

TOWN OF SCITUATE
ADVISORY COMMITTEE



Report and Recommendations
For

ANNUAL & SPECIAL TOWN MEETING

APRIL 10, 2023

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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**LISTING OF ARTICLES
SPECIAL TOWN MEETING
APRIL 10, 2023**

- ARTICLE 1. Unpaid Prior Year Bills
- ARTICLE 2. FY 23 Budget Reconciliations
- ARTICLE 3. Retirement of Debt
- ARTICLE 4. Rescission of Borrowing Authorizations
- ARTICLE 5. Community Preservation Act
- ARTICLE 6. Musquashicut Avenue – Grant of Easement
- ARTICLE 7. General Bylaw Amendment – Section 30900 Waterways Bylaw
- ARTICLE 8. General Bylaw Amendment – Section 30125 Overnight Recreational Vehicular Parking on Public Property

**ANNUAL TOWN MEETING
APRIL 10, 2023**

- ARTICLE 1. Compensation of Elected Officials
- ARTICLE 2. Reports of Boards and Committees
- ARTICLE 3. Capital Improvement Plan
- ARTICLE 4. Fiscal Year 2024 General Fund Operating Budget
- ARTICLE 5. Waterways Enterprise Fund FY 2024 Budget
- ARTICLE 6. Golf Course Enterprise Fund FY 2024 Budget
- ARTICLE 7. Wastewater Enterprise Fund FY 2024 Budget
- ARTICLE 8. Transfer Station Enterprise Fund FY 2024 Budget
- ARTICLE 9. Water Enterprise Fund FY 2024 Budget
- ARTICLE 10. Stabilization Fund Excess Levy

ARTICLE 11. Revolving Fund Limits

ARTICLE 12. Community Preservation

ARTICLE 13. Community Preservation Act Reconciliations

ARTICLE 14. South Shore Vocational Technical High School Regional Agreement
Amendment Including Addition of Town of Marshfield

ARTICLE 15. Massachusetts General Laws Chapter 91 Liability

ARTICLE 16. Zoning Bylaw Amendment – Section 720 Common Driveways

ARTICLE 17. Zoning Bylaw Amendment – Section 760 Parking Requirements

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 10, 2023.

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 Select Board, and other town boards will propose various warrant articles, expenditures, funding transfers, land acquisitions, local options acceptances, zoning changes, etc. The Special Town Meeting places before the voters a total of **eight (8)** articles, and the Annual Town Meeting places before the voters a total of **seventeen (17)** 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

Elise Russo, Vice Chair

Jerry Kelly

Patrice Metro

Daniel McGuiggin

Lynda Ferguson

Missy Seidel

Marc DiCosimo

Conor Doherty

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.

Financial Forecast

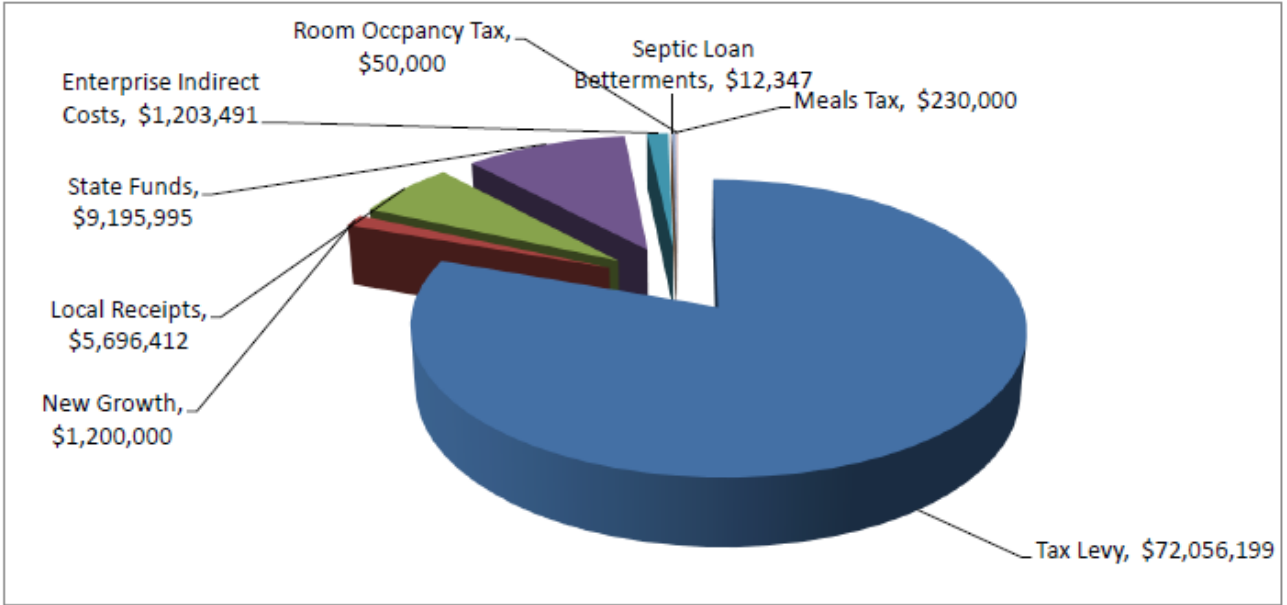
Financial Forecast Committee Members: Town Administrator James Boudreau, Select Board Member Vice Chair Andrew Goodrich, Finance Director/Town Accountant Nancy Holt, Treasurer Collector Pamela Avitabile, Director of Assessing Joseph DiVito, School Committee Member Peter Gates, Superintendent of Schools William Burkhead, Director of School Finance and Business Robert Dutch, Capital Planning Committee Chair Christopher Garchia and Advisory Committee Chair James Gilmore											
Revision 2/28/2023, 5:22 PM											
FORECASTING MODEL											
Notes	Actual FY 2020	Actual FY 2021	Actual FY 2022	Budget FY 2023	Proposed FY 2024	Projected FY 2025	Projected FY 2026	Projected FY 2027	Projected FY 2028		
SOURCES											
Prior Year	\$ 55,646,272	\$ 58,023,354	\$ 63,038,371	\$ 66,217,628	\$ 70,298,731	\$ 73,256,199	\$ 75,887,604	\$ 78,584,794	\$ 81,349,414		
Override	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
2.5% Increase	\$ 1,391,157	\$ 1,450,584	\$ 1,575,959	\$ 1,655,441	\$ 1,757,468	\$ 1,831,405	\$ 1,897,190	\$ 1,964,620	\$ 2,033,735		
New Growth	\$ 985,925	\$ 1,223,712	\$ 1,603,298	\$ 2,425,662	\$ 1,200,000	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000		
TOTAL LEVY	\$ 58,023,354	\$ 60,697,650	\$ 66,217,628	\$ 70,298,731	\$ 73,256,199	\$ 75,887,604	\$ 78,584,794	\$ 81,349,414	\$ 84,183,149		
Cherry Sheet/State Aid	\$ 8,544,416	\$ 8,783,368	\$ 8,526,303	\$ 8,818,920	\$ 9,195,995	\$ 9,195,995	\$ 9,195,995	\$ 9,195,995	\$ 9,195,995		
Septic Loan Program	\$ -	\$ -	\$ 10,962	\$ 12,344	\$ 12,347	\$ 12,348	\$ 12,349	\$ 12,351	\$ 12,354		
Local Receipts	\$ 6,901,674	\$ 7,462,124	\$ 7,645,165	\$ 5,463,049	\$ 5,696,412	\$ 5,696,412	\$ 5,696,412	\$ 5,696,412	\$ 5,696,412		
Enterprise indirect costs	\$ 940,225	\$ 994,161	\$ 1,098,382	\$ 1,197,398	\$ 1,203,491	\$ 1,227,561	\$ 1,252,112	\$ 1,277,154	\$ 1,302,697		
Overlay Surplus	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Rooms Occupancy Tax	\$ 104,145	\$ 135,953	\$ 180,519	\$ -	\$ 50,000	\$ -	\$ -	\$ -	\$ -		
Meals Tax	\$ 265,581	\$ 257,388	\$ 233,019	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000		
TOTAL ALL REVENUE	\$ 74,779,395	\$ 78,339,644	\$ 83,911,978	\$ 86,020,442	\$ 89,644,444	\$ 92,249,920	\$ 94,971,662	\$ 97,761,326	\$ 100,620,608		
USES											
Offsets	\$ 22,973	\$ 29,809	\$ 32,544	\$ 40,334	\$ 42,403	\$ 42,403	\$ 42,403	\$ 42,403	\$ 42,403		
State & County Charges	\$ 652,629	\$ 648,239	\$ 645,744	\$ 661,383	\$ 767,846	\$ 806,238	\$ 846,550	\$ 888,878	\$ 933,322		
Overlay	\$ 231,767	\$ 261,477	\$ 276,609	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000		
Economic Development	\$ 49,000	\$ 31,000	\$ 34,500	\$ 46,000	\$ 46,000	\$ 46,000	\$ 46,000	\$ 46,000	\$ 46,000		
TOTAL USES	\$ 956,368	\$ 970,526	\$ 989,397	\$ 1,047,717	\$ 1,156,249	\$ 1,194,641	\$ 1,234,953	\$ 1,277,281	\$ 1,321,725		
NET REVENUE	\$ 73,823,027	\$ 77,369,118	\$ 82,922,581	\$ 84,972,725	\$ 88,488,195	\$ 91,055,278	\$ 93,736,709	\$ 96,484,045	\$ 99,298,883		
Revenue Growth 4.14%											
SHARED COSTS											
Reserve Fund	\$ 33,973	\$ 39,033	\$ 74,245	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000		
Tax Title	\$ 19,055	\$ 21,567	\$ 39,070	\$ 39,000	\$ 39,000	\$ 39,000	\$ 39,000	\$ 39,000	\$ 39,000		
Insurance/Town Bldgs	\$ 673,645	\$ 763,050	\$ 867,934	\$ 999,983	\$ 1,099,981	\$ 1,154,980	\$ 1,212,729	\$ 1,273,366	\$ 1,337,034		
So. Shore Vo. Tech/Norfolk Agric.	\$ 792,870	\$ 638,132	\$ 634,970	\$ 614,185	\$ 769,728	\$ 808,214	\$ 848,625	\$ 891,056	\$ 935,609		
Debt & Interest	\$ 1,995,967	\$ 1,995,967	\$ 1,995,246	\$ 1,995,967	\$ 1,995,767	\$ 1,995,767	\$ 1,995,767	\$ 1,995,767	\$ 1,995,767		
- Capital Stabilization/Capital Plan	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000		
- Capital Stabilizn/Plan (Meals Tax)	\$ 84,000	\$ 84,000	\$ 38,000	\$ 84,000	\$ 84,000	\$ 84,000	\$ 84,000	\$ 84,000	\$ 84,000		
- Debt Excl IMS & PSC (Meals Tax)	\$ 100,000	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000		
Plymouth County Retirement Assmt	\$ 4,875,453	\$ 5,228,790	\$ 5,759,996	\$ 6,213,897	\$ 6,841,463	\$ 7,434,673	\$ 8,029,447	\$ 8,671,803	\$ 9,365,547		
School Bus Lease	\$ 231,301	\$ 244,301	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000		
Street Lights	\$ 110,287	\$ 88,597	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000		
Workers' Compensation	\$ 532,715	\$ 210,000	\$ 523,715	\$ 210,000	\$ 210,000	\$ 210,000	\$ 210,000	\$ 210,000	\$ 210,000		
HVAC Technician				\$ 73,008	\$ 76,658	\$ 80,491	\$ 84,516	\$ 88,742	\$ 93,179		
Second School Resource Officer				\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000		
Unemployment Insurance	\$ 17,242	\$ 152,088	\$ 1,920	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000		
Contributory Group Insurance	\$ 6,013,680	\$ 5,933,245	\$ 6,080,017	\$ 6,833,077	\$ 7,279,855	\$ 7,789,445	\$ 8,334,706	\$ 8,918,135	\$ 9,542,405		
Federal Taxes	\$ 723,133	\$ 712,899	\$ 758,366	\$ 848,396	\$ 882,332	\$ 917,625	\$ 954,330	\$ 992,503	\$ 1,032,203		
OPEB	\$ 97,509	\$ 104,440	\$ 115,200	\$ 124,278	\$ 136,629	\$ 148,693	\$ 160,589	\$ 173,436	\$ 187,311		
TOTAL SHARED COSTS	\$ 16,400,630	\$ 16,316,109	\$ 17,463,679	\$ 18,750,791	\$ 20,230,614	\$ 21,477,890	\$ 22,768,709	\$ 24,152,808	\$ 25,637,055		
NET AVAILABLE	\$ 57,422,396	\$ 61,044,009	\$ 65,458,902	\$ 66,221,934	\$ 68,257,581	\$ 69,577,389	\$ 70,968,000	\$ 72,331,237	\$ 73,661,828		
SPLIT											
School Share 66.67% [4]	\$ 38,294,193	\$ 39,206,165	\$ 41,273,689	\$ 43,333,014	\$ 45,507,329	\$ 46,387,245	\$ 47,314,365	\$ 48,223,236	\$ 49,110,341		
Town Share 33.33%	\$ 19,144,224	\$ 19,600,142	\$ 20,633,749	\$ 21,665,257	\$ 22,750,252	\$ 23,190,144	\$ 23,653,634	\$ 24,108,001	\$ 24,551,487		
Percentage Change	\$ 57,438,417	\$ 58,806,307	\$ 61,907,438	\$ 64,996,271	\$ 68,257,581	\$ 69,577,389	\$ 70,967,999	\$ 72,331,237	\$ 73,661,828		
					5.02%	1.93%	2.00%	1.92%	1.84%		

TAX RATE	Total Levy from above	\$ 58,023,354	\$ 60,697,650	\$ 65,564,330	\$ 69,073,069	\$ 73,256,199	\$ 75,887,604	\$ 78,584,794	\$ 81,349,414	\$ 84,183,149
	School Debt Exclusion	\$ 713,532	\$ 681,947	\$ 653,930	\$ 619,483	\$ 594,744	\$ 564,753	\$ 84,580	\$ 82,371	\$ 83,128
	Wastewater Debt Exclusion	\$ 120,475	\$ 97,981	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Water Treatment Plant Debt Excl	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Library Debt Exclusion	\$ 353,690	\$ 384,352	\$ 373,925	\$ 363,425	\$ 352,925	\$ 342,425	\$ 331,925	\$ 321,425	\$ 311,850
	Public Safety Complex Debt Excl [8]	\$ 1,148,325	\$ 1,163,670	\$ 1,135,710	\$ 1,102,213	\$ 1,070,463	\$ 1,033,838	\$ 1,002,338	\$ 970,838	\$ 942,338
	Senior Center/Gym Debt Exclusion	\$ -	\$ 58,333	\$ 921,992	\$ 782,900	\$ 803,463	\$ 687,125	\$ 664,875	\$ 642,625	\$ 620,375
	Middle School Debt Exclusion [8]	\$ 3,502,464	\$ 3,428,600	\$ 3,335,600	\$ 3,242,600	\$ 3,149,600	\$ 3,056,600	\$ 2,958,725	\$ 2,865,975	\$ 2,782,500
	TOTAL TAX LEVY	\$ 63,861,840	\$ 66,512,533	\$ 71,985,487	\$ 75,183,689	\$ 79,227,394	\$ 81,572,345	\$ 83,627,237	\$ 86,232,647	\$ 88,923,340
	TAX RATE	\$ 13.50	\$ 13.33	\$ 12.62	\$ 11.13	\$ 11.32	\$ 11.43	\$ 11.49	\$ 11.62	\$ 11.75
	Total Valuation	\$ 4,875,051,680	\$ 5,146,329,020	\$ 5,249,255,600	\$ 6,833,558,450	\$ 6,970,229,619	\$ 7,109,634,211	\$ 7,251,826,896	\$ 7,396,863,434	\$ 7,544,800,702
ASSUMPTIONS:										
	[1] - Reflects estimated FY24 DOR cherry sheet from DLS for Governor's FY24 budget with level funding for FY25-28									
	[2] - Estimate of \$230,000 is a return to the pre-pandemic level; 20% to EDC budget; \$100,000 to offset debt exclusion restored; \$84,000 to capital plan									
	[3] - South Shore Voc. Tech FY24 estimated assessment from SSVT and Norfolk Agricultural actual for FY24 for one student; SSVT has 10 student enrollment increase for FY24									
	[4] - Shared cost of school bus lease of \$250,000 added to this amount in budget article so it is under the control of the School Department. Shared cost of street lighting set at \$125,000. Both amounts to stay static for future years.									
	[5] - Actual assessment for FY24 and FY25 with FY26-28 at 8%									
	[6] - Reflects a 4% increase over FY23 budget and remains at that level through FY28 due to exempt employees retiring and COLAs.									
	[7] - Pursuant to Town financial policies, 2% of Plymouth County Retirement System assessment.									
	[8] - \$100,000 in solar array and wind turbine revenues to offset debt exclusions impact for middle school & public safety complex.									
	[9] - 10% increase over FY23 budget - some lines moved to other insurers. Additional 5% FY25-28.									
	[10]-FY20 was 3.1% for active plans; FY21 is 3.9% for active plans; FY22 was 4.36% for active plans; calendar year 2021 at 0% for Medex plans; FY23 rate is 3.61% for active plans; FY24 rate is 7.44% for active plans and barring any positive information 8% increase assumed for FY25-FY28									
	[11]- Unemployment line at \$65,000 which is pre-pandemic level.									
	[12]- Actual calculation for FY24 and 2% estimated increase for FY25-28.									
	[13]-Increased to \$5,696,412; which is more than the FY20 pre-pandemic estimate and also greater than the FY21-23 estimate.									
	[14]-FY21 and FY22 actuals are artificially low as the Town's health insurer, MIA, provided premium holidays due to the pandemic.									
	[15]-New shared cost for FY23 for salary of a shared HVAC Technician for town and school buildings increased by 2.5% for FY24 for COLA and 2.5% for step; same pattern for FY25-28									
	[16]-New shared cost for FY24 for salary of a second School Resource Officer during the school year and patrol officer during the summer.									

FY24 Scituate Sources of Revenue

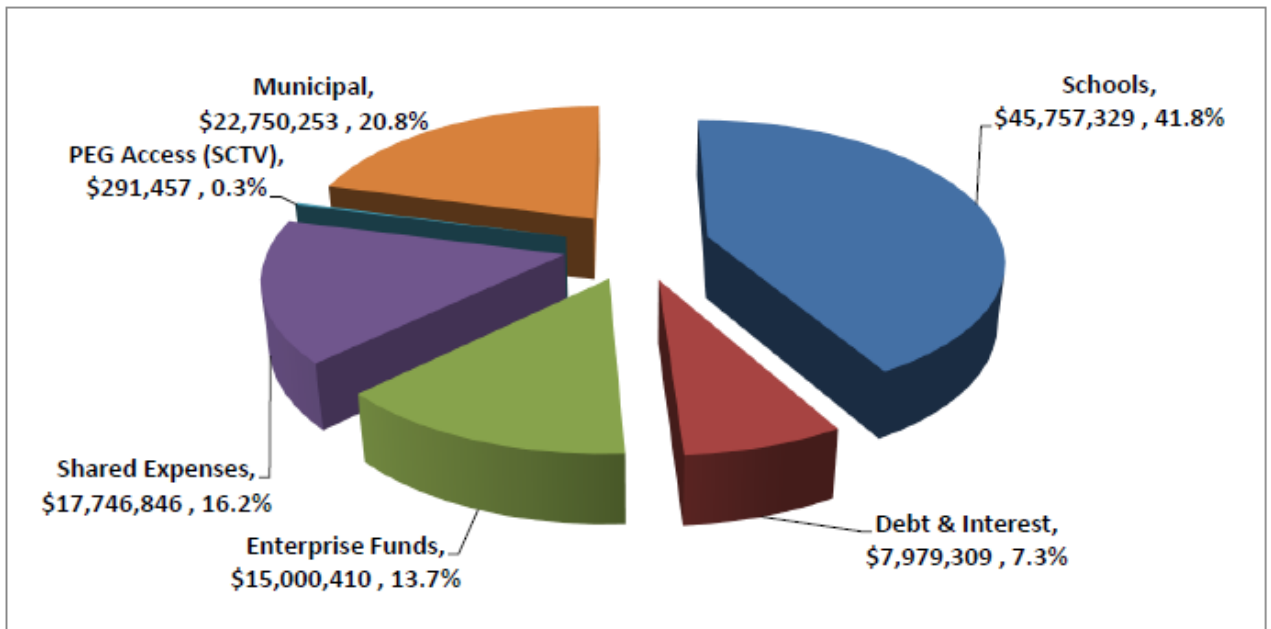
2023 Tax Levy	\$	70,298,731
2.5%	\$	<u>1,757,468</u>
	\$	72,056,199

Tax Levy	\$	72,056,199
New Growth	\$	1,200,000
Local Receipts	\$	5,696,412
State Funds	\$	9,195,995
Enterprise Indirect Costs	\$	1,203,491
Septic Loan Betterments	\$	12,347
Meals Tax	\$	230,000
Room Occpancy Tax	\$	50,000
	\$	<u><u>89,644,444</u></u>



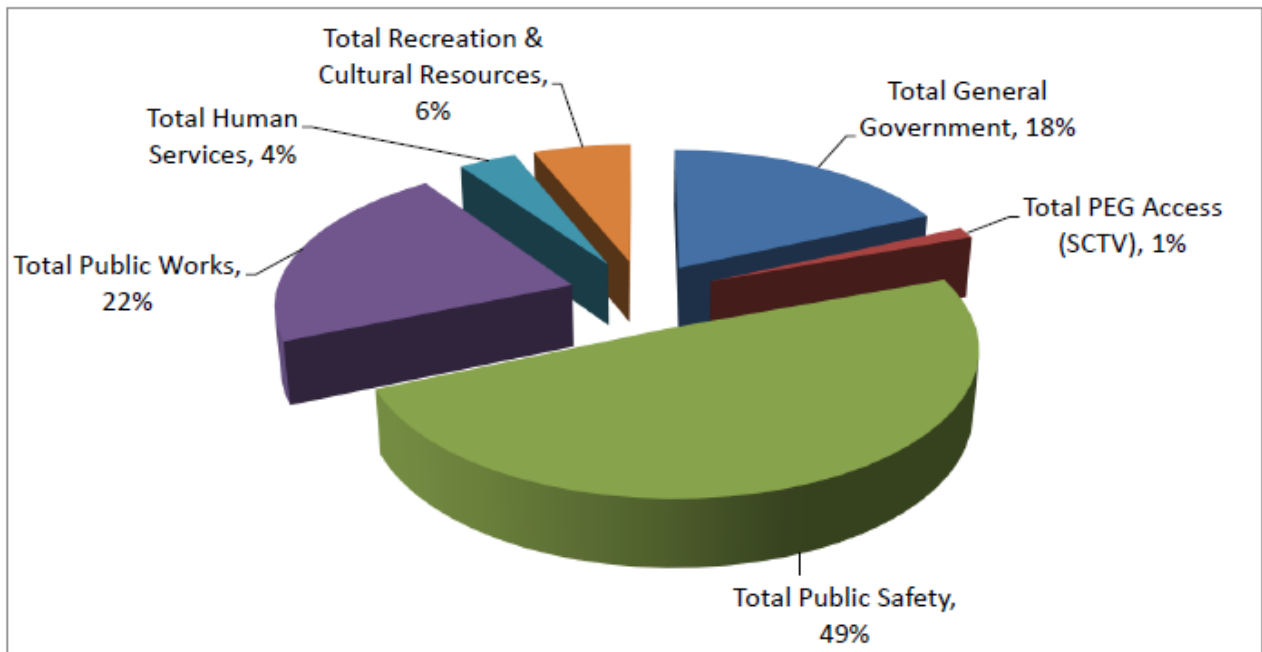
FY24 Scituate Town Budget

Schools	\$	45,757,329
Debt & Interest	\$	7,979,309
Enterprise Funds	\$	15,000,410
Shared Expenses	\$	17,746,846
PEG Access (SCTV)	\$	291,457
Municipal	\$	22,750,253
	\$	<u>109,525,604</u>



