

TOWN OF SCITUATE
ADVISORY COMMITTEE



Report and Recommendations
For

ANNUAL & SPECIAL TOWN MEETING

APRIL 14, 2016

7:00 P.M.

HIGH SCHOOL GYMNASIUM

This Report is furnished for your information. Please bring it to all sessions of Town Meeting.

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REPORT OF THE ADVISORY COMMITTEE

TO THE VOTERS OF SCITUATE:

In accordance with the Town of Scituate Bylaws, the Advisory Committee submits its report to the voters. This report contains the complete warrant for the Annual & Special Town Meeting, which will convene on April 14, 2016.

Our forum is an Open Town Meeting, which has been described as the purest form of democracy. All registered voters are entitled to attend, ask questions, express their opinions, and vote on all matters.

This evening, the Board of Selectmen, and other town boards will propose various warrant articles, expenditures, funding transfers, zoning changes, etc. The Special Town Meeting places before the voters a total of **two (2)** articles, and the Annual Town Meeting places before the voters a total of **eighteen (18)** articles for your consideration.

We, the Advisory Committee, will provide recommendations on each; but **ONLY YOU** decide which articles pass, and which ones do not.

YOU ARE THE LEGISLATIVE BODY OF SCITUATE.

The Advisory Committee urges you to become an active participant in town meeting. Voice your opinion and seek any clarification necessary to make an informed vote on these articles.

Respectfully submitted,

SCITUATE ADVISORY COMMITTEE

James Gilmore, Chairman

Lincoln Heinman, Vice Chair

Anthony Antonello

Geoff Burns

Frank Judge

Mark Sandham

Mike Westort

Sean DeLacy

Gerald Kelly

TOWN MEETING RULES AND DEFINITIONS

1. The conduct of Scituate's Town Meeting is bound by state law, the Town's Charter and By-laws, local tradition and the publication entitled, "Town Meeting Time".
2. The Moderator presides over the Town Meeting, decides all questions of order and procedure, and announces the results of all votes. The results of all votes when announced by the Moderator shall be final except on a voice vote that may be questioned by seven (7) voters standing immediately after the announced results of a vote. In such a case, a teller-counted vote shall be taken without debate.
3. Non-voters will be seated in a special section unless permission is granted by the Town Meeting to be seated elsewhere. Non-voters may be allowed to address the Town Meeting with permission of the Moderator unless a majority of voters choose to deny such a privilege.
4. Articles in the Warrant give notice of the issues subject to discussion at a Town Meeting and establish the parameters of matters that can be debated and acted on. Amendments, motions and/or debate determined by the Moderator, with the advice of Town Counsel, to be "beyond the scope" of the articles may not be permitted.
5. In order for the Town Meeting to act on or discuss an article, a motion must be made. The Moderator will call for a motion on each article and, if no motion is made after the second call, the Moderator will "pass over" the article and move on to the next Article. In order to bring back a "passed over" article for a motion and discussion, there must be an approved "motion for reconsideration".
6. Articles may be postponed by a majority vote or advanced by a 2/3 vote.
7. To address the Town Meeting, a speaker must be recognized by the Moderator and once recognized, a speaker should first give his or her name and address for the record. No speaker will be recognized while another person is speaking except to raise "a point of order," which is used to question a ruling of the Moderator or the conduct of Town Meeting. Points of order are not to address the subject matter being discussed.
8. All matters shall be decided by a majority vote unless a 2/3 or greater vote is required. If more than a majority vote is required, the Moderator shall announce the required percentage for passage before calling the vote.
9. The Moderator may set time limits on all presentations and may terminate debate on a motion when deemed appropriate. Debate on a motion may also be terminated by a voter "moving the question" which, if accepted by the Moderator as not being premature, shall be voted on without discussion or debate. A motion to "move the question" requires a 2/3 vote for passage.
10. Only two (2) amendments to a motion may be on the floor at any particular time. Amendments over six (6) words must be submitted to the Moderator in writing and, if over fifty (50) words, sufficient copies must be available to those attending at the entrance of the hall before the start of that particular

session.

11. Generally, amendments shall be voted on in the order made and prior to the vote on the motion to be amended. However, amendments relating to amounts to be appropriated shall be voted on in a descending order until an amount gains approval.

12. A motion may be reconsidered once for a compelling reason by a 2/3 vote. No further reconsideration will be permitted. There may be no reconsideration of a vote at a subsequent session of the Town Meeting.

13. A resolution is a non-debatable, non-binding motion on any matter calling for a consensus of the Town Meeting. A resolution must be related to the content of an article. If a resolution is over ten (10) words, it must be submitted to the Moderator in writing and, if over fifty (50) words, sufficient copies must be available at the entrance of the hall for those attending.

14. When justice or order requires, the Moderator may make exceptions to these rules, in his or her discretion, as is deemed appropriate under the circumstances.

MUNICIPAL FINANCE TERMS

APPROPRIATION: An authorization by the Town Meeting to make obligations and payments from the treasury for a specific purpose.

ASSESSED VALUATION: A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

BETTERMENT: A betterment assessment is a charge for the cost of public improvements, which benefit a limited area, against real estate situated in that area.

BOND: A loan, typically over a year in maturity.

BOND AUTHORIZATION: The amount of money the Town Meeting approves for borrowing for a specific purpose.

BOND ISSUE: Generally, the sale of a certain number of bonds/notes at one time by a governmental unit.

CAPITAL BUDGET: A plan of proposed capital outlays and the means of financing them for the current fiscal year.

CAPITAL OUTLAY: Expenditure for the purchase of property or equipment and for the construction or renovation of a facility and infrastructure.

CHERRY SHEET: A form showing all state and county charges and reimbursements to the town as certified by the Massachusetts Department of Revenue.

DEBT SERVICE: Payment of interest and repayment of principal to holders of the town's debt instruments.

ENTERPRISE FUND: Financing of services where all or most of the costs are paid for by users.

ENTERPRISE RETAINED EARNINGS: If during a fiscal year an Enterprise Fund produces a surplus, such surplus shall be kept in a separate account called "retained earnings." The Department of Revenue then "certifies" that surplus as an available fund that can be used for:

1. Operating costs to offset the need to increase user charges.
2. To fund capital improvements.
3. To fund Enterprise Fund revenue deficits.

FISCAL YEAR: A 12-month period, commencing on July 1, to which the annual budget applies. (Abbreviated as "FY")

FREE CASH: The excess of assets over liabilities, minus uncollected taxes of prior years also referred to as "available cash." The amount is certified annually by the Massachusetts Department of Revenue. Free Cash may be appropriated by vote of a Town Meeting.

GENERAL FUND: The major town-owned fund which is created with town receipts and which is charged with expenditures payable from such revenues.

GRANT: A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal government. Grants are usually made for specific purposes.

LEVY LIMIT: The amount of dollars a Town can raise by taxation under Proposition 2½.

LINE ITEM BUDGET: A format of budgeting, which organizes costs by type of expenditure - such as expenses, equipment and salaries.

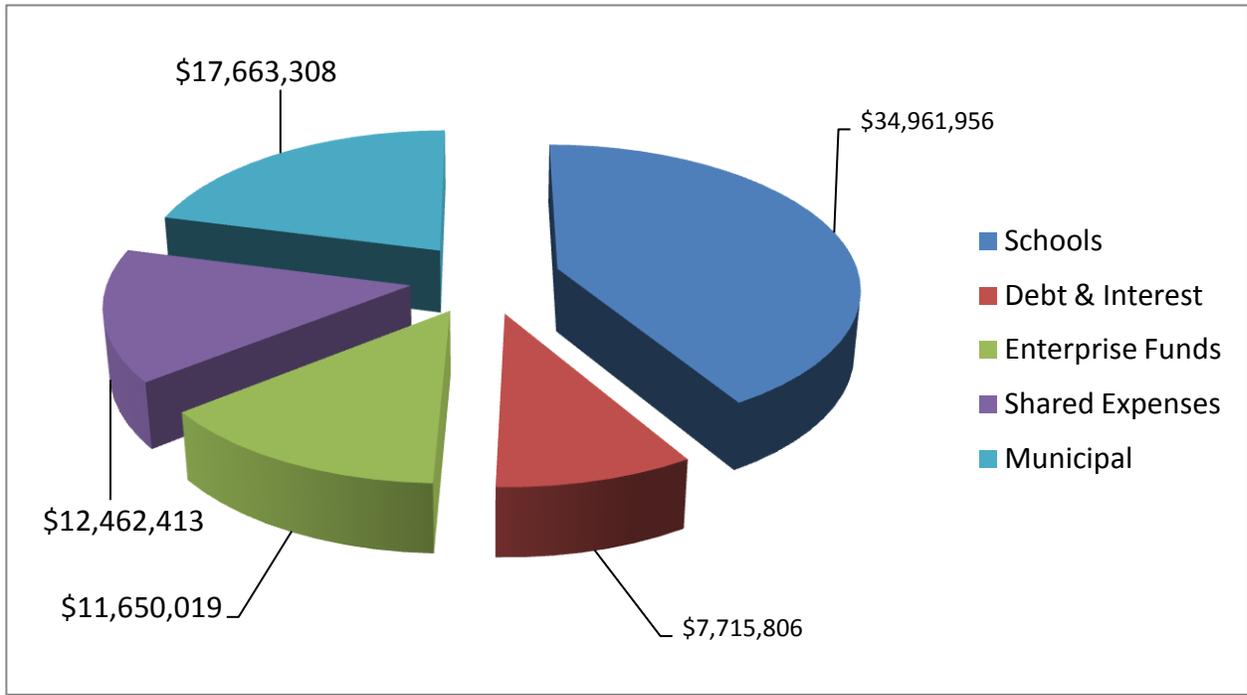
OVERLAY: The overlay is the amount raised by the Assessors to be used for potential abatement of property taxes. The Overlay Surplus is the portion of each year's overlay account no longer required to cover property tax abatements.

PROPERTY TAX LEVY: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed "per thousand dollars" of assessed valuation.

RESERVE FUND: Money set aside by Town Meeting to be allocated by the Advisory Committee for extraordinary and unforeseen expenditures.

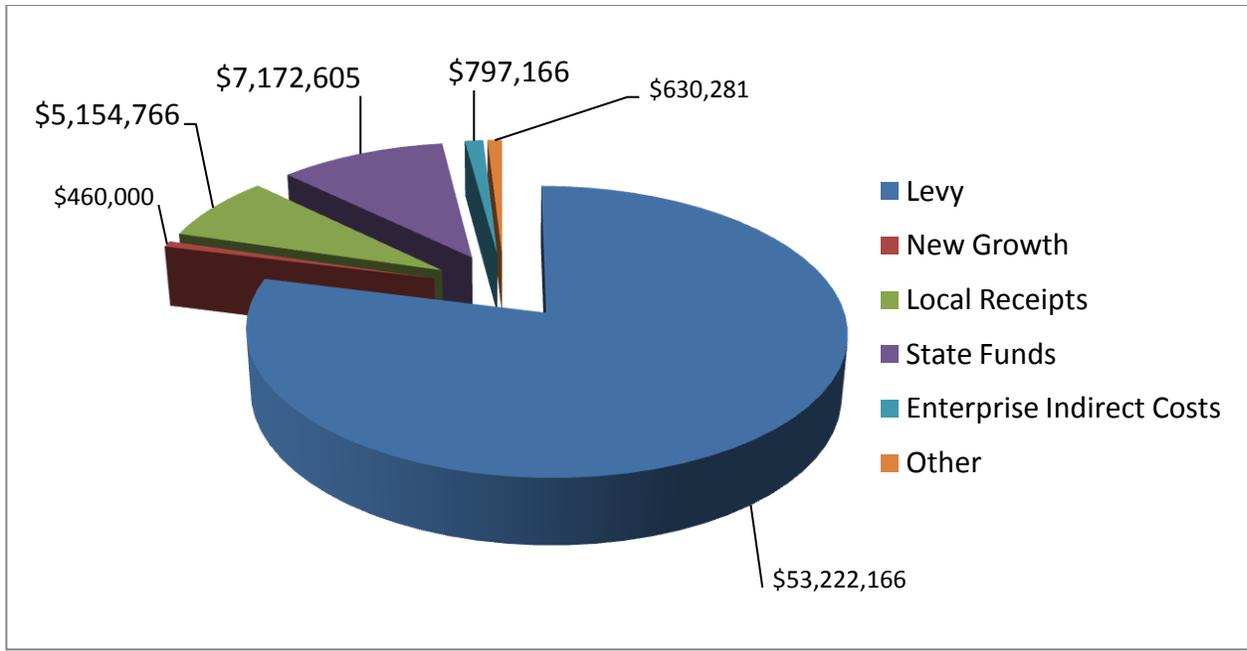
REVOLVING FUND (Ch. 44, Sec 53E ½): A Town may annually authorize the use of a revolving fund by separately accounting for the receipts received from a particular service or program and may expend from the revolving fund to provide such service or program without appropriation.

STABILIZATION FUND: A special account, which is invested until used and can only be utilized by Town Meeting appropriation.



