



## WARRANT

For

### **Annual Town Meeting**

April 7, 2018  
9:00 a.m.

Hamilton-Wenham Regional High School  
Auditorium

### **Annual Town Election**

April 12, 2018  
7:00 a.m. – 8:00 p.m.

Hamilton-Wenham Recreation Gymnasium

**Please note:** The appendices are available at Town Hall, on-line at [www.hamiltonma.gov](http://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.

**Annual Town Meeting – April 7, 2018**

**TABLE OF CONTENTS**

<b>WARRANT ARTICLE</b>	<b>DESCRIPTION</b>	<b>PAGE No.</b>
<b>SECTION 1</b>	<b>ELECTIONS, REPORTS, PROCEDURES</b>	
2018/4 1-1	Election of Officers	<b>3</b>
2018/4 1-2	Reports	<b>3</b>
2018/4 1-3	Article for Consent Motion	<b>3</b>
<b>SECTION 2</b>	<b>FINANCIAL ACTIONS</b>	
2018/4 2-1	Prior Year Bills	<b>3</b>
2018/4 2-2	Compensation/Classification Table ( <b>Appendix A</b> )	<b>4</b>
2018/4 2-3	Capital Expenditures	<b>4</b>
2018/4 2-4	General Town Departmental Appropriations ( <b>Appendix B and Appendix C</b> )	<b>4</b>
2018/4 2-5	Additional School Operating Appropriation	<b>5</b>
2018/4 2-6	School Debt – Winthrop Fire Suppression	<b>5</b>
2018/4 2-7	School Debt – Safety, Accessibility, and Critical Infrastructure Capital Projects	<b>5</b>
2018/4 2-8	Water Enterprise Budget ( <b>Appendix D</b> )	<b>6</b>
2018/4 2-9	Annual Financial Actions	<b>6</b>
2018/4 2-10	Community Preservation Budget ( <b>Appendix E</b> )	<b>6</b>
2018/4 2-11	Annual Budget for Revolving Funds	<b>7</b>
2018/4 2-12	Unused Borrowing Authorization	<b>7</b>
2018/4 2-13	Hamilton Development Corporation	<b>7</b>
2018/4 2-14	OPEB Trust Fund	<b>7</b>
2018/4 2-15	Fire Engine Purchase	<b>8</b>
<b>SECTION 3</b>	<b>PLANNING / ZONING ACTIONS</b>	
2018/4 3-1	Delete Conservancy District from Zoning Bylaw	<b>8</b>
<b>SECTION 4</b>	<b>TOWN BY-LAW AMENDMENTS</b>	
2018/4 4-1	Vacant/Unsafe/Dilapidated Buildings Bylaw	<b>9</b>
2018/4 4-2	Demolition Delay Bylaw	<b>9</b>
2018/4 4-3	ReNUMBER Departmental Revolving Fund Bylaw	<b>9</b>
2018/4 4-4	Amend Solicitor/Canvasser Bylaw	<b>9</b>
<b>SECTION 5</b>	<b>OTHER APPROPRIATIONS AND ACTIONS</b>	
2018/4 5-1	Citizens' Petition Appropriation for Legal Fees	<b>9</b>
2018/4 5-2	Citizens' Petition Retention of Counsel for Planning Board	<b>10</b>
2018/4 5-3	Citizens' Petition Report to Town	<b>10</b>
2018/4 5-4	Citizens' Petition Taxation of DCR Property	<b>10</b>
2018/4 5-5	Citizens' Petition Town Manager Salary in FY'18	<b>11</b>
2018/4 5-6	Citizens' Petition Zoning Bylaw Amendment Table of Use Regulations	<b>11</b>
<b>SECTION 6</b>	<b>CLOSING FINANCIAL ACTIONS</b>	
2018/4 6-1	Free Cash Application	<b>11</b>

**Annual Town Meeting – April 7, 2018**

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

**Annual Town Meeting – April 7, 2018**



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 seventh day of April, in the year Two Thousand Eighteen (April 7, 2018) 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><b>ARTICLE 2018/4 1-1</b>  <i>Election of Officers</i></p>	<p>To elect the following Town and School District Officers at the Annual Town Election on Thursday, April 12, 2018 from 7:00 a.m. to 8:00 p.m. at the Hamilton-Wenham Recreation Gymnasium.</p> <ul style="list-style-type: none"> <li>• Town Moderator for one year</li> <li>• Two members of the Board of Selectmen for three years</li> <li>• Assessor for three years</li> <li>• Two members of the Planning Board for three years</li> <li>• Two members of the Hamilton-Wenham Public Library Trustee for three years</li> <li>• Two members of the Hamilton-Wenham Regional School Committee for three years</li> </ul>
<p><b>ARTICLE 2018/4 1-2</b>  <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 2017.</p>
<p><b>ARTICLE 2018/4 1-3</b>  <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 action thereon or relative thereto.</p>

