

**Warrant for the Annual Town Meeting
April 28, 2018**

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 28th day of April, 2018 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, one member of the Board of Assessors for a term of three years, one member of the Public Library Trustees for a term of three years, one Constable for a term of one year, two members of the School Committee for a term of three years, two members of the Planning Board to fill unexpired terms, one member of the Nahant Housing Authority for a term of five years.

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, 2018, 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 authorized the Treasurer/Collector to enter into a compensating balance agreement or agreements with banking institutions with the approval of the Selectmen, for FY2019, pursuant to Chapter 44, Section 53F, or take any other action relative thereto.

ARTICLE 3. (FY18 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 take any other action relative thereto.

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 FY2018 snow and ice account, or take any other action relative thereto.

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, 2018, or take any other action relative thereto.

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.

ARTICLE 7: (Prior Year bills) To see if the Town will authorize the payment of prior Fiscal Year bills, or take any other action relative thereto.

ARTICLE 8. (MWRA Borrowing) To see if the Town will vote to raise by borrowing, a sum not to exceed \$134,000 from the Massachusetts Water Resource Authority, to repair and/or replace water distribution lines and appurtenant structures, and in connection therewith, to enter into a loan agreement and/or security agreement with the MWRA relative to such loan, or take any other action relative thereto.

ARTICLE 9. (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, 2019, or take any other action relative thereto.

ARTICLE 10. (Water & Sewer Enterprise) To see if the Town will vote to raise and appropriate or transfer from retained earnings a sum of money to operate the Water and Sewer Enterprise Fund for the fiscal year ending June 30, 2019, or take any other action relative thereto.

ARTICLE 11. (Water/Sewer - Equipment and Paving) To see if the Town will vote to appropriate from retained earnings in the Water and Sewer Enterprise Fund \$30,000 to pave roads and sidewalks throughout Town, including all costs incidental to or related thereto, from retained earnings in the Water and Sewer Enterprise Fund, or take any other action relative thereto.

ARTICLE 12. (Rubbish Enterprise) To see if the Town will vote to raise and appropriate or transfer from retained earnings a sum of money to operate the Rubbish Enterprise Fund for the fiscal year ending June 30, 2019, or take any other action relative thereto.

ARTICLE 13. (Compost Area) To see if the Town will vote to raise and appropriate the sum of \$10,000 for the costs associated with maintaining the compost area, and to determine whether this appropriation shall be raised by appropriation from the Retained Earnings Account of the Rubbish Enterprise Fund or otherwise, or take any other action relative thereto

ARTICLE 14. (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.

ARTICLE 15. (Paving) To see if the Town will vote to appropriate \$80,000, or any other sum of money, to pave roads and sidewalks throughout town, including the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

ARTICLE 16. (COA Revolving) To see if the Town will vote to continue to allow the Town to have a special revolving account utilizing revenues from Council on Aging fees and to authorize said funds to be expended in fiscal year 2019 by the Council on Aging for activities for the seniors, pursuant to MGL. Chapter 44, section 53E. The total expenditure is not to exceed \$10,000, or take any other action relative thereto.

ARTICLE 17. (Cemetery Revolving Fund) 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 2019 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 \$20,000, or take any other action relative thereto.

ARTICLE 18. (Recreation Revolving) To see if the Town will vote to accept M.G.L. 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.

ARTICLE 19. (Application of Bond Premium) To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of Massachusetts General Law, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or to take any other action relative thereto.

ARTICLE 20. (Fire Capital) To see if the Town will vote to appropriate \$54,600, or any other sum of money as the Town's grant match related to the purchase of a Fire Truck, and appurtenant fixtures, including the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

ARTICLE 21. (Fire Capital Temporary Structure) To see if the Town will vote to appropriate \$75,000, or any other sum of money, to purchase a temporary structure to house a new fire truck including the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

ARTICLE 22. (DPW Capital) To see if the Town will vote to appropriate \$107,000, or any other sum of money to purchase two (2) pickup trucks and appurtenant fixtures, including the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

ARTICLE 23. (Sewer Borrowing) To see if the Town will vote to appropriate \$4,090,500 to fund improvements to the Nahant sewer infrastructure, including the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto.

ARTICLE 24. (Water Borrowing) To see if the Town will vote to appropriate \$105,100 to fund improvements to the Nahant water distribution infrastructure, including the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto.

