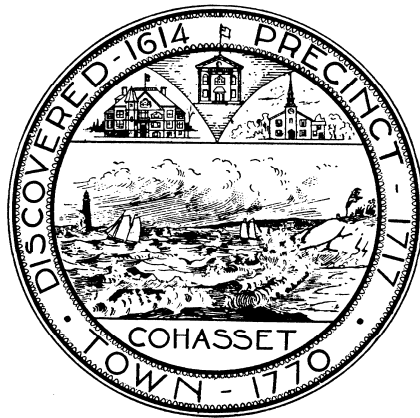


TOWN OF COHASSET

WARRANT



SPECIAL TOWN MEETING
MONDAY, NOVEMBER 16, 2009
7:00 P.M.

**COHASSET HIGH SCHOOL
SULLIVAN GYMNASIUM
COHASSET, MASSACHUSETTS**

TOWN OF COHASSET

**WARRANT FOR SPECIAL TOWN MEETING
MONDAY, NOVEMBER 16, 2009**

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

To the Constables of the Town of Cohasset, in the County of Norfolk.

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Cohasset who are qualified to vote in Elections and Town Affairs to meet at the Cohasset High School Sullivan Gymnasium.

**MONDAY, THE SIXTEENTH DAY OF NOVEMBER, 2009
AT 7:00 O’CLOCK IN THE EVENING**

Then and there to act on the following articles:

ARTICLE 1: AMENDMENTS TO FISCAL 2010 OPERATING BUDGET

To see what additional action the Town will vote to amend, modify, increase or decrease, or otherwise, to balance the Fiscal Year 2010 Operating Budget as voted in Article 3 of the March 28, 2009 Annual Town Meeting, including proposed revised appropriations and any additional sums the Town will vote to raise and appropriate, borrow pursuant to any applicable statute, or transfer from available funds or otherwise, for the payment of the salaries and compensation, expenses, equipment, and outlays, capital and otherwise, of the several Town departments, for the current fiscal year, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: This article requests supplemental and/or reduced appropriations for the Fiscal 2010 operating budget due to additional or reduced revenue received from the State and other sources after the budget was approved at the Annual Town Meeting.

Board of Selectmen: Recommendation at Town Meeting
Advisory Committee: Recommendation at Town Meeting

ARTICLE 2: FISCAL 2009 SNOW & ICE CONTROL DEFICIT

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to pay for FY09 snow and ice deficit expenditures made pursuant to ch. 44, section 31 D of the General Laws during the prior fiscal year, or to take any other action related thereto.

BOARD OF SELECTMEN FOR TOWN ACCOUNTANT

INFORMATIONAL SUMMARY: The purpose of this article is to transfer the sum of \$203,111.78 from Free Cash to fund the remaining snow and ice control deficit carried over from Fiscal 2009. This deficit must be eliminated prior to the town setting the Fiscal 2010 tax rate.

Board of Selectmen: Recommend Approval by Vote of 5-0
Advisory Committee: Recommendation at Town Meeting

ARTICLE 3: COMMUNITY PRESERVATION COMMITTEE

To see what action the Town will take with respect to the recommendations of the Community Preservation Committee for Fiscal Year 2010, and to see if the Town will vote to implement any such recommendation by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and from any other source, by raising and appropriating, transferring from available funds, borrowing pursuant to any applicable statute or borrowing pursuant to any applicable statute for this purpose, and further to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, or alternatively to convey, sell or dispose of, such real property interests as may be required by the Community Preservation Act to implement any such expenditure of community preservation funds, or take any other action related thereto.

Board of Selectmen for the COMMUNITY PRESERVATION COMMITTEE

INFORMATIONAL SUMMARY: Under the Community Preservation Act, the Community Preservation Committee recommends to Town Meeting how funds raised through the special voter-approved surcharge upon local taxation and state matching funds are to be spent in support of projects consistent with the Act.

Board of Selectmen: Recommendation at Town Meeting
Advisory Committee: Recommendation at Town Meeting

ARTICLE 4: PLANNING BOARD ASSOCIATE MEMBER

To see if the Town will vote to amend the General Bylaws, Article III, Section 7.(a) to read as follows:

“The Planning Board shall consist of five (5) members, with one member elected each year for a five (5) year term and one associate member elected for a three (3) year term. Such associate member shall sit on the board only when designated by the chairman of the planning board for the purposes of acting on a special permit application in the case of absence, inability to act, or conflict of interest on the part of any member of the planning board or in the event of a vacancy on the board.”

And to amend the Zoning Bylaw, Section 12.4, first paragraph, by adding the following new third sentence:

“Where the terms of this bylaw designate the planning board as the special permit granting authority, the chairman of the planning board may designate the associate member of the planning board to sit on the board for the purposes of acting on a special permit application, in the case of absence, inability to act, or conflict of interest, on the part of any member of the planning board or in the event of a vacancy on the board.”

or take any other action related thereto.