**SECTION 2: FINANCIAL ACTIONS**

<p><b>ARTICLE 2018/4 2-1</b>  <i>Prior Year Bills</i></p>	<p>To see if the Town will raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to pay any unpaid bills incurred in prior years, or take any action thereon or relative thereto. <i>(Expected request \$360.00)</i></p> <p><b><i>Brief Summary:</i></b> <i>This article provides for payment of a prior year bill which was not submitted prior to the fiscal year ending on June 30, 2017</i></p>
-------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Annual Town Meeting – April 7, 2018**

	<p><b>Fiscal Impact:</b> Payment of these bills will have a negligible effect on the tax rate.</p> <p><b>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-2</b></p> <p align="center"><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 action thereon, or relative thereto. [The Proposed Compensation/Classification Table appears as <b>Appendix A</b> to the 2018 Appendix Book.]</p> <p><b>Brief Summary:</b> <i>The Classification/Compensation table reflects a 2.0% cost of living increase, which was incorporated in the Fiscal Year 2019 Operating Budget. This table has also been updated for the resolution of Collective Bargaining Agreements and personal contracts settled after the April 2017 ATM.</i></p> <p><b>Fiscal Impact:</b> <i>\$189,563; approximately \$0.12 per \$1,000 assessed value; \$65 on average home values at \$538k.</i></p> <p><b>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-3</b></p> <p align="center"><i>Capital Expenditures</i></p>	<p>To see if the Town will raise and appropriate or transfer from available funds money for the purpose of capital expenditures and further, to authorize the Town Manager to administer and expend funds from said accounts, or take any action thereon or relative thereto. <i>(Expected request \$383,050.00)</i></p> <p><b>Brief Summary:</b> <i>This article funds capital expenditures for the Town. A five-year capital plan has been developed and the items listed on Appendix B, represent the highest priorities for fiscal year 2019.</i></p> <p><b>Fiscal Impact:</b> <i>The requested funds represent approximately \$0.25 per \$1,000 assessed valuation, or \$133 tax assessment on the average home valued at \$538k.</i></p> <p><b>The Board of Selectmen (5-0) and the Finance and Advisory Committee recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-4</b></p> <p align="center"><i>General Town Departmental Appropriations</i></p>	<p>To see if the Town will raise and appropriate, or transfer from available funds, money to defray the expenses of schools and all other Town expenses for the Fiscal Year beginning July 1, 2018, or take any action thereon or relative thereto. <i>(Expected requests Town - \$11,487,147.41 and School District - \$17,977,787.98)</i></p> <p>[The proposed budget appears as <b>Appendix B</b> to the 2018 Appendix Book.] [The approved school budget appears as <b>Appendix C</b> to the 2018 Appendix Book.]</p> <p><b>Brief Summary:</b> <i>This article is to approve the general operating budget for the Town and Schools. The Town budget request is based on level services with an increase in expenses (not including HWRSD) of 0.1%.</i></p> <p><i>The HWRSD budget request represents an increase of total school spending by over \$1.7 million -- an increase of 5.7% or \$984,224 for Hamilton.</i></p>