ARTICLE 25. (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, 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.

- A. To recommend the Town appropriate for the payment of debt service of principal and borrowing on the \$625,000 Town Wharf Bonding authorized by the 2008 Annual Town Meeting (Article 11F), the sum of \$7,358 from Fiscal Year 2019 Community Preservation Fund revenues, \$41,335 from Community Preservation Open Space Reserves, and \$15,135 from Community Preservation General Reserves.

Supporting Statement – This the final year of a ten-year bond supporting repairs to the Town Wharf and restoration of the building housing Wharf and waterfront activities.

- B. To recommend the Town set aside \$25,108 from Fiscal Year 2019 Community Preservation Fund revenues to be maintained in the Community Preservation Fund Community Housing Account for future appropriation.
- C. To recommend \$5,000 be appropriated from Fiscal Year 2019 Community Preservation Fund revenues for administrative and operating expenses of the Community Preservation Committee.

Supporting Statement – In addition to annual expenses such as dues, help with printing the warrant, etc. these monies are available to assist applicants with professional help in the application process.

- D. To recommend the Town appropriate \$27,020 from Community Preservation General Reserves Fund to fund the final year of a five-year project to preserve and digitize the town's records. The total five-year cost is projected to be approx. \$130,000 as applied for by the Town Clerk on behalf of the Town.

Supporting Statement: This is the last phase of a five-year plan to conserve and rebind the town's historic records under the able administration of Town Clerk Margaret Barile. The records are stored in vault, now conditioned with humidity control and protected from hazards, and are available for research purposes.

- E. To recommend the Town appropriate \$5,685 from Fiscal Year 2019 Community Preservation Fund revenues to fund a project to train volunteers to catalogue and preserve archival records as applied for by the Nahant Historical Society.

Supporting Statement: The Nahant Historical Society is responsible for archives of over 30,000 items which relate the social, political, natural, physical and architectural history of Nahant. These items consist of original documents, photographs, artwork, contemporaneous narratives, books, magazine, and newspaper articles, and a wide variety of other artifacts. The purpose of this grant is to purchase the software and computer hardware in order to create a permanent, Cloud based and accessible electronic archive of all this material, and to train NHS staff and volunteers in creating and using this archive. In recent years, many of these records have been catalogued in Past Perfect software. But there is a backlog of uncatalogued items plus new items as Society takes in approximately 100 artifacts a month, guided by a Collecting Policy. This grant will train volunteers to continue the cataloging and preservation efforts, making these materials readily available, preserving the materials by limiting their handling and enabling researchers ease of access

- F. To recommend, for the preservation of Nahant Public Library, the Town appropriate \$25,000 from the Fiscal Year 2019 Community Preservation Fund 2019 revenues to fund selective, priority building envelope repairs as applied for by the Town.

Supporting Statement – The library building is one of Nahant’s proudest architectural treasures. Over the last two years the Trustees and new librarian have been working to expand library services to the Town, simultaneously dealing with pressing matters of building maintenance while seeking to plan in a forward looking way for major repairs and adaptations to the Library building that will insure it can meet future needs. The 2017 Town Meeting approved the CPC recommendation for a total of \$85,000 for repairs to a small region of the building envelope and the damage to interior walls caused by water infiltration in that region.

Last year’s Town Meeting also approved FY2018 CPC grant for a systematic review of the building envelopes of three of Nahant’s major historic structures—Library, Town Hall, and Ellingwood Chapel—and that review identified \$341,000 of repairs needed over the next five years at the Library alone.

The most pressing of these items, recommended for attention within the next twelve months, totaled \$184,000, \$162,000 of which would be required to rebuild just the tiled stone terrace. Although the CPC recognize the need to protect the building from further deterioration by attending to these most urgent issues, we anticipate that the Library will soon be embarking on a coordinated plan to make major renovations and physical improvements in the building, and we recommend that the terrace reconstruction be addressed in the context of the broader structural repairs and changes.

Therefore, the CPC recommend the allocation of funds to tend to all urgent, recommended repairs to the Library building envelope, except for the terrace, supplemented by an allocation for architectural participation in preparing scope of project documents, assessing contractors’ submissions, and overseeing the work contracted. It is anticipated that the projects for the Public Library, Town Hall and Ellingwood Chapel will be grouped together for architectural services and possibly for the construction work itself.

