

TOWN OF SCITUATE ADVISORY COMMITTEE



Report and Recommendations

ANNUAL & SPECIAL TOWN MEETING

APRIL 13, 2015

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 13, 2015.

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 **ten (10)** articles, and the Annual Town Meeting places before the voters a total of **nineteen (19)** 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

Frank Judge, Chairman

Jamie Gilmore, Vice Chair

Anthony Antonello

Geoff Burns

Sean Delacy

Lincoln Heineman

Bob Nelson

Mark Sandham

Mike Westort

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.

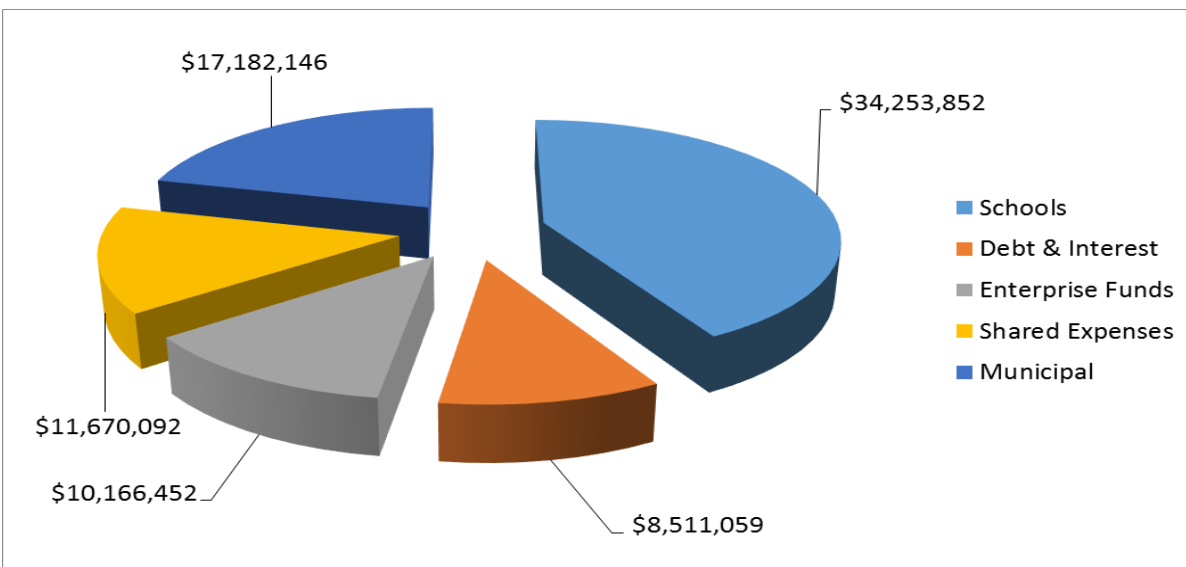
RESERVE FUND: Money set aside by Town Meeting to be allocated by the Advisory Committee for extraordinary and unforeseen expenditures.

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.

FY16 Scituate Town Budget

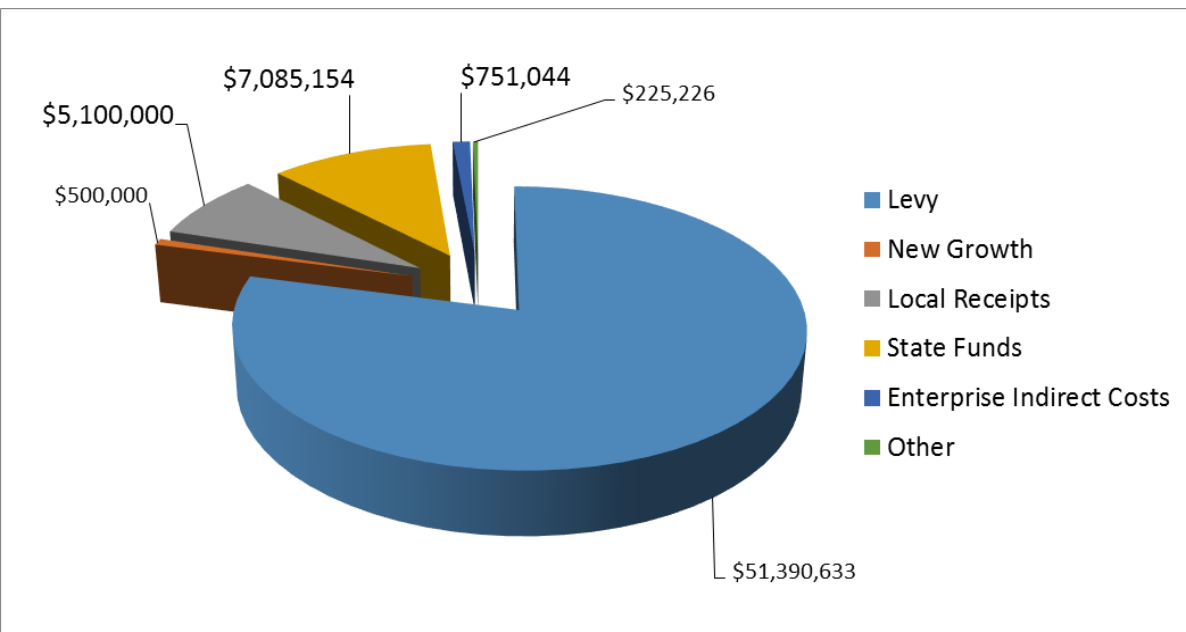
Schools	\$	34,253,852
Debt & Interest	\$	8,511,059
Enterprise Funds	\$	10,166,452
Shared Expenses	\$	11,670,092
Municipal	\$	17,182,146
	\$	<u>81,783,601</u>



FY16 Scituate Sources of Revenue

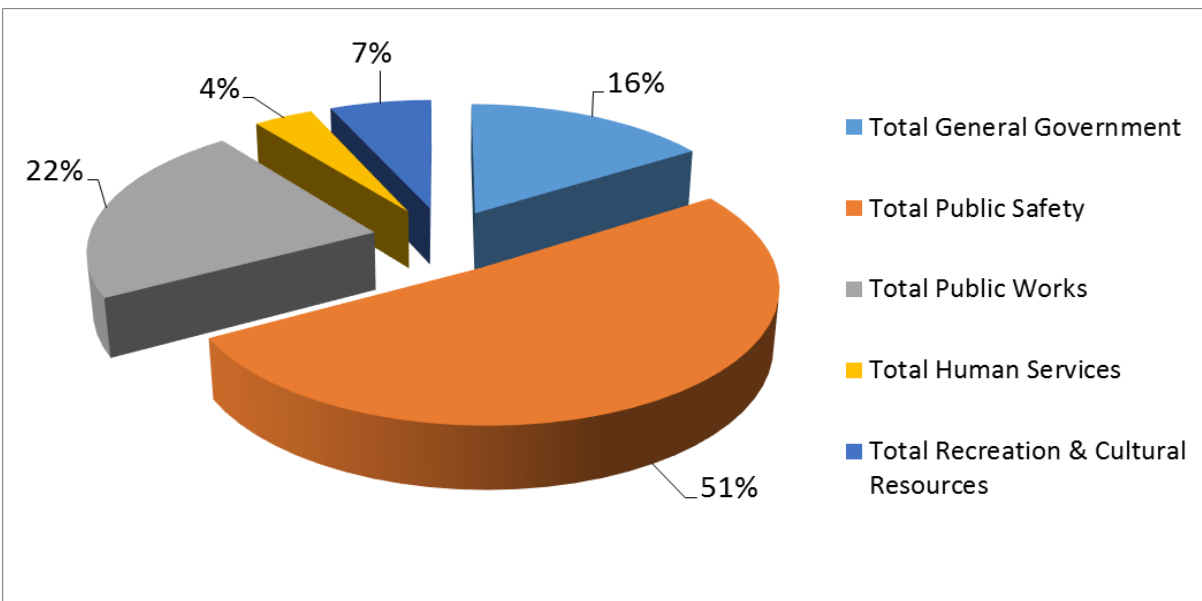
2015 Levy	\$	50,137,203
2.5%	\$	1,253,430
	\$	51,390,633

Levy	\$	51,390,633
New Growth	\$	500,000
Local Receipts	\$	5,100,000
State Funds	\$	7,085,154
Enterprise Indirect Costs	\$	751,044
Other	\$	225,226
	\$	65,052,057



FY16 Scituate Municipal Expense Share

Total General Government	\$	2,732,495	16%
Total Public Safety	\$	8,779,102	51%
Total Public Works	\$	3,863,071	22%
Total Human Services	\$	666,995	4%
Total Recreation & Cultural Resources	\$	1,140,483	7%
	\$	17,182,146	100%



**TOWN OF SCITUATE
SPECIAL TOWN MEETING**

**APRIL 13, 2015
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

MONDAY, THE THIRTEENTH DAY OF APRIL 2015 NEXT

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

ARTICLE 1. Fiscal Year 2014 Unpaid Bill

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$160.00, or a greater or lesser sum for the purpose of paying an unpaid Fiscal Year 2014 unpaid bill or take any other action relative thereto.