**Annual Town Meeting – April 7, 2018**

	<p><i>This article does not include the entire budget request by the school district but only a recommended 3.4% increase in Hamilton’s share of the school budget (excluding debt) from the prior year budget.</i></p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee (4-0) recommend favorable action.</i></b></p>
<p><b>ARTICLE 2018/4 2-5</b> <i>Additional School Operating Appropriation</i></p>	<p>To see if the Town will raise and appropriate additional money for school operating expenses, or take any action thereon or relative thereto. (<i>Expected request \$407,707.02</i>)</p> <p><b><i>Brief Summary:</i></b> <i>As noted above, the school budget request represents a 5.7% increase to Hamilton from the previous year’s budget. The first 3.4% of this increase is included in Article 2018/4 2-4. The additional \$407,707 requested by the HWRSD is included here as a separate Article to illustrate the amount of funding requested by the schools that is over and above the amount the town considers appropriate, so taxpayers can determine whether or not to approve these additional funds.</i></p> <p><b><i>Fiscal Impact:</i></b> <i>Adoption of this article will increase the estimated tax rate by approximately \$0.26 per \$1,000 assessed valuation, or \$140 for an average home valued at \$538k.</i></p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee (4-0) recommend unfavorable action.</i></b></p>
<p><b>ARTICLE 2018/4 2-6</b> <i>School Debt – Winthrop Fire Suppression</i></p>	<p>To see if the Town will approve the \$850,000 borrowing authorized by the Hamilton-Wenham Regional School District for the purpose of paying costs of the installation of a fire suppression system at the Winthrop Elementary School, including the payment of all costs incidental or related thereto, or take any action thereon or relative thereto.</p> <p><b><i>Brief Summary:</i></b> <i>Previous renovations of the Winthrop School triggered a MA State Mandate that a fire suppression system be added to the school. Responsible Hamilton officials have determined that this requirement be implemented in FY 2019. The Certificate of Occupancy could be jeopardized if the town does not comply.</i></p> <p><b><i>Fiscal Impact:</i></b> <i>Hamilton’s share of the FY19 HWRSD budget is 64.7% Based on the school’s projections for a 20 year bond, Hamilton’s share of the first year debt is anticipated to be approximately \$39,000, which represents \$.02 per \$1,000 assessed value or \$11 for an average home valued at \$538k.</i></p> <p><b><i>The Board of Selectmen (5-0) and Finance and Advisory Committee (4-0) recommend favorable action.</i></b></p>
<p><b>ARTICLE 2018/4 2-7</b> <i>School Debt – Safety, Accessibility, and Critical Infrastructure Capital Projects</i></p>	<p>To see if the Town will approve the \$2,600,000 borrowing authorized by the Hamilton-Wenham Regional School District (“District”) for the purpose of paying costs of various FY’19 “Safety, Accessibility, and Critical Infrastructure” capital projects within the District as outlines in the District’s Five-Year Capital Plan dated February 13, 2018, including the payment of all costs incidental or related thereto, or take any action thereon or relative thereto.</p>

**Annual Town Meeting – April 7, 2018**

	<p><b>Fiscal Impact:</b> Hamilton’s share of the FY19 HWRSD budget is 64.7%. Based on the school’s projections for a 20 year bond, Hamilton’s share of the first year debt is anticipated to be approximately \$118,000, which represents approximately \$0.07 per \$1,000 assessed value or \$38 for an average home valued at \$538k.</p> <p><b>The Board of Selectmen will make a recommendation at Town Meeting</b>  <b>The Finance and Advisory Committee (3-1) recommends unfavorable action.</b></p>
<p><b>ARTICLE 2018/4 2-8</b></p> <p align="center"><i>Water Enterprise Budget</i></p>	<p>To see if the Town will approve the FY’19 Water Enterprise Budget or take any action thereon or relative thereto. <i>(Expected request \$1,795,771.00)</i></p> <p align="center">[The proposed budget appears as <b>Appendix D</b> to the 2018 Appendix Book.]</p> <p><b>Brief Summary:</b> <i>The FY19 operating budget for the Water Department represents a decrease of (\$80,300) or -4.3%.</i></p> <p><b>Fiscal Impact:</b> <i>The Water Department is supported by water fees; adoption of the budget will not impact the tax rate. Current water rates will not be impacted.</i></p> <p><b>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-9</b></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 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 \$2,000.00)</i>;</p> <p>B. To transfer a sum of money from the Clark Property Fund to the Conservation Fund <i>(Expected request \$1,350.00)</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 \$406,078.00)</i>;</p> <p><b>Brief Summary:</b> <i>This article is occurs annually as part of the budget process.</i></p> <p><b>Fiscal Impact:</b> <i>The proposed transfers will reduce the estimated tax rate by approximately \$0.26.</i></p> <p><b>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-10</b></p> <p align="center"><i>Community Preservation Budget</i></p>	<p>To see if the Town will act on the Report of the Community Preservation Committee on the Fiscal Year 2019 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 any action thereon or relative thereto.</p> <p align="center">[The Budget appears as <b>Appendix E</b> of the 2018 Appendix Book.]</p>