PLANNING BOARD

INFORMATIONAL SUMMARY: Approval of this article will allow the election of an Associate Member to the Planning Board who would sit on the Planning Board only when designated by the Chairman of the Planning Board for the purpose of acting on a special permit application for which the Planning Board is the Special Permit Granting Authority. The Chairman of the Planning Board could designate the Associate Member to sit on a special permit application in the event that a regular Planning Board member is ineligible to vote due to absence, inability to act or conflict of interest, or in the event of a vacancy on the Planning Board, thereby helping to maintain a full five member Planning Board vote.”

Board of Selectmen: Recommend Approval by Vote of 5-0.
Advisory Committee: Recommend Disapproval by Vote of 7-0.
Planning Board: Recommendation at Town Meeting

ARTICLE 5: TAX DEFERRAL LIMITS

To see if the Town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes in accordance with Massachusetts General Laws Chapter 59, Section 5, Clause 41A from \$40,000 to \$49,000 which is less than 100% of the amount established by the Commissioner of Revenue as the income limit for single seniors who are not heads of households to qualify for the “circuit breaker” state income tax credit for the preceding state tax year, with such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2009;

or take any other action related thereto.

BOARD OF SELECTMEN FOR BOARD OF ASSESSORS

INFORMATIONAL SUMMARY: This article will allow the Board of Assessors to increase the qualifying gross receipts limit for seniors to defer their property tax in accordance with Massachusetts General Laws, Chapter 59, Section 5, Clause 41A. The circuit breaker tax credit income limits are established annually by the Commissioner of Revenue. The Board of Assessors would like to adopt the current maximum income amount of \$49,000 or 100% of the maximum amount established by the Commissioner. This will enable more seniors to qualify for Property Tax Deferral in the Town of Cohasset

Board of Selectmen: Recommend Approval by Vote of 5-0.
Advisory Committee: Recommend Approval by Vote of 7-0.

ARTICLE 6: TAX DEFERRAL FOR MILITARY SERVICE

To see if the Town will vote to accept Massachusetts General Laws Chapter 59, Section 5L, as amended by Chapter 260 of the Acts of 2006, Section 12 – An Act Establishing the Massachusetts Military Enhanced Relief Individual Tax (MERIT) Plan, which states that “[u]pon acceptance of this section by a municipality and notwithstanding any other provision of this chapter to the contrary, any taxes due under this chapter by a member of the Massachusetts National Guard or reservist or a dependent of a member of the Massachusetts National Guard or reservist shall be deferred while that member is on active service outside the commonwealth and for the next 180 days after that service. No interest or penalties shall be assessed for any period before the expiration of those 180 days.”

or take any other action related thereto.

**BOARD OF SELECTMEN FOR BOARD OF ASSESSORS AND VETERANS SERVICES
DIRECTOR**

INFORMATIONAL SUMAMRY: This article will allow the Board of Assessors to permit National Guard and Reserve Military personnel who are called to active service outside the Commonwealth of Massachusetts to defer taxes that would otherwise be due for a period of 180 days (approximately six months) after service member’s return to Massachusetts.

Board of Selectmen: Recommend Approval by Vote of 5-0.
Advisory Committee: Recommend Approval by Vote of 9-0

ARTICLE 7: DEMOLITION OF PROPERTY AT 137 HULL STREET.

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to carry out the demolition of the home located at 137 Hull Street, Cohasset pursuant to G.L. c. 111, § 127 and 105 CMR 410.000: State Sanitary Code Chapter II: Minimum Standards of Fitness for Human Habitation, and to have the Town Manager, with the concurrence of the Board of Health, to expend such funds and money for such purposes, or take any other action related thereto.

BOARD OF SELECTMEN FOR THE BOARD OF HEALTH

INFORMATIONAL SUMMARY: The purpose of this article is to authorize the demolition of the home located at 137 Hull Street that has been determined to be unfit for human habitation by the Board of Health, and to appropriate the necessary funds to do so. A lien will be placed on the property to allow the Town to recover all expenses incurred.

Board of Selectmen: Recommendation at Town Meeting
Advisory Committee: Recommendation at Town Meeting

ARTICLE 8: PROPOSED EASEMENT TO ABBOTT HOMES-COHASSET, LLC

To see if the Town will vote to authorize the Board of Selectmen to grant to Abbott Homes-Cohasset, LLC, a Massachusetts limited liability company, a permanent easement over that portion of Town property located off Sohier Street and known as Town Assessor Map 42, Parcel 41 shown as "Proposed Drainage Easement" on the plan entitled "Drainage Plans (2003) The Cook Estate 230 Sohier Street, Cohasset, Mass," prepared by Coler & Colantonio, dated March 7, 2007 and on file with the Office of the Town Clerk for the purposes of surface drainage of water from a point source discharge pipe and for access to provide erosion control, to prune vegetation and to remove debris related to such water discharge, or take any other action related thereto.

