

**Town Of Nahant  
Annual Town Meeting Warrant  
May 21, 2022**

**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 Nahant Town Hall, 334 Nahant Rd, Nahant Massachusetts for the Annual Town Meeting on Saturday the 21st day of May, 2022, for to act on the Articles in this warrant at 12:30 p.m. that same day.

**ARTICLE 1. (FY 2022 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 2. (FY2022 Snow & 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 FY2022 snow and ice account, or take any other action relative thereto.

**ARTICLE 3. (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 4. (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, 2022, or take any other action relative thereto.

**ARTICLE 5. (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 6. (Omnibus)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds such sums of money as may be necessary to defray Town charges for the fiscal year beginning July 1, 2022, or take any other action relative thereto.

**ARTICLE 7. (Water & Sewer Enterprise)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds a sum of money to operate the Water and Sewer Enterprise Fund for the fiscal year beginning July 1, 2022, or take any other action relative thereto.

**ARTICLE 8. (Water/Sewer Paving)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, including retained earnings of the Water and Sewer Enterprise, the sum of \$30,000 for paving throughout Town, including all costs incidental to or related thereto, or take any other action relative thereto.

**ARTICLE 9. (Rubbish Enterprise)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, including retained earnings of the Rubbish Enterprise, a sum of money to operate the Rubbish Enterprise Fund for the fiscal year beginning July 1, 2022, or take any other action relative thereto.

**ARTICLE 10. (Compost Area)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, including retained earnings of the Rubbish Enterprise, the sum of \$60,000 for the costs associated with the maintenance of the compost area, or take any other action relative thereto.

**ARTICLE 11. (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 12. (Revolving Funds)** To see if the Town will vote to fix the maximum amount that may be spent during FY 2023 beginning July 1, 2022 for the revolving funds established in the town bylaws for certain departments, boards, committees, agencies or officers in accordance with G.L. c. 44 § 53E 1/2, or take any other action relative thereto.

**ARTICLE 13. (OPEB)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds the sum of \$25,000 to the Other Post-Employment Benefits Liability Trust Fund, or take any other action relative thereto.

**ARTICLE 14. (Stabilization)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds the sum of \$250,000 to the Stabilization Fund, or take any other action relative thereto.

**ARTICLE 15. (Paving)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing, a sum of \$100,000, for paving throughout Town, including the payment of all incidental or related costs, or take any other action relative thereto.

**ARTICLE 16. (Release Funds from Transportation Network)**  
To see if the Town will vote to appropriate or transfer \$590.20 from the reserve for appropriation for the purpose of implementing Transportation Infrastructure Enhancement Fund, or take any other action relative thereto.

**ARTICLE 17: (Sewer Infrastructure)** To see if the Town will vote to raise and appropriate \$18,000,000, or any other greater or lesser amount, to pay costs of repairing and/or replacing portions of the Town's sewer collection system, including the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by borrowing or otherwise, including by borrowing all or any portion of this amount through the Massachusetts Clean Water Trust, or to take any other action relative thereto.

**ARTICLE 18. (Sewer Capital)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$260,000, or any other sum of money to purchase a Dump Truck and Loader, including the payment of all costs incidental or related thereto, or to take any other action relative thereto.

**ARTICLE 19. (MWRA Borrowing)** To see if the Town will vote to raise by borrowing, a sum not to exceed \$500,000 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 20: (Fire Truck)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$350,000, or any other sum of money, to pay for the purchase a fire truck and appurtenant fixtures costs, including the payment of all costs incidental and related thereto, or to take any other action relative thereto.

**ARTICLE 21. (Chapter 90 Highway)** To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, or raise by borrowing, such sum of money in order to accomplish certain highway construction and maintenance pursuant to the provisions of the General Laws, Chapter 90, or other state transportation program, or take any other action relative thereto.