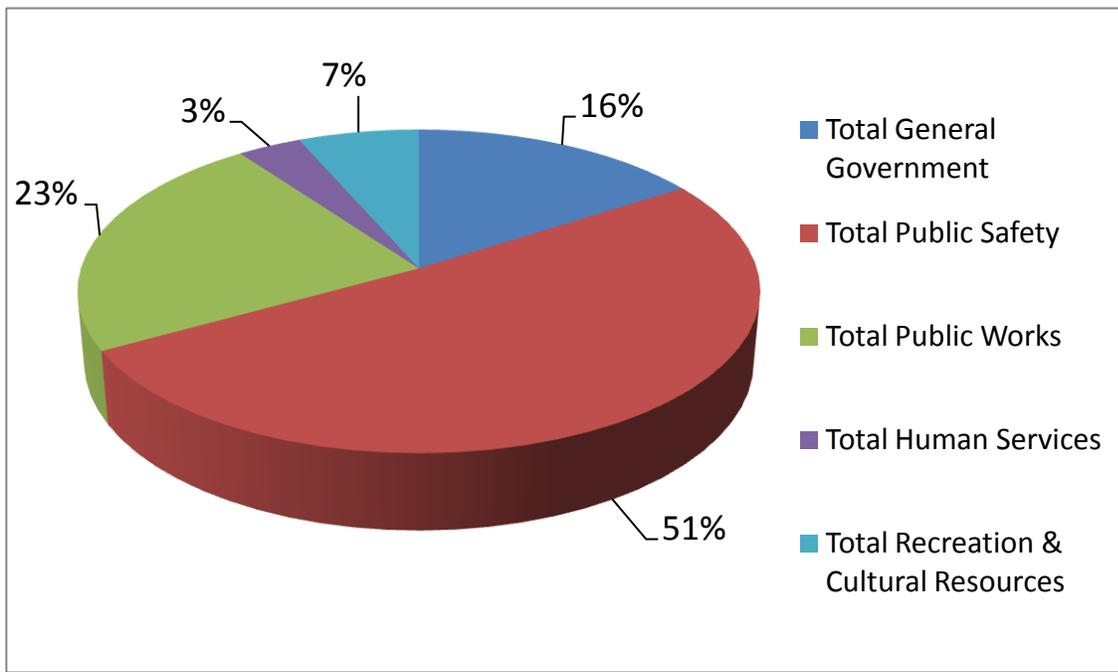
FY17 Scituate Town Budget

| | | |
|------------------|----|-------------------|
| Schools | \$ | 34,961,956 |
| Debt & Interest | \$ | 7,715,806 |
| Enterprise Funds | \$ | 11,650,019 |
| Shared Expenses | \$ | 12,462,413 |
| Municipal | \$ | 17,663,308 |
| | \$ | <u>84,453,502</u> |



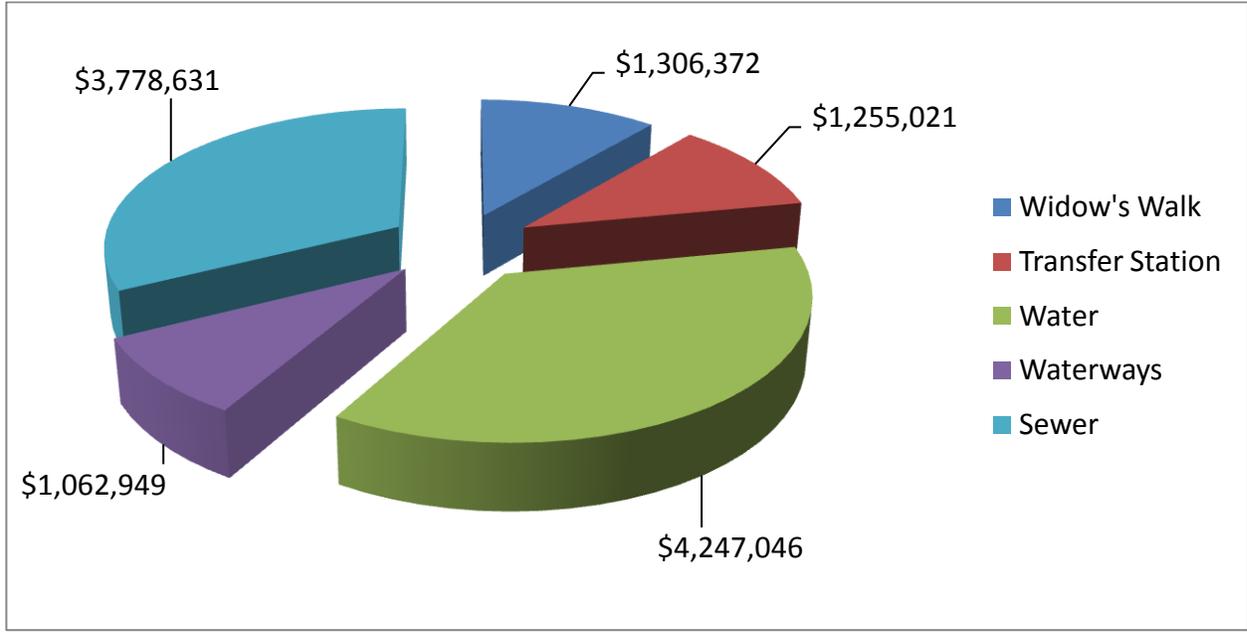
FY17 Scituate Sources of Revenue

| | | |
|---------------------------|----|------------|
| 2016 Levy | \$ | 51,924,064 |
| 2.5% | \$ | 1,298,102 |
| | \$ | 53,222,166 |
| <hr/> | | |
| Levy | \$ | 53,222,166 |
| New Growth | \$ | 460,000 |
| Local Receipts | \$ | 5,154,766 |
| State Funds | \$ | 7,172,605 |
| Enterprise Indirect Costs | \$ | 797,166 |
| Other | \$ | 630,281 |
| | \$ | 67,436,984 |
| <hr/> <hr/> | | |



FY17 Scituate Municipal Expense Share

| | | |
|---------------------------------------|----------------------|-------------|
| Total General Government | \$ 2,799,471 | 16% |
| Total Public Safety | \$ 9,022,898 | 51% |
| Total Public Works | \$ 4,068,586 | 23% |
| Total Human Services | \$ 612,270 | 3% |
| Total Recreation & Cultural Resources | \$ 1,160,083 | 7% |
| | <u>\$ 17,663,308</u> | <u>100%</u> |



FY17 Scituate Enterprise Fund Expense

| | | |
|------------------|----|-------------------|
| Widow's Walk | \$ | 1,306,372 |
| Transfer Station | \$ | 1,255,021 |
| Water | \$ | 4,247,046 |
| Waterways | \$ | 1,062,949 |
| Sewer | \$ | 3,778,631 |
| | \$ | <u>11,650,019</u> |

**TOWN OF SCITUATE
SPECIAL TOWN MEETING
APRIL 14, 2016
WARRANT**

COMMONWEALTH OF MASSACHUSETTS, PLYMOUTH SS

To either of the constables of the Town of Scituate, in said County

GREETINGS: In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs therein, to meet at the Scituate High School Gymnasium, 606 Chief Justice Cushing Highway on

THURSDAY, THE FOURTEENTH DAY OF APRIL 2016 NEXT

At seven o'clock in the evening, then and there to act on the following articles:

ARTICLE 1. FY 16 Budget Reconciliations

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$185,643.00, or a greater or lesser sum, for the purpose of fully funding the following accounts established under Article 4 of the April 13, 2015 Annual Town Meeting as follows:

| FROM | TO | AMOUNT |
|------------------------------------|-------------------------------------|---------------|
| Unemployment | IT | \$ 20,000 |
| Debt Service | IT | \$ 14,000 |
| Accounting Personal Services | IT | \$ 27,000 |
| DPW Engineering Personal Serv. | IT | \$ 30,000 |
| Art 6, 11/11/14 STM Debt Paydn. | IT | \$ 26,000 |
| Fire- Other Expense Fire | Personal Services–Fire | \$ 20,000 |
| Waterways Retained Earnings | Personal Service – Waterways | \$ 11,500 |
| Transfer Station Retained Earnings | Personal Service – Transfer Station | \$ 6,143 |
| | Other Expenses – Transfer Station | \$ 31,000 |

or take any other action relative thereto.

Sponsored: by Board of Selectmen

Comments: This is a routine article to rebalance the budget approved at the April annual town meeting. All of these transfers are interdepartmental meaning they will come from identified surpluses in other town accounts.

IT- \$117,000 Multiple Departments. This transfer of funds while costly will save significant dollars in future years. It is for the purchase of licenses for our new software system. If these

funds are allocated the cost of future maintenance will be \$102,000 less over five years. If it is not allocated the maintenance cost will be \$400,000 more over ten years. Doing this now would be a significant net savings over the term. Funds are recommended to be transferred from available funds in unemployment, debt service and Accounting and Engineering Personal Services savings as a result of staff vacancies and interim period of filling them.

Fire Department Overtime - \$20,000. Fire overtime continues to need transfers before the end of the fiscal year. Chief Murphy and Finance Director Nancy Holt have reviewed cost projections through June 30 and the amount recommended should be more than sufficient. Funds are being transferred from other fire department line items.

Waterways Personal Services- \$11,500. This is the difference between the payout upon separation from the former Harbormaster and the rate of the new Harbormaster.

Transfer Station - \$37,143 – This is the amount of increased overtime and hauling costs in the Transfer Station not anticipated last year.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) in support of this article.

ARTICLE 2. Snow and Storm Clean-Up Costs

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$91,000.00, or a greater or lesser sum, for the purpose of fully funding Fiscal Year 2016 costs for snow removal and clean-up of debris and overwash, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: As for the past several years, the Town fully expended its snow and ice budget. The Board voted to deficit spend at its meeting of March 1. Most of our expense, despite a mild winter, is as a result of bulk salt purchases and multiple clean-ups of over wash on Central, Turner, Rebecca, Oceanside, Surfside and Lighthouse Roads.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) in support of this article

**TOWN OF SCITUATE
ANNUAL TOWN MEETING
APRIL 14, 2016
WARRANT**

COMMONWEALTH OF MASSACHUSETTS, PLYMOUTH SS

To either of the constables of the Town of Scituate, in said County

GREETINGS: In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town qualified to vote in Elections and Town Affairs therein, to meet at the Scituate High School Gymnasium, 606 Chief Justice Cushing Highway on

THURSDAY THE FOURTEENTH DAY OF APRIL 2016 NEXT

At seven o'clock in the evening, then and there to act on the following articles:

ARTICLE 1. Compensation of Elected Officials

To see if the Town will vote to establish the salaries and compensation of all elected Town officials as follows for a sum totaling \$ 75,992.00, or a greater or lesser sum, or take any other action relative thereto:

| | | |
|-------------|--------------------------------|-------------|
| SELECTMEN: | Chairman & Legitimate Expenses | \$ 1,500.00 |
| SELECTMEN: | Members & Legitimate Expenses | \$ 2,000.00 |
| | | (4 @ \$500) |
| ASSESSORS: | Chairman & Legitimate Expenses | \$ 1,200.00 |
| ASSESSORS: | Members & Legitimate Expenses | \$ 800.00 |
| | | (2 @ \$400) |
| TOWN CLERK: | Personal Services | \$70,492.00 |

Sponsored by: Board of Selectmen

Comments: This is a yearly required approval, the Town Clerk portion results from a Step Change and COLA.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) in support of this article.

ARTICLE 2. Reauthorization of Revolving Funds

To see if the Town will vote to reauthorize the following revolving accounts pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, which shall be kept separate and apart from other monies by the Treasurer, and in which shall be deposited receipts received that may be spent only from those sources identified below under “Source of Funds” without further appropriation during Fiscal Year 2017 and as identified below under “Use of Funds,” and shall be expended under the direction of those so indicated. Said annual amount expended from each revolving account shall not exceed the amount indicated below under “Annual Expenditure.”

| Source of Funds | Use of Funds | Expended Under Direction of: | Annual Expenditure |
|------------------------------------|--|---------------------------------|--------------------|
| Senior Center Programming Fees | Senior programs and trips | Director, COA | \$ 35,000 |
| Planning Board Application Fees | Postage, advertising and other administrative expenses | Planning Director | \$ 50,000 |
| Food Establishment Inspection Fees | Inspection of food establishments | Director of the Board of Health | \$ 30,000 |
| School Bus Transportation Fees | Transportation of Students | School Superintendent | \$ 300,000 |
| Beach Sticker Fees | Beach operations maintenance & capital | Co-Rec Directors | \$ 265,000 |
| Flu Clinic Fees | Flu Vaccine | Town Nurse | \$ 5,000 |
| Wind Turbine Revenues | Subsidizing of Town electricity costs | Special Projects Coordinator | \$ 425,000 |
| Maintenance of Private Ways | Private Way Maintenance | Highway/Grounds Superintendent | \$ 15,000 |
| Solar Array Revenues | Subsidizing of Town electricity costs | Town Administrator | \$ 450,000 |
| Rental Income Community Center | Operation and maintenance of Community Center | Director of Facilities | \$ 10,000 |

or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This is an annual article; Revolving Funds are required to be reauthorized each year in accordance with Massachusetts General Laws. The limit indicated is the maximum amount that can be spent unless the Selectmen vote otherwise.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) in support of this article

ARTICLE 3. Establishment of Revolving Funds

To see if the Town will vote to authorize the establishment of a Greater Attleboro Regional Transit Authority (GATRA) Revolving Fund pursuant to Massachusetts General Laws Chapter 44, Section 53E ½, and a Cable Access Revolving Fund, pursuant to Massachusetts General Laws Chapter 44, Section 53F ¾, which shall be kept separate and apart from other monies by the Treasurer, and in which shall be deposited receipts received that may be spent only from those sources identified below under “Source of Funds” without further appropriation during Fiscal Year 2017 and as identified below under “Use of Funds,” and shall be expended under the direction of those so indicated. Said annual amount expended from each revolving account shall not exceed the amount indicated below under “FY 17 Limit.”

| Source of Funds | Use of Funds | Expended under Direction of: | FY 17 Limit |
|------------------------|---|---|--------------------|
| GATRA | Transportation of elderly & disabled | Director, COA | \$61,000 |
| PEG Access Account | Cable Studio operations | Town Administrator | N/A |

Sponsored by: Board of Selectmen

Comments: Creation of Two New Revolving Funds - GATRA Transit Rides and Cable Access

GATRA. The Greater Attleboro Regional Transit Authority (GATRA) contracts with the Town for transportation services for the elderly and disabled. This is separate from the contract the Town has for the Scituate Sloop. Each month the Council on Aging provides to GATRA a statement of the fuel, vehicle repairs, drivers’ salaries and other related costs that were incurred for providing this service and GATRA reimburses the Town net of any donations received. The reimbursements are considered general fund revenues and cannot be directly applied to the services provided. By creating a revolving fund the expense for the paratransit transportation, part-time drivers, fuel and repairs will be paid from the revolving fund and the reimbursements received will also be credited to the Fund. THERE IS NO DIMINUTION OF SERVICE TO THE COA, ALTHOUGH THE COA BUDGET IN ARTICLE 5 WILL SHOW A REDUCTION IN EXPENSES.

