



TOWN OF NAHANT

Town Clerk

RECEIVED

MAY 12 2004

OFFICE OF THE
ATTORNEY GENERAL

Attorney General Tom Reilly
Municipal Law Unit
1350 Main St., 4th floor
Springfield, MA 01103-1629

Dear Attorney General Reilly:

I hereby certify that I am the Town Clerk for the Town of Nahant and I further certify that the following is a true and accurate account of the action under Article 25 of the warrant for the Annual Town Meeting, held on April 24, 2004:

This by-law change adds a new committee to the list of present committees in our Town. Our Annual Town Meeting and election are on the same day. The article was passed by a majority vote; the ballot question asked for a vote to accept the Community Preservation Act. This passed by a vote of 374 yes, 270 no, 125 blanks.

Article 25. To see if the Town will vote to amend the General Government by-laws,-- Article VI, Appointed Committees and Commissions, by establishing a Community Preservation Committee, consisting of nine (9) voting members, pursuant to MGL, Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows: (PLEASE REFER TO THE ANNUAL REPORT OF THE ADVISORY AND FINANCE COMMITTEE FOR THE ENTIRE ARTICLE, AS IT APPEARS ON PAGES 20-22).

Voted: Upon motion, duly seconded, it was a majority vote in favor to amend the General Government By-laws, Article VI, Appointed Committees and Commissions, by establishing a Community Preservation Committee, consisting of nine (9) voting members, pursuant to MGL, Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as specified in Article 25 of the 2004 Report and Recommendations of the Advisory and Finance Committee, which provisions incorporate herewith, and are specifically made as part of this motion, but striking the words, "Recreation council" from paragraph C of Section 10 and replacing

these words with "recreation commission", this vote to be contingent upon the Town's acceptance of the ballot question.

I have included the copy of the ballot question and also the full text of the wording referred to in the Advisory and Finance Committee's report.

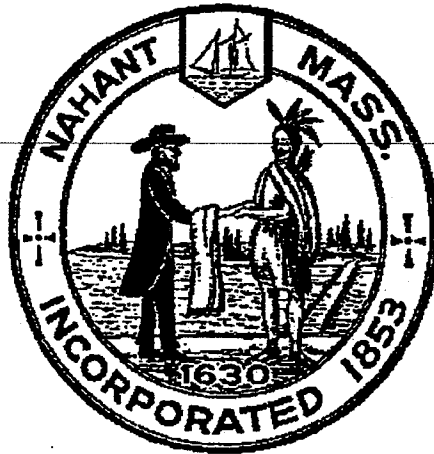
Witness my hand and the seal of the Town of Nahant this 10th day of May,
A. D. 2004.

Harriet C. Steeves

Harriet C. Steeves

Town Clerk

Report and Recommendations
of the
Advisory and Finance Committee



Town of Nahant
Massachusetts

Annual Town Meeting

A TRUE COPY, ATTEST

Saturday, April 24, 2004

12:30 p.m.



Harriet C. Steves
TOWN CLERK

Please bring this book with you to the Town Meeting

The School Committee also directly employs several clerks and janitors.

4. Health Insurance:

The Town pays a portion of health insurance for most full-time employees. During fiscal 2004 the Town Administrator expects the Town's share of annual health insurance premiums to be \$2,755 for individual coverage and \$7,375 for family coverage. The Town has only limited control over this expense because the type of coverage is dictated by the employment or union contracts and the rates are set by the insurance carriers.

ARTICLE 23. COMPENSATION FOR ELECTIVE OFFICERS: 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 and raise the money therefore, or take any other action relative thereto.

RECOMMENDED: The Advisory and Finance Committee recommends fixing the salaries of elected officials at:

Position	Annual Salary
Selectmen	\$ 1
Constable	50
Assessors	1
Town Clerk	1,500

ARTICLE 24. 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, 2005, or take any other action relative thereto.

RECOMMENDED: The Advisory and Finance Committee recommends that the Town adopt the budget presented on the pages immediately following the Warrant and the Advisory and Finance Committee's Recommendations.

