

Warrant for the Annual Town Meeting | April 27, 2013

TO THE CONSTABLE OF THE TOWN OF NAHANT:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required forthwith to warn the inhabitants of the Town of Nahant, qualified as the law directs, to assemble at the Town Hall for the Annual Town Meeting on Saturday the 27th day of April 2013 at 7:00 a.m. then and there to act on Article One and to commence action on the remaining Articles at 12:30 p.m.

ARTICLE 1. (Elections) To choose a Moderator for a term of one year, one member of the Board of Selectmen for a term of three years, one Town Clerk for a term of one year, two members of the Board of Assessors one for a term of three years, one for an unexpired term of two years, one Constable for a term of one year, one member of the Public Library Trustees for a term of three years, one member of the School Committee for a term of three years, and one member of the Housing Authority for a term of five years.

Christopher Dent, Chairman of the Advisory and Finance Committee, arose to present the annual resolution regarding motions:

I move that the Town adopt the following resolution:

Resolved, that the Town adopt the following rule governing motions and amendments made during the 2013 Annual Town Meeting:

Whereas, without an override, the amount to be raised by taxation, as recommended by the Advisory and Finance Committee, is expected to be \$8,078,882 for fiscal year 2014, and

Whereas, Proposition 2 ½ makes it unlawful for the Town to levy taxes in excess of \$8,078,882 for the fiscal year 2014, without a vote to override the limit,

Therefore, in order to insure compliance with the levy limit imposed by Proposition 2½, the participants of the 2013 Annual Town Meeting shall require that anyone introducing a motion at this meeting, which would result in increasing an appropriation above the amount permissible under the levy limit imposed by Proposition 2 ½, be obliged to specify the alternative means of funding, by giving names of other articles or accounts,

excluding the Reserve Fund, and the amount by which the appropriated or recommended amount for such account or articles must be reduced, in order to fund the requested increase.

Voted: Upon motion, duly seconded, it was a unanimous vote in favor to accept the previous resolutions.

ARTICLE 2. (Borrowing & Compensating Balance) To see if the Town will vote to authorize the Town Treasurer, with approval of the Selectmen, to borrow from time to time in anticipation of revenue in the fiscal year beginning July 1, 2013, in accordance with the provisions of the Massachusetts General Laws, Chapter 44, Section 4 and to issue a note or notes therefore, payable within one year, in accordance with Chapter 44, Section 17, and to authorize the Treasurer/Collector to enter into a compensating balance agreement or agreements with banking institutions with the approval of the Selectmen, for FY 2014, pursuant to Chapter 44, Section 53F.

Voted: Upon motion, duly seconded it was a unanimous vote in favor to authorize the Town Treasurer, with approval of the Selectmen, to borrow from time to time in anticipation of revenue in the fiscal year beginning July 1, 2013, in accordance with the provisions of General Laws, Chapter 44, Section 4 and to issue a note or notes therefore, payable within one year, in accordance with General Laws, Chapter 44, Section 17, and to authorize the Treasurer/Collector to enter into a compensating balance agreement or agreements with banking institutions with the approval of the Selectmen, for FY 2014, pursuant to Chapter 44, Section 53F of the General Laws.

ARTICLE 3. (FY13 Transfers) To see if the Town will vote to raise and appropriate, and/or appropriate from available funds in the treasury, and/or transfer the following sums or to take other action relative thereto.

Voted: Upon motion, duly seconded it was a unanimous vote in favor to appropriate for the following Fiscal Year 2013 Expenses, \$8,000 for Election/Registration Salaries/Wages and General Expenses, \$20,000 for Fire Department Salaries/Wages, \$2,500 for Fire Department General Expenses, \$17,106 for School Department Salaries/Wages and General Expenses; that to meet this appropriation transfers from the following Fiscal Year 2013 accounts; \$47,606 from Pension and annuity expense, Essex Regional Retirement Board expense, Unemployment Compensation, Group Health & Life Insurance expense and Medicare tax expense; and to appropriate \$45,396 for FY2013 Emergency Expenditures; of which \$45,396 is funded from available funds in the treasury.

ARTICLE 4. (Snow and Ice) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, and/or transfer from available funds, a sum of money for the FY2013 snow and ice account or take any other action relative

thereto.