Cable (PEG Access). The Massachusetts Department of Revenue recently issued guidelines requiring that PEG Access funds (funds we receive to operate our cable studio from subscribers surcharge) be treated as a special revenue fund, enterprise fund or revolving fund before June 30, 2016 or the excess funds will close out to Free Cash. The creation of this Revolving Fund will insure the continued operation and funding of the studio. The new guidelines require a one-time authorization of the fund and the annual budget for the studio will still be listed as Department 159 in the operating budget article (Article 5).

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) in support of this article

ARTICLE 4. Capital Improvement Plan

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds in the Treasury, the following sums of money totaling \$3,924,350.00 or any greater or lesser sums as may be necessary, for the purpose of funding the costs of the Fiscal Year 2017 Capital Improvement Plan submitted in accordance with Section 6-6 of the Scituate Town Charter and outlined as follows, or take any other action relative thereto:

| <u>Item</u> | <u>Department</u> | <u>Amount</u> |
|---|------------------------|---------------|
| A. Replace dump truck #1-5 6-wheel | DPW-Highway | \$160,000 |
| B. Replace depreciated hardware | Information Technology | \$141,100 |
| C. Public Safety Complex monopole & dispatch console system | Police/Fire | \$250,000 |
| D. Road & Sidewalk Improvements | DPW-Highway | \$158,000 |
| E. Foreshore Protection | DPW-Engineering | \$200,000 |
| F. Repair Flat Roofs Hatherly Cushing Schools | School | \$280,000 |
| G. Culvert Improvements-Design & Engineering | DPW-Engineering | \$ 50,000 |
| H. School Technology | School | \$100,000 |
| I. Replace 2007 ambulance | Fire | \$295,000 |
| J. Replace Turnout Gear (Phase 2/2) | Fire | \$ 70,000 |
| K. Transfer to Capital Stabilization | Future Debt | \$ 63,776 |
| L. Transfer to Capital Stabilization DPW Loader | Highway | \$ 50,000 |
| M. Purchase of (6) Club 420 Boats | Recreation | \$ 45,474 |
| N. Replace 1981 security patrol vessel | Waterways | \$150,000 |
| O. Well #19 Environmental Review | Water | \$ 58,000 |
| P. Emergency Generator at Well #18 | Water | \$ 85,000 |
| Q. Repair Maple Street Standpipe | Water | \$710,000 |
| R. Upgrade Well #17A | Water | \$100,000 |
| S. Expanding Water Plant Filter Design | Water | \$ 80,000 |
| T. SCADA at wells | Water | \$ 88,000 |
| U. Finish Water Pumps & VFD Drives | Water | \$135,000 |

| | | | |
|-----|--|------------------|-----------|
| V. | Fire Detection/Security @ WTP | Water | \$ 30,000 |
| W. | Replace 2007 Chevy 2500 Pick-up #35 | Water | \$ 60,000 |
| X. | Replace Roll-Off Container Truck | Transfer Station | \$ 65,000 |
| Y. | Copper Limit Reduction Feasibility Study | Sewer | \$250,000 |
| Z. | Rehabilitation of Clarifier #2 | Sewer | \$ 50,000 |
| AA. | SCADA Upgrade (Phase 2 of 3) | Sewer | \$200,000 |

*Sponsored by: Board of Selectmen
Capital Planning Committee*

Comment: This is an Annual Article; the Capital Planning Committee has voted to recommend the TA Capital Plan as presented and further amended by the Board of Selectmen.

Initial unrestricted FY 17 departmental capital requests submitted from non-Enterprise Fund accounts was \$2,905,990 for Enterprise Funds \$11,964,000 an overall total of \$14,869,990.

Borrowing

The FY 17 recommended capital plan continues to recognize that the debt exclusions for a new middle school and public safety complex along with a renovated library will impact the Town’s debt service for the next two decades. As a result, for the second consecutive year no capital projects are recommended that would be funded from General Fund debt in FY 17. In the past this amount has been between \$1.2 and 1.4 million per year. Free Cash has been used for needed items as much as possible while still in keeping within our financial policies (\$713,571). While being mindful of our debt load the continuing healthy Free Cash amounts we have had the past six years is starting to erode and is not expected to be as much as the last three year record highs. This will limit the amount of pay-as-you-go capital we will be able to undertake in the next few years.

Capital Stabilization Fund

Created at the November 2012 special town meeting with \$100,000 of seed money, this fund institutionalizes a funding mechanism to allocate monies for large ticket items or projects so that their costs need not be absorbed all in one year. Earmarking of funds for previously voted selected capital to Capital Stabilization for the following purpose including FY 17 Town Administrator Recommended are itemized here:

| Capital Stabilization Fund | | | |
|--|---------------------------|--------------------|---------------------------------------|
| <i>Established STM 11/2012 Article 8</i> | | | |
| Date | TM Date/Art | Amount | Comment/Purpose |
| 11/13/2012 | STM 11/2012, Art 8 | 100,000.00 | Fund established |
| 4/9/2013 | ATM 04/2013, Art 3A | 375,000.00 | Fire apparatus |
| 4/9/2013 | ATM 04/2013, Art 3E | 35,000.00 | Voting machines |
| 4/9/2013 | ATM 04/2013, Art 3G | 129,000.00 | Foreshore Protection |
| 4/9/2013 | ATM 04/2013, Art 3K | 100,000.00 | Future Debt Service |
| 11/4/2013 | STM 11/2013, Art 8 | (375,000.00) | Purchase fire apparatus |
| 4/14/2014 | ATM 04/2014, Art 5F | (35,000.00) | Purchase Voting machines |
| 4/14/2014 | ATM 04/2014, Art 5F | 163,776.00 | Future Debt Service |
| 11/13/2014 | STM 11/2014, Art 6 | 400,000.00 | Future Debt Service |
| 4/13/2015 | ATM 04/2015, Art 3A | (147,335.00) | Foreshore Protection |
| 4/13/2015 | ATM 04/2015, Art 3J | 50,000.00 | Replace ambulance |
| 4/13/2015 | ATM 04/2015, Art 3K | 50,000.00 | Community turf field |
| 4/14/2015 | ATM 04/2015, Art 3L | 75,000.00 | Humarock Fire Stn #4 |
| 4/15/2015 | ATM 04/2015, Art 3M | 163,776.00 | Future Debt Service |
| 11/2/2015 | STM 11/2015, Art 7 | (780,000.00) | Public Safety Complex |
| 4/14/2016 | ATM 04/2016, Art 3 | 50,000.00 | Replace 1986 Loader (proposed) |
| 4/14/2016 | ATM 04/2016, Art 3 | 63,776.00 | Future Debt Service (proposed) |
| 4/14/2016 | ATM 04/2016, Art 3 | (50,000.00) | Replace ambulance (proposed) |
| | | 367,993.00 | |

Stabilization Fund

While the Town has not used this source of funds for the capital plan since FY 2009, many communities use a combination of the Town's Stabilization Fund, General Fund revenue and borrowing to fund their capital plan. Pay-as-you go (Free Cash) accounts for a smaller portion. In Scituate, we have been using borrowing and Free Cash to support our capital plan. We are also fortunate in that we have a Capital Stabilization Fund as well. The Town does need to increase its focus on allocating more of the general tax revenue to capital which most towns do some as high as 5%. Our financial policies require us to endeavor to allocate 2% of net operating revenue for capital. For the past two years we have allocated \$100,000 which equates to less than 1/2 of 1%. As a result, use of the Stabilization Fund will have more pressure as Free Cash dwindles.

The Town regularly used the Stabilization as a source of capital prior to 2009. In 2008 it was used for library improvements, in 2007 for School Design, in 2006 for Old Oaken Bucket Road drainage, in 2001 for schools and repairs to Well#19 and in 2000 for work. In FY 09 the Town had a Free Cash deficit of \$192,000 coupled with about \$9,000 from the excess levy which might explain why it stopped being used.

School Department Capital

The FY 17 TA recommended capital plan, in consultation with and supported by the School Superintendent, include the following items for the School Department:

| <u>ITEM</u> | <u>AMOUNT</u> | <u>SOURCE OF FUNDS</u> |
|---|---------------|------------------------|
| Repair Flat Roofs at Cushing and Hatherly | \$280,000 | Stabilization |
| Technology | \$100,000 | Free Cash |

Enterprise Funds

Water. The third and final phase of the water replacement project will be completed in 2016. Debt service in FY 17 and for multiple years out will reflect the impact of the \$22 million project. That being said, other deferred capital needs remain here and in the Sewer Department as well. In the case of water, we continue to modulate the 19.5% annual increases the past two years on the water pipe replacement project, by doing only what is absolutely necessary, however there are critical items to be addressed that can no longer wait. These items will be funded through a combination of borrowing, retained earnings and surplus from other completed projects. FY 17 highlights recommended include:

- Well #19 Environmental Review (\$58,000)
- Emergency Generator Well # 18 (\$85,000)
- Repair Maple Street Standpipe (\$710,000)
- Finish Water Pumps and VFD Drives (\$135,000)
- Upgrade Well 17A (\$100,000)
- Expanding Water Plant Filter Design (\$80,000)

Sewer. Challenges and expensive repairs continue to exist in our Sewer Enterprise Fund following substantial allocations at the 2015 special and annual town meetings. FY 17 is no different although we are making steady headway. We have a serious challenge regarding our copper limit at the Facility and funds are recommended to study this important issue. FY 17 capital projects for this enterprise fund include:

- Copper Limit Reduction Feasibility Study (\$250,000)
- Rehabilitation of Clarifier #2 (\$50,000)
- SCADA Upgrade (Phase 2 of 3) (\$200,000)

Scheduled Replacement of Equipment and Maintenance Needs

The FY 2017 recommended CIP provides for the sixth year of the Town's commitment to road maintenance (\$200,000) and foreshore protection (\$200,000) in the operating budget. It will be difficult to sustain this commitment as new facilities come on line increasing costs.

- Replacement of 2001 International Dump Truck (\$160,000)
- Replacement of Depreciated Hardware (\$141,000)
- Public Safety Communications Monopole (\$250,000)
- Road and Sidewalk Improvements (\$158,000) in addition to operating
- Foreshore Protection (\$200,000) in addition to operating
- 2007 Ambulance Replacement (\$295,000)
- Fire Turnout Gear – Phase 2 of 2 (\$70,000)

Recommendation: The Advisory Committee recommends approval of this article. Please be advised that Items E, F, I & M were postponed and NOT voted on as they were still being reviewed by the Board of Selectmen at the time of the vote. They will be voted on at the next scheduled committee meeting just prior to the Town meeting.

Advisory Committee Vote: Unanimous (6-0) in support of the projects in this article except for Items E, F I & M. The recommendation for Items E, F, I & M will be provided at town meeting.

ARTICLE 5. Fiscal Year 2017 Operating Budget

To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, the sum of \$72,803,483.00, or a greater or lesser sum, for the purpose of funding personal services and expenses for Town operations as may be necessary for the ensuing Fiscal Year commencing July 1, 2016, or take any other action relative thereto.

Sponsored By: Board of Selectmen

| | | Article 5 | | | | |
|------------------------------|--------------------------|--|-------------------|-------------------|--------------|--|
| | | Fiscal Year 2017 Operating Budget | | | | |
| | | FY 2016 | FY 2017 | FY 2017 | % of | |
| | | Appropriated | Selectmen | Advisory | total | |
| Board of Selectmen | | | | | | |
| Town Administrator | | | | | | |
| 123 | 510 Personal Services | \$ 309,773 | \$ 310,721 | \$ 310,721 | | |
| | 520 Purchase of Services | \$ 57,847 | \$ 78,500 | \$ 78,500 | | |
| | 530 Town Counsel | \$ 136,000 | \$ 110,000 | \$ 110,000 | | |
| | 532 Labor Counsel | \$ 208,619 | \$ 139,281 | \$ 139,281 | | |
| | 540 Materials & Supplies | \$ 3,075 | \$ 1,700 | \$ 1,700 | | |
| | 599 Salary Adjustments | \$ 10,000 | \$ 10,000 | \$ 10,000 | | |
| | | \$ 725,314 | \$ 650,202 | \$ 650,202 | 0.89% | |
| Advisory Committee | | | | | | |
| 131 | 510 Personal Services | \$ 1,964 | \$ 1,964 | \$ 1,964 | | |
| | 520 Purchase of Services | \$ 250 | \$ 250 | \$ 250 | | |
| | 540 Materials & Supplies | \$ 5,700 | \$ 5,700 | \$ 5,700 | | |
| | | \$ 7,914 | \$ 7,914 | \$ 7,914 | 0.01% | |
| Reserve Fund | | | | | | |
| 132 | 570 Transfers | \$ 90,000 | \$ 90,000 | \$ 90,000 | 0.12% | |
| Finance Director/Town | | | | | | |
| Accountant | | | | | | |
| 135 | 510 Personal Services | \$ 284,831 | \$ 291,183 | \$ 291,183 | | |
| | 520 Purchase of Services | \$ 64,045 | \$ 52,000 | \$ 52,000 | | |
| | 540 Materials & Supplies | \$ 800 | \$ 900 | \$ 900 | | |
| | | \$ 349,676 | \$ 344,083 | \$ 344,083 | 0.47% | |