ARTICLE 25. COMMUNITY PRESERVATION COMMITTEE: To see if the Town will vote to amend the General Government By-laws, Article VI, Appointed Committees and Commissions by establishing a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B thru the insertion in Article VI, immediately following Section 9, parts A thru G, of the following:

SECTION 10. Community Preservation Committee

A. The composition of the committee, the appointing authority and the term of office for the committee members shall be as follows:

One member of the Conservation Commission as designated by the Commission for a term of three years.



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Harriet C. Steves
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One member of the Historical Commission as designated by the Commission for a term of three years.

One member of the Planning Board as designated by the Board for a term of three years.

One member of the Recreation Commission as designated by the Commission for an initial term of one year and thereafter for a term of three years.

One member of the Housing Authority as designated by the Authority for an initial term of two years and thereafter for a term of three years.

One member of the Open Space Committee as designated by the Committee for an initial term of one year and thereafter for a term of three years.

Three members to be appointed by the Board of Selectmen, one member to be appointed for a term of one year and thereafter for a term of three years and two members to be appointed for a term of two years and thereafter for a term of three years.

B. Should any of the Commissions, Boards or Committees who have appointment authority under this Chapter be no longer in existence for whatever reason, the appointment authority for that Commission, Board or Committee shall become the responsibility of the Board of Selectmen, or to take any other action relative thereto.

C. The community preservation committee shall study the needs, possibilities, and resources of the town regarding community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the recreation council and the housing authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one or more public informational hearings on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

D. The community preservation committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the creation, preservation and support of community housing that is acquired or created as provided in this section. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

E. The Community Preservation Committee may include, in its recommendation to the Town Meeting, a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending for general purposes that are consistent with community preservation. As provided in the Massachusetts Community Preservation Act, no expenditures shall be made from the Community Preservation Fund without approval of Town Meeting.

F. Annually the Community Preservation Committee may submit a budget to Town Meeting for approval.

G. The community preservation committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the community preservation committee shall constitute a quorum. The community preservation committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.



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Harriet C. Steeves

TOWN CLERK

H. This Chapter may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with MGL, Chapter 44 B.

I. In case any part of this section is, for any reason, declared invalid or unconstitutional by any court of last resort, every other part shall continue in full force and effect.

J. This by-law shall take effect upon approval by the Attorney General of the Commonwealth, and after all requirements of G.L. c.40. S. 32 have been met. Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments.

RECOMMENDED: Pursuant to General Laws Chapter 44B (The Community Preservation Act) the ballot question includes a requirement that upon passage, a Community Preservation Committee will be established by By-Law to study community preservation resources, possibilities and needs and to make annual recommendations to Town Meeting on spending the funds. If the ballot question is approved and the statute accepted by a majority of the voters voting on the ballot, the Advisory and Finance Committee would recommend passage of this Article in order that the Town be in compliance with the provisions of the Act.

ARTICLE 26. SENIOR CITIZEN PROPERTY TAX EXEMPTION: To see if the Town will vote to accept the following provisions of the property tax exemption, MGL Chapter 59, Section 5 Clause 41C to take effect for fiscal year 2005, to adjust (1) the age, income and asset requirements seniors must meet to qualify for the exemption and (2) the amount of the exemption granted to an eligible senior. (Petitioned by the Board of Assessors).

RECOMMENDED: The Advisory and Finance Committee feels that this is the year to support this article for the senior citizens of Nahant. If passed, this article would change the following:

Eligible Age	<u>Current Law</u>	<u>Recommendation</u>
	70	65
Income Limits	<u>Current Law</u>	<u>Recommendation</u>
	\$13,000 single	\$20,000 single
	\$15,000 married	\$30,000 married
Asset Limits	<u>Current Law</u>	<u>Recommendation</u>
	\$28,000 single	\$40,000 single
	\$30,000 married	\$55,000 married

The total amount of exemption would remain the same at \$500. The exemption amount for Clause 41C has been \$500 since 1976, the maximum number of new applicants for the Town of Nahant, if this article were to pass is 17, bringing the total amount of Nahant residents eligible to 54.

ARTICLE 27. PERAMBULATION: To see if the Town will vote to accept this year's Perambulation along with previous year's as proof of on-going Town commitment to preserve the Town's right of access and public ways.

RECOMMENDED: For the past 13 years, the Nahant Women's Club and the Planning Board, with the support and cooperation of Nahant citizens and various other Town Groups, has