**ARTICLE 22. (Community Preservation)** To see if the Town will 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.

**FY2023 Grant Recommendations:**

- A. To appropriate the sum of \$10,000 from Fiscal Year 2023 Community Preservation Fund estimated revenues for administrative and operating expenses of the Community Preservation Committee.
- B. To appropriate the sum of \$18,464 from FY 2023 Community Preservation estimated revenues for document conservation and digitizing of historic Johnson School records now in the care of the Nahant Historical Society, consistent with the application for CPA funding by the Nahant Historical Society, including all incidental and related costs.
- C. To appropriate the sum of \$64,000 from FY 2023 Community Preservation estimated revenues for the replication of the two pairs of Boat Room doors facing Short Beach in the Nahant Lifesaving Station, consistent with the application for CPA funding by the Nahant Preservation Trust.
- D. To appropriate the sum of \$40,000 from FY 2023 Community Preservation estimated revenues for the purpose of modifying both Cliff Street entrances of the Nahant Village Church in order to make the church universally accessible to the public, doing so in a manner that complies with standards of rehabilitation of historic properties.
- E. To appropriate the sum of \$11,000 from FY 2023 Community Preservation estimated revenues for the purpose of promoting recreation and for the preservation and enjoyment of open space by formulating a professional design, with specifications and cost estimates, for the modification and construction of a partially rerouted section of the Nahant Heritage Trail between Flash Road and the Community Garden behind Johnson School, for improvements to grassed areas along the Trail, and for new signage.
- F. To appropriate the sum of \$45,167 from FY 2023 Community Preservation estimated revenues and \$29,833 from the Community Housing reserve in order to provide for professional technical assistance services to support the Town with understanding housing needs, establishing housing goals, and identifying housing strategies, which may include development of a Housing Production Plan or other housing strategy, the drafting of new zoning, and other deliverables.
- G. To appropriate the sum of \$100,000 from FY 2023 Community Preservation estimated revenues for acoustic and lighting improvements in the assembly room of Nahant Town Hall, consistent with the application for CPA funding by the Town of Nahant, including all incidental and related costs.
- H. To authorize the Treasurer, with the approval of Board of Selectmen, to borrow the sum of \$350,000 pursuant to G.L. c.44B, §11, G.L. c.44, §§7 or 8, the State Public Library Bond program, or any other enabling authority, for the preservation of the two historic town-owned structures: the Town Hall, located at 334 Nahant Road; and Greenlawn Cemetery, located at 195 Nahant Road, consistent with the Town's application for CPA funding, including all incidental and related costs, and, as appropriate, to issue bonds and notes of the Town therefor, and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; and/or to authorize the Board of Selectmen to apply for, accept and expend any monies that may be made available to the Town for such purposes from any public or private source; and further, to appropriate the sum of

\$20,160 from FY 2023 Community Preservation estimated annual revenues and \$34,790 from the Community Preservation General Reserves to pay debt service (principal and interest) on the first year of such borrowing.

- I. To appropriate the sum of \$60,000 from FY 2023 Community Preservation estimated revenues for the planning, and upgrade and replacement of the Little Nahant/Short Beach Playground (\$40,000) and for planning the restoration of the five additional playgrounds in Nahant (\$20,000).
- J. To appropriate a sum of \$25,000 from FY 2023 Community Preservation estimated revenues for the removal of invasive species and pathway restoration on Bailey's Hill (south hill), as requested by the Town of Nahant.
- K. To appropriate a sum of \$4,500 from FY 2023 Community Preservation estimated revenues for the preparation of a blueprint plan with best practices, principles, and strategies to ensure the successful maintenance and sustainability of two Nahant parks located on East Point, Nahant.
- L. To appropriate the sum of \$7,500 from FY 2023 Community Preservation estimated revenues for the restoration work on the flagpole located outside Town Hall, consistent with the application for CPA funding by the Town of Nahant, including all incidental and related costs.
- M. To appropriate for the payment of debt service of principal and borrowing on the \$500,000 Public Library Bonding authorized by the 2021 Annual Town Meeting (Article 21E), the sum of \$45,879 from FY 2023 Community Preservation estimated revenues and \$24,121 from the Community Preservation Fund General Reserves for the first year of the bond payments.
- N. To appropriate for the payment of debt service of principal and borrowing on the \$400,000 Public Library Bonding authorized by the 2019 Annual Town Meeting (Article 16C), the sum of \$51,695 from Community Preservation Fund General Reserves for the third year of the bond payments.
- O. To recommend that the Town transfer \$9,529.71 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY 2014 Community Preservation funds for the Wharf Sea Wall to the Community Preservation General Reserves.
- P. To recommend that the Town transfer \$23.75 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY 2016 Community Preservation funds for the Building Department Permitting Software to the Community Preservation General Reserves.
- Q. To recommend that the Town transfer \$383.97 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY 2018 Community Preservation funds for the Town Hall Records Preservation Project to the Community Preservation General Reserves.
- R. To recommend that the Town transfer \$698.00 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY 2019 Community Preservation funds for the Wharf Gangway Project to the Community Preservation General Reserves.
- S. To recommend that the Town transfer \$3,140.12 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY 2019/20 Community Preservation funds for the Tudor Beach Stairs to the Community Preservation General Reserves.
- T. To recommend the Town set aside from Fiscal Year 2023 Community Preservation Fund estimated 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 23. (Property Tax Exemptions)** To see if the Town will vote to approve an increase of \$250 for property tax exemptions granted to those qualifying under Massachusetts General Laws Chapter 59, Section 5, with the new maximum exemption amounts to be implemented beginning in fiscal year 2023 as follows:

- Clause 22 a-f – \$650
- Clause 22A – \$1,000
- Clause 22B – \$1,500
- Clause 22C – \$1,750
- Clause 22E – \$1,250
- Clause 41D - \$1,000

**ARTICLE 24. (Public Safety/NFD/NPD Building study)** – To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$125,000, or any other sum of money, to fund a feasibility study related to the replacement of, or upgrades to, the existing Fire and Police Stations, or take any other action relative thereto.

**ARTICLE 25. (Call Firefighters – State Employment Retirement System)** – To see if the Town will accept MGL Chapter 32, Section 4, Paragraph (b1\2) pertaining to call firefighters' participation in the state employment retirement system, or to take any other action relative thereto.