**Annual Town Meeting – April 7, 2018**

	<p><b>Brief Summary:</b> <i>The Community Preservation Budget supports many requests made by different groups and organizations each year.</i></p> <p><b>Fiscal Impact:</b> <i>The Community Preservation Budget is allocated from a 2% surcharge on to the property tax plus State matching funds. This is noted as a separate line item on your tax bill.</i></p> <p><b>The Board of Selectmen (4-1) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-11</b></p> <p><i>Annual Budget for Revolving Funds</i></p>	<p>To see if the Town, pursuant to M.G.L. c. 44, § 53E ½, will set the limit on the total amount that may be expended from each revolving fund established under Ch. XXXIV of the General Bylaws for the fiscal year beginning July 1, 2018, or take any action thereon or relative thereto.</p> <p><b>Brief Summary:</b> <i>This article authorizes the fiscal year 2019 expenditure caps on the Town's revolving funds, per MGL Chapter 44, Section 53E1/2.</i></p> <p><b>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-12</b></p> <p><i>Unused Borrowing Authorizations</i></p>	<p>To see if the Town will rescind unused borrowing authorizations voted by previous Town Meetings, or take any action thereon or relative thereto. <i>(Expected request \$504,500.00)</i></p> <p><b>Brief Summary:</b> <i>Approval of this article would rescind borrowing authorizations for Article 2-1 of the Town Meeting dated 10/30/2010 in the amount of \$500 and Article 2-11 of the Town Meeting dated 5/14/2011 &amp; 5/26/2011 in the amount of \$504,000. Both projects are complete and these amounts represent unused borrowing authorization.</i></p> <p><b>Fiscal Impact:</b> <i>Rescinding these borrowing authorizations will not have any effect on the tax rate.</i></p> <p><b>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-13</b></p> <p><i>Hamilton Development Corporation</i></p>	<p>To see if the Town will raise and appropriate or transfer from available funds a sum of money to the Hamilton Development Corporation, or take any action thereon or relative thereto. <i>(Expected request is \$65,000.00)</i></p> <p><b>Brief Summary:</b> <i>These funds are generated by the town as a separate meals tax for the improvement of Hamilton's commercial base.</i></p> <p><b>Fiscal Impact:</b> <i>The proposed transfer will increase the estimated tax rate by approximately \$0.04.</i></p> <p><b>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-14</b></p>	<p>To see if the Town will raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Other Post-Employment Benefits</p>

**Annual Town Meeting – April 7, 2018**

<p><i>OPEB Trust Fund</i></p>	<p>(OPEB) Liability Trust Fund, or take any action thereon or relative thereto. (Expected request is \$125,000.00)</p> <p><b>Brief Summary:</b> <i>This article serves to transfer a sum of money to the Other Post-Employment Benefits (OPEB) Trust Fund for the payment of future insurance benefits for retirees. The basis for the amount being requested was the current OPEB Actuarial Report (a new OPEB Actuarial study is currently ongoing). By funding the OPEB account on a regular basis, the Town reduces its future liabilities.</i></p> <p><b>Fiscal Impact:</b> <i>The allocation of this money to the OPEB Trust Fund is included in the current budget request, represents approximately \$0.08 on the estimated tax rate or \$43 on the average home of \$538,000.</i></p> <p><b>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>
<p><b>ARTICLE 2018/4 2-15</b>  <i>Fire Engine Purchase</i></p>	<p>To see if the Town will appropriate money for the purpose of purchasing or leasing fire apparatus to replace Fire Engine 1 and equipment, including the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by borrowing or otherwise, or take any action thereon or relative thereto.</p> <p><b>Brief Summary:</b> <i>The current pumper truck is 23 years old and did not pass the pre-emissions test. Repairs are costly with no guarantee of extending the useful life. Hamilton’s public safety officials support the purchase of a new vehicle. This apparatus is a front line response vehicle</i></p> <p><b>Fiscal Impact:</b> <i>The expected cost including equipment is about \$550,000. It is anticipated that this will be paid for through debt. Assuming a 10 year obligation at 3.59% the expected cost is \$66,433 per year which represents an increase of approximately \$.04 on the estimated tax rate.</i></p> <p><i>(Expected request is \$550,000.00 for purchase or \$66,433.00 on a ten year lease)</i></p> <p><b>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>

**SECTION 3: PLANNING /ZONING ACTIONS**

<p><b>ARTICLE 2018/4 3-1</b> <i>Delete Conservancy District from Zoning Bylaw</i></p>	<p>To see if the Town will amend the Zoning By-law by deleting Section 9.3 CONSERVANCY DISTRICT or take any action thereon or relative thereto.</p> <p><b>Brief Summary:</b> <i>The article seeks to repeal a bylaw that has been deemed illegal.</i></p> <p><b>The Board of Selectmen (4-1) and the Finance and Advisory Committee (4-0) recommend favorable action.</b></p>
-------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Annual Town Meeting – April 7, 2018**