Voted: Upon motion, duly seconded it was a unanimous vote to appropriate \$42,213 for the Fiscal Year 2013 Snow and Ice Account; that to meet this appropriation the sum of \$15,000 be transferred from Fiscal Year 2013 Retirement Account; \$7,698 be funded from available funds in the treasury; and \$19,515 be transferred from Fiscal Year 2013 Insurance Committee General Expenses, transferring a total of \$42,213 into Fiscal Year 2013 Snow and Ice Account.

ARTICLE 5. (Salary & Classification Plan) To see if the Town will vote to amend the Nahant Town By Laws, Article XIII, Section 5, Subsection B, entitled “Chart of Classification and Salaries” for the fiscal year beginning July 1, 2013, or take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to amend Article XIII, Section 5, Subsection B of the by-laws for the fiscal year beginning July 1, 2013 by replacing the existing section with the section under part one as shown in the Report and Recommendations of the Advisory and Finance Committee on pages seven and eight.

ARTICLE 6. (Compensation for Elected Positions) To see if the Town will vote to fix the salary and compensation of all elective officers of the Town, as provided by Chapter 41, Section 108, as amended, or take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to fix the salaries of the following elected officials:

Selectmen at the Annual Salary of \$1

Constable at the Annual Salary of \$50

Assessors at the Annual Salary of \$1

Town Clerk at the Annual Salary of \$31,673

ARTICLE 7. (Omnibus) To see if the Town will vote to raise and appropriate and or appropriate from available funds in the Treasury such sums of money as may be necessary to defray Town charges for the fiscal year ending June 30, 2014, or take any other action relative thereto.

Voted: Upon motion, and duly seconded I was voted (yes;-no 0) to appropriate the following sums of money for the fiscal year ending June 30, 2014:

Moderator, General Expenses	\$60
Selectmen, Salary	3
- General Expenses	52,273
Town Administrator, Salaries/Wages	148,822
Health Inspector	9,507

Public Health Nurse	3,090
Asst. Health Inspector	500
Town Physician	500
ADA Coordinator	500
- General Expenses	7,410
- Capital Outlay	2,500
Advisory and Finance Committee, General Expenses	7,152
Town Accountant, Salaries/Wages	158,707
- General Expenses	9,410
Assessors, Salaries/Wages and General Expenses	130,911
Treasurer/Collector, Salaries/Wages	123,268
- General Expenses	40,750
Town Counsel, Annual Fee	35,000
Town Hall, Salaries/Wages	17,850
- General Expenses	50,350
- Capital Outlay	3,500
Data Processing, Salaries/Wages and General Expenses	116,578
Town Clerk, Salaries/Wages and General Expenses	40,450
Election/Registration, Salaries/Wages/General Expenses	10,492
Conservation Commission, General Expenses	550
Planning Board, General Expenses	2,500
Board of Appeals, General Expenses	3,000
Police Department, Salaries/Wages	1,154,700
- General Expenses	157,225
- Capital Outlay	35,000
Fire Department, Salaries/Wages	832,175
- General Expenses	102,147
- Capital Outlay	12,000
Inspectional Services, Salaries/General Expenses	13,888
Building Inspector, Salaries/Wages	14,997
- General Expenses	5,164
Plumbing/Gas Inspector, Salaries/Wages	5,629
- General Expenses	1,180
Wiring Inspector, Salaries/Wages	5,629
- General Expenses	2,060
Civil Defense, Salaries/Wages and General Expenses	8,680
Animal Control, Salaries/Wages	8,807
- General Expenses	3,050
Parking Clerk, General Expenses	5,970

Harbormaster, Salaries/Wages	2,972
- General Expenses	7,440
Wharfinger, Salaries/Wages	1,699
- General Expenses	1,700
Ocean Rescue, Salaries/Wages	7,500
- General Expenses	1,720
School Department, Salaries/Wages and General Expenses	3,012,364
Transportation Expenses	264,440
North Shore Regional Vocational Tech. Assessment	89,058
Essex Agricultural School Assessments	22,949
Debt Service	505,452
Public Works, Snow Removal	20,000
Salaries/Wages and General Expenses for Public Works	
Administration, Highways and Streets, Beaches and Parks,	
Cemetery and Overhead	368,665
- Capital Outlay	30,000
- Debt Service	11,430
Library, Salaries/Wages and General Expenses	198,829
Recreation, General Salaries/Wages and General Expenses	3,090
Recreation, Sailing Salaries/Wages and General Expenses	3,605
Council on Aging, Salaries/Wages and General Expenses	49,265
Veterans Agent Salaries/Wages and General Expenses	27,460
Historical Commission, General Expenses	0
Memorial Day Committee, General Expenses	6,200
Fourth of July Committee, General Expenses	2,215
Beautification Committee, General Expenses	2,060
Military Housing, General Expenses	56,650
Debt, Principal and Interest	204,309
Pension and Annuity Expense, Essex Regional Retirement Board	
Expense, Unemployment Compensation, Group Health and	
Life Insurance Expense and Medicare Tax Expense	1,495,547
Retirement Account	15,000
Insurance Committee, General Expenses	231,261
Reserve Fund	<u>100,000</u>
Total	\$10,086,814