BOARD OF SELECTMEN

INFORMATIONAL SUMMARY: The purpose of this article is to authorize the Board of Selectmen to grant to Abbott Homes-Cohasset, LLC an easement over town property for drainage purposes and to provide for necessary erosion control, the pruning of vegetation and removal of debris from the town property.

Board of Selectmen: Recommend Approval by Vote of 5-0.
Advisory Committee: Recommendation at Town Meeting

ARTICLE 9: ACCEPTANCE OF CHAPTER 32b, SECTION 18

To see if the Town will vote to accept the provisions of G.L. c. 32B, § 18 and for all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to a retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, be required to enroll in a medicare health benefits supplement plan offered by the Town; or to take any other action related thereto.

BOARD OF SELECTMEN

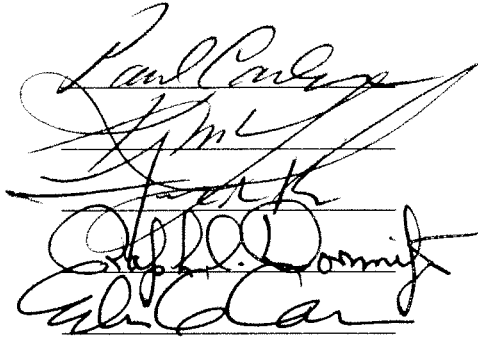
INFORMATIONAL SUMMARY: The purpose of this article is to accept the provisions of Chapter 32B, Section 18 of the General Laws to allow the town to move employees at age 65 to Medicare coverage along with supplemental health insurance coverage the cost of which is shared by the town and the retiree.

Board of Selectmen: Recommend Approval by Vote of 3-0.
Advisory Committee: Recommendation at Town Meeting

And you are directed to serve this Warrant by posting copies thereof, attested by you in writing, at the Post Office of the Town of Cohasset and in not less than five (5) other public places in the Town fourteen (14) days at least before the time appointed for in the meeting called for in this Warrant.

Whereof, fail not and make due return of this Warrant, indicating your method of service, and posting thereon, to the Clerk of the Town of Cohasset, on or before the time and place of the meeting aforesaid.

Given under our hands this 19th day of October in the year two thousand nine.

The image shows five handwritten signatures in black ink, arranged vertically. The signatures are cursive and somewhat stylized, corresponding to the names listed in the adjacent block.

BOARD OF SELECTMEN

Paul Carlson, Chairman

Karen Quigley

Frederick R. Koed

Ralph S. Dormitzer

Edwin G. Carr

NORFOLK, ss

By virtue of the above Warrant, I hereby notify and warn the inhabitants of the Town of Cohasset, qualified to vote in elections and Town affairs, to meet at the time, place, and for the purposes therein mentioned.

ATTEST:

Maria A. Plante, Constable of Cohasset

TOWN MEETING PROCEDURES

Our Town Meeting is conducted in accordance with the Town Bylaws and traditions adopted in our Town Meetings over the years. Several matters of procedure are summarized below. Anyone with questions about procedure should see the Moderator, ideally prior to the start of the meeting.

- Discussion should be **courteous** and **respectful**, and should be confined to the subject under consideration. Sarcasm is generally not respectful, and the subject under consideration does not include the individuals involved in the debate. All questions should be directed to the Moderator, who will ask the appropriate person to respond. Under our Bylaws, no one may speak a second time on any subject for longer than five minutes, nor more than twice on any subject (except to correct an error or make an explanation), without permission of the Meeting.
- If you desire to speak, please rise and seek the attention of the Moderator. When recognized by the Moderator, please use a microphone and begin by stating your name and address.
- Persons who are not registered voters may be admitted to the meeting as **guests**. Guests must display the nametags provided and, except with the permission of the Moderator (denoted by a colored sticker on the nametag), must remain in the designated guest seating area. Guests may address the meeting with the permission of the Moderator.
- An **article** in the warrant describes the subject matter to be acted on by the Town Meeting. A **motion** is proposed action to be taken by the Meeting, and must be within the scope of the article (i.e., the motion must not go beyond the subject matter, dollar amounts, restriveness, etc., contemplated by the article). Articles will be acted on in the order in which they are published in the warrant unless the Meeting otherwise determines. On each article, the first main motion will be the Town Manager's (or citizen proponent's) proposed motion.
- All **motions** (including proposed amendments) should be **in writing** unless they are so brief and simple as to be easily understood orally. If you plan in advance to make a motion, please let the Moderator know before the meeting so any wording issues can be resolved smoothly.
- Votes will generally be taken first by voice vote. If the Moderator is in doubt as to the results or if seven voters stand to express doubt as to the result declared by the Moderator, a **hand count** will be taken. Voters wishing to participate in the hand count must be in designated seating areas.
- A **motion for the previous question**, if adopted, will be followed immediately by a vote on the pending question. The motion is not debatable and requires a two-thirds vote for adoption. The Moderator will not accept a motion for the previous question if both sides have not had a fair opportunity to be heard, and may allow voters who have sought recognition to speak to be heard prior to considering the motion. A person who **"moves the previous question"** may not accompany the motion with remarks on the.
- Only those who were on the winning side of a vote may move to reconsider that vote. A vote may not be reconsidered a second time or after a motion to reconsider it has failed. A vote adopted at one session of the town meeting may not be reconsidered at a later (adjourned) session of the meeting unless notice of the intended reconsideration is given at the session at which the vote was passed.
- A **quorum** for the transaction of business is **100**. Once a quorum is determined, the presence of a quorum is presumed unless a point of no quorum is raised and a count shows that a quorum is not present. A quorum is not required to adjourn or dissolve.