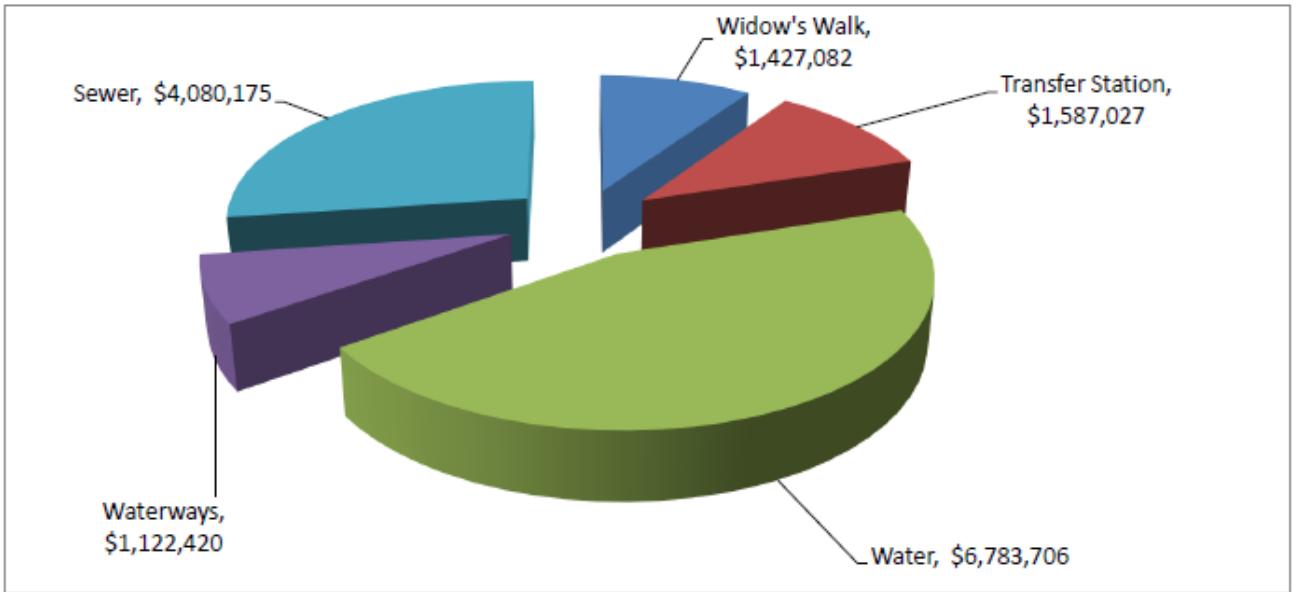
FY24 Scituate Municipal Expense Share

Total General Government	\$ 4,198,085	18%
Total PEG Access (SCTV)	\$ 291,457	1%
Total Public Safety	\$ 11,316,948	49%
Total Public Works	\$ 4,987,405	22%
Total Human Services	\$ 838,095	4%
Total Recreation & Cultural Resources	\$ 1,409,720	6%
	<u>\$ 23,041,710</u>	<u>100%</u>

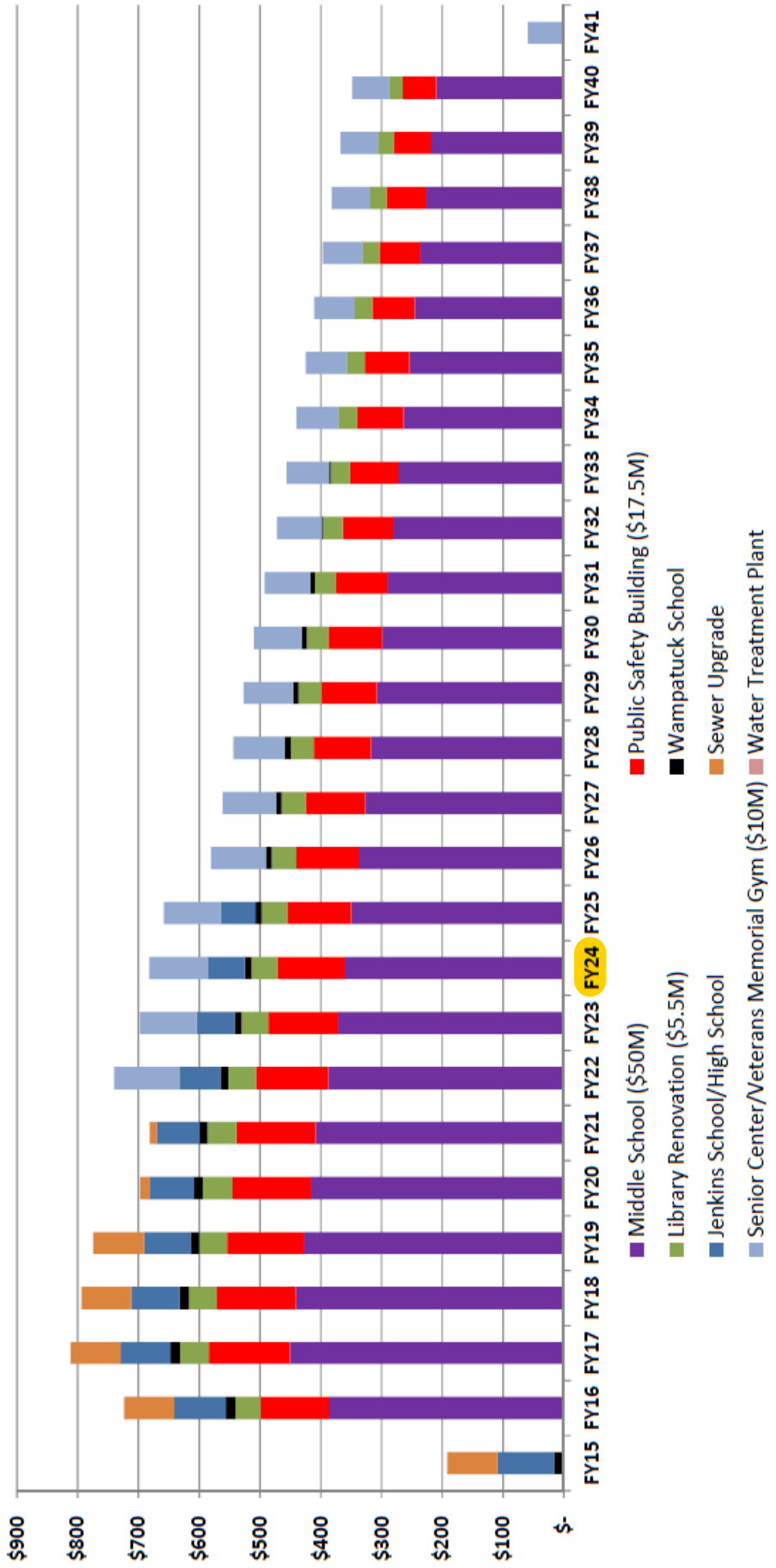


FY24 Scituate Enterprise Fund Expense

Widow's Walk	\$	1,427,082
Transfer Station	\$	1,587,027
Water	\$	6,783,706
Waterways	\$	1,122,420
Sewer	\$	4,080,175
	\$	<u>15,000,410</u>



Current Scituate Debt Exclusions - Tax Impact on Average Single Family Home Value

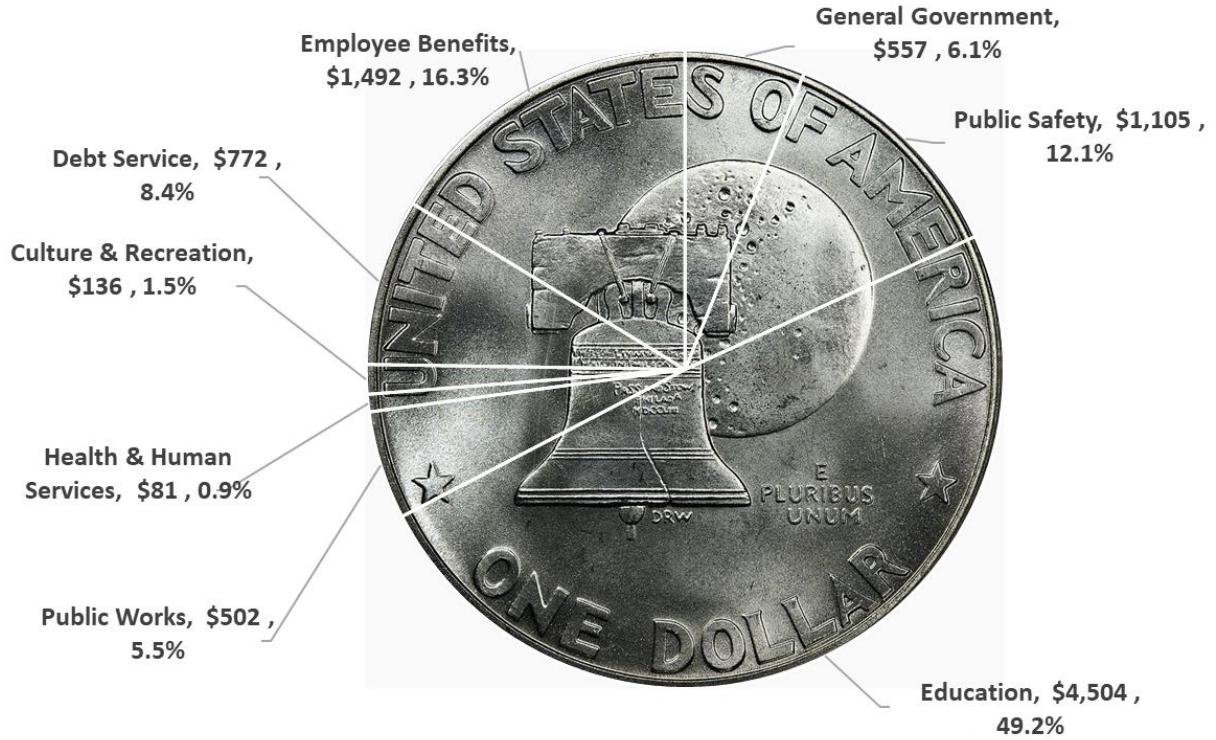


Notes

(1) Middle School and Public Safety Complex include \$300,000 offset from meals tax, wind turbine and solar array revenues as approved annually by town meeting for FY16-20 and FY22 (only \$200,000 for FY21) and proposed again for FY23 which equates to approximately \$36 annual savings to average home. Average single family home assessment: FY15 - \$492,700, FY16 - \$508,367, FY17 - \$531,954, FY18 - \$553,095, FY19 - \$576,038, FY20 - \$601,671, FY21 - \$631,254, FY22 - \$695,958 and FY23-\$822,087

(2) FY24 and beyond calculated based on FY23 total value and average home value and are subject to change annually.

How Your Tax Dollars Are Spent



Average single family tax bill of \$9,150, average single family home assessed value is \$822,087

To see a listing of departments in each grouping, please refer to Annual Town Meeting Article 4, FY 2024 General Fund Budget.

**TOWN OF SCITUATE
SPECIAL TOWN MEETING
APRIL 10, 2023
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 TENTH DAY OF APRIL 2023 NEXT

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

*******Please see Appendix A for Special Town Meeting Consent Agenda*******

ARTICLE 1. Unpaid Prior Year Bills

To see if the Town will vote to transfer the sum of **\$25,541.12**, or a greater or lesser sum, for the purpose of paying prior fiscal year unpaid bills, or take any other action relative thereto.

Sponsored By: Select Board

Comments:

This article would use available funds for paying invoices presented after the close of prior fiscal years. A list of the invoices presented after the close of the fiscal year is provided above. This is a recurring annual accounts payable responsibility for the town.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 2. FY 23 Budget Reconciliations

To see if the Town will vote to transfer from available funds in the Treasury the sum of **\$121,000.00** or a greater or lesser sum, for the purpose of fully funding the following accounts established under Articles 4 and 6 of the April 11, 2022 Annual Town Meeting as follows:

Department	Line Item	To Amount	From Amount	Comment
Water Department	Repair & Maintenance 65450520.524200	\$ 45,000.00		Additional funds for any emergency or unexpected repairs.
Water Enterprise Retained Earnings			\$ 45,000.00	Unused funds will close back to retained earnings as of June 30th
Historical Buildings	Repair & Maintenance 1691520.524200	\$ 30,000.00		Tree removal, fuel bills and other repair costs at Mordecai Lincoln property
Fire Department	Capital Outlay 1220580.585100	\$ 5,000.00		Town share of portable radios; FEMA grant
Information Technology	Capital Outlay 1155580.585100	\$ 41,000.00		Additional security upgrades at Public Safety Complex for \$6,000 and cyber security audit for \$35,000
Legal Services	Litigation 1123530.532900		\$ 30,000.00	Case management
Snow & Ice	Equipment Rentals 1423520.527100		\$ 46,000.00	Mild winter
	Total	\$ 121,000.00	\$ 121,000.00	

or take any other action relative thereto.

Sponsored By: Select Board

Comments:

This article is required to rebalance selected departmental operating budget line items that are mostly housekeeping in nature as a result of budgetary changes since our April annual town meeting. They are all part of the town budget under Articles 4 and 6 of the annual town meeting warrant.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 3. Retirement of Debt

To see if the Town will vote to transfer from available funds in the Treasury the sum of **\$475,000.00** for the purpose of retiring the debt for the following purposes

<u>Project</u>	<u>Authorized</u>	<u>Amount</u>
Widows Walk Clubhouse & Parking	ATM 04/2021, Art 3CC	\$475,000.00

Sponsored By: Select Board

Comments:

This article seeks to permanently paydown \$475,000 of the \$770,000 bond anticipation note for improvements to the Widows Walk clubhouse and parking lot.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 4. Rescission of Borrowing Authorizations

To see if the Town will vote to rescind the following borrowing authorizations for the following purposes.

<u>Project</u>	<u>Authorized</u>	<u>Amount</u>	<u>Reason</u>
Upgrade Well 17A	ATM 11/18, Art 3RR	\$810,510	Project complete
Well 17A Green Sand Filter Const	ATM 04/19, Art 3U	\$1,230,607	Project complete
Cedar Point Sewer-Betterment	STM 06/20, Art 4	\$3,227,205	Project complete

Or take any other action relative thereto.

Sponsored By: Select Board

Comments:

This article seeks to rescind the above borrowing authorizations which are no longer needed as the following projects have been deemed complete. This is a housekeeping issue to ensure no open items.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

*******Please see Appendix B for Community Preservation Project Summaries*******

ARTICLE 5. Community Preservation Act

To see if the Town will vote to hear and act on recommendations from the Community Preservation Committee (CPC) to appropriate the sums of money as indicated below. Appropriations for the items below are to be expended from Community Preservation Undesignated Funds unless otherwise indicated. All such sums appropriated are further to be expended subject to all 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. \$28,954 From Community Preservation fund balance, to be reserved for the creation and support of Community Housing consistent with the Act; FY23 previously voted set-asides were insufficient to meet the 10% requirement due to additional state match being received;
2. \$25,000 Historic – Mordecai Lincoln Driveway & Parking; Engineering

Or take any other action relative thereto.

Sponsored by: Community Preservation Committee

Comments:

This article would increase the amounts previously set-aside for Community Housing in FY2023 as these were not sufficient to meet the 10% required amount after additional state matching funds were received. The proposed adjustment provided to CPC is an additional \$28,954 for the

required purpose of community housing. Article 6 would also provide \$25,000 to begin the engineering of the parking and driveway improvements for access at the Mordecai Lincoln property. The construction funds would be in Article 12 of the annual town meeting for voters' consideration.

Please refer to the Comments section of Article 12 in the Annual Town Meeting for description of the Mordecai Lincoln driveway/parking project. This Article 6 requests \$25,000 to begin the engineering and design for the parking and driveway improvements immediately, rather than wait until July 1 as would be required if it were proposed with the construction phase as part of the annual town meeting. Community Preservation Committee approved this Article unanimously.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

******Please see Appendix C for Easement Plan******

ARTICLE 6. Musquashicut Avenue - Grant of Easement

To see if the Town will vote to authorize the Select Board to grant an easement to Eversource Gas Company of Massachusetts, D/B/A Eversource Energy relating to the installation, operation and maintenance of gas Telemeter Facilities, as shown on a Sketch prepared by Merrill Engineers and Land Surveyors for Eversource Energy, dated March 11, 2022, and revisions thereto, on, over, under and across a portion of Town land located at 4 Musquashicut Avenue in Scituate, Massachusetts, more particularly described as Town of Scituate Assessor's Tax Parcel ID No. 15-3-30-0 and more fully shown and described as Lot 30 of Block 3 on the Town of Scituate Assessor's Map #15, a copy of the easement Sketch is available for inspection in the Town Clerk's office and on the Town's website; or take any other action related thereto.

Sponsored By: Select Board

Comments:

This article would grant an easement to Eversource Gas Company for access to 4 Musquahicut Avenue in Scituate for the gas meter at a sewer pumping station.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 7. General Bylaw Amendment – Section 30900 Waterways Bylaw

To see if the Town will vote to amend Section 30900, Waterways, of the by-laws of the Town of Scituate as follows:

1. By adding a new Section 30911 as follows:

Section 30911 Purpose

To develop, implement and maintain laws and regulations that will enhance and preserve the ecological health, pristine waters and the natural beauty of waters within the limits of the town of Scituate for future generations, to preserve the public peace, good order and welfare, to protect the coastal waters within the limits of the town of Scituate and all beaches, flats, tidelands and submerged lands lying seaward of the line of the mean high water, to prevent encroachments therein, to promote, preserve and protect the exercise and enjoyment of the public rights of fishing, fowling and navigation; to promote, preserve and protect the exercise of marine and aquacultural uses and pursuits while sustaining harmony among all users of waters within the limits of the town of Scituate.

2. By adding a new Section 30912 as follows:

Section 30912 Fair Access to Fish, Fowl and Navigate

Notwithstanding any provisions of these by-laws to the contrary, fair access to waters within the limits to fish, fowl and navigate is hereby recognized to exist within the waters of the town of Scituate. The above-described activities may, subject to certain rules and regulations occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental impacts associated with normally accepted fishing, fowling and navigation practices. It is hereby determined that whatever impact may be caused to others through the normal practice of accepted fishing, fowling and navigation practices is more than offset by the benefits of each of these activities to the community and society in general and fair and equitable access to the waters within the town of Scituate for such activities. The benefits and protections of this by-law are intended to apply exclusively to those recreational and commercial accepted fishing, fowling and navigation operations and activities conducted in accordance with generally accepted fishing, fowling and navigation practices. Moreover, nothing in this by-law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

3. By adding a new Section 30992 as follows:

Section 30992 Rules and Regulations

The Select Board shall prepare, and may amend from time to time, after reasonable public notice and hearing and approval of the Select Board, regulations governing the uses set forth in this Section 30900.

or take any other action relative thereto.

Sponsored By: Select Board

Comments:

This new general bylaw would clearly define the ability of citizens to have fair access to fish, fowl and navigate in all waterways belonging to the Town of Scituate. This is consistent with centuries old established Commonwealth of Massachusetts law and ensures access to and enjoyment of the waters of Scituate to the town's residents.

Recommendation: The Advisory Committee recommends approval of this article.
Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 8 – General Bylaw Amendment – New Section 30125 – Overnight Recreational Vehicular Parking on Public Property

To see if the Town will vote to amend the Town of Scituate General By-Laws, Section 30100 Miscellaneous, by adding the following new section:

Section 30125 - Overnight Recreational Vehicular Parking on Public Property

No person shall park a recreational vehicle on Town-owned property between the hours of 8:00 P.M. and 8:00 A.M. without the written approval of the Select Board. A recreational vehicle is a motor vehicle or trailer that includes living quarters designed for accommodation. Any person that violates this bylaw shall be punished with a fine of \$200 per occurrence. This section of the bylaw shall not prohibit unhoused individuals from sleeping outdoors, on public property, when no alternative shelter is available to them.

or take any other action relative thereto.

Sponsored By: Select Board

Comments:

To address the issue of people camping in Cole Parkway, this article further defines Article 26 that was approved by the voters at the 2022 Annual Town Meeting. The Attorney General did not accept Article 26 as written and suggested, along with Town Counsel, that we make this change, to address the camping issue more specifically.

Recommendation: The Advisory Committee recommends approval of this article.
Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

**TOWN OF SCITUATE
ANNUAL TOWN MEETING
APRIL 10, 2023
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 TENTH DAY OF APRIL 2023 NEXT

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

******Please see Appendix D for Annual Town Meeting Consent Agenda******

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 **\$90,600.00**, or a greater or lesser sum; or take any other action relative thereto:

SELECT BOARD:	Chair & Legitimate Expenses	\$ 1,500.00
SELECT BOARD:	Members & Legitimate Expenses	\$ 2,000.00
	(4@\$500)	
ASSESSORS:	Chair & Legitimate Expenses	\$ 1,200.00
ASSESSORS:	Members & Legitimate Expenses	\$ 800.00
	(2@\$400)	
TOWN CLERK:	Personal Services	\$85,100.00

Sponsored By: Select Board

Comments:

This is an annual recurring article which addresses town salaries for elected officials within the body of the government. Overall there were no changes with the exception of a cost of living adjustment (2.5%) for the Town Clerk.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 2. Reports of Boards and Committees

To see if the Town will vote to hear or act upon any reports from the Town officers or committees; or take any other action relative thereto.

