$45
	Scales, 1,000 - 5,000	lbs		\$35	\$50
	Scales, 5,000 - 10,000	lbs		\$50	\$100
	Scales, Over 10,000	lbs		\$100	\$145
Weights	Avoirdupois	each		\$10	\$25
	Metric	each		\$10	\$25
	Apothecary	each		\$10	\$25
	Troy	each		\$10	\$25
Liquid Measuring Meters	Inlet 1/2" or less Oil, grease				
	Inlet 1/2" to 1" Gasoline			\$20	\$35
	Inlet more than 1" Vehicle Tank Pump			\$50	\$65
	Vehicle Tank Gravity				
	Bulk Storage			\$100	\$145
	Company Supplies Provider				
Pumps	Each Stop on Pump				
Other Devices	Scanners			\$250	\$250
	Taxi Meters				
	Odometer - Hubodometer				
	Fabric Measuring				
	Wire - Rope - Cordage				
Linear Measure	Yard Sticks				
	Tapes				
Misc.	Propane meters				\$50
	Milk tanks				
	Coin operated amusement devices				\$10
	Reverse vending machines used for recycling soft drink containers				\$10
	Price scanning systems				3 or < 3 \$150 4 or > \$250

* List is not all inclusive

APPENDIX D

CHAPTER XXV

OUTDOOR WATER USE BY-LAW

SECTION 1. Authority

This By-Law is adopted by the Town under its police powers to protect public health and welfare and its power under G.L. Ch.40, Sec. 21 et. seq. and implements the Town's authority to regulate water use pursuant to G.L. Ch. 41, Sec. 69B.

SECTION 2. Purpose

The purpose of this By-law is to protect, preserve and maintain the public health, safety and welfare by creating a balance between the needs of the environment, our ground water supply, the citizens of Hamilton and Hamilton's public water distribution system, and by addressing concerns about lower ground water levels and the potential demand on its water sources during the dry summer months, while recognizing the therapeutic, esthetic and environmental benefits that gardening and landscaping bring to our community. The provisions of this By-law are applicable only to the use of water supplied by the Town's public water system or withdrawn from the same water sources as the Town's public water system and do not apply to the use of recycled water, storm water run-off, gray water or water from cisterns or rain barrels that derive their water directly from precipitation.

SECTION 3. Definitions

Nonessential Outdoor Water Use shall mean those uses that are not required:

1. for health or safety reasons;
2. by regulation;
3. for the production of food and fiber;
4. for the maintenance of livestock; or
5. to meet the core functions of a business.

Person shall mean any individual, corporation, trust, partnership or association, agency or authority, or other public or private entity and any officer, employee, group or agent of such persons.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Board of Selectmen pursuant to Section 4 of this By-law.

Water Users shall mean all persons who use water supplied by the Town's public water system or withdrawn from the same water sources as the Town's public water system, irrespective of such person's legal responsibility for payment for the use of such water.

SECTION 4. Water Ban

The Town, through the Board of Selectmen, shall have the authority to regulate the use of any automatic or other sprinkler during prescribed daylight hours in an effort to promote water conservation, without declaring a State of Water Supply Conservation pursuant to Section 5 of this By-law.

SECTION 5. Declaration of a State of Water Supply Conservation

The Board of Selectmen may declare a State of Water Supply Conservation upon their determination that there exists or impends a shortage of water, and that conservation measures are appropriate to ensure that an adequate supply of water is available to all users, including fire-fighting operations; that the Town's water withdrawal volumes remain within the limits of any applicable Registration Statement submitted by the Town to the Massachusetts Department of Environmental Protection pursuant to G.L. Ch.21G, Sec. 5 and any applicable water withdrawal Permit issued to the Town pursuant to G.L. Ch.21G, Sec. 11; and that any conditions set forth in such Permit are satisfied. Public notice of a State of Water Conservation shall be given in accordance with Section 7 of this By-Law before any restrictions, conditions or requirements limiting the use of water may be enforced pursuant thereto.

SECTION 6. Restricted Water Uses

A declaration of a State of Water Supply Conservation shall be accompanied by the imposition of one or more of the following restrictions, conditions or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, conditions or requirements shall be included in the public notice required by Section 7.