| | | | | | | | | | |
|-----|-----|-------------------------------|----|----------------|----|----------------|----|----------------|--------------|
| | | Assessors | | | | | | | |
| 141 | 510 | Personal Services | \$ | 195,469 | \$ | 197,803 | \$ | 197,803 | |
| | 520 | Purchase of Services | \$ | 6,880 | \$ | 6,055 | \$ | 6,055 | |
| | 540 | Materials & Supplies | \$ | 500 | \$ | 500 | \$ | 500 | |
| | | | \$ | 202,849 | \$ | 204,358 | \$ | 204,358 | 0.28% |
| | | Treasurer/Collector | | | | | | | |
| 145 | 510 | Personal Services | \$ | 263,222 | \$ | 269,303 | \$ | 269,303 | |
| | 520 | Purchase of Services | \$ | 73,300 | \$ | 88,950 | \$ | 88,950 | |
| | 540 | Materials & Supplies | \$ | 1,575 | \$ | 1,500 | \$ | 1,500 | |
| | | | \$ | 338,097 | \$ | 359,753 | \$ | 359,753 | 0.49% |
| 149 | | Administration | | | | | | | |
| | 510 | Personal Services | \$ | 32,673 | \$ | 35,513 | \$ | 35,513 | |
| | 520 | Purchase of Services | \$ | 85,000 | \$ | 76,000 | \$ | 76,000 | |
| | 540 | Materials & Supplies | \$ | 4,200 | \$ | 4,200 | \$ | 4,200 | |
| | | | \$ | 121,873 | \$ | 115,713 | \$ | 115,713 | 0.16% |
| 155 | | Information Technology | | | | | | | |
| | 510 | Personal Services | \$ | 93,853 | \$ | 150,704 | \$ | 150,704 | |
| | 520 | Purchase of Services | \$ | 152,145 | \$ | 165,929 | \$ | 165,929 | |
| | 540 | Materials & Supplies | \$ | 500 | \$ | 400 | \$ | 400 | |
| | 580 | Capital Outlay | \$ | 14,000 | \$ | 36,000 | \$ | 36,000 | |
| | | | \$ | 260,498 | \$ | 353,033 | \$ | 353,033 | 0.48% |
| | | Tax Foreclosures | | | | | | | |
| 158 | 521 | Tax Foreclosures | \$ | 39,000 | \$ | 39,000 | \$ | 39,000 | |
| | | | \$ | 39,000 | \$ | 39,000 | \$ | 39,000 | 0.05% |
| 159 | | Cable TV | | | | | | | |
| | 510 | Personal Services | \$ | 90,530 | \$ | 88,804 | \$ | 88,804 | |
| | 520 | Purchase of Services | \$ | 5,000 | \$ | 4,500 | \$ | 4,500 | |
| | 540 | Materials & Supplies | \$ | 3,150 | \$ | 3,150 | \$ | 3,150 | |
| | 580 | Capital Outlay | \$ | 17,000 | \$ | 31,400 | \$ | 31,400 | |
| | | | \$ | 115,680 | \$ | 127,854 | \$ | 127,854 | 0.18% |
| 161 | | Town Clerk | | | | | | | |
| | 510 | Personal Services | \$ | 154,834 | \$ | 169,659 | \$ | 169,659 | |
| | 520 | Purchase of Services | \$ | 34,090 | \$ | 34,460 | \$ | 34,460 | |
| | 540 | Materials & Supplies | \$ | 3,925 | \$ | 3,975 | \$ | 3,975 | |
| | | | \$ | 192,849 | \$ | 208,094 | \$ | 208,094 | 0.29% |
| 171 | | Conservation | | | | | | | |
| | 510 | Personal Services | \$ | 117,071 | \$ | 162,068 | \$ | 162,068 | |
| | 520 | Purchase of Services | \$ | 10,800 | \$ | 8,750 | \$ | 8,750 | |
| | 540 | Materials & Supplies | \$ | 850 | \$ | 1,300 | \$ | 1,300 | |
| | | | \$ | 128,721 | \$ | 172,118 | \$ | 172,118 | 0.24% |
| 175 | | Planning Board | | | | | | | |
| | 510 | Personal Services | \$ | 163,475 | \$ | 129,342 | \$ | 129,342 | |
| | 520 | Purchase of Services | \$ | 9,010 | \$ | 10,445 | \$ | 10,445 | |

| | | | | | |
|-----|---|---------------------|---------------------|---------------------|---------------|
| 540 | Materials & Supplies | \$ 700 | \$ 700 | \$ 700 | |
| | | \$ 173,185 | \$ 140,487 | \$ 140,487 | 0.19% |
| 176 | Zoning Board of Appeals | | | | |
| 510 | Personal Services | \$ 20,464 | \$ 21,262 | \$ 21,262 | |
| 520 | Purchase of Services | \$ 1,475 | \$ 700 | \$ 700 | |
| 540 | Materials & Supplies | \$ 400 | \$ 400 | \$ 400 | |
| | | \$ 22,339 | \$ 22,362 | \$ 22,362 | 0.03% |
| | Board of Selectmen/ Economic Dev | | | | |
| 182 | Dev | | | | |
| 520 | Purchase of Services | \$ 83,500 | \$ 83,500 | \$ 83,500 | |
| 570 | Transfers | \$ 10,000 | \$ 10,000 | \$ 10,000 | |
| | | \$ 93,500 | \$ 93,500 | \$ 93,500 | 0.13% |
| 192 | Property/Liability Insurance | | | | |
| 570 | Expenses | \$ 489,500 | \$ 538,450 | \$ 538,450 | 0.74% |
| | Total General Government | \$ 3,350,995 | \$ 3,466,921 | \$ 3,466,921 | 4.76% |
| 210 | Police | | | | |
| 510 | Personal Services | \$ 3,468,673 | \$ 3,494,659 | \$ 3,494,659 | |
| 520 | Purchase of Services | \$ 148,730 | \$ 109,160 | \$ 109,160 | |
| 540 | Materials & Supplies | \$ 144,225 | \$ 73,864 | \$ 73,864 | |
| 580 | Capital Outlay | \$ 141,500 | \$ 143,000 | \$ 143,000 | |
| | | \$ 3,903,128 | \$ 3,820,683 | \$ 3,820,683 | 5.25% |
| 220 | Fire | | | | |
| 510 | Personal Services | \$ 4,277,372 | \$ 4,633,185 | \$ 4,633,185 | |
| 520 | Purchase of Services | \$ 87,025 | \$ 86,250 | \$ 86,250 | |
| 540 | Materials & Supplies | \$ 218,775 | \$ 161,675 | \$ 161,675 | |
| 580 | Capital Outlay | \$ - | \$ - | \$ - | |
| | | \$ 4,583,172 | \$ 4,881,110 | \$ 4,881,110 | 6.70% |
| 241 | Inspections | | | | |
| 510 | Personal Services | \$ 290,291 | \$ 308,130 | \$ 308,130 | |
| 520 | Purchase of Services | \$ 12,790 | \$ 3,050 | \$ 3,050 | |
| 540 | Materials & Supplies | \$ 2,850 | \$ 1,250 | \$ 1,250 | |
| | | \$ 305,931 | \$ 312,430 | \$ 312,430 | 0.43% |
| 295 | Shellfish | | | | |
| 510 | Personal Services | \$ 10,621 | \$ 8,000 | \$ 8,000 | |
| 520 | Purchase of Services | \$ 650 | \$ 575 | \$ 575 | |
| 540 | Materials & Supplies | \$ 400 | \$ 100 | \$ 100 | |
| 580 | Capital Outlay | \$ 200 | \$ - | \$ - | |
| | | \$ 11,871 | \$ 8,675 | \$ 8,675 | 0.01% |
| | Total Public Safety | \$ 8,804,102 | \$ 9,022,898 | \$ 9,022,898 | 12.39% |

| | | | | | | |
|-----|------------------------------------|----------------------|----------------------|----------------------|---------------|--|
| 300 | School Committee | | | | | |
| 505 | School Expenses | \$ 34,303,852 | \$ 34,961,956 | \$ 34,961,956 | 48.02% | |
| 310 | South Shore Regional School | | | | | |
| 560 | Intergovernmental | \$ 565,989 | \$ 706,301 | \$ 706,301 | 0.97% | |
| | Total Schools | \$ 34,869,841 | \$ 35,668,257 | \$ 35,668,257 | 48.99% | |
| | Public Works | | | | | |
| 400 | 510 Personal Services | \$ 1,465,995 | \$ 1,490,182 | \$ 1,490,182 | | |
| | 520 Purchase of Services | \$ 456,325 | \$ 453,240 | \$ 453,240 | | |
| | 540 Materials & Supplies | \$ 281,725 | \$ 199,100 | \$ 199,100 | | |
| | 580 Capital Outlay | \$ 416,400 | \$ 421,100 | \$ 421,100 | | |
| | | \$ 2,620,445 | \$ 2,563,622 | \$ 2,563,622 | 3.52% | |
| 410 | Facilities | | | | | |
| | 510 Personal Services | \$ 232,805 | \$ 262,040 | \$ 262,040 | | |
| | 520 Purchase of Services | \$ 133,810 | \$ 175,161 | \$ 175,161 | | |
| | 540 Materials & Supplies | \$ 15,750 | \$ 219,650 | \$ 219,650 | | |
| | 580 Capital Outlay | \$ 163,149 | \$ 151,000 | \$ 151,000 | | |
| | | \$ 545,514 | \$ 807,851 | \$ 807,851 | 1.11% | |
| 423 | Snow & Ice | | | | | |
| | 510 Personal Services | \$ 87,109 | \$ 88,851 | \$ 88,851 | | |
| | 520 Purchase of Services | \$ 192,001 | \$ 192,160 | \$ 192,160 | | |
| | 540 Materials & Supplies | \$ 218,002 | \$ 216,102 | \$ 216,102 | | |
| | 580 Capital Outlay | \$ - | \$ - | \$ - | | |
| | | \$ 497,112 | \$ 497,113 | \$ 497,113 | 0.68% | |
| 424 | Street Lights & Beacons | | | | | |
| | 520 Purchase of Services | \$ 200,000 | \$ 200,000 | \$ 200,000 | 0.27% | |
| | Total Public Works | \$ 3,863,071 | \$ 4,068,586 | \$ 4,068,586 | 5.59% | |
| 510 | Board of Health | | | | | |
| | 510 Personal Services | \$ 126,927 | \$ 168,333 | \$ 168,333 | | |
| | 520 Purchase of Services | \$ 7,530 | \$ 9,575 | \$ 9,575 | | |
| | 540 Materials & Supplies | \$ 1,625 | \$ 1,685 | \$ 1,685 | | |
| | 580 Capital Outlay | \$ 200 | \$ 125 | \$ 125 | | |
| | | \$ 136,282 | \$ 179,718 | \$ 179,718 | 0.25% | |
| 541 | Council on Aging | | | | | |
| | 510 Personal Services | \$ 268,079 | \$ 206,229 | \$ 206,229 | | |
| | 520 Purchase of Services | \$ 38,960 | \$ 12,880 | \$ 12,880 | | |

| | | | | | |
|------------|--|---------------------|---------------------|---------------------|---------------|
| 540 | Materials & Supplies | \$ 6,000 | \$ 2,275 | \$ 2,275 | |
| 580 | Capital Outlay | \$ 1,200 | \$ 500 | \$ 500 | |
| | | \$ 314,239 | \$ 221,884 | \$ 221,884 | 0.30% |
| 543 | Veterans Agent | | | | |
| 510 | Personal Services | \$ 75,224 | \$ 80,073 | \$ 80,073 | |
| 520 | Purchase of Services | \$ 135,000 | \$ 124,345 | \$ 124,345 | |
| 540 | Materials & Supplies | \$ 1,250 | \$ 1,250 | \$ 1,250 | |
| | | \$ 211,474 | \$ 205,668 | \$ 205,668 | 0.28% |
| 549 | Commission on Disabilities | | | | |
| 520 | Purchase of Services | \$ 4,750 | \$ 5,000 | \$ 5,000 | |
| 540 | Materials & Supplies | \$ 250 | \$ - | \$ - | |
| | | \$ 5,000 | \$ 5,000 | \$ 5,000 | 0.01% |
| | Total Health & Human Services | \$ 666,995 | \$ 612,270 | \$ 612,270 | 0.84% |
| 610 | Library | | | | |
| 510 | Personal Services | \$ 769,918 | \$ 775,048 | \$ 775,048 | |
| 520 | Purchase of Services | \$ 67,098 | \$ 71,220 | \$ 71,220 | |
| 540 | Materials & Supplies | \$ 124,850 | \$ 135,450 | \$ 135,450 | |
| 580 | Capital Outlay | \$ 10,600 | \$ 5,000 | \$ 5,000 | |
| | | \$ 972,466 | \$ 986,718 | \$ 986,718 | 1.36% |
| 630 | Recreation | | | | |
| 510 | Personal Services | \$ 133,467 | \$ 138,176 | \$ 138,176 | |
| 520 | Purchase of Services | \$ 800 | \$ 695 | \$ 695 | |
| 540 | Materials & Supplies | \$ 250 | \$ 250 | \$ 250 | |
| 580 | Capital Outlay | \$ 500 | \$ - | \$ - | |
| | | \$ 135,017 | \$ 139,121 | \$ 139,121 | 0.19% |
| 650 | Beautification | | | | |
| 540 | Materials & Supplies | \$ 20,000 | \$ 20,500 | \$ 20,500 | |
| | | \$ 20,000 | \$ 20,500 | \$ 20,500 | 0.03% |
| 691 | Historical Buildings | | | | |
| 520 | Purchase of Services | \$ 13,000 | \$ 13,744 | \$ 13,744 | |
| | | \$ 13,000 | \$ 13,744 | \$ 13,744 | 0.02% |
| | Total Recreation & Resources | \$ 1,140,483 | \$ 1,160,083 | \$ 1,160,083 | 1.59% |
| 720 | Debt & Interest | | | | |
| 590 | Debt Service | \$ 6,954,468 | \$ 7,715,806 | \$ 7,715,806 | 10.60% |