\$167,636 Cherry Sheet Assessments Part of Book Total

Note: \$320,711 transferto =W/S Ent. Fund Part of book total

ARTICLE 8. (Water & Sewer Enterprise) To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Water and Sewer Enterprise for the fiscal year ending June 30, 2014, or take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the following sums to be appropriated for the Water Sewer Enterprise Fund;

Salaries	\$ 383,698.00
Expenses	863,410.00
Capital Outlay	120,000.00
Debt	320,711.00
<u>Emergency Reserve-Uncollectible</u>	<u>39,140.00</u>
Total	<u>\$ 1,726,959.00</u>

AND THAT \$1,585,587 is raised as follows:

<u>Water and Sewer Department RECEIPTS</u>	<u>\$ 1,585,587.00</u>
--	------------------------

ARTICLE 9. (Water/Sewer) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the water and sewer enterprise fund, and/or transfer from available funds from the water and sewer enterprise fund \$60,000 for the purchase of pumps and other appurtenant water and sewer equipment.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to appropriate from available funds in the water and sewer enterprise fund, \$60,000 for the purchase of pumps and other appurtenant water and sewer equipment or take any other action relative thereto.

ARTICLE 10. (Rubbish Enterprise) To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Rubbish Enterprise for the fiscal year ending June 30, 2014, or take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to move the following sums to be appropriated for the Rubbish Enterprise Fund;

Salaries	\$ 45,360.00
Expenses	345,106.00
Debt	20,320.00

AND THAT \$410,786 is raised as follows:

Rubbish Department RECEIPTS	\$ 410,786.00
--------------------------------	---------------

ARTICLE 11. (Rubbish Lien) To see if the Town will vote to accept Chapter 40, Section 58 of the General Laws of Massachusetts, permitting the Town to impose a lien on real property situated within that municipality for any unpaid rubbish fees.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to accept chapter 40, Section 58 of the General Laws of Massachusetts, permitting the Town to impose a lien on real property situated within the municipality for any unpaid rubbish fees.

ARTICLE 12. (Water Mains & Fire Hydrants) To see if the Town will vote to appropriate a sum not to exceed \$175,000, or any other sum of money to fund the replacement of 1,500 feet of water mains and fire hydrants on Swallow Cave Road and Furbush Road, including the payment of all costs incidental or related thereto, to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Resource Authority under its Local Water System Assistance Program or otherwise: or take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to raise and appropriate a sum not to exceed \$175,000, to pay the costs of purchasing and installing waters mains and fire hydrants, including costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$175,000 under G.L. c.44, §8(7A) or any other enabling authority, which amount may be borrowed from the Massachusetts Water Resources Authority under its Local Water System Assistance Program, or otherwise; that the Board of Selectmen is authorized to contract for and expend any federal or state aid available for the project; that the Treasurer is authorized to enter into any loan agreements and/or security agreements with the Massachusetts Water Resources Authority; and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out this project.

ARTICLE 13. (Cemetery Revolving) To see if the Town will vote to continue to allow the Town to have a special revolving account utilizing revenues from burial opening fees, cremation fees and grave-stone-setting fees, and to authorize said funds to be expended in fiscal year 2014 by the Public Works Department for maintenance, operation and capital improvements of the Greenlawn Cemetery, pursuant to M.G.L. Chapter 44, section 53E1/2. The total expenditure is not to exceed \$12,000, or take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to continue to allow the Town to have a special revolving account utilizing revenues from burial opening fees, cremation fees and grave-stone-setting fees, and to authorize said funds to be expended in fiscal year 2014 by the Public Works Department for maintenance,

operation and capital improvements of the Greenlawn Cemetery, pursuant to M.G.L. Chapter 44, section 53E1/2, or take any other action relative thereto. The total expenditure is not to exceed \$12,000.