- A. Odd/Even Day Nonessential Outdoor Water Use: Nonessential outdoor water use by water users with odd-numbered addresses is restricted to odd-numbered days. Nonessential outdoor water use by water users with even-numbered addresses is restricted to even-numbered days.
- B. Nonessential Outdoor Water Use Days: Nonessential outdoor water use is permitted only on the days per week specified in the public notice of the State of Water Supply Conservation.
- C. Nonessential Outdoor Water Use Ban: Nonessential outdoor water use is prohibited at all times.
- D. Nonessential Outdoor Water Use Hours: Nonessential outdoor water use is permitted only during daily periods of low demand, to be specified in the public notice of the State of Water Supply Conservation.
- E. Filling Swimming Pools: Filling of swimming pools is prohibited.
- F. Washing Vehicles: Washing of vehicles is prohibited.
- G. Washing Buildings: Washing of buildings' exterior, surfaces, parking lots, driveways, and sidewalks prohibited.
- H. Outdoor Sprinkler Use: the use of lawn and garden sprinklers of all types, including the use of drip irrigation hoses or other devices that use subsurface application is prohibited. Hand watering is permitted.

SECTION 7. Public Notice of a State of Water Supply Conservation

Notice of any declaration of a State of Water Supply Conservation, including the accompanying restrictions, conditions or requirements limiting the use of water imposed by the Board of Selectmen shall be published in a newspaper of general circulation within the Town, sent by mail, posted on the Town's Web site, or provided by such other means reasonably calculated to reach and inform all water users of the State of Water Supply Conservation. Notification of the State of Water Supply Conservation shall also be provided to the Massachusetts Department of Environmental Protection.

SECTION 8. Termination of a State of Water Supply Conservation- Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Selectmen, upon their determination that there no longer exists or impends a shortage of water or that the previously imposed restrictions, conditions or requirements limiting the use of water conservation are no longer essential. Public notice of the termination of a State of Water Supply Conservation shall be given in the same manner used pursuant to Section 7 for notice of its declaration.

SECTION 9 Summer Irrigation/Outdoor Water Use

This section is applicable only to the use of water supplied by the Town's public water system and shall be in effect from May 1 to September 30 each year; provided, however, that this time period may be extended by vote of the Board of Selectmen, as it deems necessary in light of weather conditions, the need to protect the Town's water supply, applicable regulations of the Department of Environmental Protection, demands on the Town's pumping equipment or other circumstances that the Board deems relevant.

In the event that any provision of this section conflicts with any restrictions, conditions or requirements limiting the use of water imposed by the Board of Selectmen pursuant to Section 7 of this By-law, the applicability of such provision shall be suspended for so long as such conflict continues.

It is unlawful to engage in nonessential outside water use through a sprinkler or lawn irrigation system between 8:00 am and 8:00 pm.

All water hoses shall be controlled by a nozzle, sprinkler or other device to regulate the flow of water leaving the hose. No use of an open-ended hose is permitted with the exception of filling or topping of swimming pools.

All outside spigots shall be retrofitted with an antisiphon device.

All existing automatic underground irrigation systems shall have rain sensors wired into them to prevent unnecessary watering.

Nothing in this section shall be construed to prohibit watering through drip irrigation hoses or other devices that use subsurface application and prevent the water from being evaporated through contact with the atmosphere..

SECTION 10. Penalties

Any person violating this By-law shall be subject to a penalty, which shall inure to the Town, in the amount of \$50.00 for the first violation and \$100.00 for each subsequent violation. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with G.L. Ch. 40, Sec. 21D. Each day of violation shall constitute a separate offense.

SECTION 11. Severability

If any portion or provision of this By-law shall be found invalid for any reason by a court of competent jurisdiction, such invalidity shall be construed as narrowly as possible and the balance of the By-law shall be deemed to be amended to the minimum extent necessary to provide the Town substantially the benefits set forth in this By-law.

APPENDIX E

ASSESSMENTS FOR EXTENSION OF WATER SERVICE

Amend the General By-laws, Ch. IV, "Board of Public Works" by adopting a new Section 3 to read as follows:

Section 3. Assessments for extension of water system.

A. The Board of Selectmen, water commissioners or other officers in charge of the town water supply, shall levy special assessments to meet IN whole or part of the cost, thereafter incurred, of laying pipes in public or private ways for the conveyance or distribution of water to inhabitants of the town; and the owners of land benefitted, by abutting or more remote means, shall pay a proportionate part of the cost not already assessed of extending water supply to their land.