- G. To recommend the Town appropriate \$45,000 from Fiscal Year 2019 Community Preservation Fund revenues to fund selective, priority building envelope repairs as applied for by the Town.

Supporting Statement – As described in the prior article, FY2018 Community Preservation supported a comprehensive building envelope assessment of Town Hall, the Public Library and Ellingwood Chapel.

Broken down into a five-year phasing plan, this recommendation represents urgent repairs which should be performed in the coming year to maintain a weathertight enclosure. These are a combination of roofing and flashing repairs to window openings. This also includes an allocation for architectural participation in preparing scope of project documents, assessing contractors' submissions, and overseeing the work contracted. It is anticipated that the projects for the Public Library, Town Hall and Ellingwood Chapel will be grouped together for architectural services and possibly for the construction work itself.

- H. To recommend the Town appropriate \$112,000 from the from Fiscal Year 2019 Community Preservation Fund revenues to fund the preservation of the Ellingwood Chapel for critical masonry work as applied for by the Town.

Supporting Statement – As described in the prior article, FY2018 Community Preservation supported a comprehensive building envelope assessment of Town Hall, the Public Library and Ellingwood Chapel. Broken down into a five-year phasing plan, this recommendation represents urgent repairs which should be performed in the coming year to maintain a weathertight enclosure. Of the three buildings, the Chapel stands out as being the most in need of critical masonry repairs, with the most urgent being the north (Nahant road side) elevation of the Tower and its supporting buttresses. A combination of age and exposure are exacerbated by improper repointed in recent decades, trapping moisture within the walls. Visitors to Greenlawn Cemetery will observe the white stains of efflorescence, the results of water exiting the walls leaving salt deposits behind, and moss growth, indications of sufficient moisture to support plant growth. Overall the conditions assessment has estimated some \$500,000 in needed work, which includes some slate and flashing repairs. In addition, the stone wall bordering Nahant Road and entry gate repair extensive repairs.

To supplement this appropriation the Town of Nahant and its Community Preservation Committee have submitted a matching grant application to the Massachusetts Preservation Project Fund administered by the Massachusetts Historical Commission. The grant award will be made in June 2018 and could added some \$65,000 to this appropriation.

This recommendation also includes an allocation for architectural participation in preparing scope of project documents, assessing contractors' submissions, and overseeing the work contracted. It is anticipated that the projects for the Public Library, Town Hall and Ellingwood Chapel will be grouped together for architectural services and possibly for the construction work itself.

- I. To recommend the Town appropriate \$20,000 consisting of the sum of \$8,186 from the Fiscal Year 2019 Community Preservation Fund revenues and \$11,814 from the Community Preservation General Reserves to fund the restoration of the walkway in front of the Nahant Community Center as applied for by the Nahant Preservation Trust.

Supporting Statement – This walkway consists of concrete walks with and frameworks around the commemorative brick panels which represent the support of hundreds of townspeople with dedications and commemorations in saying on the bricks. A combination of deterioration from aggressive salting and inherent design problems have resulted in serious deterioration of the concrete work. The Trust has had remedial repairs make over the past few years but that is pushing off the inevitable need of restoring this to a suitable walking surface. The new walkway will use an exposed aggregate concrete treatment as seen at the Lifesaving Station. The commemorative bricks will remain in their current locations.

- J. To recommend the Town appropriate \$7,750 from the Fiscal Year 2019 Community Preservation Fund revenues to fund the replacement of the gangway at the Wharf as applied for by the Harbormaster/Wharfinger, Town of Nahant.

Supporting Statement – The existing steel gangway with its slippery plywood decking is both hazardous and deteriorating. Its replacement will continue the active functions of the Town Wharf for commercial and recreational boating purposes.

- K. To recommend the Town appropriate \$10,000 from the Fiscal Year 2019 Community Preservation Fund revenues to fund the comprehensive survey of Nahant’s wetlands as delineated in the Zoning Bylaw amendment as applied for by the Town of Nahant.

Supporting Statement – The protection of wetlands is essential for environmental conservation and protection. These concerns relate to coastal flooding as well as natural resources.

- L. To recommend the Town set aside from Fiscal Year 2019 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.

ARTICLE 26. (Special Injury Leave Indemnity Fund) To see if the Town will vote to accept the provision of the Municipal Modernization Act amended Massachusetts General Law Chapter 41, Section 111F to establish a “Special Injury Leave Indemnity Fund” or to take any other action relative thereto.