Sponsored: by Board of Selectmen

Comments: This article is required to complete payment of unpaid bills for fiscal year 2014 that arrived following the closing of that fiscal year. This article is for \$160.00 for an unpaid FY 14 bill in the DPW from the vendor we use for outhouses. This is an outstanding invoice for a port-a-potty at Seaside Playground. It will be transferred from existing FY 15 funds in the DPW budget.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) in support of this article.

ARTICLE 2. Recovery and Remediation Costs – Blizzards and Storms of 2015

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$1,150,000.00, or a greater or lesser sum, for the purpose of paying costs associated with the Blizzards of 2015, or take any other action relative thereto.

Sponsored: by Board of Selectmen

Comments: The amount above is to pay for damage caused as a result of the many 2015 winter storms. The Board of Selectmen declared two separate States of Emergency and voted to deficit spend with Department of Revenue approval up to \$1,150,000.00.

Significant costs have been incurred with snow removal, contractor trucking and clean- up of debris, flood mitigation, overtime, shelter and equipment costs. No existing appropriation exists for such unanticipated costs. This is why the Town needs to obtain permission from DOR, to incur expenditures without an appropriation. This article rectifies the deficit by transferring the sum approved out of the Town's Stabilization Fund. As you are aware, this is the Town's "rainy day" fund, which exists for the purpose of having reserves against unforeseen events. The Town's practice with prior storms has been to fund costs out of fund and then at the fall town meeting reimburse the Stabilization Fund with Free Cash to replenish it.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) in support of this article.

ARTICLE 3. Snow Removal Deficit

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$400,000.00, or a greater or lesser sum, for the purpose of fully funding extraordinary Fiscal Year 2015 costs for snow removal, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article also addresses costs from winter 2014-15. It is separate from the costs discussed under Article 2 above. Town's may vote to deficit spend for snow and ice removal with a vote of the Board of Selectmen. This is the only operating budget account that may incur a deficit by just a vote of the Selectmen.

The FY 15 snow removal budget is \$495,000. As of March 2 we have incurred \$598,000, a deficit of \$103,000 and it is still growing. This deficit will be funded from Free Cash and the amount, if higher, will be adjusted accordingly at town meeting.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) in support of this article.

ARTICLE 4. Fiscal Year 2015 Budget Balancing

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$125,312.00, or a greater or lesser sum, for the purpose of fully funding Fiscal Year 2015 Town and School budgets, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: The breakdown of the proposed budget balancing is as follows:

Library Expenses - \$15,312. This line item has been impacted because the library will now be vacated for construction later than originally anticipated and the building still operational and most notably because electricity rates have increased substantially this fiscal year in several departments. As a result a budgetary shortfall exists to fund costs through June 30. The likelihood of this event was noted last fall when the first additional appropriation was requested. This will be funded with a departmental transfer of excess electrical funds in the DPW budget (\$13,000) and a surplus from the Assessors triennial revaluation (\$2,300) to Library expense.

Fire Overtime - \$40,000. This article requests an additional appropriation to fund fire overtime through June 30. These funds are the result of vacancies in command positions filled at an overtime rate until new appointments could be made. Once the Deputy Fire Chief was appointed Fire Chief last fall, this created vacancies in Deputy Chief, Captain and Lieutenant, a process that was finally completed March 5. A long lead time for academy training for new appointees is also a factor this year. Finally, although overtime is increased each year in this Department, sick leave utilization, both on-the-job and more prevalently outside the Department is above that of other departments and has further depleted this line item. These funds will be transferred from projected available funds in fixed costs accounts of unemployment, health insurance and non-contributory pension

School Budget Special Education - \$70,000. Extraordinary costs above expectation for the current school year have significantly impacted the school budget. This amount will help offset a portion of this increase and will be transferred from projected available funds in fixed costs accounts of unemployment, health insurance and non-contributory pension.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

ARTICLE 5. Fiscal Year 2015 Sewer Expenses

To see if the Town will vote to transfer from available funds in the Sewer Enterprise Fund the sum of \$397,000.00, or a greater of lesser sum, for the purpose of funding extraordinary Fiscal Year 2015 Wastewater Treatment Department costs, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: The Scituate Sewer Department has faced unique challenges which have created an additional financial strain on the department, and this proposed transfer of available funds from Sewer Retained Earnings in the amount of \$397,000.00 will help offset these unanticipated costs. The challenges of filling the Sewer Superintendent position have meant that the department has needed to pay for, at increased cost, temporary interim staffing with qualified individuals. Additionally, the failure of a number of pumps within the system this past winter have fast-tracked the need for the upgrade and replacement of pumping station equipment at a significant cost. Lastly, the 21% increase in electricity rates has created an unanticipated financial burden on the sewer department. Sewer Retained Earnings will have a balance of \$465,422.00 after this proposed transfer.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (9-0) in support of this article.

ARTICLE 6. Fiscal Year 2015 Water Expenses

To see if the Town will vote to transfer from available funds in the Water Enterprise Fund the sum of \$174,000.00, or a greater of lesser sum, for the purpose of fully funding Fiscal Year 2015 Water Department costs, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: The purpose of this article is to fund \$174,000.00 in unpaid expenses for FY 2015. This is the result of unanticipated increases in Water Department operations of a substantial mid-year electricity rate increase (\$124,000) and of an 18% water rate increase from the Town of Marshfield whom we purchase water from to service Humarock (\$50,000). This transfer will fully fund operations through June 30 and funds will be

transferred from available funds in Water Retained Earnings. The amount after this transfer will be \$532,000.00.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

ARTICLE 7. Sewer Debt Paydown

To see if the Town will vote to transfer from available funds in the Sewer Enterprise Fund the sum of \$175,093.00, or a greater or lesser sum, for the purpose of paying down the balance of the loan associated with Sewer Enterprise Debt Service, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This is the portion of the Musquashicut pond sewer extension project for which the borrowing authorization was rescinded at the November 2014 Special Town meeting. The \$175,093.00 was considered an ineligible project cost and couldn't be funded through the state revolving fund, therefore we have to pay to close it out.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

ARTICLE 8. Establishment of Sewer Enterprise Capital Stabilization Fund

To see if the Town will vote to establish a Capital Stabilization Fund in the Sewer Enterprise Fund for the purpose of apportioning sewer betterments over the life of the financing for said sewer betterment projects, and to transfer from available funds in the Sewer Enterprise the sum of \$350,000.00, or a greater or lesser sum, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: The Town continues to add and expand sewer services as outlined in the "Sewer Master Plan". As each phase of the plan is complete, betterments are assessed to those property owners who are connected to the new sewer connection. Initially, the Town 'fronts' the cost of sewer construction, until all costs are calculated and the betterment is determined. At that point, property owners have the option

of either paying the betterment amount via lump sum, or apportioning the cost over the life of the sewer debt (generally 20 years). Under this proposal, the Town wishes to take a portion of those who paid betterments via lump sum, and apportion a part of that cost over the life of the debt service. This way, the funds associated with the sewer project and its costs stay in-line with the debt service. This is not only fiscally prudent approach, but is also fair. Should any issues develop, future sewer users are not charged with any shortfalls or increases to pay ongoing debt service. In order to do accomplish this, a separate Stabilization Fund must be created. The Town has received several lump sum betterment payments from the Musquashicut Pond phase approximating \$350,000.00. Under this proposal, the Town would (1) establish the fund, and (2) appropriate a proportional share of the betterments received into it.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

ARTICLE 9. Establishment of Water Enterprise Capital Stabilization Fund

To see if the Town will vote to establish a Capital Stabilization Fund in the Water Enterprise Fund for the purpose of allocating funds for capital and/or debt service by apportioning a percentage of water charges, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: Similar to Article 8, the Town would like to establish a Capital Stabilization Fund for the Water Department to apportion a percentage of the water charges received for the new water system to be allocated to the long-term debt service. This article creates the fund and a sum will be allocated into the new Fund once an amount has been determined.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

ARTICLE 10. Energy Rebate Program – Funding of School Painting

To see if the Town will vote to transfer from the Town’s Energy Rebate program the sum of \$50,000.00, or a greater or lesser sum, for the purpose of painting and sealing windows in school buildings as part of the Town’s receipt of funds from National Grid, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This is the second article that utilizes a portion of the funds the Town received from National Grid for energy efficiency capital improvements performed throughout Town buildings through the ESCO project. Last fall we appropriated funds from this account to purchase two hybrid vehicles. These funds will address a backlog of much needed painting to paint and seal windows in Jenkins and other Scituate Public Schools.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

TOWN OF SCITUATE
ANNUAL TOWN MEETING

APRIL 13, 2015
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

MONDAY, THE THIRTEENTH DAY OF APRIL 2015 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 \$74,316.00, 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	\$68,816.00

Sponsored by: Board of Selectmen

Comments: This is an annual warrant article required to pay our elected officials and reflects no significant change from FY15.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) 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 2016 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
<hr/>			
Senior Center Programming Fees	Senior programs and trips	Director, COA	\$ 35,000
Planning Board Application Fees	Postage, advertising and other administrative expenses	Planning Director	\$ 35,000
Food Establishment Inspection Fees	Inspection of food establishments	Director of the Board of Health	\$ 22,000
School Bus Transportation Fees	Transportation of Students	School Superintendent	\$ 300,000
Beach Sticker Fees	Beach operations maintenance & capital	Recreation Director	\$ 265,000

Flu Clinic Fees	Flu Vaccine	Town Nurse	\$ 1,200
Wind Turbine Revenues	Subsidizing of Town electricity costs	DPW Supt.	\$ 500,000
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	\$ 8,000

or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This is an annual article. According to Massachusetts General Laws, Chapter 44, Section 53E ½), each year the Town is required to reauthorize the amounts allocated to our Revolving Funds. The law is very specific on the source and purpose of the funds, who is authorized to approve the expenditures, and the maximum amounts. 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 (9-0) vote in approval of this article.