Sponsored By: Select Board

Comments:

This article allows town meeting members to receive a report from town officials on the work of committees or projects of particular interest at the time of the meeting. This is a recurring annual article authorizing procedural protocol.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support 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, in accordance with M.G.L. c. 44, §§ 7 and 8 and any other enabling authority, the following sums of money totaling **\$8,709,488.00** or any greater or lesser sums as may be necessary, for the purpose of funding the costs of the 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:

Sponsored By: Select Board/Capital Planning Committee

Comments:

Please refer to specific information in the FY 24 Town Administrator Budget Message, the Town Administrator recommendations in the capital budget book and subsequent recommendations received from the Capital Planning Committee for the FY 24 capital plan. Select Board voted on 1-24-23 to put forward the Town Administrator's plan with the amendment to the water mains project to increase it by \$1M. The Capital Planning Committee did not recommend one truck and the MS-4 project. The addition of the \$1M was presented at the Select Board meeting by DPW Director Kevin Cafferty as Eversource has informed him of their plan to bring four crews into town to replace the gas line on Jericho Rd. The water main replacement for Jericho Rd is already designed and it would make sense to have additional funds available to do this work while the road is open and then try and split the re-paving costs with Eversource.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

	Project	Department	Amount	Funding Source
A	MS-4 Municipal Separate Storm Sewer System	DPW-Engineering	\$150,000	Free Cash
B	Foreshore Protection	DPW-Foreshore	\$200,000	Free Cash
C	Replace Truck C-4; 2005 Chevrolet Silverado 1-ton	DPW-Grounds	\$75,000	Free Cash
D	John Deere Type Mower	DPW-Grounds	\$51,000	Free Cash
E	New Deck Mower	DPW-Grounds	\$160,000	Free Cash
F	Replace Truck 103; 2012 Chevrolet 4500 Dump Truck	DPW-Highway	\$75,000	Free Cash
G	Replace Truck 1-4; 2014 Dodge Ram 5500 Dump Truck	DPW-Highway	\$75,000	Free Cash
H	New Sidewalk Tractor	DPW-Highway	\$189,200	Free Cash
I	Roadways, Sidewalks, Drainage & Culvert improvements	DPW-Highway	\$200,000	Free Cash; Tax Levy & Premiums from Debt
J	Town Wide Facilities Plan Year 3	Facilities	\$470,281	Free Cash; Water, Sewer, Waterways & Transfer Station Retained Earnings
K	Replace 1998 Dive Truck	Fire	\$82,000	Free Cash
L	Emergency Operations Center (EOC) - Audio/Visual System Refresh	IT/Public Safety	\$335,227	Free Cash & PEG Access Revolving
M	Public Safety Complex - Computer Workstations - EOL Replacement	IT/Public Safety	\$68,105	Free Cash
N	Police Portable and Mobile Radios	Police	\$315,640	Free Cash
O	Public Safety Computer Aided Dispatch (CAD)/Records Management System (RMS) Replacement	Police	\$488,988	Free Cash
P	Technology	School	\$150,000	Free Cash
Q	High School HVAC Controllers Phase 1	School	\$165,334	Free Cash
R	HS Locker Room Phase 2	School	\$898,000	Free Cash
S	Wampatuck Flooring Replacement	School	\$285,000	Free Cash
T	Cyber Security Audit Priority Tasks - Phase 1	Sewer	\$45,000	Sewer Retained Earnings
U	Inflow & Infiltration FY24	Sewer	\$200,000	Sewer Retained Earnings; Other Unspent Articles & Premiums from Debt
V	Replace Truck 5-4; 2008 Chevy Silverado Utility	Sewer	\$90,813	Sewer Retained Earnings
W	Pickup Truck, Plow & Sander	Transfer Station	\$80,000	Tr Stn Retained Earnings; Other Unspent Articles & Premiums from Debt
X	10 Year Meter Replacement Cycle Program FY2024	Water	\$230,000	Water Retained Earnings
Y	Replace 2006 Chevy Colorado Truck	Water	\$67,000	Water Retained Earnings
Z	Replace Water Mains - Phase 7	Water	\$3,300,000	Water Enterprise Borrowing
AA	Replacement of Granular Activate Carbon at Water Treatment Plant	Water	\$220,000	Water Retained Earnings & Premiums from Debt
BB	Harbormaster Truck 2	Waterways	\$42,900	Waterways Retained Earnings & Other Unspent Articles
	Total		\$8,709,488	

ARTICLE 4. Fiscal Year 2024 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 **\$94,525,194.00** 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, 2023; or take any other action relative thereto.

Article 4						
Fiscal Year 2024 Operating Budget						
			FY 2023 Appropriated	FY 2024 Select Board	FY 2024 Advisory Com	% of total
Select Board						
Town Administration						
123	510	Personal Services	\$ 356,035	\$ 396,941	\$ 396,941	
	520	Purchase of Services	\$ 171,160	\$ 230,160	\$ 230,160	
	530	Town Counsel	\$ 145,000	\$ 145,000	\$ 145,000	
	532	Contract Bargaining	\$ 180,331	\$ 204,587	\$ 204,587	
	540	Materials & Supplies	\$ 7,400	\$ 7,400	\$ 7,400	
	599	Salary Adjustments	\$ 10,000	\$ -	\$ -	
			\$ 869,926	\$ 984,088	\$ 984,088	1.04%
Advisory Committee						
131	510	Personal Services	\$ 2,298	\$ 2,566	\$ 2,566	
	520	Purchase of Services	\$ 250	\$ 250	\$ 250	
	540	Materials & Supplies	\$ 4,300	\$ 4,300	\$ 4,300	
			\$ 6,848	\$ 7,116	\$ 7,116	0.01%
132	Reserve Fund					
	570	Transfers	\$ 75,000	\$ 75,000	\$ 75,000	0.08%
135	Finance Director/Town Accountant					
	510	Personal Services	\$ 365,145	\$ 395,548	\$ 395,548	
	520	Purchase of Services	\$ 64,700	\$ 67,200	\$ 67,200	
	540	Materials & Supplies	\$ 1,300	\$ 1,300	\$ 1,300	
			\$ 431,145	\$ 464,048	\$ 464,048	0.49%
Assessors						
141	510	Personal Services	\$ 224,507	\$ 231,322	\$ 231,322	
	520	Purchase of Services	\$ 39,050	\$ 39,510	\$ 39,510	
	540	Materials & Supplies	\$ 500	\$ 500	\$ 500	
			\$ 264,057	\$ 271,332	\$ 271,332	0.29%
Treasurer/Collector						
145	510	Personal Services	\$ 331,394	\$ 340,125	\$ 340,125	
	520	Purchase of Services	\$ 101,025	\$ 108,025	\$ 108,025	
	540	Materials & Supplies	\$ 9,000	\$ 18,500	\$ 18,500	
			\$ 441,419	\$ 466,650	\$ 466,650	0.49%

			FY 2023 Appropriated	FY 2024 Select Board	FY 2024 Advisory Com	% of total
155	Information Technology					
	510	Personal Services	\$ 275,126	\$ 314,825	\$ 314,825	
	520	Purchase of Services	\$ 385,595	\$ 432,478	\$ 432,478	
	540	Materials & Supplies	\$ 500	\$ 500	\$ 500	
	580	Capital Outlay	\$ 30,000	\$ 30,000	\$ 30,000	
			\$ 691,221	\$ 777,803	\$ 777,803	0.82%
	Tax Foreclosures					
158	521	Tax Foreclosures	\$ 39,000	\$ 39,000	\$ 39,000	
			\$ 39,000	\$ 39,000	\$ 39,000	0.04%
159	Cable TV					
	510	Personal Services	\$ 113,732	\$ 134,457	\$ 134,457	
	520	Purchase of Services	\$ 6,500	\$ 5,000	\$ 5,000	
	540	Materials & Supplies	\$ 2,000	\$ 2,000	\$ 2,000	
	580	Capital Outlay	\$ 150,000	\$ 150,000	\$ 150,000	
			\$ 272,232	\$ 291,457	\$ 291,457	0.31%
161	Town Clerk					
	510	Personal Services	\$ 211,681	\$ 204,951	\$ 204,951	
	520	Purchase of Services	\$ 44,122	\$ 41,055	\$ 41,055	
	540	Materials & Supplies	\$ 4,130	\$ 4,230	\$ 4,230	
			\$ 259,933	\$ 250,236	\$ 250,236	0.26%
171	Planning & Community Development					
175	510	Personal Services	\$ 877,477	\$ 954,262	\$ 954,262	
176	520	Purchase of Services	\$ 63,600	\$ 63,600	\$ 63,600	
182	540	Materials & Supplies	\$ 4,600	\$ 4,950	\$ 4,950	
241			\$ 945,677	\$ 1,022,812	\$ 1,022,812	1.08%
192	Property/Liability Insurance					
	570	Expenses	\$ 999,983	\$ 1,099,981	\$ 1,099,981	1.16%
	Total General Government		\$ 5,296,441	\$ 5,749,523	\$ 5,749,523	6.08%
210	Police					
	510	Personal Services	\$ 3,943,033	\$ 4,250,390	\$ 4,250,390	
	520	Purchase of Services	\$ 137,145	\$ 151,509	\$ 151,509	
	540	Materials & Supplies	\$ 134,020	\$ 139,831	\$ 139,831	
	580	Capital Outlay	\$ 203,820	\$ 279,470	\$ 279,470	
			\$ 4,418,018	\$ 4,821,200	\$ 4,821,200	5.10%
220	Fire					
	510	Personal Services	\$ 5,294,042	\$ 5,601,063	\$ 5,601,063	
	520	Purchase of Services	\$ 71,987	\$ 71,987	\$ 71,987	
	540	Materials & Supplies	\$ 166,991	\$ 170,991	\$ 170,991	
			\$ 5,533,020	\$ 5,844,041	\$ 5,844,041	6.18%

			FY 2023 Appropriated	FY 2024 Select Board	FY 2024 Advisory Com	% of total
230	Combined Public Safety Dispatch					
	510	Personal Services	\$ 677,891	\$ 742,307	\$ 742,307	
	540	Materials & Supplies	\$ 400	\$ 600	\$ 600	
			\$ 678,291	\$ 742,907	\$ 742,907	0.79%
295	Shellfish					
	510	Personal Services	\$ 8,000	\$ 8,000	\$ 8,000	
	520	Purchase of Services	\$ 200	\$ 200	\$ 200	
	540	Materials & Supplies	\$ 600	\$ 600	\$ 600	
			\$ 8,800	\$ 8,800	\$ 8,800	0.01%
	Total Public Safety		\$ 10,638,129	\$ 11,416,948	\$ 11,416,948	12.08%
300	School Department					
	505	School Expenses	\$ 43,356,872	\$ 45,757,329	\$ 45,757,329	48.41%
310	Regional School Assessments					
	560	Intergovernmental	\$ 614,185	\$ 769,728	\$ 769,728	0.81%
	Total Schools		\$ 43,971,057	\$ 46,527,057	\$ 46,527,057	49.22%
	Public Works					
400	510	Personal Services	\$ 1,857,258	\$ 1,898,068	\$ 1,898,068	
	520	Purchase of Services	\$ 575,320	\$ 575,320	\$ 575,320	
	540	Materials & Supplies	\$ 265,389	\$ 245,389	\$ 245,389	
	580	Capital Outlay	\$ 412,260	\$ 421,500	\$ 421,500	
			\$ 3,110,227	\$ 3,140,277	\$ 3,140,277	3.32%
410	Facilities					
	510	Personal Services	\$ 513,910	\$ 531,273	\$ 531,273	
	520	Purchase of Services	\$ 506,818	\$ 563,398	\$ 563,398	
	540	Materials & Supplies	\$ 249,300	\$ 266,000	\$ 266,000	
	580	Capital Outlay	\$ 83,000	\$ 66,000	\$ 66,000	
			\$ 1,353,028	\$ 1,426,671	\$ 1,426,671	1.51%
423	Snow & Ice					
	510	Personal Services	\$ 101,401	\$ 101,401	\$ 101,401	
	520	Purchase of Services	\$ 150,000	\$ 150,000	\$ 150,000	
	540	Materials & Supplies	\$ 245,714	\$ 245,714	\$ 245,714	
			\$ 497,115	\$ 497,115	\$ 497,115	0.53%
424	Street Lights & Beacons					
	520	Purchase of Services	\$ 125,000	\$ 125,000	\$ 125,000	0.13%
	Total Public Works		\$ 5,085,370	\$ 5,189,063	\$ 5,189,063	5.49%

			FY 2023 Appropriated	FY 2024 Select Board	FY 2024 Advisory Com	% of total
510	Board of Health					
	510	Personal Services	\$ 301,882	\$ 315,684	\$ 315,684	
	520	Purchase of Services	\$ 12,575	\$ 6,325	\$ 6,325	
	540	Materials & Supplies	\$ 1,735	\$ 1,735	\$ 1,735	
	580	Capital Outlay	\$ 125	\$ 125	\$ 125	
			\$ 316,317	\$ 323,869	\$ 323,869	0.34%
541	Council on Aging					
	510	Personal Services	\$ 247,832	\$ 266,843	\$ 266,843	
	520	Purchase of Services	\$ 5,440	\$ 7,750	\$ 7,750	
	540	Materials & Supplies	\$ 28,000	\$ 28,000	\$ 28,000	
	580	Capital Outlay	\$ 5,200	\$ 5,200	\$ 5,200	
			\$ 286,472	\$ 307,793	\$ 307,793	0.33%
543	Veterans Agent					
	510	Personal Services	\$ 89,590	\$ 93,418	\$ 93,418	
	520	Purchase of Services	\$ 120,915	\$ 105,715	\$ 105,715	
	540	Materials & Supplies	\$ 2,150	\$ 2,300	\$ 2,300	
			\$ 212,655	\$ 201,433	\$ 201,433	0.21%
549	Commission on Disabilities					
	520	Purchase of Services	\$ 5,000	\$ 5,000	\$ 5,000	
			\$ 5,000	\$ 5,000	\$ 5,000	0.01%
	Total Health & Human Services		\$ 820,444	\$ 838,095	\$ 838,095	0.89%
610	Library					
	510	Personal Services	\$ 828,278	\$ 855,771	\$ 855,771	
	520	Purchase of Services	\$ 148,183	\$ 138,432	\$ 138,432	
	540	Materials & Supplies	\$ 139,000	\$ 164,000	\$ 164,000	
	580	Capital Outlay	\$ 5,000	\$ 5,000	\$ 5,000	
			\$ 1,120,461	\$ 1,163,203	\$ 1,163,203	1.23%
630	Recreation					
	510	Personal Services	\$ 164,521	\$ 172,477	\$ 172,477	
	520	Purchase of Services	\$ 1,710	\$ 1,710	\$ 1,710	
	540	Materials & Supplies	\$ 150	\$ 150	\$ 150	
			\$ 166,381	\$ 174,337	\$ 174,337	0.18%
650	Beautification					
	540	Materials & Supplies	\$ 30,000	\$ 32,500	\$ 32,500	
			\$ 30,000	\$ 32,500	\$ 32,500	0.03%

			FY 2023 Appropriated	FY 2024 Select Board	FY 2024 Advisory Com	% of total
691	Historical Buildings					
	520	Purchase of Services	\$ 23,200	\$ 39,680	\$ 39,680	
			\$ 23,200	\$ 39,680	\$ 39,680	0.04%
	Total Recreation & Resources		\$ 1,340,042	\$ 1,409,720	\$ 1,409,720	1.49%
720	Debt & Interest					
	590	Debt Service	\$ 8,111,167	\$ 7,979,309	\$ 7,979,309	8.44%
			\$ 8,111,167	\$ 7,979,309	\$ 7,979,309	8.44%
911	Plymouth County Retirement					
	512	Other Personal Services	\$ 6,338,175	\$ 6,978,292	\$ 6,978,292	7.38%
912	Workers' Compensation					
	515	Employee Benefits	\$ 210,000	\$ 210,000	\$ 210,000	0.22%
913	Unemployment Insurance					
	515	Employee Benefits	\$ 65,000	\$ 65,000	\$ 65,000	0.07%
914	Contributory Group Insurance					
	515	Employee Benefits	\$ 6,833,077	\$ 7,279,855	\$ 7,279,855	7.70%
916	Federal Taxes					
	515	Employee Benefits	\$ 848,396	\$ 882,332	\$ 882,332	0.93%
	Total Employee Benefits		\$ 14,294,648	\$ 15,415,479	\$ 15,415,479	16.31%
	Total General Fund		\$ 89,557,298	\$ 94,525,194	\$ 94,525,194	100.00%

Sponsored By: Select Board

Comments:

The general fund operating budget is a level service budget striving to maintain those services provided in the prior fiscal year. The fixed costs continue to be a concern for the Town with the pension assessment increasing by 10%, regional school assessment increasing 25% due to increased enrollment and health insurance increasing by 7.44% for the active plans. Recommended revisions by the Select Board based on the Financial Forecast Committee’s recent forecast revisions included the addition of an enforcement position in the land use area.

The Fiscal Year 23 year-to-date revenues and expenses are currently trending within the financial forecast but continue to be monitored due to inflation.

Recommendation: The Advisory Committee recommends approval of this article.
Advisory Committee Vote: Unanimous vote (8-0) 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 **\$1,122,420.00**, or a greater or lesser sum, for the purpose of funding the Waterways Enterprise operations and expenses for the ensuing fiscal year commencing July 1, 2023; or take any other action relative thereto.

Personal Services	\$	488,675
Other Expenses	\$	633,745
Total	\$	1,122,420

Sponsored By: Select Board

Comments:

The Waterways Enterprise budget reflects contractual increases for salaries but no new personnel. The overall budget increase from the FY23 budget is \$28,222. The main increase in the budget besides contractual payroll including an accommodation for a possible seasonal rate increase and \$5,250 in fuel costs. Long term debt service decreased by \$28,222 but \$55,100 in short term interest was added for the Cole Parkway Marina dock project borrowing. The operational budget as recommended is self-supporting. *If all items in STM and ATM are approved by voters, there will be \$291,830.76 in retained earnings remaining.*

Recommendation: The Advisory Committee recommends approval of this article.
Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

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 **\$1,427,082.00**, or a greater or lesser sum, for the purpose of funding the Widow's Walk Golf Course operations and expenses for the ensuing fiscal year commencing July 1, 2023; or take any other action relative thereto.

Personal Services	\$	483,332
Other Expenses	\$	943,750
Total	\$	1,427,082

Sponsored By: Select Board

Comments:

The Golf Course Enterprise budget reflects contractual increases for salaries and three new FT personnel and an increase in seasonal landscaping positions. The contract for course management expires in December 2023 and the plan is to bring the management in-house with the addition of a course superintendent, assistant course superintendent and mechanic. The

overall budget increase from the FY23 voted budget is \$8,590. There is a reduction in the course management contract cost by 50% but increased costs of \$145,100 for course management materials, supplies and fuel. The long term debt service is declining but there is short term interest until the balance of the \$770K BAN is retired in the fall. The operational budget does not rely on any retained earnings and is self-supporting. *If all items in STM and ATM are approved by voters, there will be \$950 in retained earnings remaining.*

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

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 **\$4,080,175.00**, 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, 2023; or take any other action relative thereto.

Personal Services	\$	655,470
Other Expenses	\$	3,424,705
Total	\$	4,080,175

Sponsored By: Select Board

Comments:

The Sewer Enterprise projects continued to address the elimination of major contributors of inflow and infiltration in the wastewater system during the current fiscal year. It also implemented phase 5 of the supervisory control and data acquisition (SCADA) system.

The Advisory Committee recognizes the hard work and professionalism of the employees of the Sewer Department. Both stringent federal and state regulations and the vintage of our facility create a challenging environment. The Committee is supportive of the efforts of the Sewer Department to expand sewerage hookups in areas of town not currently serviced. The Committee is concerned about the decreased level of retained earnings in the Wastewater Enterprise Fund.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

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 **\$1,587,027.00**, 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, 2023; or take any other action relative thereto.

Personal Services	\$	344,974
Other Expenses	\$	1,242,053
Total	\$	1,587,027

Sponsored By: Select Board

Comments:

The Transfer Station Enterprise budget reflects contractual increases for salaries and one new FT staff member which was incorporated in the sticker increase in for 2023. The overall budget increase from the FY23 budget is \$112,270 which includes the new staff person, a \$14,000 increase in hauling costs, a \$10,000 emergency reserve line, insurance increases of \$6,167 and an increase in debt service of \$25,267 for new equipment. The operational budget does not rely on any retained earnings and is self-supporting.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

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 **\$6,783,706.00**, or a greater or lesser sum, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2023; or take any other action relative thereto.

Personal Services	\$	1,306,907
Other Expenses	\$	5,476,799
Total	\$	6,783,706

Sponsored By: Select Board

Comments:

The Water Enterprise budget reflects contractual increases for salaries but no new personnel. The overall budget increase from FY23 is \$608,876 which includes increases in electricity, chemicals, the emergency reserve line and debt service. The operational budget does not rely on any retained earnings and is self-supporting.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

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 M.G.L. c. 40, § 5B; or take any other action relative thereto.

Sponsored By: Select Board

Comments:

This article appropriates funds to the Stabilization Fund, which serves as the town’s “rainy day” fund. The amount appropriated is the remainder of the 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. 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. Reasons for a remainder could include positive adjustments to state aid not known at the time of Town Meeting or funds that have not been needed to meet budget obligations.

The Stabilization Fund is an important emergency cushion for the town which may be used for unforeseen expenses. An historical listing of funds allocated to the Fund appears in the first section of the Town’s budget book. In the last five years, this article has resulted in \$3.4M being added to the Stabilization Fund. The current balance in the fund is \$7,023,519.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 11. Revolving Fund Limits

To see if the Town will vote to set the annual spending limits for the revolving funds authorized under General Bylaw Section 10260 for Fiscal Year 2024, in accordance with M.G. L., c. 44, § 53E1/2 as follows; or take any other action relative thereto.

Revolving Fund	FY24 Expenditure Limit
Senior Center Revolving	\$150,000
Senior Center Food Service	\$45,000
Planning Board Application	\$15,000
Food Establishment Inspection	\$40,000
School Transportation	\$400,000
Beach Sticker	\$550,000
Public Health Vaccinations	\$50,000
Wind Turbine	\$750,000
Maintenance of Private Ways	\$10,000
GATRA Transport	\$130,000
Solar Array	\$485,000
Recreation Program	\$485,000
Athletic Fields	\$75,000
Maritime Center Rental	\$40,000
Scituate Harbor Community Building Rental	\$10,000
Aquaculture	\$5,000
Perc Witness Fees	\$50,000

Sponsored By: Select Board

Comments:

This article authorizes the annual spending limits to provide the designated services or programs for each revolving fund.

The expenditure limits for FY 2024 for the MGL Chapter 44, §53E1/2 revolving funds are based on FY22 actual expenditures. The Senior Center and Food Service Funds’ limits have been increased respectively by \$80,000 and by \$5,000 to reflect increased participation. The Beach Sticker Revolving Fund limit has been increased to account for the Minot Beach parking lot, and the \$25,000 increase for the Athletic Fields is for electricity costs for lighting.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

******Please see Appendix B for Community Preservation Project Summaries******

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 2024 Community Preservation budget and pursuant to M,G.L. c. 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 2024; (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 the 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 2024 estimated revenues, with any excess to be appropriated from Community Preservation unreserved funds unless otherwise specified below. 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; or take any other action relative thereto.

