WARRANT FOR THE ANNUAL TOWN MEETING
WENHAM, MASSACHUSETTS
May 5, 2012

Essex, ss.

To either of the Constables of Wenham, in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of said Town qualified to vote in the elections and town affairs to meet in the Perkins Auditorium in the Bessie Buker School in said Town on Saturday May 5, 2012 at eight 'clock in the forenoon, then and there to act on the following articles. "Article One," the election officers to be by official ballot for 8:00 A.M until 12:00 NOON; the remaining articles to be acted upon at 1:00 P.M., and if not completed, the meeting to be reconvened on Tuesday, May 8, 2012 at 7:30 P.M., at the Bessie Buker School, School Street.

RECEIVED-TOWN CLERK
WENHAM, MASS
2012 APR 18 PM 2:54

ARTICLE 1: Election of Town Officers

Moderator for one year; Town Clerk for one year; one Selectman for three years; one Assessor for three years; one Cemetery Commissioner for three years; one Board of Health member for three years; Tree Warden for one year; one Planning Board member for five years; Wenham Housing Authority, one for five years and one to fill a vacancy for one year; one Water Commissioner for three years; two Hamilton Wenham Library Trustees at large for three years; three Hamilton Wenham School Committee members for three years; and one for one year to fill vacancy; or take any other action relative thereto.

ARTICLE 2: Unpaid Obligation from Prior Fiscal Year– Debt Payment.

To see if the Town will vote to approve the sum of $62,127 to pay an outstanding bill of the previous fiscal year (FY11 HWRSD debt payment) and that to raise this appropriation the Town will vote to transfer $62,127 from the FY12 HWRSD School Assessment line item; or take any other related action.

ARTICLE 3: Unpaid Obligations from Prior Fiscal Years

To see if the Town will vote to approve the sum of $28,000 to pay outstanding reconciliations related to Hamilton-Wenham Joint Programs from previous years (FY08-FY11) and that to raise this appropriation the Town will vote to transfer $28,000 from the FY12 HWRSD School Assessment; or take any other related action.

ARTICLE 4: HWRSD Excess and Deficiency Fund Use Authorization

To see if the Town will vote to request the H-W Regional School District to utilize available discretionary excess and deficiency (E&D) funds to balance the FY2013 budget, or take any other action relative thereto.

ARTICLE 5: Confirm Authorization to Bond – Cutler HVAC Project

To see if the Town will vote to express a preference in favor of, or opposed to, the bonding of the Cutler School HVAC project, which was authorized by vote at the November 12, 2009 Special Town Meeting, or take any other action relative thereto.

ARTICLE 6: Water Department (FY12) - Pleasant Street Pump Station

To see if the Town will vote to authorize the transfer of a sum of money, not to exceed $50,000, from the Water Surplus Fund (29 300 3560) to the Water Department capital budget (450-5800), within the current fiscal year starting June 30, 2011 and ending July 1, 2012, for the purpose of funding the installation of permanent disinfection equipment and related modifications to the Pleasant Street Pump Station, pursuant to Chapter 41, Section 69B of the Massachusetts General Laws; or take any other action in relative thereto

ARTICLE 7: OPEB Stabilization Fund

To see if the Town will take action regarding the Other Post Employment Benefits (OPEB) Stabilization fund as follows:

A) Rescind the authorization of the 5/1/2010 ATM for FY11 Article 11 which established the OPEB Stabilization Fund under the provisions of Chapter 40, Section 5B;

B) Accept MGL c 32B Section 20 which authorizes the town to establish an Other Post Employment Benefits Liability Trust Fund to reduce the unfunded liability of health care and other post employment benefits to meet the normal cost of all such future benefits for which the Town of Wenham is obligated; and

C) Raise and appropriate the sum of $5,000.00 for deposit in said Trust Fund;
or take any other action relative thereto.

ARTICLE 8: Stabilization Fund Contribution

To see if the Town will appropriate the sum of $25,000 to be deposited into the Town's Stabilization Fund; or take any other action relative thereto.

ARTICLE 9: Budget Appropriations

To see if the Town will determine what sum of money may be necessary to defray the Town expenses of the twelve month period (Fiscal Year 2013) beginning July 1, 2012 and ending June 30, 2013 and to make appropriations for the same and to determine the source thereof.

ARTICLE 10: CPA Appropriations

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2012 Community Preservation budget; to appropriate from the Community Preservation Fund a sum of money to meet the necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2013; and to approve the appropriation to expend or set aside the following amounts as recommended by the Community Preservation Committee: a sum of money for the acquisition, creation and preservation of open space; a sum of money for recreational use; a sum of money for the preservation of historic resources; and a sum of money for the creation, preservation and support of community housing, or take any other action relative thereto.

ARTICLE 11: Road Work - Chapter 90 Funding

To vote from available funds, under Chapter 246B of the Acts of 2002, a sum of money for work on Town Roads, subject to conditions detailed by the Massachusetts Highway Department, pursuant to Chapter 30, Section 39M; Chapter 149, Section 44J; and Chapter 149, Section 26-27F; said work to conform to the requirements of the Massachusetts Highway Department.

ARTICLE 12: Cemetery and Other Trust Funds

To accept the Cemetery and other Trust Funds received in FY2012, as printed in Part I of the Town Report, and on file with the Town Clerk.