**ARTICLE 26. (Dog By-Law)** – To see if the Town will vote to amend Section 13 Control of dogs, of the Police By-Laws by:

Amending the second paragraph of Section A:

No person shall permit a dog, ~~owner~~ owned or kept by him, to enter on or remain on any Town beach from May 1 through September 30 each year; except ~~that on~~ the beach known as Doggie Beach on Castle Road, opposite the Coast Guard Station, may be used year round for the exercise of dogs not on a leash. For the purposes of this section, Doggie Beach on Castle Road, opposite of the Coast Guard Station, does not extend to the beach behind the residential area of Castle Road.

Amending Section B:

SECTION B. Enforcement of this Section 13 shall follow the procedure set forth in Section C (below) with these specific penalties ~~Whoever violates this by law will be punished as follows:~~

1. For the first offense, a ~~ten~~ twenty-five dollar (~~\$10~~25) fine
2. For the second offense in any twelve-month period, a ~~twenty-five~~ fifty dollar (~~\$25~~50) fine
3. For the third offense in any twelve-month period, a ~~thirty-five~~ seventy-five dollar (~~\$35~~75) fine
4. For each subsequent offense in any twelve-month period, a ~~fifty~~ hundred dollar (~~\$50~~100) fine

Amending Paragraph 6 of Section C:

6. All fines received by the Town, pursuant to sub-section B hereof, shall be paid into the Town treasury. This section 13 was revised on April 26, 1986 and; April 29, 1995; and May 21, 2022

And striking paragraphs 5 and 6 of Section D:

- ~~5. Penalties for Violation. The initial violation of this subsection D shall be punished by a written warning from the Animal Control Officer. After issuance of said warning, subsequent violations shall be punished by a fine of ten dollars (\$10), for the first such offense in any twelve month period; a fine of twenty-five dollars (\$25) for a second offense in any twelve-month period; and a fine of fifty dollars (\$50) for any third or subsequent offense in any twelve-month period~~
- ~~6. Enforcement. This subsection shall be enforced by the Animal Control Officer consistent with other provisions of Article VIII, Section 12 A of the Town's By-laws. (Section D added 4/27/98)~~

Or take any other action relative thereto.

**ARTICLE 27. (Board of Appeals – Membership).** To see if the Town will vote to amend the Town Charter - Article 4, Section 4-4(a) - by increasing the size of the Board of Appeals from three (3) regular members and three (3) associate members, to five (5) regular members and three (3) associate members, or take any other action relative thereto.

**ARTICLE 28. (Storm Water By-Law Amendment)** To see if the Town will vote to amend Article XVI of Nahant's by-laws - Storm Water By Law - to increase its scope and to come into compliance with the 2016 NPDES General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems by (1) reformatting Article XVI from eleven Sections to three Parts; (2) adding an administrative approval process for land disturbances between six hundred square feet and one acre; (3) adding language - Part III - prohibiting illicit discharges into the Town's storm drain system; and (4) adding definitions to account for the items listed in (2) and (3); a copy of these amendments is available for review in the Town Clerk's office, or take any other action relative thereto.

**ARTICLE 29. (Climate Change Preparedness)** - To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$500,000, or any other sum of money, to fund costs and fees (i.e., professional services) associated with pursuing grants, loans, and similar funding sources, for climate change preparedness projects on coastal Town properties and/or to serve as required local share for a possible grant award related to climate change preparedness, or take any other action relative thereto.

**ARTICLE 30. (Lowlands Drainage)** – To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$550,000, or any other sum of money, to fund drainage improvements in the Lowlands neighborhood generally consisting of Castle Road, Fox Hill Road, and Ward Road, including but not limited to, improvements to existing infrastructure of drainage ditches, stormwater pipes and outfalls, as well as development of infrastructure to improve drainage, or take any other action relative thereto.

**ARTICLE 31. (Citizen Petition – DPW Infrastructure Capital – Lowlands Drainage)** To see if the Town of Nahant will vote to appropriate up to \$400,000 or any sum of money, to repair/restore/improve drainage in the Lowlands, by replacing/repairing/constructing the existing Castle Road storm drain and installing a permanent fixed pump, and will include 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 32. (Continue Committees)** To see if the Town will vote to continue the following standing committees to June 30, 2023: Community Preservation Committee, Cable TV Advisory Committee, Veterans Memorial Committee, Sailing Committee, Cemetery Advisory Committee, Coast Guard Design and Development Advisory 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, Cultural Council, FEMA Flood Insurance Study Committee, Green Community Committee, MVP Committee, Noise Abatement Committee, Nahant Fire Station Architectural Assessment Committee, Short Term Rental 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 3 day of May in the year of our lord Two Thousand and Twenty Two.

BOARD OF SELECTMEN



Joshua A. Antrim



Eugene Canty



Mark P. Cullinan

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 4 day of May, 2022.



\_\_\_\_\_, Constable  
Robert Scanlan