ARTICLE 3. 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 \$2,479,549.00, or any greater or lesser sums as may be necessary, for the purpose of funding the costs of the Fiscal Year 2016 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. Security Cameras in Harbor Area	Information Technology	\$ 15,000
B. Foreshore Protection	DPW – Engineering	\$200,000
C. 10,000 Gallon Diesel Fuel Tank	DPW - Grounds	\$ 29,773
D. HP Ramp & Fire Escape – Gates School	School	\$ 75,000
E. New Outside Stairs – Jenkins School	School	\$ 50,000
F. Roadway Improvements	DPW – Highway	\$200,000
G. Expand Cudworth Cemetery	DPW – Grounds	\$ 85,000
H. Replace Turnout Gear	Fire	\$ 66,000
I. Replace 2002 1 Ton Dump Truck #1-4	DPW – Highway	\$ 60,000
J. Capital Stabilization Allocation - Ambulance	Fire	\$ 50,000
K. Capital Stabilization Allocation – Turf Field	Recreation/DPW – Grounds	\$ 50,000
L. Capital Stabilization Allocation – Humarock Stn	Fire	\$ 75,000
M. Capital Stabilization Allocation – Future Debt		\$163,776
N. Harbor/River Dredging	Waterways	\$200,000
O. Replace HVAC System-Harbormaster Building	Waterways	\$ 45,000
P. Meter Replacement Program	Water	\$ 85,000
Q. 250 KW Natural Gas Generator	Transfer Station	\$180,000
R. Upgrade Sand Hills Pump Station	Sewer	\$225,000
S. Replace Chain Pond Pump Station	Sewer	\$625,000

*Sponsored by: Board of Selectmen
Capital Planning Committee*

Comments: The Capital Improvement Plan is a multi-year fiscal planning process that identifies long-term improvements to the Town’s infrastructure and facilities. According to Section 6-6 of our Town Charter, the program shall consist of expenditures for at least the next five fiscal years. A capital project is defined as a major, non-routine expenditure for new construction, major equipment purchase or improvements to existing buildings, facilities, land or infrastructure with an estimated useful life of five years or more and a cost of \$25,000.00 or more. This year’s initial submissions from all departments totaled \$70,909,000.00. The capital plan is re-visited yearly and adjustments are made according to changing priorities. The Capital Planning Committee conducted individual meetings with all departments to ensure priorities and needs are being met resulting in the final recommendation of the projects above. A combination of funding is requested to fund the CIP for FY16 through borrowing, Free Cash, and revenue from Retained Earnings from our Enterprise Accounts as outlined below. A

concerted effort is being made to pay for as much as possible from available funds within the General Fund (Free Cash). No General Fund borrowing is recommended for FY 16 in order to help keep the debt service in line. A total amount of \$755,410.00 is being spent from Free Cash.

Recommendation: The Advisory Committee recommends approval for this article.

Advisory Committee Vote: 9-0 in favor of every request submitted except items A & Q. Item A 7-2 in favor (dissenting votes saw this as a possible invasion of privacy), Item Q 2-7 opposed (dissenting votes saw this as a large expense of which the Town would not see enough benefit).

ARTICLE 4. Fiscal Year 2016 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 \$71,617,149.00, 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, 2015, or take any other action relative thereto.

Article 4						
Fiscal Year 2016 Operating Budget						
			FY 2015		FY 2016	
			Appropriated		Selectmen	
					Advisory	% of
						total
Board of Selectmen						
Town Administrator						
123	510	Personal Services	\$ 296,393	\$	309,773	\$ 309,773
	520	Purchase of Services	\$ 57,847	\$	57,847	\$ 57,847
	530	Town Counsel	\$ 136,945	\$	136,000	\$ 136,000
	532	Labor Counsel	\$ 172,500	\$	208,619	\$ 208,619
	540	Materials & Supplies	\$ 2,625	\$	3,075	\$ 3,075
	599	Salary Adjustments	\$ 10,000	\$	10,000	\$ 10,000
			\$ 676,310	\$	725,314	\$ 725,314
						1.01%
Advisory Committee						
131	510	Personal Services	\$ 1,925	\$	1,964	\$ 1,964
	520	Purchase of Services	\$ 250	\$	250	\$ 250
	540	Materials & Supplies	\$ 5,700	\$	5,700	\$ 5,700
			\$ 7,875	\$	7,914	\$ 7,914
						0.01%

Reserve Fund

570	Transfers	\$	90,000	\$	90,000	\$	90,000	0.13%
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Finance Director/Town**135 Accountant**

510	Personal Services	\$	197,352	\$	284,831	\$	284,831	
520	Purchase of Services	\$	59,745	\$	64,045	\$	64,045	
540	Materials & Supplies	\$	1,400	\$	800	\$	800	
		\$	258,497	\$	349,676	\$	349,676	0.49%

Assessors

141	510	Personal Services	\$	190,255	\$	195,469	\$	195,469	
	520	Purchase of Services	\$	73,155	\$	6,880	\$	6,880	
	540	Materials & Supplies	\$	600	\$	500	\$	500	
			\$	264,010	\$	202,849	\$	202,849	0.28%

Treasurer/Collector

145	510	Personal Services	\$	253,270	\$	263,222	\$	263,222	
	520	Purchase of Services	\$	77,985	\$	73,300	\$	73,300	
	540	Materials & Supplies	\$	2,000	\$	1,575	\$	1,575	
			\$	333,255	\$	338,097	\$	338,097	0.47%

149 Administration

	510	Personal Services	\$	31,933	\$	32,673	\$	32,673	
	520	Purchase of Services	\$	67,500	\$	85,000	\$	85,000	
	540	Materials & Supplies	\$	3,800	\$	4,200	\$	4,200	
			\$	103,233	\$	121,873	\$	121,873	0.17%

155 Information Technology

	510	Personal Services	\$	90,230	\$	93,853	\$	93,853	
	520	Purchase of Services	\$	148,595	\$	152,145	\$	152,145	
	540	Materials & Supplies	\$	1,000	\$	500	\$	500	
	580	Capital Outlay	\$	14,000	\$	14,000	\$	14,000	
			\$	253,825	\$	260,498	\$	260,498	0.36%

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	\$	82,583	\$	90,530	\$	90,530	
	520	Purchase of Services	\$	2,300	\$	5,000	\$	5,000	

540	Materials & Supplies	\$	1,900	\$	3,150	\$	3,150	
580	Capital Outlay	\$	21,600	\$	17,000	\$	17,000	
		\$	108,383	\$	115,680	\$	115,680	0.16%
161	Town Clerk							
510	Personal Services	\$	149,618	\$	154,834	\$	154,834	
520	Purchase of Services	\$	46,600	\$	34,090	\$	34,090	
540	Materials & Supplies	\$	4,300	\$	3,925	\$	3,925	
		\$	200,518	\$	192,849	\$	192,849	0.27%
171	Conservation							
510	Personal Services	\$	110,554	\$	117,071	\$	117,071	
520	Purchase of Services	\$	10,900	\$	10,800	\$	10,800	
540	Materials & Supplies	\$	1,075	\$	850	\$	850	
		\$	122,529	\$	128,721	\$	128,721	0.18%
175	Planning Board							
510	Personal Services	\$	159,583	\$	163,475	\$	163,475	
520	Purchase of Services	\$	8,550	\$	9,010	\$	9,010	
540	Materials & Supplies	\$	700	\$	700	\$	700	
		\$	168,833	\$	173,185	\$	173,185	0.24%
176	Zoning Board of Appeals							
510	Personal Services	\$	25,607	\$	20,464	\$	20,464	
520	Purchase of Services	\$	2,850	\$	1,475	\$	1,475	
540	Materials & Supplies	\$	300	\$	400	\$	400	
		\$	28,757	\$	22,339	\$	22,339	0.03%
	Board of Selectmen/ Economic							
182	Dev							
520	Purchase of Services	\$	78,000	\$	83,500	\$	83,500	
570	Transfers	\$	13,500	\$	10,000	\$	10,000	
		\$	91,500	\$	93,500	\$	93,500	0.13%
192	Property/Liability Insurance							
570	TRANSFERS - 0570	\$	430,000	\$	489,500	\$	489,500	0.68%
	Total General Government	\$	3,176,525	\$	3,350,995	\$	3,350,995	4.68%
210	Police							
510	Personal Services	\$	3,320,446	\$	3,443,673	\$	3,443,673	
520	Purchase of Services	\$	153,160	\$	148,730	\$	148,730	