ARTICLE 14. (Recreation Revolving) To see if the Town will vote to accept MGL Chapter 44, Section 53D, thereby reauthorizing Parks and Recreation revolving accounts for General Recreation, Basketball, Sailing, Tennis, Fourth of July, Tot Lots, Playground Equipment, and Youth Commission or take any other action relative thereto. **Voted:** Upon motion, and duly seconded it was a unanimous vote in favor to vote to accept MGL Chapter 44, Section 53D, thereby reauthorizing Parks and Recreation revolving accounts for General Recreation, Basketball, Sailing, Tennis, Fourth of July, Tot Lots, Playground Equipment, and for the Youth Commission.

ARTICLE 15. (Chapter 90 Highway) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or raise by borrowing, a sum of money in order to accomplish certain highway construction and maintenance under the provisions of the General Laws, Chapter 90, Section 34, or Chapter 206 of the Acts of 1986, Section 2, or other state acts, or take any other action relative thereto. **Voted:** Upon motion, and duly seconded it was a unanimous vote in favor to raise and appropriate from available funds received from the Commonwealth of Massachusetts in fiscal year 2014 a sum of money in order to accomplish certain highway construction and maintenance under the provisions of the General Laws, Chapter 90, Section 34, or Chapter 206 of the Acts of 1986, Section 2.

ARTICLE 16. (Paving) To see if the Town will vote to appropriate \$100,000, or any other sum of money, to pave roads and sidewalks throughout town, including the payment of all costs incidental or related thereto, to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. **Voted:** Upon motion, and duly seconded it was a unanimous vote in favor to raise by borrowing and appropriate the sum of \$100,000 to pay the costs of paving roads and sidewalks throughout town, including costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$100,000 under Chapter 44 Section 7(6) of the General Laws or any other enabling authority; that the Board of Selectmen is authorized to contract for and expend any federal or state aid available for the project; and that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out this project.

ARTICLE 17. (Beaches and Park Equipment) To see if the Town will vote to appropriate \$45,000 for the purchase of a utility tractor to be used for beach cleaning throughout

town, including the payment of all costs incidental or related thereto, to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to raise by borrowing and appropriate the sum of \$45,000 to purchase a utility tractor, including costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$45,000 under Chapter 44 Section 7(9) of the General Laws or any other enabling authority.

ARTICLE 18. (Schools) To see if the Town will vote to appropriate \$58,500 for the purchase and installation of classroom computers, a new server, and related software at the Johnson School, including the payment of all costs incidental or related thereto, to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto as requested by the School Committee.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to raise by borrowing and appropriate the sum of \$58,500 to purchase and install classroom computers, a new server and related software for the Johnson School, including costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$58,500 under Chapter 44 Section 7(9) of the General Laws or any other enabling authority.

ARTICLE 19. (Special Legislation) To see if the Town will vote to authorize the Treasurer, with the approval of the Board of Selectmen, to petition the General Court of the Commonwealth of Massachusetts to enact a special law to allow the Town to issue bond anticipation notes to renew the financing of the so-called Coast Guard housing property as authorized by the vote to the Town passed August 9, 2004. (Article1) for a term of not in excess of ten years to allow such notes to be used for such term without any required payment of principal during such period; or to take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor that the Town authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special law to allow the Town to renew the bond anticipation notes issued for the financing of the so-called Coast Guard housing property as authorized by the vote of the Town passed August 9, 2004 (Article 1) for a term of not in excess of ten years from January11, 2015, the current maturity date of the outstanding notes, and to allow such notes to be issued for such term without any required payment of principal during such period.

ARTICLE 20. (Stabilization Fund) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury and/or transfer a sum of money

to the Stabilization Funds, or take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a Majority vote in favor to indefinitely postpone action on this article.

ARTICLE 21. (Community Preservation) To see whether the Town shall vote to spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space, but not including land for recreational use, not less than 10 per cent of the annual revenues for historic resources and not less than 10 per cent of the annual revenues for community housing or to take any other action as may be allowed under the Community Preservation Act as requested by the Community Preservation Committee.