1. \$272,059 From Community Preservation FY 2024 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Act;
2. \$272,059 From Community Preservation FY 2024 estimated revenues, to be reserved for the acquisition and preservation of Historic Resources consistent with the Act;
3. \$272,059 From Community Preservation FY 2024 estimated revenues, to be reserved for acquisition and preservation of Open Space consistent with the Act;
4. \$68,015 From Community Preservation FY 2024 estimated revenues, for Administrative Expense of the Community Preservation Committee;

5. \$271,801 From Community Preservation FY 2024 estimated revenues and premiums reserved for payment of debt relevant to the Athletic Field Renovation Project voted as Article 12 ATM 04/2019;
6. \$16,830 Recreation – Beach Signage;
7. \$82,500 Historic – Cudworth House Restoration;
8. \$300,000 Recreation – Pier 44 Park Design & Engineering;
9. \$30,991 Historic – North Scituate Train Canopy Restoration;
10. \$260,000 Recreation – Purple Dinosaur Playground;
11. \$548,924 Community Housing – Wheeler Park Window Replacement;
12. \$400,000 Recreation – Jenkins School Playground;
13. \$132,000 Historic – Mordecai Lincoln Driveway & Parking; Construction.

Sponsored By: Community Preservation Committee

Comments:

Please refer to the materials provided by the Community Preservation Committee presentation attached as an appendix to this booklet for more detailed project descriptions. This article was unanimously approved by the Community Preservation Committee.

Historic: Items #7, 9 & 13 total of \$385,550

Item # 7 Cudworth House: Total project costs: \$136,288; CPC portion \$82,500. The remaining funds are from Scituate Historic Building account, MBTA Historic Trust Fund, and the Scituate Historical Society. Funds are to be used for a number of improvements including but not limited to walkways, wide granite stairs, repair of historic loom, and enlargement of the rear doorway to accommodate wheelchairs.

Item # 9 North Scituate Train Canopy: Total request: \$30,991. This funding would complete the project, begun several years ago and delayed due to Covid, personnel losses, and funding increases. Funding will cover the cost of canopy lights, benches, tables, trash receptacles and signage.

Item # 13 Mordecai Lincoln Driveway and Parking: Total request: \$152,000, in two parts, one part of which is for \$25,000 for design/engineering and presented for consideration at Special Town Meeting (see commentary in Special Town Meeting presentation) The second is \$132,000, for construction presented herein for consideration at annual town meeting. This project would fund an improved driveway and expanded parking (13 cars) to make the front of recently acquired town owned property more accessible to the public. The area will be hard packed, not

paved. This work will not include a boat ramp for kayaking or parking to the rear of the property. Note: A proposal for the renovation of the homestead itself has been tabled to allow more time to assess the structure and its contents.

Recreation: #6, 8, 10, 12, total of \$976,830

Item #6 Beach Signage: Total request: \$16,830 for hand carved wooden signs, to measure 8 X 16ft and mounted on 6 ft posts. The funding is sufficient for 6 signs and includes a 15% contingency. A concern was raised by the Advisory committee about the ongoing maintenance of carved wooden signs; the Scituate Beach commission intends to raise funds for this purpose.

Item #8 Pier 44 Park: Total project costs: \$400,000 from CPA funds, and \$100,000 funded from an MAPC grant. The funds would be used for a design and engineering study for the town owned property at Pier 44. Of note, the cost of the study includes sub strata evaluation and geotechnical studies needed if a pavilion is included in the selected design.

Several members of the Advisory committee expressed concern with the lack of sufficient parking—approximately 14 cars—to support the activities which would necessitate a pavilion.

At the time of the discussion with the Advisory Committee, a second survey had been launched to residents asking for preference of one of three possible design options—all with a pavilion. Several members of the committee believe that without sufficient parking, proceeding with a plan that includes a pavilion would be unwise. Further, without a parking solution, several members believed that we should not be funding a design and engineering study which includes costs related specifically to a pavilion.

Item #10 Purple Dinosaur: Total project cost is \$290,000, with CPA funding \$260,000, and the Friends of the Purple Dinosaur funding another \$30,000. This project would replace a 30-year-old playground that has a woodchip surface. Due to the age of the equipment, it cannot be successfully repaired for safety and lacks compliance with current standards. It is one of the few playgrounds in town not located on a school property and is open to the public. The design is being targeted toward the 2–5-year-old age range.

Item #12 Jenkins School Playground: Total project cost is \$440,000, with CPA providing \$400,000 and the Jenkins School PTO providing \$40,000. This funding would replace the existing twenty-year-old playground which has a number of deficiencies and safety issues. This project is being spearheaded and will be monitored by a subset of the Jenkins PTO, the Jenkins Playground Committee. The new playground will be relocated to an area that is more visible to teachers and safety officials yet away from the school windows. This playground is heavily used by the community after school hours, in part due to its location near the harbor. Ongoing maintenance is planned to be covered by the PTO's fundraising efforts, and there was concern expressed by the Advisory Committee about our reliance on private funds to maintain a public site.

Community Housing:

Item #11, Window at Wheeler Park: Total Project Cost: \$548,924 to be funded solely by CPA funds.

This project to replace the windows at Wheeler Park II, a 1975 affordable housing facility for the elderly and disabled. These all-wood windows date to 1993 and frequently leak water and air and the residents have difficulty using them. The funding will replace these with windows more suitable to the weather in our community and to the needs of the residents of Wheeler Park. The request has been made by the Scituate Housing Authority.

Recommendation: The Advisory Committee recommends approval of Items #1-7 and 9-13 of this article. The Advisory Committee does not recommend approval of Item #8 – Pier 44 Park Design and Engineering.

Advisory Committee Vote: Unanimous vote (8-0) in support of Items #1-7 and 9-13 of this article. Unanimous vote (0-8) against Item #8 – Pier 44 Park Design and Engineering.

ARTICLE 13. 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 **\$49,467.87**, or a greater or lesser 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.

<u>Project</u>	<u>Authorization</u>	<u>Amount</u>
Boardwalks & Beach Mats	ATM 04/2017, Art 11-11	\$ 0.33
Roach Baseball Field Improvements	ATM 04/2017, Art 11-15	\$ 0.01
Historic Survey	ATM 04/2018, Art 12-05	\$10,000.00
Roach Field	STM 11/2018, Art 7-01	\$33,428.21
PJ Steverman	ATM 04/2020, Art 12-6	\$1,039.32
Historic Survey	STM 04/2022, Art 4-3	\$5,000.00

Sponsored By: Community Preservation Committee

Comments:

This article was unanimously approved by the Community Preservation Committee.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

*****Please see Appendix D for List of Changes and Full Strikethrough Copy of Agreement*****

ARTICLE 14. South Shore Vocational Technical High School Regional Agreement Amendment Including Addition of Town of Marshfield

To see if the Town will approve the amended South Shore Regional Vocational School District regional agreement, a copy of which is on file with the Town Clerk's Office, or take any action relative thereto.

Sponsored By: Select Board

Comments:

This article seeks to amend the current regional agreement to include the Town of Marshfield as a ninth member community and make some other minor changes to the agreement as recommended by MA Department of Elementary & Secondary Education (DESE).

Marshfield's request to join the district necessitates inclusion of the terms and conditions of the town's addition to the district and some other minor changes. Amendments must be approved by six of the eight current member towns.

The Town of Marshfield will be required to provide funds to the district's stabilization fund. They will also need to pay an increasing share of the future debt until FY28 when a stable enrollment will have been established. Then a final debt share will be decided.

Please note that there are pending MSBA facility improvements. The addition of a ninth member should reduce the debt share for the other towns for these improvements.

The legal department at DESE (Department of Elementary and Secondary Education) has approved other changes to the agreement: 1.) a majority of the school committee will have to agree to incur debt and 2/3 of member communities will have to approve it in their town meetings, and 2.) if a member wants to withdraw, then a subcommittee will be formed to work with the member, and then a majority vote by the member towns will be required for approval.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 15. Massachusetts General Laws Chapter 91 Liability

To see if the Town will vote to assume liability in the manner provided by M.G.L. c. 91, § 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 M.G.L. c. 91, §11 and to authorize the Select Board to execute and deliver a bond on indemnity therefor to the Commonwealth; or take any other action relative thereto.

Sponsored By: Select Board

Comments:

The state of Massachusetts recognizes that preservation and maintenance of the State's coastline is a costly endeavor and that the financial burden should be shared by the entire commonwealth. The Massachusetts Department of Environmental Protection (Mass. DEP) is able to assist with maintenance (and preventative measures when it comes to things like erosion) of the Scituate coastline and waterways. Massachusetts state law mandated that whenever the

Mass. DEP works in a town, the town must assume liability for the work being done. This is a routine practice throughout the state. Voting for the town of Scituate to assume liability will allow us to move forward with the Mass DEP on multiple projects along our coastline and in the harbor.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 16. Zoning Bylaw Amendment – Section 720 Common Driveways

To see if the Town will vote to amend the Zoning Bylaws Section 720 as indicated below or take any other action relative thereto.

720 COMMON DRIVEWAYS

720.1 APPLICABILITY

A Common Driveway is a driveway used as common access to two or three lots which cannot serve more than three lots in total. Common Driveways shall access lots from no more than one access point on an existing street or a street shown on an approved subdivision plan. A Common Driveway shall access lots over a portion of the approved frontage of one of the lots served. Common Driveways shall not satisfy zoning frontage requirements. **Access for the frontage must be actual and not illusory. The Planning Board may find frontage to be illusory if the frontage would fail to provide acceptable physical access as contemplated by MGL Chapter 41, Section 81M. Such failure may include, but is not limited to, the inability of the applicant to obtain an order of conditions under applicable state or local wetlands regulations for construction of the access, the presence of district physical impediments to threshold access, or extreme lot configurations. Where the proposed development constitutes a subdivision under the Subdivision control Law, this bylaw shall not apply.**

The common driveway starts at the street and encompasses the driveway up to and including the turnaround. The common driveway area is the entire access area for the purpose of benefitting adjoining properties.

All Common Driveways shall require a special permit from the Planning Board except that Common Driveways less than five hundred feet in length serving two lots with adjoining legal frontage shall not require a special permit but will be subject to the provisions of Section 770, Site Plan Review, except that the application requirements shall be those necessary in the opinion of the Planning Board to demonstrate that the Common Driveway meets the Standards of Review of Section 770.6.

The provisions of Section 720, Common Driveways, shall not apply to any application filed with the Planning Board and Town Clerk pursuant to Section 720

prior to November 30, 2022.

720.2 PURPOSE

The purpose of this Section 720, Common Driveways, is to provide guidelines for the Planning Board to permit Common Driveways in order to reduce the number of access points on public or private roads; **to maintain safe access to residential lots for year round residential traffic and emergency vehicles**; to protect wetlands and sensitive natural areas from disturbance, including stormwater runoff; and to preserve a rural atmosphere in the Town of Scituate, when these driveways meet reasonable construction and design standards.

720.3 APPLICATION REQUIREMENTS

All applications ~~for special permits~~ for Common Driveways shall include a completed application form, fourteen copies of the Common Driveway Plan, and a proposed Common Driveway Agreement.

The Common Driveway Plan shall contain the Common Driveway; the Common Driveway easement; the area of the lots served ~~which falls within seventy-five feet of the Common Driveway easement for the common driveway~~; the width and proposed surface of the Common Driveway with a cross-section including berms and cleared shoulders; and the locations of turnarounds for emergency vehicles. The Planning Board may require a locus plan showing the entire area of the lots served, the adjoining access road, and the Common Driveway. The Common Driveway Plan shall be prepared and stamped by a Registered Professional Engineer ~~or~~ **and** a Registered Professional Land Surveyor.

A note shall be placed on the plan, and the deed for each lot served by a Common Driveway shall include, a restrictive covenant stating that the Common Driveway shall never be considered for acceptance as a town road and that all maintenance and repair of the Common Driveway and drainage facilities shall be the responsibility of the owners of the properties served by the Common Driveway.

The entire residential lot(s) to be served by the common driveway shall be shown on the common driveway plan. The lots shown shall show existing and proposed structures and grades with a certification by the designing engineer that all structures and buildings conform to applicable zoning requirements. If a separate Stormwater Permit is required, it shall be submitted simultaneously with the common driveway application.

720.4 ADDITIONAL INFORMATION

The Planning Board may require additional information if they consider it necessary to review the adequacy of a proposed Common Driveway.

720.5 COMMON DRIVEWAY EASEMENT **AND AGREEMENT**

~~Prior to the approval of a special permit, an agreement for maintenance of the Common Driveway and drainage facilities shall be provided in a form acceptable to the Planning Board.~~

Proposed documents shall be submitted to the Planning Board with an application for a Common Driveway demonstrating to the satisfaction of the board through easements, restrictive covenants, or other appropriated recordable instruments that the maintenance, repair, snow removal, and liability for the Common Driveway shall remain perpetually the responsibility of all of the record owners of the lots served by the Common Driveway, or their successors-in-interest. Easement areas shall be shown on the Common Driveway Plan. Approved legal documents shall be recorded prior to a) issuance of building permit for any building to be served by the Common Driveway or b) construction of or improvements to the Common Driveway, whichever occurs first.

720.6 PROCEDURE

The Planning Board shall be the Special Permit Granting Authority for special permits for Common Driveways. The procedure for approval of special permits for Common Driveways shall meet the applicable provisions of Massachusetts General Laws, Chapter 40A, Sections 9 and 11. ~~Thirteen~~ **Fourteen** copies of the application and Common Driveway Plan shall be submitted with the special permit application **along with an electronic copy of all materials submitted.**

The Common Driveway Plan approved by the Planning Board shall be submitted for the Board's signature when the special permit is signed by the Planning Board. The special permit, Common Driveway Plan, and Common Driveway Agreement executed by the applicant shall all be recorded at the Plymouth County Registry of Deeds and/or Land Court as applicable, and certified copies of each shall be forwarded to the Planning Board within six months of the approval of the special permit. **All common driveway plans, shall be signed and recorded with the permit and Agreement.**

720.7 DESIGN STANDARDS

All Common Driveways shall conform to the following design standards:

- A. The location and construction of Common Driveways should minimize soil disturbance, vegetation removal, and drainage impacts, and preserve existing trees of over 12" caliper and other natural features of special significance.
- B. Common Driveways shall have a minimum surface width of sixteen feet, exclusive of two-foot shoulders on either side cleared of brush and trees. With the agreement of the Fire ~~Chief~~ **Department in writing and concurrence of the Board**, the minimum surface width of a Common Driveway serving three lots may be reduced to fourteen feet, and for two

lots, to twelve feet. The Planning Board may require one-foot wide Cape Cod berms and/or swales to direct drainage and infiltrate runoff.

- C. No Common Driveway shall be allowed to be constructed off any cul-de-sac or dead end of a public or private way. No Common Driveway shall be connected or attached to any other Common Driveway. No Common Driveway shall be extended without prior approval of the Planning Board.
- D. Common Driveways shall be located within an easement which may allow space for installation of water lines and utilities as needed. Water lines and appurtenances shall be shown on the Common Driveway Plan. Underground utilities are encouraged for all Common Driveway construction. **Utilities, shoulders, signage, turnarounds and snow storage shall be clearly delineated in the easement area on the engineered plans.**
- E. Common Driveways shall be constructed using a minimum 12" thick sorted gravel sub-base. The base course and top course for paved driveways shall each be a minimum 1 1/2 " thickness. Surfacing with bank gravel, peastone, crushed stone or another permeable or semi-permeable surface may be recommended for use within one hundred feet of a wetland or in other sensitive areas.
- F. Common Driveways shall not exceed ~~one thousand Five-hundred (500)~~ feet in length, measured from the street line to the end of the Common Driveway.
- G. Runoff draining onto abutting properties shall not exceed that which existed prior to construction of the Common Driveway **or to be concentrated at any one point of discharge. Runoff shall not discharge into the public way. No plan for a common driveway shall be approved unless engineered drainage calculations are provided to the Planning Board and until the Board is satisfied that the plan, based upon peer review, provides sufficient drainage control measures that will result in no increase in runoff onto property other than onto one of the lots to be served by the common driveway.**
- H. No driveway, parking or turning area or other impervious area shall be located above major components of a septic system, including septic tanks, leaching fields, and distribution boxes, except where approved by the Board of Health.
- I. To provide better traffic safety and reduce the visual impacts of traffic on abutting properties, the Planning Board may require Common Driveways to be set back from lot lines and/or screened with a buffer of trees and/or shrubs.

- J. Turnarounds for emergency vehicles shall be provided **at the end of the common driveway** with a minimum length of 30' and width of 20' in locations approved **by the Planning Board after consultation** with the Fire Chief-Department. There must be adequate directional signage provided identifying the addresses served by the Common Driveway for emergency vehicles and regular traffic at the common driveway entrance and at each lot served by the common driveway. Signage must be approved by the Planning Board in conjunction with **911-Fire officials**.
- K. Sight distances at the entrance of a Common Driveway along the intersecting road should conform to current American Association of State Highway and Transportation Officials (AASHTO) standards-**and be indicated on the plan. Minimum required stopping distance and intersection sight distance shall be provided. Intersection sight distance shall be measured a minimum of 15 feet from the edge of the road along the centerline of the proposed driveway at a height above the road surface consistent with AASHTO policy.**
- L. The lot width for lots served by a Common Driveway may be measured parallel to the Common Driveway, except in the case of fifty-foot frontage lots.
- M. **All portions of the common driveway shall be setback a minimum of 10 feet from any adjoining property lines, other than the property line for each of the residential lots to be served by the driveway.**
- N. **The common driveway shall be located a minimum of 50 feet from any existing driveway or public or private way (except for an existing driveway that is to be eliminated and revegetated.)**
- O. **The lots to be served by the common driveway shall each use the common driveway as the sole means of access.**
- P. **The common driveway shall have a minimum grade of 1% and a maximum grade of 9%.**
- Q. **The common driveway shall have corner radii of 25 feet at the point of intersection with the public way.**

720.8 CONSTRUCTION

Construction of the Common Driveway shall be supervised by a Registered Professional Engineer who shall certify in writing to the **Planning Board and Building Commissioner** at completion that the driveway and drainage structures were constructed in accordance with the approved plans. This certification shall be accompanied by as-built plans, signed and stamped by a Registered Professional Land Surveyor and the supervising engineer. As-built plans shall

include the locations of easements for all drainage structures including swales and must be provided to the ~~Department of Public Works, with a copy to the~~ Planning Board, within three months of the completion of construction of a Common Driveway. The Building Commissioner shall not issue a final Certificate of Occupancy for a dwelling served by a Common Driveway unless the Building Commissioner is satisfied that access, construction of the Common Driveway, installation of necessary utilities and site restoration are in full compliance with the approved plans and the special permit.

720.9 SURETY

An acceptable amount and form of surety for construction of the Common Driveway and drainage system shall be established by the Planning Board and provided to the Planning Board by the applicant prior to ~~approval of the special permit construction of the Common Driveway. The Department of Public Works~~ **The Planning Board or its designated representative** shall inspect the site and if it finds that all construction, including grading, loaming and seeding, clean up of earth materials and construction debris is complete, it shall so certify to the Planning Board. Thereafter, the Planning Board may release surety held under this Section.

Sponsored by: Planning Board

Comments:

The amendments to section 720 Common Driveways are administrative. They are designed to provide clarity on interpretational aspects of the bylaw and improve common driveway access for public safety. The Planning Board was originally going to propose the changes at the September 2022 town meeting but decided to allow more time for developers to understand the amendment. The amendment was presented at December 2022 public hearing without objection.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

ARTICLE 17. Zoning Bylaw Amendment – Section 760 Parking Requirements

To see if the Town will vote to amend the Zoning Bylaws Section 760 as indicated below or take any other action relative thereto.

760

PARKING REQUIREMENTS

760.1 PURPOSE

The purpose of these requirements is to ensure that adequate quantity of well-designed off-street parking is provided to service all parking demands.

760.2 APPLICABILITY

Off-street parking shall be provided to service the net increase in parking demand created by new construction, additions, or change of use. Structures and land uses in existence on

January 1, 1988, are not subject to these requirements so long as they are not enlarged or changed in a manner that increases their parking needs. All parking required by this Section shall be provided on-site except as provided in Section 760.8.

760.3 DESIGN REQUIREMENTS

Each parking space shall contain no less than one hundred sixty-two square feet of area [typically nine feet by eighteen feet] and shall have adequate back-up room. All required parking spaces and driveways, except those serving single or two-family residences, shall be paved, unless the Planning Board determines that the intensity of use does not merit paving or that an alternative surface is in the public interest.

760.4 PARKING LOT PLANTING

Parking lots shall have at least one tree per eight parking spaces to be located in planting areas inside of the lot or within ten feet of paved area. Existing trees may fulfill this requirement, provided the trees are distributed throughout the lot. Such trees shall be at least two inches trunk diameter with not less than forty square feet of unpaved soil or other permeable surface area per tree. At least five percent of the interior of any parking lot having twenty-five or more parking spaces shall be maintained with landscaping, including trees, on plots of at least four feet in width. Trees and soil plots shall be so located as to provide visual relief and sun and wind interruption within the parking area and to assure safe patterns of internal circulation.

760.5 CONSTRUCTION EXEMPTION

The Planning Board may grant a special permit under this section to temporarily waive the construction of a portion of an approved parking plan if the applicant can show that special circumstances exist, such as shared use of a parking lot by activities having different peak demand times. Such special permit shall expire two years after its approval date. The area of the approved parking plan that will not be constructed shall remain open or shall be landscaped according to a plan approved by the Planning Board. At least 120 days prior to the expiration of the two year term of the special permit, a special permit application may be filed to for a permanent construction waiver in accordance with this section. The Planning Board shall consider, among other relevant evidence, the adequacy of the parking during the two-year temporary waiver period. The Planning Board may impose reasonable conditions on any permanent parking waiver granted by special permit under this section.