	540	Materials & Supplies	\$	142,610	\$	144,225	\$	144,225	
	580	Capital Outlay	\$	122,000	\$	141,500	\$	141,500	
			\$	3,738,216	\$	3,878,128	\$	3,878,128	5.42%
220	Fire								
	510	Personal Services	\$	4,023,016	\$	4,277,372	\$	4,277,372	
	520	Purchase of Services	\$	90,345	\$	87,025	\$	87,025	
	540	Materials & Supplies	\$	219,250	\$	218,775	\$	218,775	
	580	Capital Outlay	\$	-	\$	-	\$	-	
			\$	4,332,611	\$	4,583,172	\$	4,583,172	6.40%
241	Inspections								
	510	Personal Services	\$	288,133	\$	290,291	\$	290,291	
	520	Purchase of Services	\$	10,150	\$	12,790	\$	12,790	
	540	Materials & Supplies	\$	3,100	\$	2,850	\$	2,850	
			\$	301,383	\$	305,931	\$	305,931	0.43%
295	Shellfish								
	510	Personal Services	\$	10,569	\$	10,621	\$	10,621	
	520	Purchase of Services	\$	705	\$	650	\$	650	
	540	Materials & Supplies	\$	400	\$	400	\$	400	
	580	Capital Outlay	\$	200	\$	200	\$	200	
			\$	11,874	\$	11,871	\$	11,871	0.02%
Total Public Safety			\$	8,384,084	\$	8,779,102	\$	8,779,102	12.26%
300	School Committee								
	505	School Expenses	\$	32,812,582	\$	34,253,852	\$	34,253,852	47.83%
310	South Shore Regional School								
	560	Intergovernmental	\$	463,751	\$	565,989	\$	565,989	0.79%
Total Schools			\$	33,276,333	\$	34,819,841	\$	34,819,841	48.62%
Public Works									
400	510	Personal Services	\$	1,448,877	\$	1,465,995	\$	1,465,995	
	520	Purchase of Services	\$	481,764	\$	456,325	\$	456,325	
	540	Materials & Supplies	\$	294,273	\$	281,725	\$	281,725	
	580	Capital Outlay	\$	429,500	\$	416,400	\$	416,400	
			\$	2,654,414	\$	2,620,445	\$	2,620,445	3.66%

410 Facilities						
510	Personal Services	\$	216,351	\$	232,805	\$ 232,805
520	Purchase of Services	\$	123,740	\$	133,810	\$ 133,810
540	Materials & Supplies	\$	17,050	\$	15,750	\$ 15,750
580	Capital Outlay	\$	101,110	\$	163,149	\$ 163,149
		\$	458,251	\$	545,514	\$ 545,514 0.76%
423 Snow & Ice						
510	Personal Services	\$	85,399	\$	87,109	\$ 87,109
520	Purchase of Services	\$	192,000	\$	192,001	\$ 192,001
540	Materials & Supplies	\$	218,002	\$	218,002	\$ 218,002
580	Capital Outlay	\$	-	\$	-	\$ -
		\$	495,401	\$	497,112	\$ 497,112 0.69%
424 Street Lights & Beacons						
520	Purchase of Services	\$	190,000	\$	200,000	\$ 200,000 0.28%
Total Public Works		\$	3,798,066	\$	3,863,071	\$ 3,863,071 5.39%
510 Board of Health						
510	Personal Services	\$	122,042	\$	126,927	\$ 126,927
520	Purchase of Services	\$	15,030	\$	7,530	\$ 7,530
540	Materials & Supplies	\$	1,550	\$	1,625	\$ 1,625
580	Capital Outlay	\$	400	\$	200	\$ 200
		\$	139,022	\$	136,282	\$ 136,282 0.19%
541 Council on Aging						
510	Personal Services	\$	254,178	\$	268,079	\$ 268,079
520	Purchase of Services	\$	54,900	\$	38,960	\$ 38,960
540	Materials & Supplies	\$	8,850	\$	6,000	\$ 6,000
580	Capital Outlay	\$	-	\$	1,200	\$ 1,200
		\$	317,928	\$	314,239	\$ 314,239 0.44%
543 Veterans Agent						
510	Personal Services	\$	69,467	\$	75,224	\$ 75,224
520	Purchase of Services	\$	147,910	\$	135,000	\$ 135,000
540	Materials & Supplies	\$	1,225	\$	1,250	\$ 1,250
		\$	218,602	\$	211,474	\$ 211,474 0.30%

549	Commission on Disabilities						
520	Purchase of Services	\$	4,750	\$	4,750	\$	4,750
540	Materials & Supplies	\$	250	\$	250	\$	250
		\$	5,000	\$	5,000	\$	5,000
							0.01%
	Total Health & Human Services	\$	680,552	\$	666,995	\$	666,995
							0.93%
610	Library						
510	Personal Services	\$	742,994	\$	769,918	\$	769,918
520	Purchase of Services	\$	74,135	\$	67,098	\$	67,098
540	Materials & Supplies	\$	121,175	\$	124,850	\$	124,850
580	Capital Outlay	\$	5,100	\$	10,600	\$	10,600
		\$	943,404	\$	972,466	\$	972,466
							1.36%
630	Recreation						
510	Personal Services	\$	127,829	\$	133,467	\$	133,467
520	Purchase of Services	\$	1,250	\$	800	\$	800
540	Materials & Supplies	\$	650	\$	250	\$	250
580	Capital Outlay	\$	1,050	\$	500	\$	500
		\$	130,779	\$	135,017	\$	135,017
							0.19%
650	Beautification						
520	Purchase of Services	\$	-	\$	-	\$	-
540	Materials & Supplies	\$	19,500	\$	20,000	\$	20,000
		\$	19,500	\$	20,000	\$	20,000
							0.03%
691	Historical Buildings						
520	Purchase of Services	\$	11,350	\$	13,000	\$	13,000
		\$	11,350	\$	13,000	\$	13,000
							0.02%
	Total Recreation & Resources	\$	1,105,033	\$	1,140,483	\$	1,140,483
							1.59%
720	Debt & Interest						
590	Debt Service	\$	2,769,721	\$	8,511,059	\$	8,511,059
							11.88%

		\$	2,769,721	\$	8,511,059	\$	8,511,059	11.88%
910	Non-Contributory Pensions							
512	Other Personal Services	\$	51,819	\$	26,620	\$	26,620	0.04%
911	Plymouth County Retirement							
512	Other Personal Services	\$	3,912,852	\$	4,424,602	\$	4,424,602	6.18%
912	Workers' Compensation							
515	Employee Benefits	\$	257,000	\$	257,000	\$	257,000	0.36%
913	Unemployment Insurance							
515	Employee Benefits	\$	75,000	\$	75,000	\$	75,000	0.10%
914	Contributory Group Insurance							
515	Employee Benefits	\$	4,975,632	\$	5,050,266	\$	5,050,266	7.05%
916	Federal Taxes							
515	Employee Benefits	\$	626,454	\$	652,115	\$	652,115	0.91%
	Total Employee Benefits	\$	9,898,757	\$	10,485,603	\$	10,485,603	14.64%
	Total General Fund	\$	63,089,071	\$	71,617,149	\$	71,617,149	100.00%

	Actual	Actual	Budget	Proposed
Scituate Public Schools	FY13	FY14	FY15	FY16
Administration				
Personnel	\$2,547,836	\$3,348,608	\$2,752,966	\$2,664,762
Substitutes	\$246,791	\$256,539	\$240,000	\$240,000
Subtotal	\$2,794,627	\$3,605,147	\$2,992,966	\$2,904,762
Purchase of Services				
Curriculum	\$356,300	\$257,943	\$286,000	\$286,000
SPED Outplacements	\$1,445,610	\$976,627	\$1,329,474	\$2,006,194