| | | | | | |
|-----|-------------------------------------|----------------------|----------------------|----------------------|----------------|
| | | \$ 6,954,468 | \$ 7,715,806 | \$ 7,715,806 | 10.60% |
| 910 | Non-Contributory Pensions | | | | |
| 512 | Other Personal Services | \$ 26,620 | \$ 27,040 | \$ 27,040 | 0.04% |
| 911 | Plymouth County Retirement | | | | |
| 512 | Other Personal Services | \$ 4,424,602 | \$ 4,461,124 | \$ 4,461,124 | 6.13% |
| 912 | Workers' Compensation | | | | |
| 515 | Employee Benefits | \$ 257,000 | \$ 200,000 | \$ 200,000 | 0.27% |
| 913 | Unemployment Insurance | | | | |
| 515 | Employee Benefits | \$ 75,000 | \$ 66,000 | \$ 66,000 | 0.09% |
| 914 | Contributory Group Insurance | | | | |
| 515 | Employee Benefits | \$ 4,975,266 | \$ 5,656,298 | \$ 5,656,298 | 7.77% |
| 916 | Federal Taxes | | | | |
| 515 | Employee Benefits | \$ 652,115 | \$ 678,200 | \$ 678,200 | 0.93% |
| | Total Employee Benefits | \$ 10,410,603 | \$ 11,088,662 | \$ 11,088,662 | 15.23% |
| | Total General Fund | \$ 70,060,558 | \$ 72,803,483 | \$ 72,803,483 | 100.00% |

| | | Actual | Actual | Budget | Proposed |
|--------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| | | FY14 | FY15 | FY16 | FY17 |
| Scituate Public Schools | | | | | |
| Administration | | | | | |
| | Personnel | \$ 3,348,608 | \$ 2,910,900 | \$ 2,964,268 | \$ 3,024,165 |
| | Substitutes | \$ 256,539 | \$ 253,209 | \$ 240,000 | \$ 240,000 |
| | Subtotal | \$ 3,605,147 | \$ 3,164,109 | \$ 3,204,268 | \$ 3,264,165 |
| Purchase of Services | | | | | |
| | Curriculum | \$ 257,943 | \$ 228,254 | \$ 286,000 | \$ 233,290 |
| | SPED Outplacements | \$ 976,627 | \$ 1,577,589 | \$ 1,755,233 | \$ 1,667,561 |
| | Oil | \$ 131,713 | \$ 1,868 | \$ 1,500 | \$ 1,500 |
| | SPED Transportation | \$ 225,727 | \$ 368,928 | \$ 348,000 | \$ 355,000 |
| | Other | \$ 1,013,069 | \$ 998,734 | \$ 1,042,300 | \$ 1,029,500 |
| | Subtotal | \$ 2,605,079 | \$ 3,175,373 | \$ 3,433,033 | \$ 3,286,851 |
| Materials and Supplies | | | | | |

| | | | | |
|------------------------------|---------------------|---------------------|---------------------|---------------------|
| Electricity | \$ 417,316 | \$ 428,396 | \$ 400,000 | \$ 400,000 |
| Natural Gas | \$ 385,908 | \$ 410,053 | \$ 410,000 | \$ 410,000 |
| Other | \$ 285,888 | \$ 238,655 | \$ 257,000 | \$ 237,000 |
| Subtotal | \$ 1,089,112 | \$ 1,077,104 | \$ 1,067,000 | \$ 1,047,000 |
| Equipment and Repairs | | | | |
| Equipment and Repairs | \$ 120,013 | \$ 5,943 | \$ 64,000 | \$ 14,000 |
| Subtotal | \$ 120,013 | \$ 5,943 | \$ 64,000 | \$ 14,000 |
| Total | \$ 7,419,351 | \$ 7,422,529 | \$ 7,768,301 | \$ 7,612,016 |

Cushing

| | | | | |
|------------------------|---------------------|---------------------|---------------------|---------------------|
| Personnel | \$ 3,134,273 | \$ 3,297,884 | \$ 3,371,885 | \$ 3,500,634 |
| Contract Service | \$ 11,848 | \$ 16,026 | \$ 17,200 | \$ 17,200 |
| Materials and Supplies | \$ 50,033 | \$ 47,072 | \$ 74,350 | \$ 74,355 |
| Equipment and Repairs | \$ 12,459 | \$ 3,846 | \$ 5,000 | \$ 5,000 |
| Total | \$ 3,208,613 | \$ 3,364,828 | \$ 3,468,435 | \$ 3,597,189 |

Hatherly

| | | | | |
|------------------------|---------------------|---------------------|---------------------|---------------------|
| Personnel | \$ 2,846,603 | \$ 2,982,305 | \$ 3,040,255 | \$ 3,126,552 |
| Contract Service | \$ 6,410 | \$ 11,940 | \$ 14,950 | \$ 14,950 |
| Materials and Supplies | \$ 48,634 | \$ 47,583 | \$ 71,600 | \$ 71,600 |
| Equipment and Repairs | \$ 5,663 | \$ 1,169 | \$ 5,000 | \$ 5,000 |
| Total | \$ 2,907,310 | \$ 3,042,997 | \$ 3,131,805 | \$ 3,218,102 |

Jenkins

| | | | | |
|------------------------|---------------------|---------------------|---------------------|---------------------|
| Personnel | \$ 3,933,717 | \$ 4,167,631 | \$ 3,884,502 | \$ 4,039,373 |
| Contract Service | \$ 4,916 | \$ 18,732 | \$ 18,900 | \$ 18,900 |
| Materials and Supplies | \$ 79,461 | \$ 72,122 | \$ 99,250 | \$ 99,250 |
| Equipment and Repairs | \$ 4,295 | \$ 9,207 | \$ 5,000 | \$ 5,000 |
| Total | \$ 4,022,389 | \$ 4,267,692 | \$ 4,007,652 | \$ 4,162,523 |

Wampanoag

| | | | | |
|------------------------|---------------------|---------------------|---------------------|---------------------|
| Personnel | \$ 2,991,296 | \$ 3,425,921 | \$ 3,887,913 | \$ 4,083,925 |
| Contract Service | \$ 7,691 | \$ 22,413 | \$ 24,200 | \$ 24,200 |
| Materials and Supplies | \$ 47,520 | \$ 50,420 | \$ 76,250 | \$ 76,250 |
| Equipment and Repairs | \$ 7,056 | \$ 5,725 | \$ 5,000 | \$ 5,000 |
| Total | \$ 3,053,563 | \$ 3,504,479 | \$ 3,993,363 | \$ 4,189,375 |

Gates

| | | | | |
|------------------------|--------------|--------------|--------------|--------------|
| Personnel | \$ 4,146,391 | \$ 4,414,976 | \$ 4,673,408 | \$ 4,775,251 |
| Contract Service | \$ 8,405 | \$ 17,165 | \$ 22,640 | \$ 22,640 |
| Materials and Supplies | \$ 90,356 | \$ 58,005 | \$ 118,700 | \$ 118,700 |
| Equipment and Repairs | \$ 11,972 | \$ 7,912 | \$ 10,000 | \$ 10,000 |

| | | | | |
|--------------|---------------------|---------------------|---------------------|---------------------|
| Total | \$ 4,257,124 | \$ 4,498,058 | \$ 4,824,748 | \$ 4,926,591 |
|--------------|---------------------|---------------------|---------------------|---------------------|

High School

| | | | | |
|------------------------|---------------------|---------------------|---------------------|---------------------|
| Personnel | \$ 6,023,373 | \$ 6,303,522 | \$ 6,563,298 | \$ 6,718,910 |
| Contract Service | \$ 304,071 | \$ 304,030 | \$ 290,100 | \$ 289,500 |
| Materials and Supplies | \$ 209,793 | \$ 160,059 | \$ 242,150 | \$ 233,750 |
| Equipment and Repairs | \$ 13,765 | \$ 14,388 | \$ 14,000 | \$ 14,000 |
| Total | \$ 6,551,002 | \$ 6,781,999 | \$ 7,109,548 | \$ 7,256,160 |

| | | | | |
|------------------------------|----------------------|----------------------|----------------------|----------------------|
| Total Proposed Budget | \$ 31,419,352 | \$ 32,882,582 | \$ 34,303,852 | \$ 34,961,956 |
|------------------------------|----------------------|----------------------|----------------------|----------------------|

Comments: The Town of Scituate remains in good financial health due to a conservative fiscal plan in addition to new growth. Building and development continue to rise, which has helped increase those respective revenue projections. Fiscal Year 2017 local receipts and new growth were again increased over FY 16 as a result of favorable year-end receipts on June 30, 2015. We have maintained our AA+ bond rating and are borrowing short-term in extremely favorable interest amounts. Free Cash was certified at \$2,318,762. Of this however, \$251,206.00 was a carryover from FY 15. Last year we had six severe storms and seven feet of snow. Comparatively, this year has been extremely mild, yet the costs of responding to flooding and over wash quickly deplete our funds. Increasingly, and disproportionately, we devote much time and resources to certain areas. \$1,150,000 of Free Cash was allocated back into Stabilization that was for last year's storms.

FY 17 departmental requests totaled **\$1,000,000** over FY 16 including multiple requests for new positions. Under Proposition 2 ½, we will raise \$1,298,102 in new tax revenue. However, as illustrated below, fixed costs are increasing well beyond that rate.

The FY 2017 recommended budget incorporates the following criteria:

- No Free Cash has been used as an offset for the operating budget.
- 15% increase in health insurance
- 5.6% increase in pension.
- 11 new students at South Shore Regional Vocational Technical School – 24.7% increase
- Allocates required funding (COLA and step increases) for five union contracts (four settled, DPW in negotiation) and non-union staff. This constitutes the major town budget increase.
- For the sixth consecutive year, allocates funding for foreshore protection (\$200,000 in operating budget, Capital Plan \$200,000) for a total of \$400,000
- Recommends one new FTE: IT Specialist (\$55,000) to address increasing technology needs in town departments.
- Streamlines common departmental budgetary line items for efficiency and costs savings including: postage (to Treasurer/Collector), training (to Town Administrator), fuels and lubricants (to Facilities).
- Makes important and strategic allocations to information technology for software, hardware, licensing, security and maintenance costs and transition to new integrated

financial management system and automating payroll. This is the key focus of the FY 17 TA recommended budget.

- For the third consecutive year, the Financial Forecast Committee determined that 25% of the meals tax revenue be allocated for economic development purposes (\$54,592).
- \$297,000 increase in Fire Department. Already the largest town department, the contract settlement and addition of two day shift paramedics account for the cost increase in addition to a continued, higher than average overtime rate.
- \$364,191 is available as a Free Cash reserve for variations in the financial forecast and/or unexpected costs for the remainder of FY 16.

*****Please note that the FY 17 recommended Council on Aging budget shows a significant decrease. However, its net budget has actually increased. The changes are a result of: 1) creation of the GATRA Revolving Fund 2) centralization of postage, training and fuel and lubricants to other departments and 3) a portion of the Manager of Social Services position is allocated to the Board of Health (no reduction in services).**

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) vote in support of this article.

ARTICLE 6. Waterways Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury, the sum of \$1,062,949.00, or a greater or lesser sum, for the purpose of funding the Waterways Enterprise Fund for the ensuing fiscal year commencing July 1, 2016, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: Similar to all (5) enterprise fund, this is an annual article. The Waterways Enterprise Fund covers the operating expenses of the Scituate harbor facilities, the Cole Parkway Marina, the Scituate Marine Park, the Town Pier, and the Harbormaster's office. Revenue to support the fund's expenses are primarily generated from the user fees (ie moorings and slips) and other charges paid by users of the harbor facilities. The Retained Earnings balance after town meeting is \$537,192.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) vote in support of this article.

ARTICLE 7. Golf Course Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$1,306,372.00, or a greater or lesser sum, for the purpose of funding the Widow's Walk Golf Course for the ensuing fiscal year commencing July 1, 2016, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: This is an annual article. Similar to years past, the FY17 Widow Walk enterprise fund budget will closely match revenues to expenses. Continued incentives & programs offered by the course allow the course to remain revenue neutral. However, this is about to significantly change. FY17 is the last year of our debt service. Paying off this 20 year debt obligation is a tremendous milestone for the town, and will dramatically change and improve the fiscal outlook of the course. In the near future, a Golf Committee will be organized to evaluate and analyze several options to improve the course, and take advantage of the upcoming positive cash flow. The Retained Earnings balance after town meeting is approximately \$0.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) vote in support of this article.

ARTICLE 8. Wastewater Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$3,778,631.00, or a greater or lesser sum, for the purpose of funding Wastewater Treatment Plant operations and expenses, for the ensuing fiscal year commencing July 1, 2016, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: Major repairs and staffing challenges continue into FY 16. Numerous improvements have been made and will continue with recommended funding through FY 17. The treatment plant is old and DEP regulations have increased. With the current list of anticipated new development, the plant is expected to be close to capacity. Maximizing efficiencies here will provide more band width for new connections but the next phase of the sewer program has been delayed for now. Current Retained Earnings balance after town meeting is \$160,259 with \$493,414 applied to the FY 17 budget. This Retained Earnings balance is below what our policy recommends and a sewer rate increase will need to be discussed this summer.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) vote in support of this article.

ARTICLE 9. Transfer Station Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$1,255,021.00, or a greater or lesser sum, for the purpose of funding the Landfill and Transfer Station operations and expenses for the ensuing fiscal year commencing July 1, 2016, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: There are no significant operational changes from FY 16. The Transfer Station offers residents of Scituate a safe and clean location to dispose of household waste and recyclable materials on a fee based scale. The Transfer Station is an Enterprise Fund that is

funded by the bag fees and sticker fees. The costs of the blue bags reflect the costs of disposal and shipping to SEMASS. The Town is able to offset the costs of the trash disposal by recycling and selling these materials at market rates to a handler. We have reduced the trash sticker fee by \$10. Current Retained Earnings Balance after town meeting is \$620,270.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) vote in support of this article.