760.6 TABLE OF MINIMUM REQUIREMENTS – TABLE 1

Use	Number of Spaces Required
Single family residential	2
Two-family residential	4
Accessory Dwelling (Section 530)	1 space per bedroom

Residential..... (except single or two-family dwellings)	1 space per bedroom
Retail or service uses (other than automotive service station)	1 space per 200 square feet gross floor area
Automotive service or body shop	1 space per service bay
Professional or other office, bank	1 space per 300 square feet of gross floor area
Restaurant, bar	1 space per 4 seats
Industrial, light manufacturing.....	1 space per 400 square feet of gross floor area
Warehouse.....	1 space per 600 square feet of gross floor area
Places of public assembly, including	1 space for every 3 occupants as determined by State Building Code
auditoriums, theaters, clubs, houses of worship and recreational facilities	
Marina.....	1 space per boat capacity
Rest, nursing or convalescent home or hospital.....	1 space per 3 beds
Laundromat	1 space per 2 washing machines
Bowling alley	1 space per 2 lanes
Commercial Golf Course	1.6 spaces for every acre of land in the property
Hotels and motels.....	1.25 spaces/guest unit plus spaces required for other commercial uses
Inns.....	1.25 per guest unit
Bed and breakfast.....	1 per bedroom
Clubs and lodges	1 space for every four occupants as determined by the Building Code
Religious exempt uses other	1 space for every four occupants as

than houses of worship	determined by the Building Code
Educational exempt uses.....	1 space for every 200 square feet of gross floor area
All other uses	Parking spaces adequate to accommodate normal demand as determined by the Planning Board

760.7 BUSINESS AND COMMERCIAL PARKING REQUIREMENTS

Whenever off-street parking in the Village Center & Neighborhood and Business Districts is required in accordance with this Section 760, the following provisions shall apply:

- A. Buffer Area.** Each lot shall contain a buffer area, at least six feet deep, between the street line and the balance of the lot. This buffer area, which shall be separated from the street and the balance of the lot by a curb, shall be seeded and landscaped except along a driveway entrance or where a pedestrian walkway and/or bicycle parking is being provided. This requirement shall not apply to the Village Center & Neighborhood District.
- B. Access.** In all areas not subject to egress controls as specified under Section 610.2.C of this bylaw, driveway entries shall be at least twenty feet wide and if there is more than one driveway entry on a lot, these entries shall be located at least one hundred and twenty feet apart, center to center.
- C. Number of Driveways.** If the street frontage of a lot is two hundred feet or less, only one driveway entrance shall be permitted. If the street frontage exceeds two hundred feet, additional driveway entries shall be permitted in the ratio of one additional entry for each additional two hundred feet or portion thereof of frontage.
- D. Pedestrian Access.** Safe and continuous pedestrian access must be provided to and within a parking area, preferably in connection with interior landscaping, and connecting to current or anticipated adjacent pedestrian facilities and to adjoining transit facilities.
- E. Bicycle Racks.** A bicycle parking rack must be provided in all cases where five or more automobile parking spaces are required, with the location convenient to, and when practical provided weather protection by, the building it serves. The number and location of bicycle parking spaces is at the discretion of the Planning Board, but shall be not less than 10% (rounded to the nearest whole number) of automobile spaces required; provided that, if in the opinion of the Planning Board such bicycle parking spaces will compromise public health, safety or welfare, the Planning Board may allow fewer than the minimum 10% bicycle parking spaces.

760.8 BUSINESS AND MIXED USE DISTRICT PARKING REQUIREMENTS AND WAIVERS

The Planning Board may waive the parking requirements of this Section for commercial, mixed use, and residential uses in the Village Center & Neighborhood (VCN) and Business Districts if the applicant can demonstrate that sufficient off-street and on-street parking (public or private) exists that may adequately fulfill, in part or in whole, the parking needs of the applicant, or that special circumstances exist, such as the shared use of a parking lot by activities having different peak demand times as determined by the standards below.

A. Purpose.

1. To establish parking policies that support human-scaled environments.
2. To minimize the impact of sidewalk interruptions and conflict points on the walkability of the public realm.
3. To minimize excessive and inefficient off-street parking lots that result in lost opportunities to develop new buildings that expand business and the tax base.
4. To encourage the use of public transportation, bicycling, and walking in lieu of motor vehicle use when a choice of travel mode exists.

B. Off-Street Parking Requirements. The minimum number of off-street parking spaces required for residential, commercial, and mixed uses in the VCN and B shall be consistent with the requirements on Table 2 below. Where a use is not addressed on Table 2, then such use will be consistent with the requirements of Table 1 in Section 760.6. Outdoor seating cafes and accessory buildings are exempt from off-street parking requirements **at the discretion of the Planning Board.**

TABLE 2 - OFF-STREET PARKING STANDARDS FOR MIXED USE DISTRICTS	
Commercial and Mixed Use	Required Parking Spaces
Retail Business, Commercial or Personal Service Establishment	1 space per 400 square feet
General Office or Retail in Mixed Use Buildings	1 space per 500 square feet
Medical or Dental Office or Clinic	5 spaces/doctor or dentist within a single office or suite
Restaurant	1 space for each 4 seats
Residential Use	
S.F. Attached Unit or Cottage Unit	1.5/DU with 2 bedrooms or less; and 2/DU with 3 bedrooms or more located within 300 feet of the Dwelling Unit
1-bedroom unit in Mixed-Use or Multi-Family Building	1 space
2-bedroom unit in Mixed Use or Multi-Family Building	1.5 spaces
3 or more bedroom unit in Mixed Use or Multi-Family Building	2 spaces

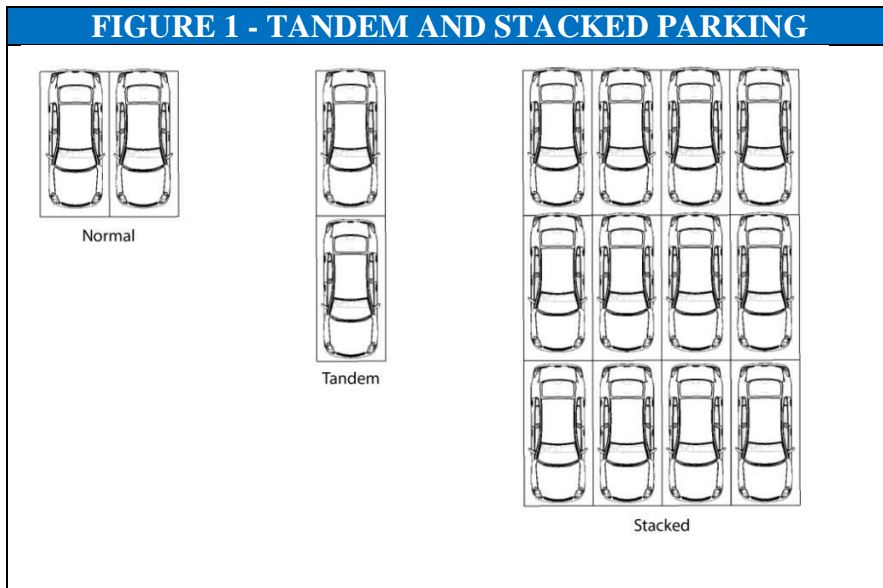
C. Parking Reduction Methods. By Special Permit, the Planning Board may ~~increase~~ ~~decrease~~ off-street parking ~~reduction~~ requirements in Table 2 under the following conditions:

1. On-Street Parking Off-Set. Parking spaces required to meet the minimum off-street parking requirements of Table 2 may include publicly available on-street parking spaces along the building lot frontage on the same side of the street.
2. Shared Parking and Mixed Use.
 - a) **When there is a** combination of uses on-site using shared parking lots with offset peak demand times **where under one or more of the following conditions:** a shared parking agreement with proximate properties where uses have offset peak demand times; uses have a high rate of parking turnover; or evidence of similar uses and location situations operating successfully with lower amounts of parking.
 - b) In Commercial or Mixed Use Buildings or Developments where shared parking is proposed, the Planning Board may require an evaluation prepared by the applicant following the procedures of the Urban Land Institute (ULI) Shared Parking Manual (latest edition) or the Institute of Transportation Engineers (ITE) Shared Parking Guidelines (latest addition), or other approved procedures determined by the Planning Board.
 - c) A formal parking evaluation may be waived for small developments where there is established experience with the land use mix and its impact is expected to be minimal.
3. Car-Sharing Program. The Planning Board may approve a parking reduction where an active car-sharing program is made available to residents and/or employees of a Development Site; and where cars for the car-share program are available on the site or within a 700-foot walking distance of the site.
4. Off-Site Parking. The Planning Board may allow required parking to be provided off-site **for employees**, except for any required handicapped parking, as permitted according to the provisions of and when conforming to the following:
 - a) A lot featuring the off-site parking must be located within seven hundred (700) feet in walking distance, measured from the nearest point of the off-site parking along walkways to the principal building entrance served;
 - b) Pedestrian access between the use and the off-site **accessory** parking area must be via paved sidewalk or walkways; and
 - c) A lease, recorded covenant, or other comparable legal instrument, executed and filed with the Town of Scituate, guaranteeing long term use of the site **containing the off-site parking area** is provided to the Planning Board.

D. Special Parking Types and Standards.

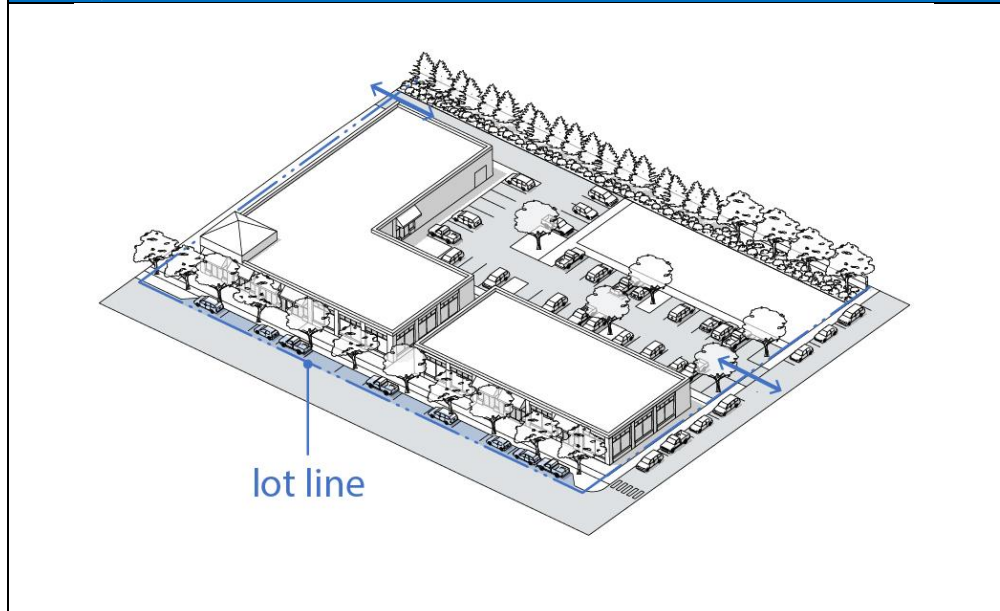
1. **Stacked and Valet Parking.** By Special Permit, the Planning Board may allow valet or stacked parking if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, a written guarantee must be filed with the Town ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces continue to apply for stacked parking. Valet and stacked parking spaces do not require individual striping and may be permitted on-site or off-site as a means of satisfying the applicable off-street parking requirements where:
 - a) Adequate assurance of the continued operation of the valet parking is provided.
 - b) An equivalent number of valet spaces are available to replace the number of required off-street parking spaces.
 - c) The design of the valet parking area will not cause queuing in a vehicular travel lane.
 - d) An attendant is provided to park vehicles during business hours.

2. **Tandem Parking.** By Special Permit, the Planning Board may allow tandem parking under the following conditions:
 - a) To be used to meet parking requirements for residential units only.
 - b) Tandem spaces shall be assigned to the same dwelling unit.
 - c) Tandem parking shall not be used to provide guest parking.
 - d) Two parking spaces in tandem shall have a combined minimum dimension of 9 feet in width by 30 feet in length.
 - e) Up to 75% of the total off-street parking spaces provided may incorporate tandem parking.



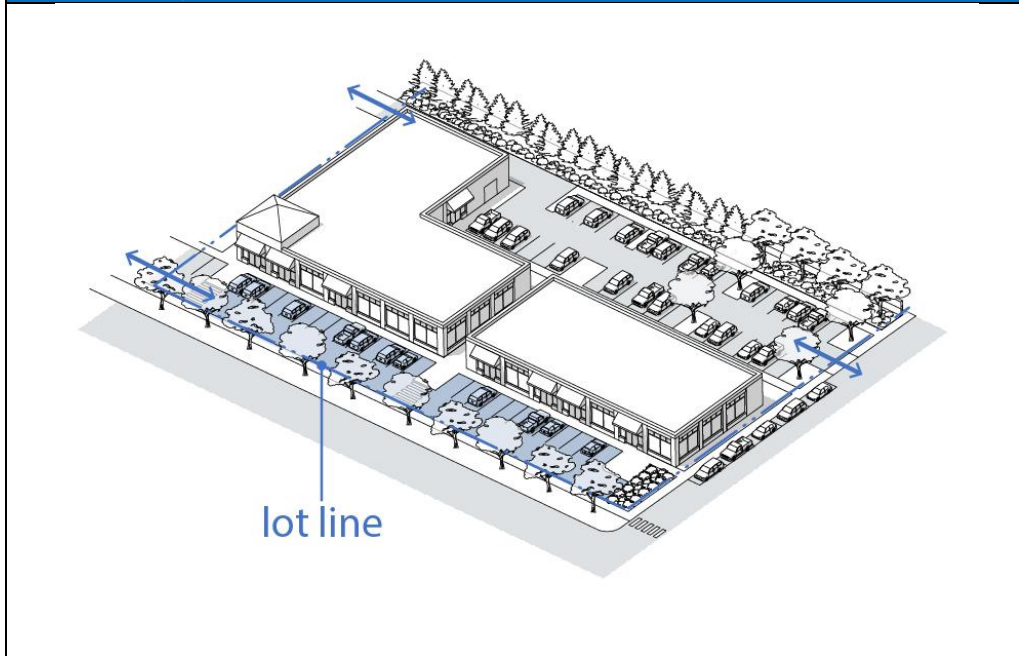
3. Street Side Parking. By Special Permit, the Planning Board may allow parallel or angled parking provided on a privately-owned lot directly adjacent to the public street right-of-way in combination with a minimum five (5) foot wide planting strip with street trees planted 40 feet on center, and a five (5) foot minimum concrete sidewalk connecting to public sidewalks on abutting lots and to the primary building on-site. These parking spaces shall be privately owned but accessible to the public. These parking spaces were effectively function as on-street parking.

FIGURE 2 - STREET SIDE PARKING (ON FRONT PROPERTY LINE)



4. Teaser Parking. By Special Permit, the Planning Board may allow a limited amount of off-street surface parking to be placed between a public street and the street facing façade of a primarily building. Where this is permitted by the Planning Board, the parking area will be setback a minimum of twenty (20) feet from the street line and streetscape treatments including street trees, landscaping, and a minimum 5-foot sidewalk will be placed adjacent to the street line. The sidewalk shall also be connected to the front door of the primary building by a dedicated pedestrian connection. The portion of the parking lot located in front of the primarily building shall be limited to one (1) double row of vehicles and associated parking aisle.

FIGURE 3 – TEASER PARKING (IN FRONT OF PRIMARY BUILDING)



E. Structured Parking.

1. Permitted Types. Off-street parking structures may include a private garage or carport, an above-ground parking structure, or an underground parking structure.
2. Access. Pedestrian access to structured parking shall be made directly to the primary building and may be made to a public sidewalk as applicable. Structured parking may also be attached directly to the primary building allowing pedestrians to enter directly into the building.
3. Design and Construction. Where a structured parking facility is visible from a public way, the façade design of the visible façade(s) must be designed as follows:
 - a) Fenestration and facade openings must be vertically and horizontally aligned and all floors fronting on the facade must be level (not inclined).
 - b) The facade must include windows of transparent or translucent, but non-reflective, glass or openings designed to appear as windows for between twenty percent (20%) and fifty percent (50%) of the wall area of each floor.
 - c) Windows must be back-lit during evening hours and internal light sources must be concealed from view from public sidewalks.
 - d) The facade area masking the floors occupied by motor vehicle parking must be seamlessly integrated into the architectural design of the building's facade.

F. Parking Design Standards. In addition to the parking standards in Section 760, the following standards apply:

1. Parking Setbacks.
 - a) In the VCN all off-street parking, except underground structured parking, shall be located at or behind the required parking setback as indicated in Section 580.
 - b) Parking is never permitted within the front yard of a building lot ~~a~~ except for Street Side Parking and Teaser Parking in Section 760.D above.
2. Pedestrian Access. Pedestrian access from parking lots must lead directly to a public sidewalk and to the primary building.
3. Shared Vehicle Access.
 - a) Shared driveways are permitted and encouraged.
 - b) Shared internal access between private parking lots is permitted and encouraged.
4. Street Screening. A Street Screen shall be required where private parking is visible from a public street or sidewalk. A 5-foot wide buffer area is required and shall include a wall ~~or fence and~~ ~~and/or~~ landscaping that provides a sight ~~impervious~~ screen.

G. Parking Special Permit Criteria. Where a Special Permit is sought for relief from the parking standards, the Planning Board shall consider the following:

1. The supply and demand of public and private parking in the district, as determined through a parking study.
2. Mobility management programs and services provided by the applicant to reduce the demand for parking.
3. That parking provided in excess of the minimum requirement does not result in underutilized spaces, excessive impervious surfaces, and lost opportunities for building or outdoor amenities spaces.

Sponsored by: Planning Board

Comments:

The amendments to Section 760 Parking Requirements is administrative and designed to provide clarity on interpretational aspects of the bylaw. The amendments were presented at the December 2022 public hearing without objection.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Unanimous vote (8-0) in support of this article.

Appendix A – Special Town Meeting Consent Agenda

CONSENT AGENDA-SPECIAL TOWN MEETING

Warrant Articles on a Consent Agenda (permitted by Robert’s Rules) are exceptions to the general process of Town Meeting. The Town Administrator, Select Board, and Moderator identify, for Town Meeting consideration, those articles they believe should generate no controversy and can be properly voted without debate. These articles are put on the Consent Agenda to allow motions under these articles to be acted upon as one unit and to be passed without debate. A 2/3rds vote of Town Meeting Members is required by Scituate Town by-law (Section 20120 (B)) to permit a Consent Agenda to be used since Articles will, as a result of the process, be taken out of order.

At the call of the Consent Agenda, the Moderator will read out the numbers of the articles, one by one. If one or more voters object to any particular article being included in the Consent Agenda, they say “Hold” in a loud voice when the number is called. The article will then be removed automatically from the Consent Agenda and restored to its original place in the Warrant, to be debated and voted upon in the usual manner. After the calling of the individual items in the Consent Agenda, the Moderator will ask for a motion that the voters pass all items remaining AS A UNIT on one vote. Use of the Consent Agenda process makes the Town Meeting more efficient by speeding up the handling of non-controversial items.

THE CONSENT AGENDA WILL BE TAKEN UP AS THE FIRST ORDER OF BUSINESS AT THE COMMENCEMENT OF THE SPECIAL TOWN MEETING ON MONDAY, APRIL 10, 2023.

CONSENT AGENDA MOTION

MOTION: *I move that the Town vote to take Articles*

- 1 – Unpaid Prior Year Bills,***
- 2 – FY23 Budget Reconciliations,***
- 4 – Rescission of Borrowing Authorizations and***
- 6 – Musquashicut Avenue - Grant of Easement,***

out of order and that they be “Passed by Consent” in accordance with the Motions shown on the Consent Agenda distributed this evening.

2/3 VOTE REQUIRED; SINGLE EXCEPTION WILL REMOVE ARTICLE FROM CONSENT AGENDA

Please review the list of articles and motions proposed for each Consent Item which follows.

ARTICLE 1. Unpaid Prior Year Bills

To see if the Town will vote to transfer the sum of **\$25,541.12**, or a greater or lesser sum, for the purpose of paying prior fiscal year unpaid bills, or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 1. Unpaid Prior Year Bills

I move that the Town appropriate the sum of **\$25,541.12** for the purpose of paying prior fiscal year unpaid bills and to fund such appropriation transfer **\$2,795.43** from Free Cash and **\$22,745.69** from Water Enterprise Retained Earnings.

ARTICLE 2. FY 23 Budget Reconciliations

To see if the Town will vote to transfer from available funds in the Treasury the sum of **\$121,000.00** or a greater or lesser sum, for the purpose of fully funding the following accounts established under Articles 4 and 6 of the April 11, 2022 Annual Town Meeting as follows:

Department	Line Item	To Amount	From Amount	Comment
Water Department	Repair & Maintenance 65450520.524200	\$ 45,000.00		Additional funds for any emergency or unexpected repairs.
Water Enterprise Retained Earnings			\$ 45,000.00	Unused funds will close back to retained earnings as of June 30th
Historical Buildings	Repair & Maintenance 1691520.524200	\$ 30,000.00		Tree removal, fuel bills and other repair costs at Mordecai Lincoln property
Fire Department	Capital Outlay 1220580.585100	\$ 5,000.00		Town share of portable radios; FEMA grant
Information Technology	Capital Outlay 1155580.585100	\$ 41,000.00		Additional security upgrades at Public Safety Complex for \$6,000 and cyber security audit for \$35,000
Legal Services	Litigation 1123530.532900		\$ 30,000.00	Case management
Snow & Ice	Equipment Rentals 1423520.527100		\$ 46,000.00	Mild winter
	Total	\$121,000.00	\$ 121,000.00	

or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 2. FY 23 Budget Reconciliations

I move that the Town appropriate the sum of **\$121,000.00** for the purpose of fully funding the following accounts established under Articles 4 and 6 of the April 11, 2022 Annual Town Meeting and to meet such appropriation, transfer funds as indicated in the printed warrant.

ARTICLE 4. Rescission of Borrowing Authorizations

To see if the Town will vote to rescind the following borrowing authorizations for the following purposes.

<u>Project</u>	<u>Authorized</u>	<u>Amount</u>	<u>Reason</u>
Upgrade Well 17A	ATM 11/18, Art 3RR	\$810,510	Project complete
Well 17A Green Sand Filter Const	ATM 04/19, Art 3U	\$1,230,607	Project complete
Cedar Point Sewer-Betterment	STM 06/20, Art 4	\$3,227,205	Project complete

Or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 4. Rescission of Borrowing Authorizations

I move that the Town rescind the borrowing authorizations for the following purposes.

<u>Project</u>	<u>Authorized</u>	<u>Amount</u>	<u>Reason</u>
Upgrade Well 17A	ATM 11/18, Art 3RR	\$810,510	Project complete
Well 17A Green Sand Filter Const	ATM 04/19, Art 3U	\$1,230,607	Project complete
Cedar Point Sewer-Betterment	STM 06/20, Art 4	\$3,227,205	Project complete

*******Please see Appendix C for Easement Plan*******

ARTICLE 6. Musquashicut Avenue - Grant of Easement

To see if the Town will vote to authorize the Select Board to grant an easement to Eversource Gas Company of Massachusetts, D/B/A Eversource Energy relating to the installation, operation and maintenance of gas Telemeter Facilities, as shown on a Sketch prepared by Merrill Engineers and Land Surveyors for Eversource Energy, dated March 11, 2022, and revisions thereto, on, over, under and across a portion of Town land located at 4 Musquashicut Avenue in Scituate, Massachusetts, more particularly described as Town of Scituate Assessor’s Tax Parcel ID No. 15-3-30-0 and more fully shown and described as Lot 30 of Block 3 on the Town of Scituate Assessor’s Map #15, a copy of the easement Sketch is available for inspection in the Town Clerk’s office and on the Town’s website; or take any other action related thereto.