RECOMMENDATIONS - 2014

The Community Preservation Committee has approved the following recommendations:

- A. To recommend the Town appropriate for the payment of debt service of principal and interest due and owing on the \$625,000.00 Town Wharf Bonding authorized by the 2008 Annual Town Meeting (Article 11F), the sum of \$76,250.01 from Fiscal Year 2014 Community Preservation Fund revenues;
- B. To recommend \$30,000.00 be appropriated from Fiscal Year 2014 Community Preservation Fund revenues for the purpose of preserving the historic Nahant Public Library building by replacing two skylights with related roof and flashing work, preserve approximately 50 window frames and the tile floor of the loggia; and to study the rehabilitation of the distribution portion of the heating system; as applied for by the Library Director of the Town of Nahant, subject to the following conditions: acceptance of the Community Preservation Fund grant by the library trustees (or its successor).
- C. To recommend \$25,000.00 be appropriated from the Fiscal Year 2014 Community Preservation Fund revenues for the purpose of studying the feasibility of rehabilitating the Flash Road recreational areas as applied for by the Town.
- D. To recommend the Town vote to appropriate \$100,000 to serve as required 20% local share for possible Seaport Advisory Council funding award for the rehabilitation and making of extraordinary repairs to that section of the historic Town Wharf's seawall from Marjoram Hill Park continuing to and including the boat ramp in order to preserve a critical historic and recreation resource of the Town; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$100,000 under G.L.c.44, G.L. c.44B or any other enabling authority; that any borrowing issued pursuant to the vote shall be issued for a term of not greater than five years payable in either approximately equal principal amounts or approximately equal principal and

interest amounts per annum; that while any borrowing issued pursuant to the vote shall constitute a general obligation of the Town, it be the intent of the Town that the principal of and interest on any such borrowing shall be paid with Community Preservation Funds; this Community Preservation Fund grant is subject to a obtaining 80% matching funds from the Seaport Advisory Council; and in connection therewith, that the town appropriate \$25,400 from the Fiscal Year 2014 Community Preservation Fund revenues for the payment of any debt service of principal and interest on any borrowing authorized by this vote, which will be due and owing in Fiscal Year 2014.

- E. To recommend \$65,000 be appropriated from the Community Preservation Fund's General Reserves for the reconstructing and making of extraordinary repairs to the historic Town Wharf along three sides of the Wharf including the southerly face beginning from the Dory Club corner to the westerly face, including the westerly face and also the northerly face bordering on the boat ramp in order to preserve a critical recreational area as applied for by the Town.
- F. To recommend \$10,000.00 be appropriated from the Fiscal Year 2014 Community Preservation Fund revenues for the purpose of installing weather stripping in order to preserve the auditorium windows of the historic Town Hall Building and to rehabilitate the men's washroom as applied for by the Town.
- G. To recommend the Town appropriate \$10,000 from the Community Preservation Reserves Fund to make capital improvements to the historic Ellingwood Chapel with regards to electrical upgrades as requested by the Town.
- H. To recommend the Town (i) transfer \$2,454.20 from the unexpended funds appropriated to the Housing Authority by the 2009 Annual Town Meeting (Article 10G),. and (ii) to transfer \$19,661.60 appropriated to the Housing Authority by the 2010 Annual Town Meeting (Article 15G), and (iii) that the Town appropriate 27,884.20 from the Community Preservation Funds' housing reserve for the purpose of preserving the southerly entrance (Girl's) staircase, the driveways and parking areas at the Spindrift housing property at 194 Nahant Road in order to further community housing needs of the Town of Nahant; as applied for by the Nahant Housing Authority, subject to the following conditions: acceptance by the Nahant Housing Authority (or its successor) of the Community Preservation Fund Grant.
- I. To recommend \$5,000 be appropriated from Fiscal Year 2014 Community Preservation Fund revenues for administrative and operating expenses of the Community Preservation Committee.
- J. To recommend the Town set aside \$26,254 from Fiscal Year 2014 Community Preservation Fund revenues to be maintained in the Community Preservation Fund Open Spaces Account for later appropriation.

- K. To recommend the Town set aside from Fiscal Year 2014 Community Preservation Fund revenues for later appropriation any other amount not otherwise set aside or appropriated as aforesaid to be maintained in the Community Preservation Fund General Reserves Account for later appropriation.

Following the introductory remarks by Mr. Ward a motion was made by Selectman Manning to subdivide Article 21, in accordance with Town's By-Laws.