ARTICLE 27. (By-Law Amendment Noise Ordinance) To see if the Town will vote to amend the Zoning Ordinance Section 2 – Definitions for Construction or Repairing of Buildings to limit hours of construction or take any other action relative thereto. A copy of said proposal is filed with the Town Clerk's office.

ARTICLE 28. (By-Law Amendment Wetlands Permits) To see if the Town will vote to amend the Zoning Ordinance to include a new Section 14 – Activities Allowed by Wetlands Permits to require a special permit from the Zoning Board of Appeals for activities having a significant or cumulative effect upon resource areas throughout the Town of Nahant, or take any other action relative thereto. A copy of said proposal is filed with the Town Clerk's office.

ARTICLE 29. (By-law Amendment – Stretch Energy Code) To see if the Town will vote to enact Article XVII of the Town of Nahant General Bylaws, entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of July 1, 2018, a copy of which is on file with the Town Clerk, or take any other action relative thereto.

ARTICLE 30. (Automatic Sprinkler Systems – Lodging or Boarding Houses) To see if the Town will vote to accept the provisions of Chapter 148, Section 26H Massachusetts General Law requiring automatic sprinkler systems in every lodging or boarding house in accordance with the state building code, or to take any other action relative thereto.

ARTICLE 31. (Automatic Sprinkler Systems – Multiple Dwelling Units) To see if the Town will vote to accept the provisions of Chapter 148, Section 26I Massachusetts General Law requiring automatic sprinkler systems in every new construction equivalent containing not less than four dwelling units in accordance with the state building code, or to take any other action relative thereto.

ARTICLE 32. (Flood Remediation) To see if the Town will vote to appropriate \$175,000 or any other sum of money to fund drainage improvements to the Ward Road and Bear Pond areas; specifically resolving the gravity outfall at Bear Pond, assessing/fixing the pipes that drain Ward/Fox Hill/Castle Roads, dredging the drainage ditch and providing a permanent/portable pump to the Ward Road area. This includes the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

ARTICLE 33 (Citizen Petition - Sale of Town owned land) To see if the Town will vote to approve a petition submitted by registered voters that reads:

"To see if the Town will vote to convey, transfer or sell, pursuant to MGL Chapter 30B, a portion of Town owned land, located on the northwest end of Bay View Street, as identified on the attached certified plot plan, prepared by Ralph Reid on 10/26/2017 and measuring 235 square feet," or to take any other action relative thereto, as petitioned for and by Elizabeth Kelley and 9 other registered voters certified by the Town Clerk.

ARTICLE 34. (Continue Committees) To see if the Town will vote to continue the standing committees to June 30, 2018: Community Preservation Committee, Cable TV Advisory Committee, Veterans Memorial Committee, Sailing Committee, Cemetery Advisory Committee, Coast Guard Housing Committee, Town Charter and Bylaw Committee, Tennis Committee, Town Owned Land Study Committee, Nahant Alternative Energy Committee, Golf Course Management Advisory Committee, and the Open Space and Recreation Plan Committee, or take any other action relative thereto.

ARTICLE 35. (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, Council on Aging, Johnson School Programs, Beautification Program, Sailing Committee, Tennis Committee, Charles Kelley Scholarship Program, Veterans Memorial Committee, Nahant Community Garden, Nahant Public Library, Youth Commission, Nahant Public Safety Departments, Department of Public Works, Nahant Veteran’s Association and Memorial Day Committee, or take any other action relative thereto.

You are hereby directed to serve this Warrant by posting attested copies of the same in at least four public places in the Town, no less than fourteen (14) days before the day upon which the meeting is held.

WHEREOF FAIL NOT, and make due return of the Warrant with your doings thereon, to the Town Clerk at the time and place of meetings as foresaid.

Given under our hands this ___ day of April in the year of our lord Two Thousand and Eighteen.

BOARD OF SELECTMEN

Francis J. Barile

Chesley R. Taylor

Richard J. Lombard

Pursuant to the foregoing notice, the subscriber, I, the Constable of Nahant, has notified the inhabitants of said Town by posting attested copies of this notice in the Nahant Town Hall, Fire Station, Police Station and Public Library on the ___ day of April, 2018.

_____, Constable