ARTICLE 10. Water Enterprise Fund

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury, the sum of \$4,247,046.00, or a greater or lesser sum, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2016, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: The Water Division is responsible for the operation and maintenance of six water wells, the Water Treatment Plant and two water storage tanks. Through voter approval of \$22 million in water funds to overhaul our current infrastructure, the third and final phase of the water project will be completed this year. Current Retained Earnings balance after town meeting is \$492,347.

Recommendation: The Advisory Committee recommends approval of this article

Advisory Committee Vote: Unanimous (6-0) vote in support of this article.

ARTICLE 11. Stabilization Fund Excess Levy

To see if the Town will vote to raise and appropriate the difference between the levy net and the levy limit to the Stabilization Fund, in accordance with Massachusetts General Laws, Chapter 40, Section 5B, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: This article would appropriate funds to the Stabilization Fund, which serves as the Town's "rainy day" fund. The amount to be appropriated would be the remainder of the Fiscal Year 2017 levy limit (the total amount the Town may raise in taxes) after the levy net, which is the amount needed to pay for services provided by the Town, is removed from it. The Stabilization Fund is an important emergency cushion for the Town which may be used for unforeseen expenses, like repairing damage from coastal storms. By state law, the levy limit is the amount raised through taxation in the previous fiscal year plus an additional 2.5%, taxation on new property, and any capital or debt exclusions from overrides.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) vote in support of this article.

ARTICLE 12. Community Preservation

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee (the “CPC”) on the Fiscal Year 2017 Community Preservation budget and pursuant to Massachusetts General Laws, Chapter 44B (the “Act”) to appropriate and/or reserve the sums of money as indicated below (i) to meet the administrative expenses and all other necessary and proper expenses of the CPC for Fiscal Year 2017; (ii) for the acquisition, creation, and preservation of open space; (iii) for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; (iv) for acquisition, preservation, rehabilitation, and restoration of historic resources; and (v) for the creation, acquisition, preservation and support of community housing. Appropriations for the items below are to be expended first from any existing reserves for the purposes of such item, then appropriated from Community Preservation FY 2017 estimated revenues, with any excess to be appropriated from Community Preservation unreserved funds. All such sums appropriated are further to be expended subject to all of the terms and conditions of the applications regarding such projects filed with the CPC and the votes of the CPC regarding approval of such items.

1. \$182,051 from Community Preservation FY 2017 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Act;
2. \$182,051 from Community Preservation FY 2017 estimated revenues, to be reserved for acquisition and preservation of Historic Resources consistent with the Act;
3. \$182,051 from Community Preservation FY 2017 estimated revenues, to be reserved for acquisition and preservation of Open Space consistent with the Act;
4. \$ 91,026 from Community Preservation FY 2017 estimated revenues, for Administrative Expense of the Community Preservation Committee;
5. \$389,415 for Open Space – Maxwell Trust 26.7 Acre Land Acquisition;
6. \$ 15,640 for Open Space – Hennessey Trust .92 Acre Land Acquisition;
7. \$160,000 for Historic Resources – Restoration of Lighthouse Lantern Room & Gallery;
8. \$ 10,000 for Historic Resources – Evaluation of Lawson Tower Water Tank for Museum Space;
9. \$108,000 for Historic Resources – Historical Society Archives/Little Red Schoolhouse;
10. \$ 42,820 for Historic Resources – Town Archives Records
11. \$ 5,700 for Historic Resources – Bailey-Ellis House Roof, Drainage & Soffit Completion;
12. \$271,489 for Undesignated Funds – North Scituate Playground Budget Increase;
13. \$231,250 for Undesignated Funds – Cushing Field/High School Girls Field Hockey;
14. \$315,000 for Undesignated Funds – Central Park Cupola Restoration;
15. \$131,000 for Undesignated Funds – Central Park Window Replacement/First Floor; or take any other action relative thereto.

Sponsored By: Community Preservation Committee

Below is a description of the 11 Projects under consideration

5. Maxwell Trust 2-Parcel Property Acquisition - \$389,415 (Open Space)

The Scituate CPC voted to recommend funding totaling \$389,415 to acquire real property consisting of approximately 26.8 acres of undeveloped open space off of Bates Lane in the West End of Scituate. These 2 parcels abut conservation land under the care and custody of the Scituate Conservation Commission. This land is surrounded by conservation land and trails off Bates Lane. These 2 parcels are mainly treed uplands with trails already existing on them.

This purchase is consistent with both the Scituate Master Plan and the open space provisions of the Community Preservation Act. It will preserve open space, protect wildlife habitat, and support recreational hiking. The agreed upon price of \$389,415 or fair market value, whichever is less, to be determined by an independent appraisal. The appraisal will verify acreage and wetlands on these parcels as part of the property appraisal and evaluation process.

6. Hennessey Property .92 Acre Acquisition - \$15,640 (Open Space)

The Scituate CPC voted to recommend funding totaling \$15,640 to acquire real property consisting of approximately .92 acre of undeveloped open space off Bates Lanes in the West End of Scituate. This parcel abuts conservation land under the care and custody of the Scituate Conservation Commission. The land is on Bates Lane property, it is mostly a treed lot.

This purchase is consistent with both the Scituate Master Plan and the open space provisions of the Community Preservation Act. It will preserve open space, protect wildlife habitat, and support hiking trails. The agreed upon price of \$15,640 or fair market value, whichever is less, to be determined by an independent appraisal. The appraisal will verify acreage and wetlands on this parcel as part of the property appraisal and evaluation process.

7. Restoration of the Scituate Light Lantern Room & Gallery - \$160,000 (Historic)

Scituate Light is the most important historic site in Scituate listed on the National Register of Historic places since 1987. The structural integrity of the tower dome is in jeopardy by the deterioration of the cooper cover. This project will address this issue with new sheath cooper, along with needed carpentry and metal work repairs. The project will repair the lighthouse tower dome, components of the lighthouse lantern room, the lantern room galley and the catwalk. Securing these elements from the weather is essential and will prevent further and future damage to the lighthouse. The last restoration of the lighthouse and lantern room occurred in 1930 so this project will help preserve the lighthouse for many years to come.

8. Evaluation of Lawson Tower for Museum Space - \$10,000 (Historic)

The Scituate Historical Society proposes to conduct a structural and architectural study of the feasibility of establishing access to the ground level of the of the water tank of the tower for the

purpose of museum space. This space is to exhibit artifacts from the Dreamwold estate of Copper King Thomas W. Lawson. The use of the Tower as a historic site would be expanded. Future generations would clearly see the import of Mr. Lawson to the development of the Town of Scituate.

9. Scituate Historical Society Archive Improvements - \$108,000 (Historic)

This \$108,000 request is to improve the archives area of the Kathleen Laidlaw Center at 43 Cudworth Road (Little Red Schoolhouse). The Historical Society reduced their original request of \$245,000 for this project after initial conversations with CPC. The Society also decided to remove the apartment space to reduce the risk to the archived material. In addition the Society is contributing \$27,000 and a large number of volunteer hours towards the completion of the project.

The Historical Society seeks to build appropriate climate controlled storage on the first floor of the building. Current collections are being stored below grade in the basement in which humidity, floor moisture from flooding and ranges of temperatures are impossible to manage. Paintings, maps, photographs and other collections are at extreme risk in the current space.

The improvements proposed by this project will insure the continued preservation of countless artifacts, documents, paintings, photographs, and personal papers routinely used by researchers and students from all over the country.

10. Town Archives - \$42,820 (Historic)

This \$42,820 request from the Town Clerk's office is to preserve the 19th century records by de-acidifying them. These are tax and "pauper" records. Secondly this will go towards binding minutes from town meetings which the secretary of state requires.

11. Bailey-Ellis House Roof, Drainage & Soffit Completion Project - \$5,700 (Historic)

The Bailey-Ellis House was built in the mid-late 1800's as a country estate by Boston merchant, John Wade Bailey, who was originally from Scituate. Currently, it is used as a meeting and studio space for artists, provides an affordable housing unit for the onsite caretaker, and contributes to preserving a piece of Scituate's historic heritage.

The Scituate Arts Association has been repairing the roof, soffit, and drainage systems of the Bailey-Ellis House. Water damage sustained from failure of the roof allowed moisture to infiltrate the house and led to subsequent damage. This portion of the project will address gutters, soffits and fascia, which will then conclude all remaining preservation items associated with restoration of the Bailey-Ellis House roof.

This request represents one half of the cost of the project. The Scituate Arts Associate has obtained outside grants to complete this project, along with using their own funds. This project qualifies for CPC funding by providing preservation of a historic building.

12. 2011 Community Playground Budget Increase Request - \$271,489 (Undesignated Funds)

The relocation of this project from the Scituate High School Campus to a new site in North Scituate, which was abandoned as a playground many years ago, has triggered the need for additional consulting and contracting of services of a playground consultant, a landscape architect, a surveyor, etc. In addition, six years have passed since the initial grant for \$297,000 was approved at the 2010 Annual Town Meeting. It is because of these factors that the Recreation Commission is requesting additional funds to bring this project to fruition.

13. Cushing Field Hockey Field/Youth Soccer - \$231,250 (Undesignated Funds)

The Svensen Field Hockey Field located to the south of Scituate High School is being eliminated due to construction of the new Middle School. This proposal will allow the relocation of this field to the existing, under-utilized, and poorly maintained field located at Cushing School. This project requires the removal of some trees, installation of an irrigation system, planting of sod, and fencing.

14. Central Park Cupola Restoration Project - \$315,000 (Undesignated Funds)

Central Park was adapted from Central School in 1985 and currently consists of 51 affordable rental units for seniors and disabled residents. The Central Park facility is owned by the Scituate Housing Authority and is a HUD regulated property. The SHA is eligible for annual capital improvement grants for roughly \$50,000 putting many of the larger scope capital improvement projects beyond the budget limitations.

The structure was built in the mid 1930's and the bulk of the cupola structure is original to the building. The cupola was designed to provide a system of ventilation for the building. The harsh Scituate winters and extreme weather have taken its toll over the years on the structure and moisture has worked its way into the structure and the windows and much of the exterior wood siding are in poor condition. A structural engineering report has shown that the structure of the cupola is sound, though they have noted that failure to address the problems will eventually cause further damage and increase the scope and cost of the project down the road. Additionally, much of the electrical services are located in the middle of the building, susceptible to water damage which would further increase the risk of greater damage to the building.

The SHA is requesting up to \$315,000 in CPC funding to restore and rebuild the cupola of the building.

Community Preservation Act MGL Chapter 44B – As amended 2012 by c. 103, 69-83 and c. 503 of the Acts of 2014

“Preservation” – ...protection from injury, harm or destruction

Replacement of the cupola will protect the building from further deterioration and destruction and preserve the affordable units.

15. Central Park Window Replacement/1st Floor - \$131,000 (Undesignated Funds)

Central Park was adapted from Central School in 1985 and currently consists of 51 affordable rental units for seniors and disabled residents. The Central Park facility is owned by the Scituate Housing Authority and is a HUD regulated property. The SHA is eligible for annual capital improvement grants for roughly \$50,000 putting many of the larger scope capital improvement projects beyond the budget limitations.

Many years ago during a previous renovation project, the windows of Central Park were replaced with “replacement” type windows in the effort to replace failed windows and improve energy efficiency. The windows are currently in very poor condition and moisture penetration and water damage have caused additional structural damage to the framing.

The SHA is requesting \$131,000 in CPC funding to replace the windows on the first floor of the building with appropriate, “new construction” type windows, that will provide better installation result, and replace the rotted wood framing as needed which will seal up the structure preventing the damage caused from the water intrusion to worsen.

Community Preservation Act MGL Chapter 44B – As amended 2012 by c. 103, 69-83 and c. 503 of the Acts of 2014

“Preservation” – ...protection from injury, harm or destruction

Replacement of the windows will protect the building from further deterioration and destruction and preserve the affordable units.

Comments: Scituate adopted the Community Preservation Act in FY 2003, and for over 10 years, it continues to provide the town with a valuable source of funds that allow us to protect and expand our natural, historical and recreational resources. While the matching amount has decreased since the inception of the CPA, due to recent economic and state funding issues, and the increase of towns participating in the program, the Advisory Committee strongly believes that the CPA surcharge remains and effective, local solution designed to protect open space, historical and recreational resources.

Recommendation: The Advisory Committee recommends approval of all items except Item 5 in this article.

Advisory Committee Vote: Unanimous (6-0) vote in support of all projects listed in this article, with the following exceptions:

Maxwell Trust 2-Parcel Property Acquisition - \$389,415 The committee voted (3-3) which means the articles is not supported as there must be a majority to pass. The members of the committee opposed to the article feel this land was part of a larger purchase in which CPC and the Maxwell Trust were each buying a piece of land to own not hold. The original purchase was not presented that Maxwell Trust would be coming back years later to ask CPC to purchase the balance of the land held by Maxwell Trust. If that was the case perhaps the original sale might not have been approved on town meeting floor. There are also questions if a developer was to purchase the land could he build a house or two and how cost effective would it be.

The members of the board in favor of the purchase feel it ties in nicely with the other land purchases we have done in the West End. It will provide more trails for hiking and protect the wildlife habitat.

Evaluation of Lawson Tower for Museum Space - \$10,000

The committee voted 5-1 in support of this article.

2011 Community Playground Budget Increase Request - \$271,489

The committee voted 5-0 in support of this article with one member abstaining.