Sponsored By: Select Board

MOTION ARTICLE 6. Musquashicut Avenue - Grant of Easement

I move that the Town authorize the Select Board to grant an easement to Eversource Gas Company of Massachusetts, D/B/A Eversource Energy relating to the installation, operation and maintenance of gas Telemeter Facilities, as shown on a Sketch prepared by Merrill Engineers and Land Surveyors for Eversource Energy, dated March 11, 2022, and revisions thereto, on, over, under and across a portion of Town land located at 4 Musquashicut Avenue in Scituate, Massachusetts, more particularly described as Town of Scituate Assessor's Tax Parcel ID No. 15-3-30-0 and more fully shown and described as Lot 30 of Block 3 on the Town of Scituate Assessor's Map #15, a copy of the easement Sketch is available for inspection in the Town Clerk's office and on the Town's website.

Appendix B – STM Article 5 and ATM Article 12

April 10, 2023 Annual Town Meeting Proposed CPC Projects

1. **Beach Signage** - \$16,830

[Undesignated]

The Scituate Beach Commission is requesting funding to establish new entrance signage at the public beaches in Scituate. This includes the beaches at Egypt, Humarock, Minot, Museum, Peggotty and Sand Hills. Currently, the town's beach signage is mismatched and inconsistent. This proposal will standardize the beach entrance signage and will conform to the "Sea Scituate" signage standards seen throughout town. According to the Beach Commission, entrance signage provides essential information to motorists, which can lower the risk of accidents while improving the aesthetics of the community. The hand carved wooden signs will measure 8 feet wide by 16" tall and will be mounted on 6x6 posts. Text will be hand carved and the signs painted white and blue. The intent is for the signs to be crafted by a local artisan.



Sign prototype shown above for reference.

The request for funding includes six signs for approximately \$14,635 plus a 15% contingency for a total of \$16,830. The CPC received support letters from the Recreation Commission and the town's Office of Coastal Management. The funds for this request will be appropriated from the CPC's undesignated fund.

The Community Preservation Committee voted unanimously to approve this request.

2. **Cudworth House Renovation** - \$82,500

[Historic/Undesignated]

The Scituate Historical Society is requesting funding for restoration improvements to the historic 1797 Cudworth House on First Parish Road. The house, barn, and animal pound are operated by the Scituate Historical Society and are open periodically to the public during the year. The Historical Society has begun

restoration work on the house and some of the historic contents following a skunk infestation and issues with mold. The overall goal is to re-establish visitor access to the Cudworth House Museum, the barn, and the animal pound historic properties. This access was eliminated during the construction of the Scituate Senior Center.

The funding request is for the following work:

- 1) Design and construct a series of universally accessible, stone dust walkways and seating areas that connect the house to the barn, animal pound and adjacent parking area. These walkways will provide meaningful connections throughout this historic compound to improve visitor access while keeping with the historic character of the property.
- 2) Develop interpretive areas and appropriate wayfinding signage.
- 3) Build wide granite stairs from the back shed of the house with landscape steps to the barn entrance to connect the two properties.
- 4) Enlarge the rear doorway to the Cudworth House with path for wheelchair access. This will provide wheelchair users access to the large keeping room and visual access to the adjoining dining room, music room, office, and feature artifact room.
- 5) Preserve, restore, and reinstall the historic Cudworth Loom.
- 6) Preserve and conserve five fragile and rare colonial-era needlepoint samplers for museum display.

The Historical Society has received committed funding from several sources, which includes \$26,170 from the Scituate Historic Building Account, \$8,333.29 from the MBTA Historic Trust Fund and \$19,265 from the Scituate Historical Society. The Society is seeking an additional \$82,500 (including contingency) from CPA funding to complete the project which has a total cost of \$136,288. The funds for this request will be appropriated through a combination of CPC's historic and undesignated funds.

The Community Preservation Committee voted unanimously to approve this request.

3. Pier 44 Park - \$300,000

[Undesignated]

The Scituate Harbor Advisory Redevelopment Commission is requesting funding for the final design and engineering for the redevelopment of the 1.04 acre "Pier 44" site into a resilient harbor front park. The site is currently developed with an 8,000 square foot former restaurant building and 70 space asphalt parking lot. The town is currently working with a design consultant to develop concept designs for the new park which will be presented to the public and stakeholders. The concept designs consider demolition of the old building and parking lot for conversion of the site to green open space for passive recreation with potential pavilion or pier for picnics and other outdoor events while providing public access to the harbor front in this area.

SCITUATE HARBOR – THE PARK AT PIER 44

CPC MEETING

DECEMBER 12, 2022



Copley Wolff Design Group
Landscape Architects & Planners



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The designs will consider climate resiliency and flood mitigation while creating an accessible and enjoyable public open space. There is a detailed presentation of the ongoing design work on the Scituate CPC website. The final concept design is expected to be complete in Spring 2023 following a public review process. This request is to fund the final design, engineering, and permitting which will include technical development of the concept design into construction documents for bidding. This request does not include funding for construction at this time.

The total budget for this phase is \$400,000, with \$100,000 being funded by a Metropolitan Area Planning Council (MAPC) grant and a request of \$300,000 from CPC. The Commission plans to secure funding for the actual construction of the park through a combination of grants and CPC funds at a later date. The funds for this request will be appropriated from the CPC's undesignated fund.

The Community Preservation Committee voted unanimously to approve this request.

4. North Scituate Train Canopy Restoration - \$30,991 [Undesignated]

The Friends of North Scituate Village (FONSV) is requesting additional funding for completion of the restoration of the historic North Scituate Train Canopy. This is a project begun several years ago which should be completed with this funding. A series of delays including COVID, personnel changes and additional unexpected costs

caused the previous funding to be insufficient. To complete the project, additional funding is needed for installation of the canopy lights, benches, tables, trash receptacles and signage. FONSV is planning future fundraisers to purchase and install planters and flowers to enhance this rejuvenated public space in North Scituate Village. Completion of the project is anticipated shortly after funds become available. The Friends of North Scituate Village are seeking \$30,991 in CPA funding to cover the remaining costs of the project. The funds for this request will be appropriated from the CPC's undesignated fund.

The Community Preservation Committee voted unanimously to approve this request.

5. Purple Dinosaur Playground - \$260,000

[Undesignated]

The Friends of Purple Dinosaur (FoPD) are seeking CPA funding for reconstruction of the existing Purple Dinosaur Playground. The existing play equipment is nearly three decades old and in a state of disrepair and lacks compliance with today's codes for playground safety. Due to the age of the existing play equipment, it cannot be successfully repaired for safety and to meet current standards. The new playground will continue to serve as a recreation space for the entire community with play equipment geared toward children in the 2-5 year age range. This is one of the few public playgrounds whose access is not restricted by public school hours. The design process is underway with local playground manufacturers and the intent is to keep the Purple Dinosaur theme to honor the history and memories of this park (see picture below). The new playground will include a variety of new play pieces with colored poured-in-place rubber safety surfacing – a durable and universally accessible play surface.



Conceptual play structural shown above for reference.

While the majority of funding is being requested from CPC, the Friends of Purple Dinosaur is planning to fundraise \$30,000 from local businesses, events and community support to help defray the costs. The budget for the project is approximately \$290,000 and FoPD is requesting \$260,000 from CPA funding for this project. The funds for this request will be appropriated from the CPC's undesignated fund.

The Community Preservation Committee voted unanimously to approve this request.

6. Wheeler Park Windows Replacement - \$548,924 [Community Housing]

The Scituate Housing Authority is requesting funding for replacement of 313 windows in the Wheeler Park II development. Owned by SHA, Wheeler Park II is an affordable housing facility built in 1975 off Common Street and provides housing for primarily elderly and disabled residents. The complex includes several masonry buildings with 78 1-bedroom apartments all with existing wood windows dating to 1993. The existing windows require frequent repair with many of them leaking both air and water into the apartments and leading to further potential damage to the housing units. Many replacement parts are difficult to obtain, and the windows can be challenging for elderly and disabled residents to manage. Plainly put the windows need replacement with more functional windows for the residents and ones that are more durable and long-lasting to handle Scituate's maritime climate.

SHA obtained quotes from three manufacturers for procurement and installation of the windows with pricing ranging from \$288K to \$449K including accounting for prevailing wages. The funding request also includes the services of an architect to prepare the bid drawings for the windows (a requirement for all housing authority construction projects) and a contingency in case bids are high. The full project duration is expected to take 12-14 months.

The Scituate Housing Authority is requesting \$548,924 for this window replacement project with funding exclusively from the CPC. SHA plays an important and positive role in supporting the community by providing safe, decent and affordable housing for elderly and disabled residents to live independently, especially at a time when market rental rates are prohibitive for most people. An exclusive CPC contribution to this project both assists the preservation of community housing and allows the SHA's limited capital funding provided by the state to be allocated to other priority projects in town. The funds for this request will be appropriated from the CPC's community housing fund.

The Community Preservation Committee voted unanimously to approve this request.

7. Jenkins Playground - \$400,000

[Undesignated]

The Jenkins PTO/Jenkins Playground Committee is seeking funding to relocate and replace the existing playground at Jenkins School. The current playground is over 20 years old. There are many existing problems with the current playground including age of the structures, unavailability of replacement parts and failing components which have been removed. A recent report by a Certified Playground Inspector identified many deficiencies and safety issues with the existing play equipment. In addition, the current playground location is undesirable where it causes distractions for students in adjacent classrooms while others are at recess, remains in frequent shadow resulting in ice buildup in winter, and is obscured from other outdoor play areas where it limits the ability of school staff to supervise all areas and limits surveillance for public safety by police during non-school hours. The playground is heavily used by the school and by the surrounding community during non-school hours. It is also the only playground located near the Scituate Harbor area and needs to be safe for all who use it.

The planned new playground will be located in an area that is more visible for teachers and safety officials as well as away from the school windows. The new design will meet current standards, will be universally accessible, and will be fun and engaging for all users. The play equipment will be focused on children ages 5-12 years and will include colored poured-in-place rubber safety surfacing for a code-compliant and universally accessible play surface. A variety of play elements is intended to engage the senses and provide inclusive play. Fencing is proposed along abutting properties for their privacy.



Initial playground concept image shown above for reference.

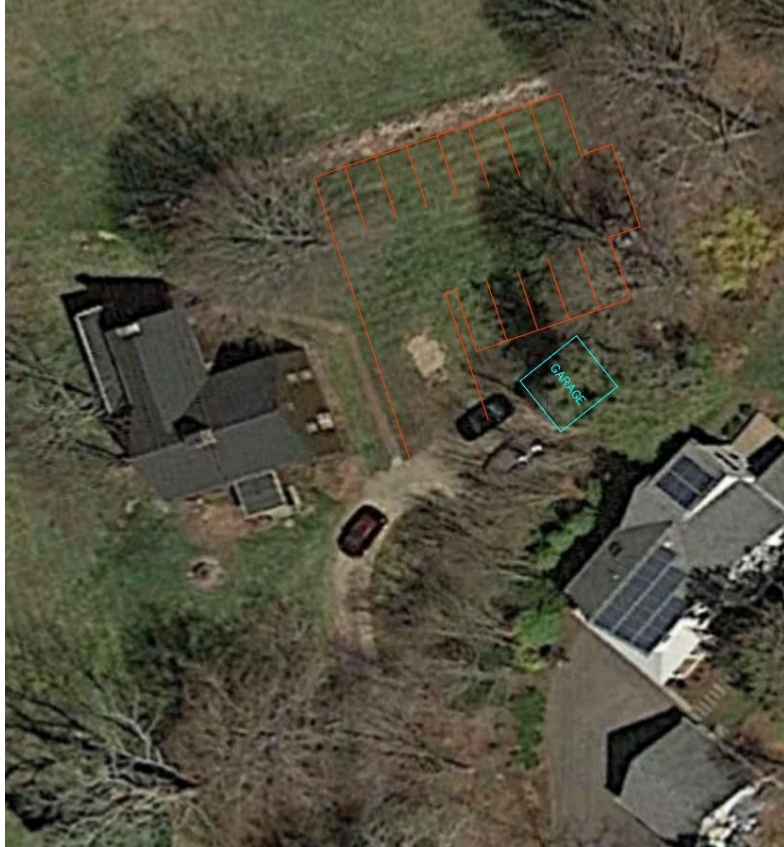
The Jenkins Parent Teacher Organization has established a Jenkins Playground Committee with members consisting of the Jenkins PTO, teachers, school administration and neighbors. The purpose of the committee is to administer and manage the installation of the playground. While initial design work has been prepared by local playground manufacturers, the Jenkins Playground Committee will continue to oversee the design work including the selection of the final play elements, colors, and surfacing to ensure the final design meets the needs of the school and the community.

Design and construction of a new playground has the support of the Scituate Public School administration, the Scituate School Committee, Scituate DPW, Scituate Police and Fire Departments as well as neighbors. Fundraising is planned with a goal of raising approximately 10% of the estimated cost (\$40,000) as well as to provide funding for maintenance in the future. Several quotes for construction of a new playground at the new location were obtained by the applicants with an average cost of approximately \$385K (with a high quote of \$499K). The works includes removal of the existing playground as well as full installation of the new one. Full details of these quotes along with details of the project are located on the Scituate CPC website. The proposed project budget is \$440,000 with \$400,000 provided from CPA funds and \$40,000 provided by Jenkins PTO/Playground Committee. The funds for this request will be appropriated from the CPC's undesignated fund.

The Community Preservation Committee voted unanimously to approve this request.

8. Mordecai Lincoln Driveway & Parking/Engineering Phase - \$25,000
[Undesignated]

This is one of two funding requests for the Mordecai Lincoln Property. The Town of Scituate approved the final funding for the purchase of the historic Mordecai Lincoln Property in the April 2022 Town Meeting and is now under the ownership of the town. The intention of the purchase was to protect a historic property with architecturally significant structures and to conserve a large tract of waterfront land for open space and recreation. The property is located on a peninsula on the Gulph River and is a beautiful location for future walking trails and access points to the river for kayaking and canoeing. As a residential property, the existing driveway is very narrow with just a small parking area providing access to the site. The Scituate Conservation Commission is requesting CPA funding for the design, engineering, and permitting for an expanded driveway and parking area near the existing main house. The goal is to provide the public access to enjoy the nature of the land and the views along the river at one of the town's newest land acquisitions. The intent is to include up to 13 parking spaces with one designated as an accessible parking space.



Mordecai Lincoln Property with approximate proposed parking area shown.

This request is for engineering, permitting and design of the driveway and parking area only and is a separate funding request from the construction phase. A preliminary quote for engineering and permitting has been received for \$20,700. The CPC funding request is for \$25,000 including a contingency if the cost of the engineering increases by the time the service is contracted. Any remaining funds are intended to be used toward the construction phase of the project. The funds for this request are being proposed from existing undesignated funds through the Special Town Meeting which would allow for immediate use of the funds to initiate an engineering contract prior to the start of FY2024 (July 1).

The Community Preservation Committee voted unanimously to approve this request.

9. Mordecai Lincoln Driveway & Parking/Construction Phase - \$132,000
[Undesignated]

This is the second of two funding requests for the Mordecai Lincoln Property. The Scituate Conservation Commission is requesting CPA funding for the construction of an improved driveway and parking area for up to 13 vehicles with one space designated as an accessible parking space. The intent is for the driveway and parking area to be porous gravel to limit impervious surfaces and to remain in keeping with the character of this historic property. The construction will follow

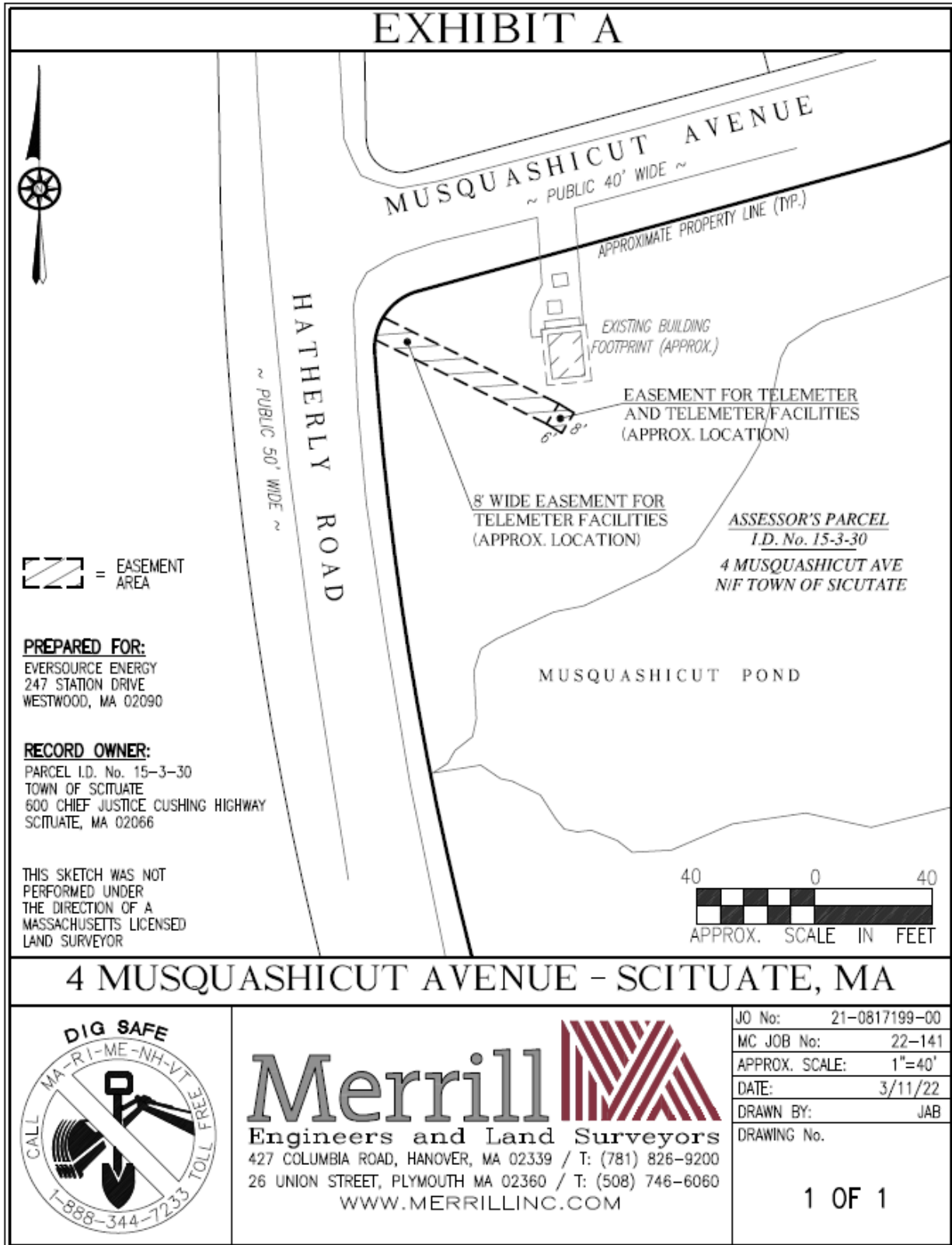
completion of the design, engineering, and permitting (separate funding request). A preliminary quote for the estimated construction cost has been received for \$131,920 which includes a 20% contingency. Once the design and engineering is complete, the estimated construction cost will be better known, but the intent is for the construction to not exceed the amount of this funding request. The funds for this request will be appropriated from the CPC's undesignated fund.

The Community Preservation Committee voted unanimously to approve this request.

Note: The following project applications have been withdrawn or tabled:

- Pickleball Courts (possible Fall STM)
- Mordecai Lincoln Homestead Renovation (possible Fall STM)
- Cole Parkway Gazebo (withdrawn)
- Wampatuck Early Education Playground (withdrawn)

Appendix C – STM Article 6 - Musquashicut Avenue Easement



Appendix D – Annual Town Meeting Consent Agenda

CONSENT AGENDA-ANNUAL TOWN MEETING

Warrant Articles on a Consent Agenda (permitted by Robert’s Rules) are exceptions to the general process of Town Meeting. The Town Administrator, Select Board, and Moderator identify, for Town Meeting consideration, those articles they believe should generate no controversy and can be properly voted without debate. These articles are put on the Consent Agenda to allow motions under these articles to be acted upon as one unit and to be passed without debate. A 2/3rds vote of Town Meeting Members is required by Scituate Town by-law (Section 20120 (B)) to permit a Consent Agenda to be used since Articles will, as a result of the process, be taken out of order.

At the call of the Consent Agenda, the Moderator will read out the numbers of the articles, one by one. If one or more voters object to any particular article being included in the Consent Agenda, they say “Hold” in a loud voice when the number is called. The article will then be removed automatically from the Consent Agenda and restored to its original place in the Warrant, to be debated and voted upon in the usual manner. After the calling of the individual items in the Consent Agenda, the Moderator will ask for a motion that the voters pass all items remaining AS A UNIT on one vote. Use of the Consent Agenda process makes the Town Meeting more efficient by speeding up the handling of non-controversial items.

THE CONSENT AGENDA WILL BE TAKEN UP AS THE FIRST ORDER OF BUSINESS AT THE COMMENCEMENT OF THE ANNUAL TOWN MEETING ON MONDAY, APRIL 10, 2023.

CONSENT AGENDA MOTION

MOTION: *I move that the Town vote to take Articles*

- 1 – Compensation of Elected Officials,***
- 2 – Reports of Boards and Committees,***
- 5 – Waterways Enterprise Fund Budget,***
- 6 – Golf Course Enterprise Fund Budget,***
- 7 – Wastewater Enterprise Fund Budget,***
- 8 – Transfer Station Enterprise Budget,***
- 9 – Water Enterprise Fund Budget,***
- 10 – Stabilization Fund Excess Levy Capacity,***
- 11 – Revolving Fund Limits,***
- 13 – Community Preservation Reconciliations and***
- 15 – MGL Chapter 91 Liability***

out of order and that they be “Passed by Consent” in accordance with the Motions shown on the Consent Agenda distributed this evening.

2/3 VOTE REQUIRED; SINGLE EXCEPTION WILL REMOVE ARTICLE FROM CONSENT AGENDA

Please review the list of articles and motions proposed for each Consent Item which follows.