B. The amount chargeable against each parcel of land benefitting shall include cost of pipes, material, labor and incidental expenses which amount shall be ascertained, assessed and certified by the Board of Selectmen, water commissioners or other officers in charge of water supply.

C. The assessment may be made by fixed uniform rate based on estimated average cost of all water pipes therein and laying thereof, according to frontage of such land on any way in which a water pipe IS laid, according to the area of land within a fixed depth from such a way, according to valuation for tax purposes last annual assessment or according to two or all of such measures.

D. When the Board of Selectmen, water commissioners or other officers in charge of water supply determine to lay pipes in public or private ways and assessments may be made hereunder, they shall forthwith cause to be recorded at the Southern Essex Registry of Deeds, Salem, Massachusetts, a statement of their action, specifying ways in which the pipes are to be laid and shall describe such land as does not abut upon such way which is to be assessed for such improvement, and which shall designate as the owner of each parcel upon which a lien is to be imposed the person who was liable for assessment therefor on the preceding January first, under the provisions of M.G.L. Ch. 59.

E. All assessments imposed under this section on any land abutting or included in the description shall constitute a lien on such land from the time the statement is recorded. M.G.L. Ch. 80, providing for apportionment, reassessment, etc., of betterments shall be applicable.

F. The assessment shall not be in excess of benefit to the land assessed and, if found so, shall be abated.

G. The Board of Selectmen, water commissioners or other officers in charge of water supply shall, if the order for assessment is on land not built upon, extend the time of payment of assessment, with interest, until such land is built upon or for a fixed time. Interest shall accrue at the rate of two per cent above the rate of interest charged to the town for the betterment project to which the assessments relate or, in the event no borrowing is undertaken for the project, at the rate of five per cent per annum. The assessment so extended and interest shall be paid within three months after land is built upon or at the expiration of such fixed period.

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POSTAL PATRON

The Town has a new website – Please log on to
www.hamiltonma.gov and take a look!

Please join us

Saturday, October 17, 2009

SPECIAL TOWN MEETING

Winthrop School
Cafeteria
9:00 a.m.

DEMOCRACY IS NOT A SPECTATOR'S SPORT

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



WARRANT

For

Special Town Meeting #2

To immediately FOLLOW the Special Town Meeting Scheduled for

October 17, 2009

9:00 a.m.

Winthrop School

Cafeteria

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



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 Winthrop School in said town, on Saturday, the Seventeenth day of October, in the year Two Thousand Nine (October 17, 2009) immediately following the Special Town Meeting to be held at nine o'clock in the morning (9:00 a.m.), then and there to act on the following articles.

SECTION 2: FINANCIAL ACTIONS

<p>ARTICLE 2009/10 2-8 <i>Cutler School HVAC Debt Exclusion</i></p>	<p>To see if the Town will approve the \$1,531,720.00 borrowing authorized by vote of the Hamilton-Wenham Regional School District on October 1, 2009, for the purpose of paying costs of remodeling, reconstructing and making extraordinary repairs to the HVAC system at the Cutler Elementary School, conditioned upon the approval of a partial grant from the Massachusetts School Building Authority, and further conditioned upon the passage of a referendum question to exempt the amounts necessary to repay the Town's respective share of any debt authorized by this vote from the limitations on taxes imposed by M.G.L. Ch. 59, Sec. 21C(k) (Debt Exclusion) 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 meeting.</p>
<p>ARTICLE 2009/10 2-9 <i>Water Enterprise Debt Exclusion</i></p>	<p>To see if the Town will appropriate a sum of money for upgrades and repairs to the Gordon Thompson Water Treatment Plant; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise, or take any other action thereon or relative thereto. (expected amount \$310,000.00)</p> <p>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</p>

ADJOURNMENT

Given under our hands September 26, 2009


HAMILTON BOARD OF SELECTMEN



David Carey



William Bowler



Jennifer Scuteri


Hamilton, Massachusetts

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



Robert Poole, Constable

9-28-2009
Date

A TRUE COPY ATTEST

Town Clerk, Hamilton

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POSTAL PATRON

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Please join us

Saturday, October 17, 2009

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To immediately **FOLLOW** the Special Town Meeting Scheduled for

**Winthrop School
Cafeteria
9:00 a.m.**

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