(Article 21-A). Town Wharf Debt Payment

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to appropriate for the payment of debt service of principal and interest due and owing on the \$625,000.00 Town Wharf Bonding authorized by the 2008 Annual Town Meeting (Article 11F), the sum of \$76,250.01 from Fiscal Year 2014 Community Preservation Fund revenues;

(Article 21-B). Public Library

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to appropriate \$30,000.00 from Fiscal Year 2014 Community Preservation Fund revenues for the purpose of preserving the historic Nahant Public Library building by replacing two skylights with related roof and flashing work, preserve approximately 50 window frames and the tile floor of the loggia; and to study the rehabilitation of the distribution portion of the heating system, subject to the following conditions: acceptance of the Community Preservation Fund grant by the library trustees (or its successor).

(Article 21-C). Flash Road Feasibility Study

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to appropriate \$25,000.00 from Fiscal Year 2014 Community Preservation Fund revenues for the purpose of studying the feasibility of rehabilitating the Flash Road recreational areas.

(Article 21-D). Wharf Seawall

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to appropriate a sum not to exceed \$100,000.00 to serve as the 20% local share for a possible Seaport Advisory Council award for the rehabilitation and making of extraordinary repairs to that section of the historic Town Wharf's seawall from Marjoram Hill Park continuing to and including the boat ramp in order to preserve a critical historic and recreation resource of the Town; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$100,000 under G.L.c.44, G.L. c.44B or any other enabling authority; that while any borrowing

issued pursuant to the vote shall constitute a general obligation of the Town, it be the intent of the Town that the principal of and interest on any such borrowing shall be paid with Community Preservation Funds; this Community Preservation Fund grant is subject to a obtaining 80% matching funds from the Seaport Advisory Council; and in connection therewith, that the town appropriate \$25,400 from the Fiscal Year 2014 Community Preservation Fund revenues for the payment of any debt service of principal and interest on any borrowing authorized by this vote, which will be due and owing in Fiscal Year 2014.

(Article 21-E). FY13 Wharf Seawall

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to appropriate \$65,000.00 from the Fiscal Year 2013 Community Preservation Fund's General Reserves for the reconstructing and making of extraordinary repairs to the historic Town Wharf along three sides of the Wharf including the southerly face beginning from the Dory Club corner to the westerly face, including the westerly face and also the northerly face bordering on the boat ramp in order to preserve a critical recreational area.

(Article 21-F). Town Hall

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to appropriate \$10,000.00 from the Fiscal Year 2014 Community Preservation Fund revenues for the purpose of installing weather stripping in order to preserve the auditorium windows of the historic Town Hall Building and to rehabilitate the men's washroom.

(Article 21-G). Ellingwood Chapel

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to appropriate \$10,000.00 from the Fiscal Year 2013 Community Preservation Fund's General Reserves for the purpose of making capital improvements to the historic Ellingwood Chapel with regards to electrical upgrades.

(Article 21-H). Housing Stairs/Parking Area

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to appropriate \$50,000.00 for the purpose of preserving the southerly entrance (Girl's) staircase, the driveways and parking areas at the Spindrift housing property at 194 Nahant Road in order to further community housing needs of the Town of Nahant, subject to the following conditions: acceptance by the Nahant Housing Authority (or its successor) of the Community Preservation Fund Grant; that to meet this appropriation \$27,884.20 be funded from the Fiscal Year 2014 Community Preservation Fund revenues, \$2,454.20 be transferred from the unexpended funds appropriated to the Housing Authority by the 2009 Annual Town Meeting (Article 10G), and \$19,661.60

be transferred from the unexpended funds appropriated to the Housing Authority by the 2010 Annual Town Meeting (Article 15G).

(Article 21-I). Administrative and Operating Expense

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to appropriate \$5,000.00 from Fiscal Year 2014 Community Preservation Fund revenues for administrative and operating expenses of the Community Preservation Committee.

(Article 21-J). Open Space Reserves Account

Voted: Upon motion, and duly seconded it was a unanimous vote in favor that the Town set aside from the Fiscal Year 2014 Community Preservation Fund revenues for later appropriation: \$26,254 for Open Space, community preservation purposes of the Town to be maintained in the Community Preservation Fund Open Space Reserve.

(Article 21-K). CPA Reserves

Voted: Upon motion, and duly seconded it was a unanimous vote in favor that the Town set aside from Fiscal Year 2014 Community Preservation Fund revenues for later appropriation any other amount not otherwise set aside or appropriated as aforesaid to be maintained in the Community Preservation Fund General Reserves Account for later appropriation.