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 **\$90,600.00**, or a greater or lesser sum; or take any other action relative thereto:

SELECT BOARD:	Chair & Legitimate Expenses	\$ 1,500.00
SELECT BOARD:	Members & Legitimate Expenses	\$ 2,000.00
	(4@\$500)	
ASSESSORS:	Chair & Legitimate Expenses	\$ 1,200.00
ASSESSORS:	Members & Legitimate Expenses	\$ 800.00
	(2@\$400)	
TOWN CLERK:	Personal Services	\$85,100.00

Sponsored By: Select Board

MOTION ARTICLE 1. Compensation of Elected Officials

I move that the Town establish the salaries and compensation of all elected Town officials as follows for a sum totaling **\$90,600.00** as listed in the printed warrant.

SELECT BOARD:	Chair & Legitimate Expenses	\$ 1,500.00
SELECT BOARD:	Members & Legitimate Expenses	\$ 2,000.00
	(4@\$500)	
ASSESSORS:	Chair & Legitimate Expenses	\$ 1,200.00
ASSESSORS:	Members & Legitimate Expenses	\$ 800.00
	(2@\$400)	
TOWN CLERK:	Personal Services	\$85,100.00

ARTICLE 2. Reports of Boards and Committees

To see if the Town will vote to hear or act upon any reports from the Town officers or committees; or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 2. Reports of Boards and Committees

I move that the Town hear or act upon any reports from the Town officers or committees.

ARTICLE 5. Waterways Enterprise Fund

To see if the Town will vote to transfer from Waterways Enterprise Receipts the sum of **\$1,122,420.00** for the purpose of funding the Waterways Enterprise operations and expenses for the ensuing fiscal year commencing July 1, 2023.

Personal Services	\$	488,675
Other Expenses	\$	633,745
Total	\$	1,122,420

Sponsored By: Select Board

MOTION ARTICLE 5. Waterways Enterprise Fund

I move that the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury, the sum of **\$1,122,420.00**, or a greater or lesser sum, for the purpose of funding the Waterways Enterprise operations and expenses for the ensuing fiscal year commencing July 1, 2023; or take any other action relative thereto.

Personal Services	\$	488,675
Other Expenses	\$	633,745
Total	\$	1,122,420

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 **\$1,427,082.00**, or a greater or lesser sum, for the purpose of funding the Widow's Walk Golf Course operations and expenses for the ensuing fiscal year commencing July 1, 2023; or take any other action relative thereto.

Personal Services	\$	483,332
Other Expenses	\$	943,750
Total	\$	1,427,082

Sponsored By: Select Board

MOTION ARTICLE 6. Golf Course Enterprise Fund

I move that the Town transfer from Widows Walk Enterprise receipts the sum of **\$1,427,082.00** for the purpose of funding the Widow's Walk Golf Course operations and expenses for the ensuing fiscal year commencing July 1, 2023.

Personal Services	\$	483,332
Other Expenses	\$	943,750
Total	\$	1,427,082

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 **\$4,080,175.00**, 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, 2023; or take any other action relative thereto.

Personal Services	\$	655,470
Other Expenses	\$	3,424,705
Total	\$	4,080,175

Sponsored By: Select Board

MOTION ARTICLE 7. Wastewater Enterprise Fund

I move that the Town transfer from the Wastewater Enterprise receipts the sum of **\$4,080,715.00** for the purpose of funding Wastewater Treatment Plant operations and expenses, for the ensuing fiscal year commencing July 1, 2023.

Personal Services	\$	655,470
Other Expenses	\$	3,424,705
Total	\$	4,080,175

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 **\$1,587,027.00**, 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, 2023; or take any other action relative thereto.

Personal Services	\$	344,974
Other Expenses	\$	1,242,053
Total	\$	1,587,027

Sponsored By: Select Board

MOTION ARTICLE 8. Transfer Station Enterprise Fund

I move that the Town transfer from Transfer Station Enterprise receipts the sum of **\$1,587,027.00** for the purpose of funding the Landfill and Transfer Station operations and expenses for the ensuing fiscal year commencing July 1, 2023.

Personal Services	\$	344,974
Other Expenses	\$	1,242,053
Total	\$	1,587,027

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 **\$6,783,706.00**, or a greater or lesser sum, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2023; or take any other action relative thereto.

Personal Services	\$	1,306,907
Other Expenses	\$	5,476,799
Total	\$	6,783,706

Sponsored By: Select Board

MOTION ARTICLE 9. Water Enterprise Fund

I move that the Town transfer from Water Enterprise receipts, the sum of **\$6,783,706.00** for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2023.

Personal Services	\$	1,306,907
Other Expenses	\$	5,476,799
Total	\$	6,783,706

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 M.G.L. c. 40, § 5B; or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 10. Stabilization Fund Excess Levy

I move that the Town raise and appropriate the difference between the levy net and the levy limit to the Stabilization Fund, in accordance with M.G.L. c. 40, § 5B.

ARTICLE 11. Revolving Fund Limits

To see if the Town will vote to set the annual spending limits for the revolving funds authorized under General Bylaw Section 10260 for Fiscal Year 2024, in accordance with M.G. L., c. 44, § 53E1/2 as follows; or take any other action relative thereto.

Revolving Fund	FY24 Expenditure Limit
Senior Center Revolving	\$150,000
Senior Center Food Service	\$45,000
Planning Board Application	\$15,000
Food Establishment Inspection	\$40,000
School Transportation	\$400,000
Beach Sticker	\$550,000
Public Health Vaccinations	\$50,000
Wind Turbine	\$750,000
Maintenance of Private Ways	\$10,000
GATRA Transport	\$130,000
Solar Array	\$485,000
Recreation Program	\$485,000
Athletic Fields	\$75,000
Maritime Center Rental	\$40,000
Scituate Harbor Community Building Rental	\$10,000
Aquaculture	\$5,000
Perc Witness Fees	\$50,000

Sponsored By: Select Board

MOTION ARTICLE 11. Revolving Fund Limits

I move that the Town set the annual spending limits for the revolving funds authorized under General Bylaw Section 10260 for Fiscal Year 2024, in accordance with M.G. L., c. 44, § 53E1/2 as printed in the warrant.

Revolving Fund	FY24 Expenditure Limit
Senior Center Revolving	\$150,000
Senior Center Food Service	\$45,000
Planning Board Application	\$15,000
Food Establishment Inspection	\$40,000
School Transportation	\$400,000
Beach Sticker	\$550,000
Public Health Vaccinations	\$50,000
Wind Turbine	\$750,000
Maintenance of Private Ways	\$10,000
GATRA Transport	\$130,000
Solar Array	\$485,000
Recreation Program	\$485,000
Athletic Fields	\$75,000
Maritime Center Rental	\$40,000
Scituate Harbor Community Building Rental	\$10,000
Aquaculture	\$5,000
Perc Witness Fees	\$50,000

ARTICLE 13. 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 **\$49,467.87**, or a greater or lesser 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.

<u>Project</u>	<u>Authorization</u>	<u>Amount</u>
Boardwalks & Beach Mats	ATM 04/2017, Art 11-11	\$ 0.33
Roach Baseball Field Improvements	ATM 04/2017, Art 11-15	\$ 0.01
Historic Survey	ATM 04/2018, Art 12-05	\$10,000.00
Roach Field	STM 11/2018, Art 7-01	\$33,428.21
PJ Steverman	ATM 04/2020, Art 12-6	\$ 1,039.32
Historic Survey	STM 04/2022, Art 4-3	\$ 5,000.00

Sponsored By: Community Preservation Committee

MOTION ARTICLE 13. Community Preservation Act Reconciliations

I move that the Town hear and act on recommendations from the Community Preservation Committee to rescind the balance of funds authorized but unexpended totaling **\$49,467.87** 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.

<u>Project</u>	<u>Authorization</u>	<u>Amount</u>
Boardwalks & Beach Mats	ATM 04/2017, Art 11-11	\$ 0.33
Roach Baseball Field Improvements	ATM 04/2017, Art 11-15	\$ 0.01
Historic Survey	ATM 04/2018, Art 12-05	\$10,000.00
Roach Field	STM 11/2018, Art 7-01	\$33,428.21
PJ Steverman	ATM 04/2020, Art 12-6	\$ 1,039.32
Historic Survey	STM 04/2022, Art 4-3	\$ 5,000.00

ARTICLE 15. Massachusetts General Laws Chapter 91 Liability

To see if the Town will vote to assume liability in the manner provided by M.G.L. c. 91, § 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 M.G.L. c. 91, §11 and to authorize the Select Board to execute and deliver a bond on indemnity therefor to the Commonwealth; or take any other action relative thereto.

Sponsored By: Select Board

MOTION ARTICLE 15. Massachusetts General Laws Chapter 91 Liability

I move that the Town assume liability in the manner provided by M.G.L. c. 91, § 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 M.G.L. c. 91, §11 and authorize the Select Board to execute and deliver a bond on indemnity therefor to the Commonwealth.

**Appendix E – ATM Article 14 - South Shore Vocational Technical
High School Regional Agreement Amendment Including Addition of
Town of Marshfield**

# of Proposed Change	Starting Line #	Is this a change in intent, meaning or process?	Explanation
PRE1	2	Yes	Add 'Marshfield' to title
PRE2	7	No	Remove unnecessary date
PRE3	10	No	Rephrase Mass General Laws
PRE4	12	Yes	Insert 'Marshfield'
PRE5	17	No	Insert comment that this version is the current agreement
1.0	29	No	Remove unnecessary word
1.1	31	No	Change 'Selectmen' to 'Select Board'
1.2	37	No	Change 'Selectmen' to 'Select Board'
1.3	43	No	Change 'Selectmen' to 'Select Board'
1.4	54	No	Added "Vice-chair" to annual election process, reflecting existing practice
1.5	54	No	Remove unnecessary phrase
1.6	61	No	Add 'MGL'
1.7	61	No	Remove unnecessary phrase
1.8	64	No	Remove unnecessary phrase
1.9	65	No	Remove unnecessary phrase and added 'MGL'
2.0	75	No	Remove unnecessary word
2.1	77	No	Remove unnecessary phrase
3.0	83	No	Remove unnecessary word
3.1	86	No	Add 'MGL'
3.2	86	No	Remove unnecessary phrase
3.3	90	No	Punctuation
4.0	98	No	Punctuation
4.1	104	No	Punctuation
4.2	120	No	Grammar/capitalization change; clarify that an approved Annual Budget is based on a 2/3rds vote of entire membership.
4.3	123	No	Cite statute to explain what happens if budget is not passed initially.
5.0	137	No	Change word 'budgets' to 'costs'
5.1	146	No	V.B.2(a) was reorganized and condensed to better clarify how operating costs are calculated. NO CHANGES TO THE PROCESS.
5.2	166	No	Add 'MGL'
5.3	172	No	Change word 'budget' to 'costs'
5.4	184	No	V.B.2(c) was inserted to note that all operating cost spending (NSS and non-NSS) is based on the most recent Oct 1 report. The term 'SIMS' was added to reflect the official enrollment report the state requires.
5.5	201	No	V.B.3 was stricken because it was addressed earlier in the section.
5.6	215	No	In two places in V.C.2, the phrase 'October 1st SIMS enrollments' was added for greater clarity.
5.7	222	No	Removed unnecessary phrase
5.8	232	No	In two places in V.C.2, the phrase 'October 1st SIMS enrollments' was added for greater clarity.
5.9	243	No	Removed unnecessary phrase
5.10	246	Yes	Removed unnecessary section and replaced with the Marshfield terms for admission.
5.11	271	Yes	Terms for Marshfield's admission.

5.12	319	No	Added clarifying language on how transportation costs are calculated but NO CHANGES TO PROCESS.
5.13	323	No	Removed unnecessary word
5.14	323	No	Edited sentence for clarity
5.15	328	No	Removed unnecessary phrase
5.16	328	No	For consistency, added similar SIMS language as found in V.B.2
5.17	333	No	Edited sentence for clarity
5.18	343	Yes	Removed section that was to govern how a new town would pay in its first year. DESE has determined this is not necessary and a member town would be part of the Chapter 70 formula in its first year.
6.0	363	No	Change 'Selectmen' to 'Select Board'
6.1	366	No	Punctuation
6.2	366	Yes	Changed the vote threshold to simple majority for the school committee to move a debt issue to the towns under Chapter 71, 16(d) paragraph 1, which is the method where one town voting down the debt would kill the request.
7.1	396	No	Edited reference to the correct section in the agreement
7.2	406	No	Change 'Selectmen' to 'Select Board'
7.3	409	No	Change 'Selectmen' to 'Select Board'
7.4	418	No	Change 'budgets' to 'costs'
8.0	434	No	Edited reference to state regulation in proper format
8.1	438	No	Removed reference to section that no longer exists and inserted the phrase 'buy-in' costs.
9.0	468	No	Removed unnecessary phrase
9.1	473	No	Edited reference to the correct section in the agreement
9.2	473	Yes	Added a requirement that the school committee form a subcommittee to discuss withdrawal with the requesting town.
9.3	479	No	Change 'Selectmen' to 'Select Board'
9.4	480	No	Chanfed phrase 'providing for' to 'reflecting'; better word choice but does not change substance of sentence
9.5	482	No	Change 'Selectmen' to 'Select Board'
9.6	502	Yes	School committee must secure a majority vote of the its membership to move a withdrawal amendment to the towns.
9.7	506	No	Additional language to clarify how DESE would handle a withdrawing town
10.0	521	No	Punctuation
SIG1	532	No	Signature line for Commissioner moved to end of document

1 Agreement Among the Towns of
2 Abington, Cohasset, Hanover, Hanson, Marshfield
3 Norwell, Rockland, Scituate and Whitman,
4 Massachusetts with Respect to the Establishment of
5 a Vocational Regional High School District
6

7 REVISED 10 31 17
8
9

10 This Regional Agreement is entered into pursuant to Chapter 71 of the
11 Massachusetts General Laws (MGL) General Laws of Massachusetts, as amended,
12 by and among the Towns of Abington, Cohasset, Hanover, Hanson, Marshfield,
13 Norwell, Rockland, Scituate, and Whitman (hereinafter sometimes known as
14 "member towns"). The District shall be called the South Shore Regional Vocational
15 School District (hereinafter sometimes known as the "District").
16

17 This revised agreement replaces the previous agreement approved in 2018 and all
18 other agreements or amendments.
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21 In consideration of the mutual promises herein contained, it is hereby agreed as
22 follows:
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25 SECTION I - THE REGIONAL VOCATIONAL DISTRICT SCHOOL
26 COMMITTEE
27

28 (A) **Composition**

29 The Regional District School Committee (hereinafter sometimes known as
30 the "Committee") shall consist of one member from each member town
31 each with one vote. Each member shall be appointed by the respective
32 Select Board in each member town. the Boards of Selectmen (hereinafter
33 sometimes known as the "Selectmen") of the member towns.
34

35 (B) **Appointed Members**

36 Not later than June 15 in each year in which the term of a member of the
37 Committee expires, the Select Board ~~Selectmen~~ of the member town
38 concerned shall appoint one member to serve for a term of three years. The
39 term of each such appointed member shall commence on July 1 of the year
40 in which he or she is appointed.
41

42 (C) **Vacancies**

43 If a vacancy occurs among the members of the Committee, the Select Board
44 ~~Selectmen~~ of the member town concerned shall appoint a member to serve
45 for the balance of the unexpired term.

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Commented [TH1]: PRE1. Insert 'Marshfield' in title

Commented [TH2]: PRE2. Unnecessary given the signature effective date of DESE Commissioner at the end of the agreement

Commented [TH3]: PRE3. Revised wording and added abbreviation of 'MGL'

Commented [TH4]: PRE4. Insert 'Marshfield' in list of district towns

Commented [TH5]: PRE5. DESE recommended we add a statement here so that there is no confusion as to which is the most current agreement.

Commented [TH6]: 1.0. Removed unnecessary use of word 'Regional' here

Commented [TH7]: 1.1. Updated language using 'Select Board'

Commented [TH8]: 1.2. Change 'Selectmen' to 'Select Board'

Commented [TH9]: 1.3. Change 'Selectmen' to 'Select Board'

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(D) Organization

At the first scheduled meeting after July 1, the Committee shall organize and choose by ballot a chair and a vice chair from among its own membership. At the same meeting, or at any other meeting, the Committee shall appoint a treasurer and secretary, who may be the same person but who need not be members of the Committee, choose such other officers as it deems advisable, determine the terms of office of its officers (except the chair ~~and vice-chair~~ who shall be elected annually ~~as provided above~~) and prescribe the powers and duties of any of its officers, fix the time and place for its regular meetings, and provide for the calling of special meetings.

Commented [TH10]: 1.4. Additional language notes our existing practice that the vice-chair is also annually elected in the same fashion.
Commented [TH11]: 1.5. Removed unnecessary phrase

(E) Powers and Duties

The Committee shall have all the powers and duties conferred and imposed upon it by this Agreement and such other additional powers and duties as are specified in Sections 16 to 16I, inclusive, of ~~MGL Chapter 71 of the General Laws~~ and any amendments thereof or additions thereto now or hereafter enacted, or as may be specified in any other applicable general or special law. In the event that provisions ~~of this Regional Agreement~~ conflict with any ~~MGL Massachusetts General Laws (MGL)~~, the MGL shall prevail.

Commented [TH12]: 1.6. Added 'MGL'
Commented [TH13]: 1.7. Removed unnecessary phrase
Commented [TH14]: 1.8. Removed unnecessary phrase
Commented [TH15]: 1.9. Removed unnecessary phrase and condensed reference to 'MGL'

(F) Quorum

Unless otherwise specified by law, the quorum for the transaction of business shall be a majority of the Committee, but a number less than the majority may adjourn.

SECTION II - LOCATION OF REGIONAL DISTRICT SCHOOL

The ~~Regional~~ District School (South Shore Regional Vocational Technical High School) shall be located in the Town of Hanover, or any other member town, provided, however, that the Committee may establish and locate satellite ~~regional school~~ facilities in any member town.

Commented [TH16]: 2.0. Removed unnecessary word
Commented [TH17]: 2.1. Removed unnecessary phrase

SECTION III - TYPE OF REGIONAL DISTRICT SCHOOL

The ~~Regional~~ District School shall be a Vocational High School consisting of grades nine through twelve (9 - 12), inclusive. The Committee is hereby authorized to establish and maintain such kinds of education as may be provided by towns under provisions of ~~MGL Chapter 74 of the Massachusetts General Laws (hereinafter sometimes known as "MGL")~~ and acts amendatory thereof, in addition thereto or dependent thereon. The Committee may also provide self funding programs beyond the secondary level, either alone or in cooperation with other institutions in accordance with the provisions of MGL Chapter 74, Section

Commented [TH18]: 3.0. Removed unnecessary word
Commented [TH19]: 3.1 Added 'MGL'
Commented [TH20]: 3.2 Removed unnecessary phrase
Commented [TH21]: 3.3 Removed comma

91 37A, as amended.

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94 **SECTION IV - BUDGET**

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(A) **Budget**

97 The Committee shall annually determine the District’s budget consistent
98 with the timelines, terms and requirements of MGL Chapter 71, Section
99 16B, as amended, and other pertinent provisions of law and consistent with
100 regulations promulgated by the Department of Elementary and Secondary
101 Education (hereinafter sometimes known as “DESE”).

Commented [TH22]: 4.0. Removal of comma

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(B) **Public Budget Hearing and Budget Approval**

104 After conducting a public hearing consistent with MGL Chapter 71, Section
105 38N, as amended, the Committee by a minimum two-thirds (2/3) vote of
106 all its members, shall annually approve an operating budget for the next
107 fiscal year to maintain and operate the District during the next fiscal year.
108 After deducting the amount of aid the District is to receive, the balance shall
109 be apportioned among the several member towns in accordance with
110 Section V.

Commented [TH23]: 4.1. Removal of comma

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112 The budget will be itemized in such detail as the Committee may deem
113 advisable. Such budget shall be adopted not later than forty-five (45) days
114 prior to the earliest date on which the business session of the annual town
115 meeting of any member town is to be held, but in no event later than March
116 31, provided that said budget need not be adopted earlier than February 1.
117 The amounts so apportioned for each member town shall be certified by the
118 District treasurer to the treasurers of the member towns within thirty (30)
119 days from the date on which the annual operating budget is adopted by the
120 Committee. The Annual Budget, as adopted by a minimum two-thirds
121 (2/3) vote of the Committee’s membership, shall then require the approval
122 of two-thirds (2/3) of the local appropriating authorities of the member
123 towns. If the Annual Budget is not so approved, the Annual Budget shall
124 be established in accordance with the procedures in MGL Chapter
125 71, Section 16B.

Commented [TH24]: 4.2: Capitalized 'Annual Budget'; Added clarifying language to explain that it is a 2/3rd membership vote. Added 'then' for better sentence reading.

Commented [TH25]: 4.3. Added sentence that helps the reader understand what happens if a budget is not adopted. The law dictates next steps whether it is in the agreement or not.

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SECTION V - APPORTIONMENT AND PAYMENT OF COSTS INCURRED BY THE DISTRICT

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(A) **Classification of Costs**

132 For the purpose of apportioning assessments by the District to the member
133 towns, costs shall be divided into **four (4)** categories: operating costs, capital
134 costs, debt, and transportation costs. The Committee shall determine the
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amount necessary to meet the annual operating, capital, debt, and transportation ~~costs budgets~~ and shall allocate such amount among the member towns.

Commented [TH26]: 5.0. Word change to 'costs' because there is only one 'budget' vs using the word 'budgets'

(B) Operating Costs

1. Operating costs shall include all costs not included in capital, debt, and transportation costs as defined in Sections V (C), (D), and (E), but shall include interest on temporary notes issued by the District in anticipation of revenue.

2. Apportionment of Operating Costs

Commented [TH27]: 5.1. Changes in V.B.2 and V.B.3 are made for clarity at DESE's suggestion. There are no changes as to how we apportion operating costs.

V.B.2.a.1-3 is the same content as the stricken paragraph below. Content was reformatted as a numbered list for easier reading.

- a. The total operating costs assessed to each member town will consist of:
 - 1. its Minimum Local Contribution,
 - 2. its share of any additional Net School Spending (NSS) costs as defined in MGL Chapter 70, as amended, referred to in this section as its "Above Minimum Contribution", and
 - 3. its share of any non-NSS costs.

~~The operating costs to a member town will equal the Minimum Local Contribution and any other operating costs above the Minimum Local Contributions, referred to in this section as "Above Minimum Contribution." All operating costs not considered part of Net School Spending shall be apportioned using the same formula as Net School Spending operating costs and will be included in a member town's operating cost assessment.~~

b. The aggregate Above Minimum Contribution is arrived at by subtracting from the Net School Spending Operating Budget the following: MGL Chapter 70 aid, the Minimum Required Combined Local Contributions of all member towns, and other general revenue sources to the District.