Oil	\$202,209	\$131,713	\$1,500	\$1,500
SPED Transportation	\$190,662	\$225,727	\$200,000	\$400,000
Other	\$987,239	\$1,013,069	\$915,100	\$1,306,998
Subtotal	\$3,182,020	\$2,605,079	\$2,732,074	\$4,000,692
Materials and Supplies				
Electricity	\$357,843	\$417,316	\$390,000	\$390,000
Natural Gas	\$183,833	\$385,908	\$410,000	\$410,000
Other	\$260,971	\$285,888	\$306,500	\$306,500
Subtotal	\$802,647	\$1,089,112	\$1,106,500	\$1,106,500
Equipment and Repairs				
Equipment and Repairs	\$96,329	\$120,013	\$14,000	\$14,000
Subtotal	\$96,329	\$120,013	\$14,000	\$14,000
Total	\$6,875,623	\$7,419,351	\$6,845,540	\$8,025,954
Cushing				
Personnel	\$2,956,639	\$3,134,273	\$3,367,458	\$3,378,098
Contract Service	\$8,748	\$11,848	\$13,700	\$13,700
Materials and Supplies	\$50,503	\$50,033	\$74,355	\$74,355
Equipment and Repairs	\$3,869	\$12,459	\$5,000	\$5,000
Total	\$3,019,759	\$3,208,613	\$3,460,513	\$3,471,153
Hatherly				
Personnel	\$2,607,697	\$2,846,603	\$3,006,508	\$3,001,509
Contract Service	\$8,951	\$6,410	\$11,350	\$11,350
Materials and Supplies	\$43,378	\$48,634	\$65,700	\$65,700
Equipment and Repairs	\$252	\$5,663	\$4,400	\$4,400
Total	\$2,660,278	\$2,907,310	\$3,087,958	\$3,082,959
Jenkins				
Personnel	\$3,751,605	\$3,933,717	\$4,157,092	\$3,952,727
Contract Service	\$13,815	\$4,916	\$15,800	\$15,800
Materials and Supplies	\$83,676	\$79,461	\$99,250	\$95,640
Equipment and Repairs	\$7,525	\$4,295	\$5,000	\$5,000
Total	\$3,856,621	\$4,022,389	\$4,277,142	\$4,069,167

Wampanatuck				
Personnel	\$2,875,221	\$2,991,296	\$3,516,064	\$3,528,611
Contract Service	\$10,668	\$7,691	\$23,600	\$23,600
Materials and Supplies	\$51,413	\$47,520	\$76,250	\$76,250
Equipment and Repairs	\$1,285	\$7,056	\$5,000	\$5,000
Total	\$2,938,587	\$3,053,563	\$3,620,914	\$3,633,461
Gates				
Personnel	\$4,062,410	\$4,146,391	\$4,380,100	\$4,461,038
Contract Service	\$31,845	\$8,405	\$18,680	\$18,680
Materials and Supplies	\$92,023	\$90,356	\$118,700	\$118,700
Equipment and Repairs	\$9,763	\$11,972	\$10,000	\$7,370
Total	\$4,196,041	\$4,257,124	\$4,527,480	\$4,605,788
High School				
Personnel	\$6,037,263	\$6,023,373	\$6,417,385	\$6,617,805
Contract Service	\$339,626	\$304,071	\$327,900	\$274,448
Materials and Supplies	\$197,124	\$209,793	\$233,750	\$233,750
Equipment and Repairs	\$12,826	\$13,765	\$14,000	\$14,000
Total	\$6,586,839	\$6,551,002	\$6,993,035	\$7,140,003
Total Budget	\$30,133,748	\$31,419,352	\$32,812,582	\$34,028,486

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. Our general fund receipts continue to trend upwards but some were the result of one-time revenues such as the building permit for the solar array and penalty and interest charges. Overall, the operating budget is submitted with a 13.5% increase over last year. However, please note 8.9% of this increase is because of increase debt service for voter approved debt exclusions for library, middle school and public safety buildings. The amount for Debt Service in FY 15 was \$2,769,721 and is being increased to 8,511,059 in FY 16 to account for these projects. The actual operating budget reflects a 4.6% increase.

The school budget has continued to increase at a rate of 4% a year since FY 13. Total schools which include Scituate High School and South Shore Regional is 4.6%.

Fixed costs are major budget drivers. For FY 16, the Town's pension assessment is projected to increase 8% (\$305,638). The Town's health insurance costs are estimated to be increasing for the first time in three years by approximately 3%.

The FY 16 budget allocates \$513,776 to the Capital Stabilization Fund which was created in 2012. This Fund continues to allocate funds for future high cost capital items such as ambulance replacement or this year, allocates the first portion of funds toward replacement of the turf field at the high school, a \$400,000+ cost.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in support of this article.

ARTICLE 5. 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 \$971,939.00, or a greater or lesser sum, for the purpose of funding the Waterways Enterprise Fund for the ensuing fiscal year commencing July 1, 2015, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: This is an annual article with the only significant change in the budget being \$100,000 allocated for salt marsh mitigation which is being taken from available projects funds associated with the construction of the trail at the Scituate Maritime Center. Balance after Town meeting in retained earnings is \$475,872.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

Waterways Enterprise Fund

	FY15 budget	FY16 budget	Difference
<hr/>			
Revenue:			
Boat Excise	36,042	38,000	1,958
Slip Fees	643,385	650,000	6,615
Mooring Fees	93,585	99,000	5,415
Marina User Fees	77,000	74,000	(3,000)
Town Pier Fees	12,300	14,000	1,700
Overnight Tie-ups	29,241	30,000	759
Mooring Waiting List	4,482	1,500	(2,982)
Sale of Ice	4,330	3,200	(1,130)
Lease Income	109,574	124,000	14,426
Fines			-
Interest Income		3,000	3,000
State Grants			-
Misc	396	250	(146)
Total Revenue	<hr/> 1,010,334	<hr/> 1,036,950	<hr/> 26,616
Expenses			
Personal Services	318,564	354,435	35,871
Purchase of Services	105,000	122,325	17,325
Materials & Supplies	43,175	51,925	8,750
Indirect Costs	55,981	57,749	1,768
Capital Outlay	5,100	5,000	(100)
Capital Articles	-		-
Total Expenses	<hr/> 527,820	<hr/> 591,434	<hr/> 63,614
<i>Surplus/(Deficit) before debt payments</i>	<hr/> 482,514	<hr/> 445,516	<hr/> (36,998)
Debt Service	451,079	438,254	(12,825)

Total			
Surplus/(Deficit)	31,435	7,262	(24,173)

ARTICLE 6. 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 \$1,236,530.00, 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, 2015, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: This is an annual article with no significant operational changes for FY 16. The balance after Town meeting in retained earnings is \$1,072. The Golf Course debt service will be retired at the end of FY 2017 and greatly improve retained earnings. The golf maintenance contract expires in December of 2016 and we will go out to bid again in the fall. The food and beverage contract went out to bid and was renewed for one year.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

Golf Course Enterprise Fund

	FY15 budget	FY16 budget	Difference
Revenue:			
Dues	170,000	195,000	25,000
Frequent Players			-
Green Fees	725,000	690,000	(35,000)
Cart Fees	190,000	185,000	(5,000)
Club Rentals	2,000	1,500	(500)
Range Fees	66,500	69,000	2,500
Handicap Fees	10,500	11,000	500
Tournament Fees			-
Merchandise Sales	97,000	93,000	(4,000)
Restaurant Lease Income	48,600	49,500	900

Interest Income	-	-	-
Misc	(4,000)	(3,000)	1,000
Total Revenue	1,305,600	1,291,000	(14,600)
Expenses			
Personal Services	177,830	179,253	1,423
Purchase of Services	604,449	613,377	8,928
Materials & Supplies	78,129	61,700	(16,429)
Indirect Costs	59,391	54,314	(5,077)
Capital Outlay	-	-	-
Capital Articles	-	-	-
Total Expenses	919,799	908,644	(11,155)
<i>Surplus/(Deficit) before debt payments</i>	<i>385,801</i>	<i>382,356</i>	<i>(3,445)</i>
Debt Service	381,300	382,200	900
Total Surplus/(Deficit)	4,501	156	(4,345)

ARTICLE 7. 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 \$3,384,273.00, 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, 2015, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: Approximately one third of Scituate homes are connected to the Town's sewer collection and treatment system. The mission of the Sewer Division is to "ensure the proper collection and treatment of wastewater in an environmentally sound and cost effective manner, and to expand the capacity of the system to additional Scituate residents by eliminating ground water infiltration." The Division is continuing work called I & I elimination to reduce sources of ground water leaking in to sewer lines. The least expensive source of new sewer treatment capacity is the elimination of this problem.

Major repairs and upgrades including replacement and repairs of pumps at Sand Hills Pump Station and repairing a clarifier at the Treatment Plant are scheduled for this year. Current Retained Earnings balance after Town Meeting is \$465,422.00 with \$129,671.00 applied to the FY 16 budget.

Recommendation: The advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in support of this article.