**SECTION 4: TOWN BY-LAW AMENDMENTS**

<p><b>ARTICLE 2018/4 4-1</b> <i>Vacant/Unsafe/Dilapidated Buildings Bylaw</i></p>	<p>To see if the Town will amend the Town Bylaws by adding a new chapter, Ch. XXXVII “Bylaw for the Improvement of Blighted or Unsafe Structures or Property and the Maintenance of Vacant Buildings,” or take any action thereon or relative thereto.</p> <p>[The proposed bylaw appears as <b>Appendix F</b> to the 2018 Warrant Book.]</p> <p><b><i>The Board of Selectmen (5-0) and the Finance and Advisory Committee (3-1) recommend favorable action.</i></b></p>
<p><b>ARTICLE 2018/4 4-2</b> <i>Demolition Delay Bylaw</i></p>	<p>To see if the Town will amend Ch. XXXI, “Historic District By-law,” by adding a new Section 8 to preserved historically significant buildings through the adoption of a demolition delay bylaw, or take any action thereon or relative thereto.</p> <p>[The proposed bylaw appears as <b>Appendix G</b> to the 2018 Warrant Book.]</p> <p><b><i>The Board of Selectmen (4-0-1) recommends unfavorable action. The Finance and Advisory Committee (4-0) recommend favorable action.</i></b></p>
<p><b>ARTICLE 2018/4 4-3</b> <i>Renumber Departmental Revolving Fund Bylaw</i></p>	<p>To see if the Town will renumber the Departmental Revolving Fund Bylaw, approved at the 2017 Annual Town Meeting pursuant to Article 4-1, as Ch. XXXVI of the Town Bylaws, or take any action thereon or relative thereto.</p> <p><b><i>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action..</i></b></p>
<p><b>ARTICLE 2018/4 4-4</b> <i>Amend Solicitor/Canvasser Bylaw</i></p>	<p>To see if the Town will amend Section 3.j of Chapter XXIII of the Town Bylaws, “Solicitor/Canvasser,” by striking the current language and substituting therefor, “At the time of filing the application, each applicant shall pay a fee. The fee shall be set annually by the Town Manager.”, or take any action thereon or relative thereto.</p> <p><b><i>The Board of Selectmen (5-0) and the Finance and Advisory Committee (4-0) recommend favorable action.</i></b></p>

**SECTION 5: OTHER APPROPRIATIONS AND ACTIONS**

<p><b>ARTICLE 2018/4 5-1</b> <i>Citizens’ Petition Appropriation for Legal Fees</i></p>	<p>“To see the Town will raise and appropriate or transfer from available funds a sum of money for legal fees and expenses of Peter Clark, Claudia Woods Estin and Edwin Howard in their capacities as members of the Town of Hamilton Planning Board in <u>Varsity Wireless Investors, LLC, v. Town of Hamilton, Town of Hamilton Planning Board, and Claudia Woods, Brian Stein, Peter Clark, Rick Mitchell, Edwin Howard, Bill Olson, and Richard Boroff</u> in their capacities as</p>
---------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Annual Town Meeting – April 7, 2018**