Commented [TH28]: 5.2. Added 'MGL'

This formula is illustrated below:

Net School Spending Operating ~~Costs Budget~~ (which excludes capital, debt and transportation)

Commented [TH29]: 5.3. DESE suggestion to change 'Budget' to 'Costs'
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- Chapter 70 aid (as calculated by DESE)
- Minimum Required Combined Local Contributions of all member towns (as calculated by DESE)
- Other general revenue sources to the District

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= Total Above Minimum Contribution for all member towns

~~To determine each member town's proportionate share of the aggregate Above Minimum Contribution, it shall be determined based on the number of pupils in grades nine through twelve (9 - 12), inclusive, residing in each member town and receiving education in the South Shore Regional Vocational School District at such town's expense.~~

c. Each member town's proportionate share of the aggregate Above Minimum Contribution and non-NSS operating costs shall be determined based on the number of pupils in grades nine through twelve (9 - 12), inclusive, residing in each member town and receiving education in the South Shore Regional Vocational School District at such town's expense, as reported to the Department of Elementary and Secondary Education (DESE) in the District's previous October 1st Student Information Management System (SIMS) enrollment submission.

~~3. The total operating costs assessed to each member town will consist of the member town's Minimum Local Contribution and the town's share of Above Minimum Local Contribution and operating costs that do not meet the definition of Net School Spending as defined in Chapter 70, as amended, apportioned to each town in accordance with the formula noted above.~~

(C) Capital Costs

(1) Capital costs shall include all expenses described in DESE's Chart of Accounts in the 7000-function code.

(2) Apportionment of Capital Costs
Capital costs will be apportioned for the ensuing fiscal year as follows:
Each member town's share of the capital costs shall be determined by computing the ratio which the sum of its October 1st SIMS enrollments ~~enrollments on October 1~~ of the three fiscal years immediately preceding the year in which the Committee votes to include capital cost in the budget bears to the sum of the October 1st SIMS enrollments ~~pupil enrollments~~ of all the member towns ~~on October 1~~ of the same three fiscal years. For the purpose of this clause, pupil enrollments shall be defined as the number of pupils in grades nine through twelve (9 - 12), inclusive, residing in each member town and receiving education in the South Shore Regional Vocational School ~~District~~ at such town's expense.

(D) Debt

Commented [TH30]: 5.4. Deleted section is embedded in the subsection 'c' below

V.B.2.c states that NSS and non-NSS costs are based on the most recent October 1 enrollments per town. Again, this is not a change in how we calculate these costs. We added reference to the SIMS report so it was clear on what 'October 1st' report we use for enrollment.

Commented [TH31]: 5.5. Deleted because non Net School Spending is referenced in V.B.2.a.3. and also in V.B.3

Commented [TH32]: 5.6. DESE suggestion to be consistent about how to refer to pupil enrollments by referencing SIMS

Commented [TH33]: 5.7. Removed unnecessary phrase

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(1) Debt shall include the payment of principal of and interest on bonds, notes or other obligations of the District to finance such debt.

(2) Each member town's share of the debt incurred, including the payment of principal of and interest on bonds, notes or other obligations of the District to finance such debt, shall be determined by computing the ratio which the sum of ~~October 1st SIMS enrollments~~ ~~its pupil enrollments~~ in the District on October 1 of the three fiscal years immediately preceding the year in which the member towns vote to authorize the incurring of the debt bears to the sum of the ~~October 1st SIMS enrollments~~ ~~pupil enrollments~~ of all the member towns in the District on October 1 of the same three fiscal years, and the ratio shall not be changed during the period in which such bonds, notes or other obligations are outstanding, except as provided in Section VIII.

For the purpose of this clause, pupil enrollments shall be defined as the number of pupils in grades nine through twelve (9 - 12), inclusive, residing in each member town and receiving education in the ~~South Shore Regional Vocational School~~ District at such town's expense.

~~(3) In the event the debt is incurred in any year before a new member town which has been admitted to the District pursuant to Section VIII has been a member town for at least three full years, such town's pupil enrollment on the most recent October 1 of the fiscal year in which the debt is incurred will be used for the purpose of apportioning such debt pursuant to clause (2) of this Section. In the event that the Committee votes to incur debt prior to October 1 in the first year of a new member town's admission to the District, the enrollment for that new member town will be the enrollment on the day of the School Committee vote to incur such debt.~~

- ~~(a) if the Committee votes to incur such debt (according to Section VI) in the first year of membership, the new member town's pupil enrollment in such first year is multiplied by three;~~
- ~~(b) if the Committee votes to incur such debt (according to Section VI) in the second year of membership, the sum of the new member town's pupil enrollments for the first two years of membership is multiplied by one and one half (1 1/2); and~~
- ~~(c) if the Committee votes to incur debt (according to Section VI) in the third year of membership, the sum of the new member town's pupil enrollments for the first three years of membership will be used.~~

Commented [TH34]: 5.8. DESE suggestion to be consistent with references to pupil enrollments throughout

Commented [TH35]: 5.9. Removed unnecessary phrase

Commented [TH36]: 5.10. Section deleted and replaced with subsequent language for Marshfield.

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(3) Admission of the Town of Marshfield into the District

(a) Marshfield will contribute a 17.95 % share of \$2,184,851, which represents the anticipated balance in the South Shore Regional Vocational School District stabilization fund as of July 1, 2022. The total amount of Marshfield’s share will be \$392,181. Marshfield will make annual payments over 10 (ten) years, starting no later than June 30th of the first fiscal year of their admission to the district. The annual payment amount will be \$39,218.10. Accelerated payments will be permitted at the discretion of the town of Marshfield.

(b) Debt: Notwithstanding any existing regional agreement language on debt, the following would apply to Marshfield’s admission into the district:

(1) In its first fiscal year of membership Marshfield will not be assessed any debt service.

(2) If there is new or existing authorized debt to be paid during Marshfield’s second, third, fourth and fifth fiscal years of membership its debt share will adjust with each fiscal year based on its school enrollment as of the most recent October 1st report, divided by the total in-district school enrollment that year.

(3) If there is new or existing authorized debt to be paid during Marshfield’s sixth fiscal year, its debt share will be fixed for the duration of the debt based on its October 1, 2028 enrollment report, divided by the total in-district school enrollment that year.

(4) If there is any new authorized debt to be paid during Marshfield’s seventh fiscal year of membership that was not fixed previously in #3 above, its debt share will be fixed based on its school enrollment as of the most recent October 1st report, divided by the total in-district school enrollment that year.

(5) If there is any new authorized debt to be paid during Marshfield’s eighth fiscal year of membership and

Commented [TH37]: 5.11. Terms and conditions for Marshfield to be admitted to the district

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beyond that was not fixed previously in #4 above, its debt share shall follow the regional agreement language in Section V.D. which is the same “three fiscal year look back” process for all district towns.

(E) Transportation

School transportation shall be provided by the District ~~and each member town's share shall be apportioned in the same manner as operating costs. The aggregate transportation cost shall be decreased by anticipated regional transportation reimbursement prior to apportioning the costs to the member towns.~~ ~~and To determine~~ Each member town's proportionate share of pupil transportation, it shall be determined based on ~~the total cost of transportation minus the estimated Chapter 71 transportation reimbursement of~~ the number of pupils in grades nine through twelve (9 - 12), inclusive, residing in each member town and receiving education in the ~~South Shore Regional Vocational School~~ District at such town's expense, ~~as reported to DESE in the District's previous October 1st SIMS enrollment submission.;~~

(F) Times of Payment of Apportioned Costs

(1) The Total Assessment to a member town will ~~include its share equal the total of the Operating Assessment, Transportation, Capital and Debt costs.~~

(2) Each member town shall pay to the District in each year its proportionate share, certified as provided in subsection V (B), (C), (D) and (E) of the operating, capital, debt, and transportation costs. The annual share of each member town shall be paid in equal installments not later than the first days of August, December, April and June of each fiscal year.

(G) Apportionment of Costs to New Member Towns

~~In the first fiscal year in which the admission of a new member town is effective, the town shall pay as its share of the operating costs for such fiscal year, an amount equal to that which the town would pay if the pupils from the town enrolled in the District were tuition pupils. During the first fiscal year, such town shall be responsible for providing school transportation for pupils enrolled in the District and for paying the costs of such transportation. After the first fiscal year in which the admission of a new member town is effective, the town's share of operating costs, capital costs, debt and transportation costs shall be determined in accordance with Section V. If on October 1, there is an enrollment of less than five pupils from such town in the District, such new member town shall be deemed to have an enrollment of five pupils in the District.~~

Commented [TH38]: 5.12. Added for clarity as per DESE. No changes in how transportation costs are calculated, which is the same process as operating costs in V.B.

Commented [TH39]: 5.13. Remove unnecessary word

Commented [TH40]: 5.14. Revised section to streamline sentence. Similar content is now located in lines 319-323

Commented [TH41]: 5.15. Removed unnecessary phrase

Commented [TH42]: 5.16. Added SIMS language to mirror language in operating costs section

Commented [TH43]: 5.17. Minor adjustments so the sentence reads better. Removed word 'Assessment' and added word 'costs' at end of sentence.

Commented [TH44]: 5.18. DESE is indicating that this should be removed because the state has enough time to factor the new member town into the following year's Chapter 70 calculation. In this instance, if the towns approve the agreement by June 2023, and the Commissioner signs off by December 2023, then Marshfield's first year of membership in FY25 would see them included in Chapter 70 calculations.

§57 SECTION VI - INCURRING OF DEBT

358
359 Not later than seven days after the date on which the Committee authorizes the
360 incurring of debt, other than temporary debt in anticipation of revenue to be
361 received from member towns, written notice of the date of said authorization, the
362 sum authorized, and the general purpose or purposes for authorizing such debt
§63 shall be given to the Select Board~~Selectmen~~ in each member town.

364
365 The Committee may vote to incur debt consistent with the terms and conditions
§66 of MGL, Chapter 71, Section 16 (d) paragraph 1, Chapter 71, Section 16 (d)
§67 paragraph 2, or Chapter 71, Section 16 (n), as amended. ~~At the time of taking
§68 action to incur debt, and except for the incurring of temporary debt in
§69 anticipation of revenue, the Committee, by two thirds (2/3) vote, will choose one
§70 of the three aforementioned processes that appear in MGL, Chapter 71, Section
§71 (d) or Section (n), as amended.~~

§72
§73 At the time of taking action to incur debt, and except for the incurring of
§74 temporary debt in anticipation of revenue, the Committee, by a simple majority
§75 vote, shall use Chapter 71, Section 16 (d) paragraph 1 as amended. The
§76 Committee, by a two-thirds (2/3) vote of all its members may choose instead to
§77 use Chapter 71, Section 16 (n) as amended, or Chapter 71, Section 16 (d)
§78 paragraph 2 as amended.
379

380
381 SECTION VII - AMENDMENTS

382
383 (A) Limitations

384 This Agreement may be amended from time to time in the manner
385 hereinafter provided, but no such amendment shall be made which shall
386 substantially impair the rights of the holders of any bonds, notes or other
387 obligations of the District then outstanding, or the rights of the District to
388 procure the means for payment thereof, provided that nothing in this
389 section shall prevent the admission of a new town or towns to the District
390 and the reapportionment accordingly of debt of the District represented by
391 bonds or notes of the District then outstanding and of interest thereon.

392
393 (B) Procedure

394 Any proposal for amendment, except a proposal for amendment providing
395 for the withdrawal of a member town (which shall be acted upon as
§96 provided in Section IX), may be initiated by a minimum vote of two-thirds
397 (2/3) members of the Committee or by a separate petition from at least two-
398 thirds (2/3) of the member towns. Such petitions shall be signed by at least
399 one hundred (100) registered voters from each of these two-thirds (2/3)
400 member towns. In the case of a proposal for amendment by petition, the
401 said petition shall also contain, at the end thereof, a certification by the clerk

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Commented [TH45]: 6.0. change 'Selectmen' to
'Select Board'

Commented [TH46]: 6.1. Removed comma

Commented [TH47]: 6.2. DESE Legal is
recommending the inclusion of a 'default'
method for regional school committees to vote
to incur debt. A simple majority vote using the
default method would be a lower bar to move
the process forward.

FYI: There are three pathways under the law for
school committees to incur debt:

1. 16(d) par. 1 pathway is where the debt
issue goes to each town meeting separately.
Under 16(d) par. 1, a single town can vote
down the debt and the matter cannot move
forward. This will be the district's chosen
'default' method.
2. 16(n) is a districtwide ballot option and
would need 2/3rd of membership vote as per
statute (no changes)
3. 16(d) par 2 is a complex provision for
vocational schools that allows 1/3 of the
towns to reject a debt issue at town meetings
but the measure could still move forward.
However, the dissenting towns cannot utilize
the benefits of whatever the debt measure is,
should it pass in 2/3rds of the district towns.
Extremely unlikely this would ever be used!
But if it were used it would need 2/3rds of
membership vote as per statute (no changes)

Commented [TH48]: 7.1. Reference should be to
Section IX

402 of each member town voting as to the number of signatures in the petition
403 which appear to be the names of registered voters (according to the most
404 recent voting list) from that town; and the said petition shall be presented
405 to the secretary of the Committee. In either case, the secretary of the
406 Committee shall mail or deliver a notice in writing to the Select Board
407 Selectmen of each of the member towns that a proposal to amend this
408 Agreement has been made and shall enclose a copy of such amendment
409 (without the signatures in the case of a proposal by petition). The Select
410 Board Selectmen of each member town shall include in the warrant for the
411 next annual town meeting, or a special town meeting called for the purpose,
412 an article stating the amendment. Such amendment shall take effect upon
413 its acceptance by a minimum of two-thirds (2/3) of the member towns,
414 acceptance by each member town to be by a majority vote at a town meeting
415 as aforesaid. All amendments must be approved by the Commissioner of
416 Elementary and Secondary Education (hereinafter sometimes referred to as
417 the "Commissioner"). An amendment involving a change in the way that
418 the operating and/or capital costsbudgets are assessed may not take effect
419 until the July 1 after a minimum of two-thirds (2/3) of the member towns
420 and the Commissioner have approved acceptance by the previous
421 December 31.

Commented [TH49]: 7.2. Change 'Selectmen' to 'Select Board'

Commented [TH50]: 7.3. Change 'Selectmen' to 'Select Board'

Commented [TH51]: 7.4. Changed 'budgets' to 'costs'

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424 **SECTION VIII - ADMISSION PROCESS FOR NEW MEMBER TOWNS TO**
425 **THE DISTRICT**

- 426
427 (A) By an amendment of this Agreement adopted under and in accordance with
428 Section VII above, any other town may be admitted to the District upon
429 adoption as therein provided of such amendment and upon acceptance at
430 a special or annual town meeting by a majority vote by the town seeking
431 admission of the Agreement as so amended, acceptance by a minimum of
432 two-thirds (2/3) of the member towns, each by majority vote, and also upon
433 compliance with such provisions of law and regulations [for example, Code
434 of Massachusetts Regulations; that is, 603 CMR 603-41.05 (6)] as may be
435 applicable and such terms as may be set forth in such an amendment.
436
437 (B) The Committee, prior to the admittance of a new member town, will have
438 the option establishing the amount of any costs additional buy-in to costs
439 referenced in Section V (G) to that new member town to be included in the
440 District. These additional costs will be clearly articulated to the Regional
441 Planning Committee of the potential new member town and will be made
442 clear to voters prior to that new member town's vote on admission to the
443 District.
444
445 (C) A new member town may be admitted to the District as of July 1 of any
446 fiscal year, provided that all requisite approvals for such admission,

Commented [TH52]: 8.0. Properly formatted citation of regulation

Commented [TH53]: 8.1. Because Section V (G) does not exist anymore, this section was edited to make clear about buy-in costs

447 including the Commissioner's approval, shall be obtained no later than the
448 preceding December 31.

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450 **SECTION IX - WITHDRAWAL PROCESS OF MEMBER TOWNS FROM THE**
451 **DISTRICT**

452
453 **(A) Vote Expressing Desire to Withdraw**

454 Any member town seeking to withdraw from the District shall, by majority
455 vote at an annual or special town meeting, request the Committee to
456 formulate an amendment to this Agreement setting forth the terms by
457 which such town may withdraw from the District. No withdrawal will take
458 effect on other than July 1 of a given year. The vote stated in the preceding
459 sentence, as well as the notification to the District consistent with paragraph
460 B below, must all occur no less than two (2) years prior to the desired date
461 of withdrawal.

462
463 **(B) Notice**

464 The clerk of the town seeking to withdraw shall, within seven (7) days of
465 the vote, notify the Committee chair as well as the District's
466 superintendent in writing that such town has voted to request the
467 Committee to formulate an amendment to the Agreement (enclosing a
468 certified copy of such vote) ~~setting forth the terms for withdrawal.~~

Commented [TH54]: 9.0. Removed unnecessary phrase

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471 Thereupon, the Committee shall formulate an amendment to the
472 Agreement setting forth such terms of withdrawal as it deems advisable,
473 subject to the limitation contained in Section ~~VII~~VIII(A). ~~The Committee~~
474 ~~shall establish a subcommittee to formulate an amendment and invite the~~
475 ~~Select Board from the requesting member town to designate representatives~~
476 ~~to said subcommittee.~~

Commented [TH55]: 9.1. Changing reference to the more appropriate section.

477
478 The secretary of the Committee shall mail or deliver a notice in writing to
479 the ~~Select Board Selectmen~~ of each member town that the Committee has
480 formulated an amendment to the Agreement ~~reflecting providing for~~ the
481 withdrawal of a member town (enclosing a copy of such amendment). The
482 ~~Select Board Selectmen~~ of each member town shall include in the warrant
483 for the next annual or a special town meeting called for the purpose an
484 article stating the amendment.

Commented [TH56]: 9.2. Establishment of a subcommittee working with the requesting town

Commented [TH57]: 9.3. Change 'Selectmen' to 'Select Board'

Commented [TH58]: 9.4. Changed phrase "providing for" to "reflecting"

Commented [TH59]: 9.5. Change 'Selectmen' to 'Select Board'

485
486 **(C) Obligations of Withdrawing Member Towns**

487 In addition to other terms and requirements which the Committee shall
488 include in the amendment, the member town seeking to withdraw will be
489 responsible for the following: (1) payment of all operating costs for which
490 it is liable as a member of the District; (2) continuing payments beyond the
491 time of withdrawal to the District for the member town's share of the

492 indebtedness of the District which is outstanding at the time of such
493 withdrawal, and for interest thereon, to the same extent and in the same
494 manner as though the town had not withdrawn from the District; (3) other
495 liabilities incurred during all times that the town was a member of the
496 District (e.g., OPEB – Other Post-Employment Benefits); and (4) for the
497 costs, including legal fees, that accrue to the District as a result of the
498 withdrawal process.
499

500 **(D) Approval of Withdrawal**

501 A request to withdraw shall become effective only if the amendment to
502 the Agreement is approved by a majority vote of the membership of the
503 Committee, is approved by majority vote at an annual or special town
504 meeting in a minimum of two-thirds (2/3) of the member towns, is
505 approved by the Commissioner, and the withdrawal can become effective
506 no less than one full year after the completion of these requirements. The
507 withdrawal will be effective as of July 1 of any fiscal year, provided that
508 all requisite approvals for such withdrawal, including the Commissioner’s
509 approval, shall be obtained no later than the preceding December 31.
510

Commented [TH60]: 9.6. Changed vote threshold to a majority vote of the membership

Commented [TH61]: 9.7. DESE suggestion to clarify the process which is handled at the state level

511 **(E) Cessation of Terms of Office of Members of Withdrawing Town**

512 Upon the effective date of withdrawal, the terms of office of all members
513 serving on the Committee from the withdrawing town shall terminate and
514 the total membership of the Committee shall be decreased accordingly.
515

516
517 **SECTION X - TUITION STUDENTS**

518
519 The Committee may accept for enrollment in the District pupils from towns other
520 than the member towns on a tuition basis. Income received by the District from
521 tuition pupils will be treated by the Committee according to MGL Chapter 71,
522 Section 16D1/2.
523

Commented [TH62]: 10.0. Removed comma

524
525 **SECTION XI - ANNUAL REPORT**

526
527 The Committee shall submit in January an annual report to each of the member
528 towns containing information to publish in the annual town reports that highlights
529 District events and activities.
530

Commented [TH63]: SIG1. The effective date of the agreement will be the date that the Commissioner approves it. His signature and date will be located at the end of the document. In 2018 the respective town clerks signed the document but that is not a requirement under the law. However, the section is maintained in this revised document.

531
532 IN WITNESS WHEREOF, this Agreement has been executed as of
533 _____.
534

535 Regional Vocational School Committee Chair
536 [Insert Typed Name] _____ Signature _____ Date _____

537

538 Town of Abington

539 [Insert Typed Name] [Insert title] Signature Date

540

541 Town of Cohasset

542 [Insert Typed Name] [Insert title] Signature Date

543

544 Town of Hanover

545 [Insert Typed Name] [Insert title] Signature Date

546

547 Town of Hanson

548 [Insert Typed Name] [Insert title] Signature Date

549

550 Town of Marshfield

551 [Insert Typed Name] [Insert title] Signature Date

552

553 Town of Norwell

554 [Insert Typed Name] [Insert title] Signature Date

555

556 Town of Rockland

557 [Insert Typed Name] [Insert title] Signature Date

558

559 Town of Scituate

560 [Insert Typed Name] [Insert title] Signature Date

561

562 Town of Whitman

563 [Insert Typed Name] [Insert title] Signature Date

564

565 Approved by Department of Elementary and Secondary Education Commissioner

566 Jeffrey C. Riley Signature Date

567

568 Regional School

569 Committee: _____ Date:

570 _____

571

572 _____ Robert L. Molla, Jr. (Chair)

573 _____ (Typed name)

574

575

576 Town of

577 Abington: _____ Date:

578 _____

579

580 _____ Leanne Adams (Town Clerk)

581 _____ (Typed name)

582
583 Town of
584 Cohasset: _____ Date: _____
585 _____

586
587 _____ Carol L. St. Pierre _____ (Town Clerk)
588 _____ (Typed name)

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590
591 Town of
592 Hanover: _____ Date: _____
593 _____

594
595 _____ Catherine Harder Bernier _____ (Town Clerk)
596 _____ (Typed name)

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599 Town of
600 Hanson: _____ Date: _____
601 _____

602
603 _____ Elizabeth Sloan _____ (Town Clerk)
604 _____ (Typed name)

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607 Town of
608 Norwell: _____ Date: _____
609 _____

610
611 _____ Patricia M. Anderson _____ (Town Clerk)
612 _____ (Typed name)

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614
615 Town of
616 Rockland: _____ Date: _____
617 _____

618 _____ Donna M. Shortall _____ (Town Clerk)
619 _____ (Typed name)

620
621
622 Town of
623 Scituate: _____ Date: _____
624 _____

625
626 _____ Kathleen A. Curran _____ (Town Clerk)
627 _____ (Typed name)

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Town of

Whitman: _____ Date:

_____ Dawn M. Varley _____ (Town Clerk)
_____ (Typed name)

Commissioner of the Department of Elementary and Secondary Education:

_____ Date:

_____ Jeffrey C. Riley _____
_____ (Typed name)