ARTICLE 13. Massachusetts General Laws Chapter 91 Liability

To see if the Town will vote to assume liability in the manner provided by Massachusetts General Laws, Chapter 91, Section 29, as amended, for all damages that may be incurred by work to be performed by the Massachusetts Department of Environmental Protection for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach in accordance with Section 11 of said Chapter 91 and to authorize the Selectmen to execute and deliver a bond on indemnity therefore to the Commonwealth; or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: This is a routine article in which the Town would assume liability for any damages as a result of the state performing maintenance work on the town's waterways; this maintenance work could include, for example, dredging.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (6-0) in support of this article.

ARTICLE 14. Removal of Deputy Chief of Police from Civil Service

To see if the Town will vote to remove the position of Deputy Chief of Police from Civil Service under Massachusetts General Laws Chapter 31 and revoke its acceptance of Chapter 31 for such position under Article 38 of the warrant for the 1934 Annual Town meeting, or take any action relative thereto

Sponsored By: Board of Selectmen

Comments: This article would allow the Chief of Police to hire a Deputy Chief outside the civil service system, giving him greater flexibility in the position’s vetting and selection process. Currently, the Police Department’s second-in-command role is filled by an Administrative Lieutenant position. The Chief believes a more senior officer should fill this role, especially since, for example, the position will assume command of the department when the Chief is out of town. Many surrounding towns’ police departments, and the Scituate Fire Department, have all adopted this organizational structure in recent years. Given the importance of the Deputy Chief position, the Advisory Committee believes it is critical that the Police Chief have this improved managerial freedom.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (6-0) in support of this article.

ARTICLE 15. General Bylaw Amendment: Non-Criminal Disposition

To see if the Town will vote to amend the General Bylaws of the Town, Section 10230, “Criminal and Non-Criminal Disposition of Bylaw Violations” by changing the amount in Section 30350, “Housing Standards” from \$20.00 to “First Offense : \$100.00, Second Offense: \$200, Each Additional Offense: \$300.00”, and the amount in Section 30700, “Wetlands Protection Bylaw” from \$50.00 to “First Offense: \$100.00, Second Offense: \$200.00, Each Additional Offense \$300.00” and by adding a new Section, Section 32050 as follows:

| | | |
|---------------|--|--|
| Section 32050 | STORMWATER BYLAW (Town Planner and Conservation & Natural Resources Officer) | 1st Offense: \$100.00 2 nd Offense \$200.00 3 rd Offense: \$300.00 Subsequent Offense: \$300.00 |
| | SUBDIVISION RULES & REGULATIONS (Town Planner) | \$300.00 |
| | SCENIC ROADS (Town Planner) | \$300.00 |

or take any other action relative thereto

Sponsored By: Planning Board & Conservation Commission

Comments: This article would impose new or higher fines for several activities already prohibited by the Town's by-laws, and for the first time would allow these fines to be enforced in court. Specifically, there are new fines for violations of the Stormwater By-law and Subdivision Rules & Regulations, each not to exceed \$300. In addition, the fine to a landlord when their rental property does not comply with the State Sanitary Code would change from \$20 to a maximum of \$300, and the fine for violating the Wetlands Protection By-Law would change from \$50 to a maximum of \$300. Note that Article 16 of the Annual Town Meeting Warrant would make changes to the Stormwater By-Law itself.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (6-0) in support of this article.

ARTICLE 16. General Bylaw Amendment: Stormwater Review

To see if the Town will vote to amend the General- Bylaws of the Town, Section 32050, Stormwater Bylaw as indicated by the following underlined text or take any other action relative thereto:

1. Authority

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the Regulations of the federal Clean Water Act found at 40 CFR 122.34.

2. Purpose

The purpose of this Bylaw is to reduce flooding, protect water quality, increase groundwater recharge, reduce erosion and sedimentation, promote environmentally sensitive site design practices such as Low Impact Development that protect vegetation and enhance town character, ensure long-term maintenance of stormwater controls and meet or exceed federal requirements under Phase II of the National Pollutant Discharge Elimination System.

3. Definitions

ALTERATION OF DRAINAGE CHARACTERISTICS: Any activity on an area of land that changes the water quality, force, direction, timing or location of runoff flowing from the area. Such changes include: change from distributed runoff to confined, discrete discharge, change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

BEST MANAGEMENT PRACTICE (BMP): An activity, procedure, or structural improvement that helps to reduce the rate or volume of stormwater runoff or improve its water quality.

DEVELOPMENT: Any construction or land disturbance on vacant land that is currently in a natural state and has not been disturbed.

DISTURB: To cause a change in the position, location, or arrangement of soil, sand rock,

gravel or similar earth material, remove the vegetative surface cover on all or a portion of a site or make any other change which would alter drainage characteristics as per the definition above.

EROSION: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENTATION CONTROL PLAN: A document containing a narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation resulting from pre-construction and construction related land disturbance activities.

GRADING: Changing the level or shape of all or a portion of the ground surface of a site.

IMPERVIOUS: Preventing water from infiltrating the underlying soil. Impervious surfaces include paved surfaces (parking lots, sidewalks, driveways,) walkways and patios of a continuous hardened surface, rooftops, swimming pools, patios, and paved, gravel and compacted dirt surfaced roads.

OPERATION AND MAINTENANCE PLAN: A plan that shows or establishes the physical, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to insure that it continues to function as designed, including during pre- and post-construction activities.

PERMITTING AUTHORITY: For the purposes of this bylaw, the permitting authority shall mean either the Planning Board or Conservation Commission, or the Town Planner or Conservation and Natural Resource Officer.

PRE-CONSTRUCTION: All activity undertaken in preparation for construction.

POST CONSTRUCTION: All activity undertaken after a Certificate of Completion is issued.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface or increase the impervious area on previously developed sites.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION: The process or act of deposition of sediment.

SITE: Any lot or parcel of land or area of property.

SLOPE: The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

STABILIZATION: The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent or reduce erosion.

STOP WORK ORDER: An order issued by the Permitting Authority or its designee which requires that all construction activity on a site be stopped.

STORMWATER MANAGEMENT PLAN: A plan required as part of the application for a Stormwater Management Permit.

STORMWATER: Storm water runoff, snow melt runoff, and surface water runoff and drainage.

SUBDIVISION: As defined in the Subdivision Control Law of Massachusetts, M.G.L. – Chapter 41, Section 81L Definitions.

4. Applicability

A. Regulated Activities. This bylaw shall apply to the following activities:

- ~~1. All development and redevelopment projects that will disturb or alter over 15,000 sq. of land, any development of an undeveloped parcel that will increase stormwater runoff, or a net increase of 25% or more of impervious area even if that alteration is conducted over separate phases and/or by separate owners.~~
- 1. All development and redevelopment projects that will disturb over 15,000 sq. ft. of land in a Residential zoning district; render 25% or more of an undeveloped lot impervious or increase impervious area of a developed lot by 25% or more, even if that disturbance is conducted over separate phases and/or by separate owners.**
2. All development and redevelopment projects that will disturb over 1,000 sq. ft. square feet of land on undisturbed or natural slopes greater than ~~25~~5%, even if that alteration is conducted over separate phases and/or by separate owners.
3. Construction of a new drainage system or alteration of a drainage system, serving a drainage area of more than 15,000 sq. ft. of land.
4. Any development or redevelopment involving “land uses with higher potential pollutant loads,” as defined in the Massachusetts Stormwater ~~Management Standards, Volume 1, Stormwater Policy Handbook.~~ Land uses with higher potential pollutant loads include auto salvage yards, auto fueling facilities (gas stations), fleet storage yards, high-intensity commercial parking lots, road salt storage areas, commercial nurseries, outdoor storage and loading areas of hazardous substances, and marinas.

B. Exempt Activities. The following activities shall be exempt from this bylaw:

1. a. Construction on an individual lot within a subdivision that has previously been issued a stormwater permit, so long as the individual lot development conforms to the grading, building envelopes, and drainage patterns described in the subdivision’s stormwater permit. or was approved under the Subdivision Rules and Regulations adopted 8/13/10 or later;
- b. Construction on a lot served by an approved Common Driveway or shown on an approved Site Plan where the proposed stormwater management system and

Operation & Maintenance Plan were reviewed by the Town's consulting engineer and approved by the Planning Board, and if applicable, a current Common Driveway Agreement is on file with the Planning Board; or

c. Construction on any lot that has previously been issued a stormwater permit, so long as that construction substantially conforms to the grading, the limit of work, impervious area and drainage characteristics shown on an approved plan. Any plan changes that would have the effect of altering drainage characteristics must be on file with the Permitting Authority prior to construction commencing. The Permitting Authority may require that the applicant obtain an engineer's certification that drainage characteristics will not be altered by proposed changes to a plan.

2. Landscaping for a single-family home that involves the addition or removal of fewer than 100 cubic yards of soil material or alteration of less than two feet of elevation with maintenance of existing drainage characteristics.~~patterns.~~

3. Repair and replacement of existing roofs.

4. Construction of walls and fencing that will not alter existing drainage characteristics.~~patterns.~~

5. Use, maintenance, and improvement of agricultural land.

6. Construction of utilities, other than drainage, that will not alter existing terrain or drainage characteristics,~~patterns,~~ including repairs to existing septic systems when required by the Board of Health.

7. Emergency repairs to any existing stormwater management facility.

8. Routine maintenance and improvement of town-owned public ways **not resulting in an increase in impervious area.**

5. Administration

A. This bylaw shall be administered by the Planning Board and Conservation Commission. Any activity regulated under this bylaw that is also subject to regulation by the Wetlands Protection Act and/or local Wetlands Bylaw shall also require approval of a Stormwater Permit by the Conservation Commission or its designee. Any activity regulated by this bylaw that is not subject to regulation by the Wetlands Protection Act and/or local Wetlands Bylaw shall require approval by the Planning Board. A project required to undergo stormwater review under the Subdivision Rules and Regulations or as required for a Common Driveway or Site Plan will not require a separate Stormwater Permit from the Planning Board. In practice, the Conservation Commission's jurisdiction will mostly include single family dwellings falling under the jurisdiction of the Wetland Protection

Act. All other regulated activities shall require a Stormwater Permit from the Planning Board or its designee. The term Permitting Authority shall be used to refer to the board having jurisdiction over land disturbance or alteration under this bylaw.

~~A. This bylaw shall be administered by the Planning Board.~~

B. The Planning Board may adopt and amend Stormwater Regulations related to the content of permit applications and the performance standards for development activities, as described in Section ~~65~~ below. Failure to promulgate such Regulations shall not have the effect of suspending or invalidating this bylaw.

~~C. The Planning Board or Conservation Commission as applicable, their and its agents, or theirits designee, shall review all applications for a Stormwater Permit, issue a Stormwater Permit, conduct necessary inspections and site investigations, monitor and enforce the conditions of theissue a final permit, and issue a Certificate of Completion, and shall be responsible for monitoring and enforcement of this bylaw.~~

~~the permit conditions. This may combined with or included in the review of drainage undertaken before approval of a Definitive Plan or Special Permit.~~

~~C.D. The Permitting Authority Planning Board may refer any application for a Stormwater Permit to its consulting engineer for review. It may require the applicant to post a Project Review Fee to cover the cost of this review.~~

~~B. The stormwater permit applications shall be evaluated based on the performance standards of the latest edition of the Massachusetts Stormwater Management Policy (or its successor.) In the event that Scituate should pass more stringent stormwater regulations these shall be the same to which the applications are evaluated.~~

Following receipt of a completed permit application, the ~~Permitting Authority~~Planning Board or its designee shall seek review and comments from the Conservation Commission or Planning Board as applicable, Board of Health, Department of Public Works, Water Resources Committee for projects within the Water Resource Protection District and other town boards or authorities as appropriate.

~~D.E. The Town Planner or Conservation The Planning Board or its designee shall not issue the Stormwater Permit until it has received comments from those boards and Natural Resources Officer may issue a Stormwater Permit for projects which do not disturb an area greater than 40,000 sq. ft., or greater than 1,000 sq. ft. with a slope of 25% or greater. This shall be considered an Administrative Stormwater Project Review and shall be issued according to procedures outlined in the Stormwater Regulations, which shall not require a public hearing authorities to which the application was circulated, or until after 14 days have elapsed since the application was circulated for review, whichever comes first.~~

~~F. Construction under a Stormwater Permit shall be authorized upon the date of issuance but in no case more than three years from the date of issuance unless this time period is extended by vote of the Planning Board or Conservation Commission.~~

~~C. 6. The Planning Board may delegate the authority to issue a Stormwater Permit to its agent or to another town board or authority, in general or under specific conditions, if~~

~~that board or authority has a substantive role in overall review and permitting of the project, and if that board or authority has adopted by reference the performance standards of this bylaw and accompanying regulations, or the Massachusetts Stormwater Standards, whichever is more restrictive, and has responsibility for their enforcement. Any delegation of authority for review, permitting or enforcement shall be stated in the Stormwater Regulations.~~

6. Adoption of Regulations.

- A. ~~The Stormwater Planning Board may adopt~~ Regulations shall include separate performance standards for rainwater-produced stormwater and land subject to coastal storm flowage. All regulations shall be adopted pursuant to this bylaw after a public hearing and public comment period, and transmitted to the Planning Board within one week of adoption for inclusion in the bylaw.
- B. The public hearing shall be advertised in a newspaper of general local circulation at least seven days ~~prior to~~before the hearing date.
- C. Other boards, commissions, and departments with responsibilities ~~that~~which include or are related to stormwater management are encouraged to adopt those Regulations by reference.