ARTICLE 13: Leveling Tax Rate

To see what sum of money, if any, the Town will vote from Available Funds or Overlay Surplus to be used by the Board of Assessors to level the tax rate for the period July 1, 2012 to June 30, 2013.

ARTICLE 14: Authorize Grounds Maintenance Revolving Fund

To see if the Town will vote to authorize a revolving fund in accordance with M.G.L., chpt. 44, sec. 53E1/2 for the following department for the specific purposes outlined below for Fiscal year beginning July 1, 2012 and ending June 30, 2013:

A. H-W GROUNDS MAINTENANCE
Fees and reimbursements from the Town of Hamilton and the HWRSD for the purpose of purchasing supplies, services, equipment, and miscellaneous expenses related to the operation and all expenditures from this fund are to be approved by the DPW Director and not to exceed TWENTY THOUSAND ($20,0000) DOLLARS during fiscal year 2013.

Or take any other action relative thereto.

ARTICLE 15: Cem. Maintenance & Improvement Account Transfer

To see if the Town will authorize the transfer of $6,500 from Receipts Reserved for Appropriation, Sale of Cemetery Plots, to the previously established Cemetery Maintenance and Improvement Account (created by STM 03/2009 Article #4), or take any other action relative thereto.

ARTICLE 16: Annual Election Date Change – Citizen Petition

To see if the Town will vote to change the date of the Annual Election of Town Officers to the first Thursday after the opening of the Annual Town Meeting. The Selectmen may upon the recommendation of the Town Clerk change the date of the elections to either of the next two succeeding Thursdays. The polls for the elections of said town officers shall be opened at 7:00 o'clock a.m. and shall close at 8:00 o'clock p.m. This change shall be effective for the Annual Town Meeting starting in calendar year 2013.

ARTICLE 17: Independent Living Overlay District (ILOD)

To see if the Town will vote to amend the Town of Wenham Zoning Ordinance by adding a new section 12.5 entitled Independent Living Overlay District (ILOD), a copy of which is on file with the Town Clerk, or take any other action relative thereto.

ARTICLE 18: Amend Zoning Map to Include Property Into Independent Living Overlay District

To see if the Town will vote to amend the Wenham Zoning Map by placing the following property into the Independent Living Overlay District:

Assessors Map 40 Lot 3, also known as 36 Essex Street, more specifically described as follows

Parcel 1: Registered Land
The land with the buildings thereon now known and numbered as 36 Essex Street, Wenham, Essex County, Massachusetts being shown as **Lot 4** on a plan entitled "Subdivision Plan of Land in Wenham" Hayes Engineering, Inc. Surveyors dated August 30, 2001 being shown on Land Court Plan No. 13729C filed with Certificate of Title No. 75955. Reference is made to said plan for a more particular description of **Lot 4**. For title reference see Certificate of Title No. 57380.

Parcel 2: Recorded Land
A certain parcel of vacant land shown on a plan entitled, "Plan of Land in Wenham, Mass. prepared for Commercial Union Insurance Company, Scale 1" = 80', June 15, 1979, Essex Survey Service, Inc., 47 Federal Street, Salem, MA" filed with the Essex South District Registry of Deeds as Plan Number 194 of 1979. For title reference is made to deed recorded in Book 9161, Page 225.

Parcel 3: Recorded Land
The land in Wenham, Essex County, bounded and described as follows: Reference is also made to a drawing of property at 20 Essex Street, Wenham, MA 01984, formerly a single parcel belonging to John A. Gray, now divided in lots 1 and 2 (the "Drawing") filed with the Essex South Registry of Deeds on September 16, 2002, in Plan Book 362, Plan 18. For title reference see deed recorded in Book 24548, Page 417.

Parcel 4: Recorded Land
The land in Wenham, Essex County, Massachusetts being shown as **Lot 4U** on a plan entitled "Subdivision Plan of Land in Wenham, Mass.", Scale 1" = 80'; dated August 30, 2001 and recorded in Plan Book 356, Plan 19. Reference is made to said plan for a more particular description of **Lot 4U**.

A copy of the full text of the proposed article, and companion article 17 may be reviewed at the office of the Town Clerk at the Town Hall, during regular Town Hall business hours.

Or take any other action relative thereto.

ARTICLE 19: Floodplain Overlay

To see if the Town will vote to amend the Wenham Zoning By-law by making specified changes to Section 12.2, the Flood Plain Overlay District, as required by the Federal Emergency Management Agency for continued eligibility in the National Flood Insurance Program, a copy of which is on file with the Town Clerk, or take any other action relative thereto.

And you are hereby directed to serve this warrant by posting attested copies thereof: one at Town Hall and H-W Library; one at the Senior Center and the Bulletin Board outside the Wenham Post Office fourteen days at least before the time of the meeting aforesaid.

THEREOF FAIL NOT and make return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of holding the meeting aforesaid.

Given under our hands this 3rd day of ~~March~~ April, 2012

Molly B. Martins

John A. Clemenzi

Patrick A. Wilson

"In pursuance of the above written warrant I have this 18th day of ~~March~~ APRIL, 2012, posted the attested copies thereof as directed therein."

A TRUE COPY
ATTEST:

Constable of the Town of Wenham
Date