Daniel S. Evans, Moderator

COHASSET TOWN HALL, LIBRARY AND WATER DEPARTMENTS

TOWN HALL HOURS

Monday	8:30 a.m. – 4:30 p.m.
Tuesday	8:30 a.m. – 7:00 p.m.
Wednesday	8:30 a.m. – 4:30 p.m.
Thursday	8:30 a.m. – 4:30 p.m.
Friday	8:30 a.m. – 1:00 p.m.

TOWN HALL PHONE NUMBERS

Town Hall Fax Number:	1-781-383-0228
Board of Assessors	1-781-383-4114
Board of Health	1-781-383-4116
Board of Selectmen & Town Manager	1-781-383-4105
*Building Commissioner/Zoning Officer	1-781-383-4112
Conservation Commission	1-781-383-4119
Director of Finance/Town Accountant	1-781-383-4118
Director of Veterans' Services	1-781-383-0505
Greenbush/Engineering Office	1-781-383-3094
Planning Board	1-781-383-3517
Recreation Commission	1-781-383-4109
Sewer Commission	1-781-383-4108
Town Clerk	1-781-383-4100
Town Treasurer/Tax Collector	1-781-383-4102
Zoning Board of Appeals	1-781-383-4105

*Call for appointments on Monday and Friday

LIBRARY

Phone – 1-781-383-1348

HOURS

Monday & Tuesday	10:00 a.m. – 8:00 p.m.
Wednesday	10:00 a.m. – 5:00 p.m.
Thursday	10:00 a.m. – 8:00 p.m.
Friday	10:00 a.m. – 5:00 p.m.
Saturday	9:00 a.m. – 5:00 p.m.
Sunday	2:00 p.m. – 5:00 p.m. (hours may vary)

WATER DEPARTMENT

Phone – 1-781-383-0057

HOURS - Monday – Friday 8:00 a.m. – 3:00 pm.

**FOR MORE INFORMATION GO TO
www.townofcohasset.org**

Serve Your Community

Town Government needs citizens who are willing to give time in the service of their community. The Resource Bank was adopted by the Selectmen and Moderator as a means of compiling names of interested citizens to serve, on a voluntary basis, on boards and committees. This file is available for use by the public, as well as the Moderator and the Selectmen.

Resource Bank files are constantly being updated to include categories consistent with the changing needs of the Town. Please indicate your order of preference and return the form below to:

Town Government Resource Bank
c/o the Board of Selectmen
41 Highland Avenue

Name: _____

Telephone No. _____

Address: _____

Occupation: _____

Background: _____

When are you available to serve? _____

LIST ORDER OF PREFERENCE

- Advisory Committee
- Affordable Housing Trust
- Alternative Energy Committee
- Bylaw Committee
- Cable Advisory Committee
- Capital Budget Committee
- Cohasset Cultural Council
- Cohasset Common Historic District Commission
- Conservation Commission
- Council on Elder Affairs
- Board of Health
- Economic Development Committee
- Government Island Advisory Committee
- Harbor Committee
- Historical Commission
- Open Space Committee
- Stormwater Advisory Committee
- Town History Committee
- Water Resources Protection Committee
- Zoning Board of Appeals

NOTES

NOTES

Town of Cohasset
Office of the Board
of Selectmen
41 Highland Avenue
Cohasset, MA 02025

POSTAL PATRON
COHASSET, MA 02025

PRESORTED
STANDARD
U.S. POSTAGE
PAID
PERMIT NO. 37
COHASSET, MA 02025