7. Submittal requirements.

~~Submittal requirements for subdivisions are defined in the Subdivision Rules and Regulations. Submittal requirements for all other development, and site disturbance and alteration shall include an application form, application fee and plans are as listed below, defined in the Stormwater Regulations. These may be consolidated into a single site plan. All plans and certifications shall be prepared by a licensed Professional Engineer.~~

- A. Application Fee. Each application must be accompanied by the appropriate application fee pursuant to the Stormwater Regulations. This fee shall be sufficient to cover any expenses connected with~~include topographic information; the public hearing, where required, location and area of land proposed to be cleared or disturbed; the location and review of the Stormwater Permit application. The Permitting Authority is authorized to retain a licensed Professional Engineer or other professional consultant to advise~~area of land proposed to be filled including mounded septic systems; the Permitting Authority on any or all aspects of the Application.
- B. Erosion~~location, height~~ and Sedimentation Control. All applications must include an Erosion~~length of any proposed retaining walls; and Sedimentation Control Plan to show proposed methods for properly stabilizing the site before construction begins. This plan shall show the Best Management Practices (BMP's) that~~natural areas proposed to be permanently protected, including a description of how they will be used during construction to minimize erosion of the soil, sedimentation of stormwater and flow of stormwater onto neighboring properties, roads or drainage systems. These BMPs should include both stabilization practices such as: seeding, mulching, preserving trees and vegetative buffer strips, contouring and structural practices such as: earth dikes, silt

socks, silt fences, stabilized construction entrances, drainage swales, sediment traps, check dams, and subsurface or pipe slope drains protected.

C. Site Plan and Narrative Showing Proposed Stormwater Measures. All applications shall include a Site Plan showing BMP's proposed to manage stormwater after construction. This Plan shall contain sufficient information to evaluate the environmental impact, effectiveness, and acceptability of the measures for reducing adverse impacts from stormwater. All plans shall meet the Performance Standards in the Stormwater Regulations. Any easements or deed-restricted areas shall be clearly shown and identified. With the exception of plans for construction of single- and two-family homes, all plans shall be designed to meet the Massachusetts Stormwater Management Standards and DEP Stormwater Management Handbook Volumes I and II, as revised, where these are otherwise applicable. A brief narrative shall be included describing the BMP's with references to their location and function.

D. Pre- and Post-Construction Operations and Maintenance Plans. Pre- and Post-Construction Operation and Maintenance Plans (O&M Plans) are required at the time of application for all projects. The required contents of these plans shall be described in the Stormwater Regulations. Pre-Construction O&M Plans shall address maintenance of erosion control and site stabilization measures; operation of equipment during construction and inspections required during construction. Post-Construction Plans shall include methods for maintaining the stormwater management system; protection of vegetation where needed to absorb and take up stormwater; responsibilities of the homeowner and any third parties; and the estimated cost of maintenance. . They shall be designed to ensure compliance with this bylaw and the Massachusetts Surface Water Quality Standards, 314 CMR 4.00 in all seasons and throughout the life of the stormwater system. The Town shall make the final decision on what maintenance is appropriate in a given situation with consideration for natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and the need for ongoing maintenance activities. The O&M Plans shall remain on file with the Planning Board or Conservation Commission as applicable and shall be an ongoing requirement.

8. Performance Standards.

Performance standards for site design, erosion control, stormwater management, operation & maintenance guidelines, materials, vegetation, and other aspects of developments shall be described in the Stormwater Regulations with compliance required to the extent practicable in the opinion of the Permitting Authority. Separate outlined in the Rules and Regulations. Performance standards may be adopted for single family homes, and all other types of development. Performance standards shall reflect all requirements for stormwater in the Water Resource Protection District found in the Zoning Bylaw for properties in that district. Separate standards shall be adopted for land subject to coastal storm flowage.

A. Performance standards will include (but not be limited to) ~~standards for~~ the following standards for rainwater-produced stormwater:

1. Peak Discharge Rates (flooding protection and channel protection)

2. Peak Discharge Volume

3. Retention of First 1" of Stormwater for Development and Redevelopment of One or More Acres. For new development or redevelopment of one or more acres, the first inch of runoff from all impervious surface must be retained on the site, unless pollutant removal of first inch of runoff with BMP (equivalent pollutant removal as with a biofilter) is provided. Shutoff and containment is required in the case of discharge near an environmentally sensitive area, i.e. public water.

2.4. Recharge Volume

3.5. Pretreatment and Water Quality

4.6. Erosion Control

5.7. Vegetation, Site Design, and Site Restoration

- B. ~~Applicants shall meet these~~ Performance standards shall also be adopted for coastal storm associated floodwater, to avoid channelization or those of the Massachusetts Stormwater Management Policy (and minimize the velocity of flood waters, its successors), whichever is more stringent.

1. Standards for land subject to coastal storm flowage.

Preservation of the abilities of existing topography, slope, surface area, soil characteristics, erodibility, and permeability of land in the flood plain will tend to allow for the dissipation of storm wave energy, slowing of moving water, and absorption of flood waters. Standards for land subject to coastal storm flowage may include limits on creation of new pavement or other impervious surfaces, re shall be no adverse impact from work proposed in Land Subject to Coastal Storm Flowage. Increases in impervious surface, removal of natural vegetation and pervious areas, filling, locating foundations or pavement so as to channelize floodwater, use of solid foundations and fill so as to deflect, reflect or redirect wave energy or channelize floodwater, or dredging or removal of soil materials within the floodplain so as to allow storm waves to break further inland and impact upland or wetland resource areas.

The Permitting Authority may seek the services of a consultant to assess compliance with the adopted standards for rainwater and coastal storm floodwater.

9. Review Process

- A. Applicants are strongly encouraged to schedule a pre-application meeting with the Town Planner ~~or~~ and Conservation and Natural Resources Officer, ~~as applicable, Agent~~ to review the proposed development plans at the earliest feasible time.
- B. The stormwater permit review shall not require a special public hearing, but stormwater issues may be discussed as part of other Public Hearings required for approval of the same project by the Planning Board or Conservation Commission. ~~on the projects.~~ If no Public Hearing is required, the Planning Board or Conservation Commission ~~its designee~~ may choose to hold a special public hearing to solicit public comment.

C. After review of the application and comments received from other boards, and following the close of a Public Hearing where at this hearing is required, the Permitting Authority~~Planning Board or its designee~~ shall take one of the following actions:

1. Approve the application and issue a Stormwater Permit if it finds that the proposed plan meets the objectives and requirements of this bylaw.
2. Approve the application and issue a Stormwater Permit with conditions, modifications, or restrictions as necessary to ensure protection of water resources or to meet the objectives of this bylaw.
3. Disapprove the application and deny a permit if it finds the proposed plan will not protect water resources or fails to meet the objectives of this bylaw; or if it finds that the applicant has not submitted information sufficient to make such a determination.

D. Deadline for Action.

1. For a Stormwater Permit for a single family home or a residential duplex, the Planning Board or its designee shall file its decision with the Town Clerk and the Building Commissioner within thirty (30)~~twenty-one (21)~~ days of the receipt of a completed application. For all other development, a decision shall be made prior to approval of a Special Permit or Definitive Plan, if required, or prior to issuance of an Order of Conditions or building permit as applicable. ~~a building permit if a Special Permit or Definitive Plan is not required. Upon certification by the Town Clerk that the allowed time has passed without action by the Planning Board or its designee, the Stormwater Permit shall be issued by the Planning Board.~~
2. The review period may be extended by mutual consent of the Permitting Authority~~Planning Board or its designee~~ and the applicant. Failure to extend the review period or take action on the application before the deadline for action shall be deemed to be approval of such application. Upon certification by the Town Clerk that the allowed time has passed without action the Stormwater Permit shall be issued by the Permitting Authority.

E. Appeals. Decisions ~~by the Planning Board~~ under this bylaw may be appealed to Superior Court or Land Court. ~~in an action filed within 20 days of the date the decision is filed with the Town Clerk.~~

10. Notification, inspections.

Submittal of the stormwater permit application is construed to grant the Permitting Authority, Planning Board, its agent, or its designee with permission to enter the site for inspection.

The Permitting Authority may make unscheduled site visits to insure construction complies with the Operation & Maintenance Plan. If it does not comply, the Permitting Authority shall review whether to pursue remedies for enforcement of the Stormwater Permit as described in Section 12 of this bylaw.

11. Submittal of as-built plans.

~~The Planning Board or its designee may require the~~ submittal of as-built plans depicting the construction conditions of the stormwater management system and grading on the site shall

be required. Specifications for these as-built plans are outlined in the Stormwater Regulations ~~accompanying this bylaw.~~

12. Surety

The Permitting Authority ~~Planning Board~~ may require the posting of a surety bond until work is completed and satisfactorily inspected, or to ensure maintenance of the system.

13. Enforcement

The Permitting Authority ~~Planning Board, its agent, or its designee~~ shall enforce this Bylaw, its regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations, including remedies available under non-criminal disposition. Mechanisms and procedures for enforcement ~~may~~ shall be further detailed in Regulations adopted by the Planning Board pursuant to this Bylaw.

A. Orders.

1. The Permitting Authority may issue a written order to enforce the provisions of this Section or the regulations thereunder, which may include:

- a. A requirement to cease and desist the construction activity until there is compliance with the provisions of the Stormwater Permit;
- b. Maintenance, installation or performance of additional erosion and sediment control measures;
- c. Monitoring, analyses, and reporting;
- d. Remediation of erosion and sedimentation resulting directly or indirectly from land-disturbing activity.

2. If the enforcing body determines that abatement or remediation of erosion and sedimentation is required, the order shall set forth a deadline by which such abatement or remediation must be completed. This deadline shall be no more than twelve months from the date of the violation.

B. Any person that violates any provision of this Section may be punished, under G.L. c.40 §21D as a noncriminal offense, by fines of:

1. First offense: \$100
2. Second offense: \$200
3. Each additional offense: \$300

Each day on which any violation or offense exists shall be deemed a separate offense. No new permits shall be issued to an applicant if any permit fines are outstanding.

C. Remedies Not Exclusive. The remedies listed in this Section are not exclusive of any other remedies available under any applicable federal, state or local law.

14. Severability

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

Sponsored by: Planning Board

Comments: The purpose of the Storm water Bylaw is to reduce flooding, protect water quality, increase groundwater recharge, reduce erosion and sedimentation, and promote environmentally sensitive site design practices such as Low Impact Development that protect vegetation and enhance town character and ensure long-term maintenance of storm water controls.

This Article is the end product of a committee comprised of the Town Planner, a representative of the Conservation Committee, the Conservation Agent, Planning Board members, the town's consulting engineer, developers, builders and others. The committee deliberated for over 6 months and the bylaw amendment contained in this Article is the result.

This Article codifies ongoing practice, clarifies submittal requirements, clears up confusion based upon ongoing practice, stipulates submittal requirements, adds performance standards and specifies areas of enforcement of the Bylaw.

The Advisory Committee supports this Article because it codifies ongoing practice and the rules of engagement. The Bylaw seeks to protect new homeowners, existing homeowners and tenants as well as respecting the rights of neighbors.

Recommendation: The Advisory Board recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) in support of this article

ARTICLE 17. General Bylaw Amendment – Time of Town Meeting

To see if the Town will vote to amend the General Bylaws of the Town, in Section 20140 by deleting the words “unless the meeting otherwise directed by a two-thirds vote,” in Lines 13 and 14, or take any other action relative thereto.

BY PETITION

Comments: This petition article would amend the General Bylaws of the Town to restrict the time duration of how long town meeting goes.

The petition seeks to amend the Code of General Bylaws of the Town of Scituate Massachusetts Approved by the Attorney General February 10, 2015, Part 2 Organization, Section 20140 Time of Meeting. This section states that “Any session of any annual or special town meeting shall, unless the meeting otherwise directs by a two-thirds vote, be adjourned at the conclusion of action on any article under consideration at 11:00 P.M.”

| TABLE OF BASIC POINTS OF MOTIONS | SECOND REQUIRED | DEBATABLE | AMENDABLE | VOTE REQUIRED |
|-----------------------------------|-----------------|-----------|-----------|---------------|
| Dissolve or adjourn sine die | Yes | No | No | Majority |
| Adjourn to a fixed time or recess | Yes | Yes | Yes | Majority |

The petitioner wants to restrict how long a town meeting goes.

The petitioner submitted this Warrant to address concerns about the lateness of several meetings in the recent past, meetings that extended beyond 11:00 PM, well beyond 11:00 PM. The petitioner states 12:00 AM or 1:00 AM is too late to expect working people and parents to stay. This affects, or can affect, the discussion and numbers of people voting on issues that come up at the end of the agenda.

It also leaves open the possibility of an issue being introduced by a group with a special interest being decided by a smaller number of voters than should be the case. The petitioner states that people are deterred from attending town meeting because of the length of the meetings and ending time. It is stated that all efforts should be made to attract as many voters as possible to town meetings. The petitioner states that although having Town Meeting on two nights instead of one would cost a bit more, whatever the amount, it is a small price to pay for a better-functioning and more democratic meeting.

While the Advisory Committee agrees with the petitioner about the undesirability of very late night or early morning ending times for Town Meeting, the current Bylaws provide for adjournment without assigning a day for a further meeting or hearing and for adjournment to a fixed time or recess. While adjournment to the next night is possible, it will be disruptive to the school day, costly and is not a feasible long-term solution. The Advisory Committee encourages the Town Meeting Moderator to efficiently manage the discussion of warrant items and to encourage speakers to be concise and not redundant in their remarks. The Advisory Committee feels that the current Bylaws should be amended to include a hard stop of any session of any annual or special town meeting shall at 11:00 P.M.”

Recommendation: The Advisory Board recommends approval of this article.

Advisory Committee: Vote: Unanimous (6-0) in support of this article.

ARTICLE 18. General Bylaw Amendment – Community Preservation Committee Term

To see if the Town will vote to amend the General Bylaws of the Town, in Section 20430, by deleting the words “Community Preservation Committee” in line 16, and in Section 20560, by

deleting the final sentence of Paragraph A, “All members shall serve for a one year term.” Or take any other action relative thereto.

BY PETITION

Comments: The town by laws currently has the CPC being a three year term in one section and one year term in another. This Article would clear up the by-laws and make CPC a three year term. The advisory felt as with most boards in the town it takes a year or two to get comfortable and have a good grasp of how the board works.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (6-0) vote in support of this article.