	<p>members of the <u>Town of Hamilton Planning Board</u>, Civil Action No. 1:17-cv-11286 (MLW) in the United States District Court for the District of Massachusetts, or take any other action thereon or relative thereto.”</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at Town Meeting</i></b></p>
<p><b>ARTICLE 2018/4 5-2</b> <i>Citizens’ Petition Retention of Counsel for Planning Board</i></p>	<p>“To see if the Town will engage special town counsel to represent the Planning Board’s denial of the Application of Varsity Wireless Investors, LLC for a special permit in <u>Varsity Wireless Investors, LLC v. Town of Hamilton and Claudia Woods, Brian Stein, Peter Clark, Rick Mitchell, Edwin Howard, Bill Olson, and Ricard (sic) Boroff in their capacities as members of the Hamilton Planning Board</u>, Civil Action No. 1:17-cv-11286 (MLW) in the United States District Court for the District of Massachusetts, and in any subsequent or related litigation involving the denial of the application of Varsity Wireless Investors, LLC, for a special permit, or take any other action thereon or relative thereto.”</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at Town Meeting</i></b></p>
<p><b>ARTICLE 2018/4 5-3</b> <i>Citizens’ Petition Report to Town</i></p>	<p>“To see if the Town will make inquiry into the hiring of special counsel to represent the Town but not to represent the Planning Board or the members of the Planning Board who have been sued in <u>Varsity Wireless Investors, LLC v. Town of Hamilton, and Claudia Woods, Brian Stein, Peter Clark, Rick Mitchell, Edwin Howard, Bill Olson, and Ricard (sic) Boroff in their capacities as members of the Hamilton Planning Board</u>, Civil Action No. 1: 17-cv-11286 (MLW) in the United States District Court for the District of Massachusetts; require that a written report of that inquiry be made to a subsequent special or annual town meeting, and require a full accounting of all expenditures by the Town to Town Counsel or special town counsel in connection with the Application of Varsity Wireless, LLC for a special permit and any subsequent litigation resulting therefrom, or take any other action thereon or relative thereto.”</p> <p><b><i>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at Town Meeting</i></b></p>
<p><b>ARTICLE 2018/4 5-4</b> <i>Citizens’ Petition Taxation of DCR Property</i></p>	<p>“To see if the Town will take any action, including an amendment to the Town By-laws (see Appendix A) to clarify that residence-only leases of property owned by the Commonwealth of Massachusetts are <i>properties leased or occupied for public purposes</i> within the meaning of Massachusetts General Laws Chapter 59, Section 2B (or any successor statute); and/or take any other action relative thereto.”</p> <p><b><i>The Board of Selectmen recommends unfavorable action as written (4-1) The Finance and Advisory Committee will make a recommendation at Town Meeting.</i></b></p>

**Annual Town Meeting – April 7, 2018**

<p><b>ARTICLE 2018/4 5-5</b> <i>Citizens' Petition Town Manager Salary in FY'18</i></p>	<p>“To see if the Town will reduce the annual appropriation of funds for compensation of the Town Manager for the period of employment beginning on or after February 9, 2018 by twenty percent (20%) from the amount appropriated for town manager compensation for fiscal year 2018 at the 2017 Annual Town Meeting, or take any other action thereon or relative thereto.” <b><i>The Board of Selectmen will make a recommendation at Town Meeting. The Finance and Advisory Committee recommends unfavorable action.</i></b></p>
<p><b>ARTICLE 2018/4 5-6</b> <i>Citizens' Petition Zoning Bylaw Amendment Table of Use Regulations</i></p>	<p>“To see if the Town will amend Section 3 of the Zoning By-Law by deleting paragraph A.7 of the Table of Use Regulations which states ‘7. Two or more dwelling units, second floor and above when part of a mixed-use building or development – to be permitted as follows: <u>R-1a</u> – N; <u>R-1b</u> – N; <u>RA</u> – N; <u>B</u> – Y’ or take any other action thereon or relative thereto.” <b><i>The Board of Selectmen and the Finance and Advisory Committee will make a recommendation at Town Meeting</i></b></p>

**SECTION 6: CLOSING FINANCIAL ACTIONS**

<p><b>ARTICLE 2018/4 6-1</b> <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, 2018, or take any action thereon or relative thereto. (<i>Expected request \$375,000.00</i>)  <b><i>Fiscal Impact: Adoption of this article will reduce the estimated tax rate by approximately \$0.23 per \$1,000 assessed valuation or \$124 for an average home valued at \$538k.</i></b>  <b><i>The Board of Selectmen(5-0) and the Finance and Advisory Committee (4-0) recommend favorable action</i></b></p>
-------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



Annual Town Meeting – April 7, 2018

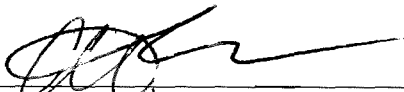
ADJOURNMENT

*Given under our hands this day of.*

**HAMILTON BOARD OF SELECTMEN**



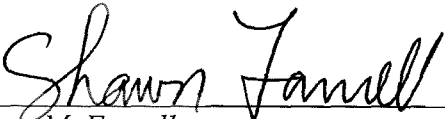
William (Bill) Wilson, Chair



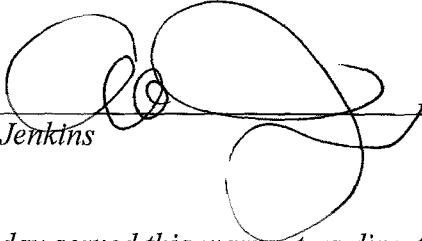
Scott F. Mardern



Jeffrey M. Hubbard



Shawn M. Farrell



Allison M. Jenkins

Hamilton, Massachusetts

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

Constable