Wastewater Enterprise Fund			
	FY15 budget	FY16 budget	Difference
Revenue:			
Tax Liens		-	-
Sewer Use Charges	1,050,000	1,100,000	50,000
Septage Disposal Fees	200,000	210,000	10,000
Interest/Penalties			-
Sewerage Permits/Licenses	20,000	3,000	(17,000)
Sewer Connection Fees	70,000	170,000	100,000
Sewer Liens/Committed Interest	160,000	160,000	-
Interest Income		5,000	5,000
Misc	-		-
Total Revenue	1,500,000	1,648,000	148,000
Expenses			
Personal Services	450,574	467,740	17,166
Purchase of Services	464,820	498,200	33,380
Materials & Supplies	166,895	202,125	35,230
Indirect Costs	187,777	193,115	5,338
Capital Outlay	-		-
Capital Articles	-		-
Total Expenses	1,270,066	1,361,180	91,114
Surplus/(Deficit) before debt payments	229,934	286,820	56,886
Debt Exclusion	660,974	658,717	(2,257)
Debt Service	(925,403)	(918,268)	7,135

Betterments

Revenue			-
Added to Taxes	1,100,000	1,100,000	-
Paid in Advance	50,000	50,000	-
Betterment Deferrals			-
Debt Service	(1,303,941)	(1,297,940)	6,001
Net Betterments	(153,941)	(147,940)	6,001
Net Surplus/(Deficit)	(188,436)	(120,671)	67,765

ARTICLE 8. 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 \$1,070,133.00, 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, 2015, or take any other action relative thereto.

Sponsored By: Board of Selectmen

Comments: 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. Most materials from construction debris to mattresses can be taken and disposed of there. The Transfer Station is an Enterprise Fund that is funded by the bag fees and sticker fees. The price of the blue bags reflects the trash disposal and shipping 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 rate to handler.

The trash fee is being reduced by \$10, however in recognition of the increases that will be coming with the debt exclusion approvals. This will go into effect when 2015 stickers expire. Current retained earnings balance after Town meeting is \$533,023.00

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in support of this article.

Transfer Station Enterprise Fund

	FY15 budget	FY16 budget	Difference
<hr/>			
Revenue:			
Transfer Station Stickers	470,000	379,761	(90,239)
Trash Bags	490,000	490,000	-
Recycling	45,000	45,000	-
Bulky Waste	225,000	225,000	-
Interest Income	-		-
Misc	-		-
Total Revenue	<hr/> 1,230,000	<hr/> 1,139,761	<hr/> (90,239)
Expenses			
Personal Services	223,232	226,868	3,636
Purchase of Services	726,975	707,275	(19,700)
Materials & Supplies	126,400	117,840	(8,560)
Indirect Costs	132,362	146,286	13,924
Capital Outlay	38,750	-	(38,750)
Capital Articles			-
Total Expenses	<hr/> 1,247,719	<hr/> 1,198,269	<hr/> (49,450)
 <i>Surplus/(Deficit) before debt payments</i>	 (17,719)	 (58,508)	 (40,789)
 Transfer from General Fund	 100,000	 -	 (100,000)
Debt Service	(70,887)	(18,150)	52,737
 Total Surplus/(Deficit)	 11,394	 (76,658)	 (65,264)

ARTICLE 9. 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 \$3,503,577.00, or a greater or lesser sum, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2015, 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. The twelve employees perform daily services to our 8,000 costumers. The mission of the Water Division is to provide safe, sanitary drinking water in sufficient quantities and pressure to meet the personal, commercial and firefighting needs of the community at reasonable and sustainable rates. The Water Division will continue to clean and replace old cast iron pipes that were installed in the early 1900's as well as to continue to replace 400 old water meters with new radio read meters.

Current Retained Earnings balance after Town Meeting \$532,578.00

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (9-0) in support of this article.

Water Enterprise Fund

	FY15 budget	FY16 budget	Difference
Revenue:			
Tax Liens	-	-	-
Water Use Charges	2,400,000	3,068,116	668,116
Water Installation	150,000	200,200	50,200
Interest/Penalties			-
Water Liens/Committed Interest	360,000	330,000	(30,000)
Interest Income	10,000	10,000	-
Misc	-	-	-
Total Revenue	2,920,000	3,608,316	688,316

Expenses

Personal Services	808,763	961,755	152,992
Purchase of Services	445,685	445,600	(85)
Materials & Supplies	431,641	429,325	(2,316)
Marshfield Water	270,000	333,000	63,000
Indirect Costs	257,529	299,580	42,051
Capital Outlay	19,000	18,700	(300)
Capital Articles	-		-
Total Expenses	2,232,618	2,487,960	255,342
<i>Surplus/(Deficit) before debt payments</i>	<i>687,382</i>	<i>1,120,356</i>	<i>432,974</i>
Debt Service	682,912	1,315,197	632,285
Total Surplus/(Deficit)	4,470	(194,841)	(199,311)

ARTICLE 10. 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 is an annual article authorizing the appropriation of funds into our Stabilization Fund, which serves as the Town's "rainy day" fund. As of April 14, 2015 this fund will have a balance of \$2,370,000. It is through the Stabilization Fund that the Town was able to help fund the costs necessary to support the significant clean up needed from this Winter's storms.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (9-0) in support of this article.

ARTICLE 11. 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 2016 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 2016; (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 2016 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. \$180,000 from Community Preservation FY 2016 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Act;
2. \$180,000 from Community Preservation FY 2016 estimated revenues, to be reserved for acquisition and preservation of Historic Resources consistent with the Act;
3. \$180,000 from Community Preservation FY 2016 estimated revenues, to be reserved for acquisition and preservation of Open Space consistent with the Act;
4. \$ 90,000 from Community Preservation FY 2016 estimated revenues, for Administrative Expense of the Community Preservation Committee;
5. \$100,000 for Recreation/Open Space - North Scituate Beach Nourishment
6. \$ 30,712 for Recreation/Open Space - Sailing Fleet Restoration
7. \$ 6,000 for Recreation/Open Space - Improvements, Teak Sherman Garden
8. \$ 8,300 for Historic Resources - Bailey Ellis House preservation
9. \$ 11,400 for Historic Resources - Tercentenary Markers
10. \$ 7,684 for Historic Resources - Microfiche Mariner Newspapers
11. \$ 10,963 for Historic Resources - Town Archives Preservation
12. \$ 18,000 for Historic Resources - Lafayette Carriage Restoration
13. \$ 16,800 for Historic Resources - Lighthouse Boardwalk Construction
14. \$ 14,700 for Historic Resources - Lighthouse Lantern Room Evaluation

15. \$ 69,000 for Historic Resources - Old Oaken Bucket House Improvements and Cushing Shay Restoration

or take any other action relative thereto.

Sponsored By: Community Preservation Committee

Comments: Scituate adopted the Community Preservation Act in FY 2003, and for over 10 years, it has provided the Town with a valuable source of funds that allow us to protect and expand our natural, historical, and recreational resources. Scituate is now one of 155 cities and towns that participate in CPA, apply the surcharge, and are thus eligible for state matching funds. As of November 2014, the Department of Revenue estimated the balance within the trust fund account was sufficient to provide a 35% match of the surcharge we levy, totaling \$407,734. For FY16, the Community Preservation Committee is estimating a similar or slightly lower match from the state.

While the matching amount has decreased since the inception of the CPA due to recent economic and state funding issues, as well as the increasing number of towns participating in the program, the Advisory Committee strongly believes that the CPA surcharge remains an effective local solution designed to protect open space, and historical and recreational resources.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (9-0) in favor of all projects listed in this article.

ARTICLE 12. Community Preservation Act Reconciliations

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee to rescind the balance of funds authorized but unexpended totaling \$70,653.75, or a greater of less sum, and to transfer said funds into the Reserve or General Fund Balance from which they were originally appropriated, in accordance with the provisions of the Community Preservation Act, or take any other action relative thereto.

Description/Project	Amount	ATM Date
Marine Park Landscaping	859.52	March 2005 ATM, Art. 16D
Egypt Park	4,000.00	March 2007 ATM Art 18B
Stockbridge Grist Mill	13,026.15	March 2008 ATM Art 19A
Lighthouse Seawall Repair	28,283.59	April 2011 ATM, Art 17 Item 17
Gates School Reuse Study	8,746.12	April 2011 ATM Art 17 Item 10
Bonomi Land	5,500.00	April 2012 ATM Art 16 Item 9
Teak Sherman Community Garden	783.22	April 2012 ATM Art 16 Item 15
Preservation of Union Chapel	107.50	April 2013 ATM Art 12, Item 6
Little Red Schoolhouse Roof	9,320.72	April 2013 ATM Art 12 Item 10
Restoration of Lawson Tower	25.00	April 2013 ATM Art 12, Item 8
Mossing Shed Transfer	1.93	April 2014 ATM Art 13 Item 7

Sponsored By: Community Preservation Committee

Comments: The funds listed above are balances that remain in specific accounts voted and approved at previous Town Meetings as indicated above. The approval of this article allows the Town to transfer unused funds back into the CPC general balance fund to be appropriated for future projects that come before the committee.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (9-0) in support of this article.