(ED- Following Mr. Ward's motion, Carl Easton, Community Preservation Committee, wishes to be recognized by the Town Moderator, to speak on the motion).

ARTICLE 22. (Continue Committees) To see if the Town will vote to continue the standing committees to June 30, 2014: Community Preservation Committee, Cable TV Advisory Committee, Veterans Memorial Committee, Sailing Committee, Cemetery Advisory Committee, Open Space Management and Land Acquisition Committee, Town Owned Land Study Committee, Military Housing Design and Development Committee, Nahant Alternative Energy Committee, Golf Course Management Advisory Committee, or take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to continue the following standing committees to June 30, 2014: Cable TV Advisory Committee, Veterans Memorial Committee, Sailing Committee, Cemetery Advisory Committee, Open Space Management and Land Acquisition Committee, Town Owned Land Study Committee, Military Housing Design and Development Committee, Nahant Alternative Energy Committee, Golf Course Management Advisory Committee

ARTICLE 23. (Gifts) To see if the Town will vote to accept gift(s) of money for the Nahant Life-Saving Station, Greenlawn Cemetery, Fourth of July Committee and Fireworks, Recreation Commission, Johnson School Programs, Beautification Program, Sailing Committee, Charles Kelley Scholarship Program, Veterans Memorial Committee, Nahant

Community Garden, Youth Commission, Nahant Public Safety Departments, Department of Public Works, or take any other action relative thereto.

Voted: Upon motion, duly seconded it was a unanimous vote to amend this motion and a new motion was made and seconded by adding the Tennis Committee to the following list as a recipient of gifts of money:

Nahant Life-Saving Station, Greenlawn Cemetery, Fourth of July Committee and Fireworks, Recreation Commission, Johnson School Programs, **Tennis Committee ATM 2013**, Beautification Program, Sailing Committee, Charles Kelley Scholarship Program, Veterans Memorial Committee, Nahant Community Garden, Nahant Public Safety Departments, Department of Public Works, Youth Commission, Open Space Management and Land Acquisition Committee

ARTICLE 24. (OPEB Stabilization Fund) To see if the Town will vote to establish under M.G.L. Chapter 40, Section 5B, a new Stabilization Fund, the OPEB Stabilization Fund, for the purpose of setting aside funds towards future obligations for Other Post-Employment Benefits including health insurance, until such time as a Trust for that purpose is established. Further, to see if the Town will vote to transfer One Dollar (\$1.00) from available funds to the OPEB Stabilization Fund. (2/3 vote required)

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to establish a new Stabilization Fund under M.G.L. Chapter 40, Section 5B, the OPEB Stabilization Fund, for the purpose of setting aside funds towards future obligations for Other Post-Employment Benefits including health insurance, until such time as a Trust for that purpose is established, and to appropriate One Dollar (\$1.00) from available funds in the treasury to the OPEB Stabilization Fund.

ARTICLE 25. (Short Beach Fence) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury or raise and appropriate by borrowing the sum of \$4,000 to place a post and rope fence along short beach separating the mowed and un-mowed areas, including the payment of all costs incidental or related thereto as requested by the Board of Selectmen; or take any other action relative thereto.

Voted: Upon motion, duly seconded it was a majority vote in favor for the Town to appropriate the sum of \$4,000 for the purpose of placement of post and rope fences along short beach in order to separate the mowing areas and therefore protect the dunes, including costs incidental or related thereto ;of which \$4,000be funded from available funds in the treasury.

ARTICLE 26. (Short Beach) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury or raise by borrowing the sum of

\$55,000 to accomplish dune grass restoration and planting in the area known as Short Beach, outside of the confines of the parcel of land on which the lifesaving station is located, using American Beach Grass all substantially in accordance with recommendation made in the so called Short Beach Master Plan prepared by Stantec Consulting Services Inc. and dated 24 April, 2012 with such sequence of planting as the Town Administrator shall determine appropriate after consultation with such municipal boards and agencies as he shall determine appropriate as requested by Planning Board, including the payment of all costs incidental or related thereto; or take any other action relative thereto.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor that the Town raise by borrowing and appropriate the sum of \$55,000 to accomplish dune grass restoration and planting in the area known as Short Beach, outside of the confines of the parcel of land on which the lifesaving station is located, using American Beach Grass all substantially in accordance with recommendation made in the so called Short Beach Master Plan prepared by Stantec Consulting Services Inc. and dated 24 April, 2012, including costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$55,000 under Chapter 44 Section 7(34) of the General Laws or any other enabling authority.