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 annual 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 activities like dredging Scituate Harbor.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (9-0) in support of this article.

ARTICLE 14. Donation of Land – Musquashicut Pond

To see if the Town will vote to accept a donation of land located on Boardman Avenue, bounded and described as follows:

Southeasterly by Boardman Avenue measuring on the upland about two hundred three (203) feet;
Southwesterly three hundred forty-two (342) feet and Southeasterly measuring on the upland about fifty-six (56) feet by land now or formerly of Calvin B. Faunce et al;
Southwesterly by Musquashicut Pond
Northwesterly by land now or formerly of Harriet S. Brown measuring on the upland about one hundred twenty-three and 92/100 (123.92) feet; and Northeasterly by the Atlantic Ocean,

or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article would accept the donation of approximately 7.25 acres of land on Mann Hill beach. This land includes the berm which separates Musquashicut Pond from the Atlantic Ocean, and is assessed at \$48,000. The berm is the only barrier keeping Musquashicut Pond from becoming a small bay of the Atlantic Ocean, rather than the headwaters of Musquashicut Brook, which flows under Hatherly and Gannett Roads before becoming The Gulf and flowing into Cohasset Harbor. In recent years, the town DPW has worked to shore up this berm with supplemental rock, thus protecting the Pond, and its many surrounding homes, from being overrun by the Atlantic Ocean's increasingly destructive storms. Taking possession of this land through donation is a cost-free way to facilitate this work in the future, eliminating the possible future need for an easement over what is currently private property.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

ARTICLE 15. Clapp Road Land Swap

To see if the Town will vote to authorize the Board of Selectmen to (1) convey an approximately 1.8 acre portion of a parcel of Town-owned land located on the west side of Chief Justice Cushing Highway referred to as the Ellis Property and identified by the Town of Scituate Assessor's Office as Map/Block/Parcel 19-1-15F, and by Deed recorded at the Plymouth Registry of Deeds in Book 3528, Page 768, as reflected in the Exhibit Plan of Land prepared by McKenzie Engineering Group, Inc. dated February 26, 2015, and on file at the Office of the Town Clerk, (2) accept as compensation for such conveyance (a) title to an approximately 16 acre parcel of land owned by Raymond J. Livingstone, II, Trustee, of Bartlett Fields Realty Trust, identified by the Town of Scituate Assessor's Office as Map/Block/Parcel 23-1-6, and by Deed recorded at the Plymouth Registry of Deeds in Book 32695, Page 66-67; (b) title to an approximately 3.56 acre parcel of land owned by Whitcomb Pines, LLC identified by the Town of Scituate Assessor's Office as a portion of Map/Block/Parcel 25-5-18A (said parcel was previously identified as Map/Block/Parcel 23-1-6A), and by Deed recorded at the Plymouth Registry of Deeds in Book 32695, Page 77-79, and (c) title to an approximately 6.9 acre parcel of land owned by Whitcomb Pines, LLC identified by the Town of Scituate Assessor's Office as a portion of Map/Block/Parcel 25-5-18A (said parcel was previously identified as 25-5-3B), and by Deed recorded at the Plymouth Registry of Deeds in Book 32695, Page 77-79; and (3) file legislation, as may be necessary to authorize such exchange including the release of restriction on the use of the Town-owned land, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article would swap 1.8 acres of Town-owned land on Route 3A near the Town Forest on the west side of the Ellis Estate, with interior land located off Clapp Road, Booth Hill Road and Route 3A. Jack Livingstone (property owner) and his partner Steve Callahan of Global Development are proposing to build 220-250 apartment rental units on approximately 24 acres. This would be a 40B project with approximately 25% affordable units. They would like to have access onto Route 3A thereby avoiding the need for a proposed access off Booth Hill Road through wetlands. In exchange, the Town would obtain 16 acres of land with direct access off Clapp Road that could potentially be used in the future for athletic fields. This piece connects with other Town-owned land and the developer has also agreed to include an additional 11 acres that are currently owned by Whitcomb Pines under a conservation restriction. In total, the Town would be gaining approximately 27 acres of property in exchange for approximately 1.8 acres. The project will still go forward if the land swap is not approved by Town Meeting. The 16 acres being proposed to the Town had been previously reserved for additional units after the first phase of the project was completed. The dissenting vote on the committee was due to concerns over potential traffic issues on 3A without a stoplight. As 3A is a State-owned road, the Town cannot mandate the placement of a stoplight. In addition, the dissenting vote believes that a more appropriate location for new athletic fields would be on the Ellis Estate land that the town currently owns, a portion of which would be transferred away from town control under the proposed land swap.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Vote was 8-1 in favor of the article.

ARTICLE 16. Zoning Amendment – Building Height and Setback in Flood Zones

To see if the Town will vote to amend the Zoning Bylaw to allow homes in the flood plain to exceed the maximum height limit when they are elevated, and to allow small additions for elevated utilities to encroach in the side setback (1) by amending Section 200, Definitions, by adding the paragraph shown in bold below to the definition of height:

HEIGHT

The distance measured vertically from the average finished grade of the ground adjoining a building to the highest point of the roof for flat roofs, to the deck line for mansard roofs, and to the average height between eaves and ridge for gable, hip and gambrel roofs except that in residential zoning districts, there shall also be a maximum height measured from the average finished grade to the ridge for a building with a gable, hip or gambrel roof.

In connection with elevation of an existing structure above the Base Flood Elevation as determined by the current National Flood Insurance Rate Maps, the vertical distance between the sill and the ridge of the roof shall not be increased, but the height of the structure as measured from the average surrounding grade may exceed the maximum building height as defined in this bylaw as long as there is no increase in the number of bedrooms or net floor area.

And (2) by adding the new paragraph F. in bold below to Section 620.4, Height and Open Space Requirements, Modification and Exceptions:

F. In FEMA Flood Zones V, AO, and A, a covered structure to house utilities may be constructed into the front, side, or rear yard space for the purpose of housing utilities that are to be elevated above the base flood elevation as shown on the FEMA Flood Map for that building's location. The footprint of such structure shall not exceed 50 square feet and it shall not encroach into the front, side, or rear yard space more than 50% of the required setback of the structure. Such structure shall be allowed when the Building Commissioner or Zoning Enforcement Officer determines that no other practical space is available in the structure to house the elevated utilities,

or take any other action relative thereto.

Sponsored by: Planning Board

Comments: This article has been brought forth as a zoning amendment to help prevent further damage to those homes in flood zones. The first change, Height, will allow those homes in those flood zones to change the way we measure maximum height, which will remain at 35ft. The proposed amendment will allow maximum height to be measured from the sill to the ridge of the roof, rather than the average finished grade to the ridge of the roof. In addition, this zoning amendment allows for homes in flood zones to provide protection to their utilities. This would allow homes to construct and house utilities in the front, side or rear yard space as long as they are elevated above the base flood elevation as determined by FEMA flood maps.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: (8-0-1) In Support of this article (One member abstained from voting).

ARTICLE 17. Zoning Article – Establish Maximum Size, Accessory Dwellings

To see if the Town will vote to amend the Zoning Bylaw to establish a maximum size for accessory dwellings and better define the subsidiary relationship between an accessory dwelling and primary dwelling (1) by adding definitions for net floor area and primary dwelling to Section 200, Definitions, to be placed within this section in alphabetical order with the other definitions, as outlined below:

NET FLOOR AREA

The area of habitable space within a dwelling according to the definition in the most recent edition of the Massachusetts State Building Code.

PRIMARY DWELLING

A separate dwelling unit which is located in the same structure or on the same lot as an accessory dwelling.

And (2) by amending existing paragraph F. of Section 530.2, Accessory Dwellings, Special Permit Procedures and Conditions, by eliminating the existing language shown below with strikeouts and by adding the following language below in bold:

530.2 F. The accessory dwelling shall be clearly a subordinate part of the single-family dwelling or business use. **An addition or a separate structure containing an accessory dwelling shall appear subsidiary in mass and scale to the primary dwelling. The visual relationship between the addition or separate structure, and the existing dwelling shall be consistent and architecturally similar in terms of materials, colors, building elements, and building mass.**

~~No accessory dwelling shall exceed the maximum of either seven hundred and fifty square feet or forty percent of the total square footage of the primary dwelling, whichever is greater, with the exception of accessory dwellings located in the business district which are unrestricted as to size.~~ **The net floor area of an accessory dwelling in a Residential zoning district shall not exceed the maximum of nine hundred square feet or forty percent of the total square footage of the floor area of the primary dwelling, whichever is less.** For the purposes of this section, the computation of maximum floor area shall be limited to the ~~principal residence~~ **net floor area of the primary dwelling** and shall exclude the floor area in an attached or detached structure. **Accessory dwellings in the Business zoning districts shall be unrestricted as to size,**

or take any other action relative thereto.

Sponsored by the Planning Board

Comments: This zoning amendment has been brought forth to provide a maximum size for accessory dwellings as well as to provide guidelines from an architectural standpoint for any new accessory dwellings. Accessory dwellings are small apartments allowed by special permits to be built on to an already existing home or business. Scituate has approved only 80 of these dwellings since 1990 or in the last 25 years. Most towns in the commonwealth have adopted new bi-laws which allow for a maximum of 800 square feet for these dwellings. With these potential changes, Scituate will be allowing 900 square feet as the maximum size for any new accessory dwelling in a residential zoning district. In addition, new accessory dwellings would have to have a similar architectural component as the existing dwelling. All existing homes, where square footage currently might be larger than 900 Square Feet and where architecture is not similar, will be grandfathered under the current zoning laws and will not be affected by this potential change. The dissenting vote favors the proposed limitation on accessory dwellings' maximum size, but feels the proposed requirement that an accessory dwelling be 'architecturally similar in terms of materials, colors, [and] building elements' is an unnecessary government intrusion into personal aesthetic choice.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: (8-1) In Support of this article.

ARTICLE 18. Seawall Funding Citizens Article – BY PETITION

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds in the Treasury the sum of \$2,000,000.00 for the purpose of repairing, reconstructing, or maintaining existing foreshore protection structures in the Town of Scituate.

Comments: The majority view of the Advisory Committee is that the Town needs to spend existing funds appropriated for this purpose before supporting additional funds being dedicated to this area. Securing easements from owners of private seawalls must be achieved before any repairs to the existing private seawalls can proceed. This Committee approved an article during November's STM authorizing the Town to borrow \$2,000,000 from the state's recently established Dam and Seawall Repair or Removal Fund (legislation passed by Representative Cantwell), to be accompanied by a \$2,000,000 outright grant from the state, for a total of \$4,000,000 in new seawall repair funding. The \$2 million from last November's STM borrowing would be at 2% interest for a 20-year term. The new seawall is to be constructed largely on private property, in exchange for which the owners will be required to grant an easement to the Town. The 3 minority votes believed there to be a need to appropriate these funds in expectation of future need regardless of the status of easements.

Recommendation: The Advisory Committee does not recommend approval of this article.

Advisory Committee Vote: Majority (6-3) opposed this article.

ARTICLE 19. Zone Change – BY PETITION

To see if the Town will amend the Scituate Zoning By-Laws at Section 490.3 Planned Development District so as to increase the maximum number of units in Sub district B from forty to forty-eight and to eliminate references to a pro-rata formula to establish residential density, or take any other action relative thereto.

Comments: The petitioners seek to amend a subsection within the Scituate Zoning ByLaws. Specifically, under Section 490 (Planned Development District), subsection 409.3 (Uses permissible by Special Permit), Paragraph B (Subdistrict B – Open Space, Residential and Recreation). The zoning article is listed below in its entirety.

The change would specifically address the third-cliff condominium complex (adjacent to Scituate Country Club), which was built in the 1980s, and allows up to 40 units. The development currently has 36 units, and the residents wish to sell and develop an additional 8 units. Revenues from the sale would be used to make necessary capital improvements to the existing 36 units. The approval of this zoning change will allow the residents the right to build these units. They will still need to obtain a special permit and comply with all other requirements.

B. Subdistrict B - Open Space, Residential and Recreation

1. The following may be located on Subdistrict B: golf course, plus practice holes and country club structures primarily related to golfing including typical facilities for dining, recreation and accessory pro shops. A multi-purpose community recreation center, whether or not directly associated with the golf course or clubhouse, including facilities for both indoor and outdoor recreation activities. Detached single-family units and/or attached townhouse units shall be permissible by special permit in Subdistrict B to a maximum of forty four units. Said units shall be prorated among property owners on the basis of acreage owned as of the effective date of this PDD bylaw. The number of units permissible on land of each such owner shall be the number of acres so owned as bears to the total number of acres in Subdistrict B, exclusive of land owned by the Town of Scituate. Issuance of such special permit shall be subject to all the provisions governing residential uses in Subdistrict A as provided in Section 490.3.A.(4) (a) through (h) above. The board shall adhere to all the requirements of the Flood Plain and Watershed Protection District and insofar as applicable.
2. No building in Subdistrict B shall exceed the height requirements as specified under Section 620 of this bylaw.
3. Parking facilities shall be provided as required in Section 760 (parking), and as follows:
golf course: one and six-tenths (1.6) spaces for every acre of land in the property.
4. The Planning Board shall require adequate safeguards for layout of the golf course and pedestrian crossing of roads.
5. The Planning Board shall prohibit use of de-icing chemicals in the parking area.
6. The country club and recreational center structures shall be connected, at the developer's expense, into the public sewerage system. Alternatively, a private sewage disposal system approved by the board of health (and the Massachusetts Department of Environmental Protection when required) may be used until public sewage is available, at which time connection to the public system must be made within ninety days.

7. If any land in Subdistrict B is to be transferred to private ownership, and as a condition of granting a special permit at or before transfer of the title to Subdistrict B, a conservation restriction shall be placed upon the areas thereof to be developed for golf course use as permitted under Massachusetts General Laws, Chapter 184, Section 31. Such conservation restriction shall run with the land in perpetuity and shall ensure that it will be devoted to golf course or other open space use.
- The restrictions shall further contain design and management restrictions, including proximity to the pond, contour elevations to be preserved, use of fertilizers, herbicides and pesticides, and any other conditions necessary or convenient to protection of the environment, especially the public well and recharge area.
8. ~~As a condition of granting a special permit for residential use in Subdistrict B, the board shall require that the comprehensive development purposes of the PDD Bylaw shall be secured by the submission and approval of a plan showing the location of the maximum number of the dwelling units which may be authorized upon the land of the permittee, according to the pro rata formula set forth above. In the event the permittee was not a record owner of land in Subdistrict B as of the effective date of the PDD Bylaw, said plan shall show the location of all dwelling units permissible on all land of the permittee's predecessor in title being such record owner as of said effective date. As a further~~
- condition of said special permit, the board shall require the delivery of a conservation restriction as provided in Massachusetts General Laws, Chapter 184, Sections 31-33. The conservation restriction shall run to the Town of Scituate in perpetuity and shall be enforceable by the town through its conservation commission. The restriction shall describe all the land of the permittee or the permittee's said predecessor in title except those lots identified on said plan as dwelling locations. The restriction shall be in a form and upon terms acceptable to the board and shall prohibit the use of said land for any purpose except open space, recreation, and golf course purposes as provided in 490.3.
9. Removal of fill or other natural materials from the PDD may be conducted only after the granting of a special permit by the Planning Board. Such removal must be clearly associated with a development project permitted by this section, and must be ancillary thereto.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous (9-0) vote in approval of this article.

And you are further directed to serve this warrant by posting up attested copies thereof, one at each of the Post Offices in said Town and one at the Town Hall, seven days at least before the time of holding said meeting.

Hereof, fail not, and make due return of this warrant with your doings thereon, to the Town Clerk at the time and place of the meeting as aforesaid.

Given under our hands this 11th day of March, in the year two thousand and fifteen.

John F. Danehey, Chairman

Shawn Harris, Vice-Chairman

Martin J. O'Toole, Clerk

Anthony V. Vegnani, Member

Maura Curran, Member

**BOARD OF SELECTMEN
TOWN OF SCITUATE**

Town of Scituate Board of Selectmen
APPLICATION FOR COMMITTEE, COMMISSION, BOARD
AND COUNCIL APPOINTMENT

Thank you for your interest in serving the Town of Scituate.

Scituate's excellence as a community is due in large part to citizen participation in government and community affairs. The purpose of this application is to register the names, interests and qualifications of Scituate registered voters willing to volunteer to serve their community. Residents who are interested in participating in Town government are urged to fill out and submit this form to the address below. You may also access the application on the Town website using this link: **<http://www.scituatema.gov/>**

Residents serve as volunteers on a wide variety of Town boards, committees, commissions and councils listed on the next page. They are appointed to these organizations by the Board of Selectmen or other appointing authority as vacancies occur. We encourage you to register by completing this form, indicating your occupation, background, areas of interest and organizations that interest you. General applications will be kept on file for consideration/notification when an opening occurs.

Name: _____

Address: _____

Telephone: Home _____ Cell: _____

Fax: _____

Email: _____

Occupation: _____

Background and Qualifications:

Signature of Applicant: _____

Please submit this form to: Board of Selectmen, Town of Scituate

600 Chief Justice Cushing Highway

Scituate MA 02066

Fax: 781-545-8704