ARTICLE 27. (Short Beach) To see if the Town will vote to request the Town Administrator, after consultations with the Conservation Commission and Planning Board, to administratively effectuate the recommendations as to mowing and maintaining the beaches and dune areas of Short Beach substantially as recommended in the Short Beach Master Plan prepared by Stantec Consulting Services Inc. and dated 24 April, 2012, and further to see if the Town will Vote to raise and appropriate and/or appropriate from available funds in the treasury or raise by borrowing the sum of \$3,500, for the purpose of removing the basketball court located at the Short Beach playground and to replant the land underneath with beach grass, including the payment of all costs incidental or related thereto; or to cause the same to be accomplished by Town employees or any combination of the foregoing as requested by Planning Board; or take any other action relative thereto.

Voted: Upon motion and duly seconded it was a unanimous vote in favor to raise by borrowing and appropriate the sum of \$3,500 for the purpose of removing the basketball court located at the Short Beach playground and to replant the land underneath with beach grass, including the payment of all costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$3,500 under Chapter 44 Section 7(34) of the General Laws or any other enabling authority.

ARTICLE 28. (Prior Year's School Bill Transportation) To see if the Town will vote to raise and appropriate or appropriate from available funds the sum of \$1,186.16 for a prior fiscal year (FY11) school transportation invoice as requested by the School Committee.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor to appropriate from available funds in the treasury \$1,187 for school prior year transportation bill.

ARTICLE 29. (Military Housing – Coast Guard Principal Payment) To see if the Town will vote to appropriate or to transfer from available funds the sum of \$100,000 for a principal payment to reduce the amount borrowed short term for the former Coast Guard Housing property on Castle Road, Gardner Road, and Goddard Drive.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor that the Town appropriate **NO FUNDS** for payment to outstanding principal on the short term debt for the former Coast Guard Housing property other than those previously authorized in the FY2014 Omnibus Article.

ARTICLE 30. (Police By-Laws Amendment) To see if the Town will vote to amend the existing Nahant Police By-Laws.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor for the Town to amend the existing Nahant Police By-laws of the Town of Nahant as shown in the Report and Recommendations of the Advisory and Finance Committee for the April 27, 2013 Nahant Annual Town Meeting as Appendix J, pages 57-62.

ARTICLE 31. (Compost Area) To see if the Town will vote to raise and appropriate the sum of \$80,000 to pay for the expenses related to the compost area including both costs of material removal and also cost of the purchase of auxiliary equipment to minimally process raw compost for sale, including the payment of all costs incidental or related there, to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Voted: Upon motion and duly seconded it was a unanimous vote in favor to raise by borrowing the appropriate sum of \$80,000 for the purpose of clearing the compost area including costs of material removal and also cost of the purchase of auxiliary equipment to minimally process raw compost for sale, including the payment of all costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$80,000 under Chapter 44 Section 8(24) of the General Laws or any other enabling authority.

ARTICLE 32. (Solid Waste Committee) To see if the Town will vote to establish a temporary committee appointed by the Town Administrator to develop advisable or recommended plans on improving the Town's management of solid waste in accordance

with the Commonwealth's 10 Year Plan.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor that the Town establish a Solid Waste Management Advisory Committee of at least five members appointed by the Town Administrator to advise the Board of Selectmen and Administrator on meeting the Town's responsibilities under the Commonwealth's Master Plan entitled "2010-2020 Solid Waste Master Plan: A Pathway to Zero Waste" including, but not limited to, areas of recommendation as the administrator may request or as the Committee may deem advisable.

ARTICLE 33. (Resolution) To request the Town of Nahant to vote a resolution requesting of our Representatives in the Massachusetts Legislature and our Representatives in the U.S. Congress to support any constitutional amendment based on:

1. Corporations are not people and can be regulated
2. Money is not speech and can be regulated
3. Nothing contained in the Amendment shall be construed to abridge the freedom of the press.

As petitioned by Nicolas Bokron of 132 Wilson Road, Nahant, and 24 other registered voters.

Voted: Upon motion, and duly seconded it was a unanimous vote in favor.

There being no further business to come before this Annual Town Meeting, upon motion, duly seconded, it was a unanimous vote in favor to dissolve the meeting. The Moderator declared the Annual Town Meeting dissolved at 4:38 P.M.

Margaret R. Barile
Town Clerk