

TOWN OF SCITUATE
ADVISORY COMMITTEE



Report and Recommendations
For
SPECIAL TOWN MEETING

November 14, 2018

7:00 P.M.

**Scituate High
School Gymnasium**

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

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 Special Town Meeting, which will convene on November 14, 2018.

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

This evening, the Board of Selectmen and other town boards will propose FY2019 budget reconciliations, various expenditures, funding transfers, and local option statutes. The 2019 Special Town Meeting places before the voters fourteen (14) articles for your consideration.

We, the Advisory Committee, recommend on each, but only you will decide which articles pass, and which ones do not.

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

Respectfully submitted,

The Scituate Advisory Committee

Lincoln Heineman, Chair

Jerry Kelly, Vice Chair

Anthony Antonello

Geoffrey Burns

Sean Delacy

James Gilmore

Patrice Metro

Elise Russo

Mike Westort

TOWN MEETING RULES AND DEFINITIONS

1. The conduct of Scituate's Town Meeting is bound by state law, the Town's Charter and By-laws, local tradition and the publication entitled, "Town Meeting Time".
2. The Moderator presides over the Town Meeting, decides all questions of order and procedure, and announces the results of all votes. The results of all votes when announced by the Moderator shall be final except on a voice vote that may be questioned by seven (7) voters standing immediately after the announced results of a vote. In such a case, a teller-counted vote shall be taken without debate.
3. Non-voters will be seated in a special section unless permission is granted by the Town Meeting to be seated elsewhere. Non-voters may be allowed to address the Town Meeting with permission of the Moderator unless a majority of voters choose to deny such a privilege.
4. Articles in the Warrant give notice of the issues subject to discussion at a Town Meeting and establish the parameters of matters that can be debated and acted on. Amendments, motions and/or debate determined by the Moderator, with the advice of Town Counsel, to be "beyond the scope" of the articles may not be permitted.
5. In order for the Town Meeting to act on or discuss an article, a motion must be made and seconded. 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.

SPECIAL TOWN MEETING November 14, 2018

ARTICLE 1. Unpaid Bills

To see if the Town will vote to transfer the sum of \$4,584.24, or a greater or lesser sum, for the purpose of paying Fiscal Year 2017-2018 unpaid bills, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article would allow the Finance Department to pay 19 bills totaling \$4,584.24 from the Fiscal Year ending June 30, 2018, and a prior Fiscal Year, which were not able to be paid previously because they were received after the Town’s accounts payable period had closed. It is a routine article which comes before most fall Town Meetings.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 2. Town Share of Grants

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$166,000.00, or a greater or lesser sum, for the purpose of providing town share matches to awarded grants, or take any other action relative thereto:

<u>GRANT</u>	<u>AMOUNT</u>	<u>FUNDING SOURCE</u>
Municipal Vulnerability Grant	\$26,000.00	Sewer Enterprise Retained Earnings
SRF Seawall & Dam Repair Fund – Reservoir Dam	\$70,000.00	Water Enterprise Retained Earnings
Seaport Economic Advisory Council Amendment to Marina Pilings Grant	\$70,000.00	Waterways Enterprise Retained Earnings

Sponsored by: Board of Selectmen

Comments: This article would fund the Town’s required \$166,000 contribution so it may receive three state grants that have already been provisionally awarded to the Town. The Town received a \$58,000 Municipal Vulnerability Preparedness Grant for a feasibility study of the Town’s wastewater infrastructure to identify and assess alternative strategies for resiliency from coastal flood hazards, which requires a \$26,000 contribution from the Town to be funded from Sewer Enterprise Retained Earnings. The Town was also awarded a Dam & Seawall Repair or Removal Program grant of \$227,309 for design and engineering of the reservoir dam, with a required Town commitment of \$70,000 to be funded from Water Enterprise Retained Earnings. Finally, the Town was awarded an additional \$240,000 from the Seaport Economic Council for the installation of marina pilings, with a required Town commitment of \$70,000 to be funded from Waterways Enterprise Retained Earnings.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 3. 2018 Storm Mitigation and Remediation Costs

To see if the Town will vote to transfer from available funds in the Treasury, the sum of \$1,000,000.00, or a greater or lesser sum, into the Stabilization Fund to replace amounts transferred to pay Fiscal Year 2018 bills associated with the March 2018 Storm Riley, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: The Town appropriated \$1,000,000 from its Stabilization Fund at the April 2018 Town Meeting to address storm costs incurred from Storm Riley in March 2018. It has been the Town’s practice over the last several years of severe storms that resulted in the appropriation of emergency storm costs to replace those funds at the fall special town meeting after the certification of Free Cash.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 4. Fiscal Year 2019 Budget Reconciliations

To see if the Town will vote to transfer from available funds in the Treasury the sum of \$325,521.30, or a greater or lesser sum, for the purpose of balancing the Fiscal Year 2019 Operating Budget pursuant to Articles 4 and 9 of the April 9, 2018 Annual Town Meeting warrant, or take any other action relative thereto:

<u>TO</u>	<u>AMOUNT</u>	<u>REASON</u>
Water Enterprise Repair & Maintenance 65450520.524200	\$200,000.00	To cover costs for ice pigging and flushing of mains.
Water Enterprise Technical Services 65450520.530900	\$75,000.00	To cover costs for a water system study.
Water Enterprise Regular Salaries 65450510.511000	\$50,000.00	To enable department to add an Assistant Water Supervisor.
Roadway Maintenance 1422540.543300	\$ 521.30	Town’s share of ride share fees from Commonwealth.

Sponsored by: Board of Selectmen

Comments: This article is addressing a few glaring needs of the town; adding resources (in this case an Assistant Water Supervisor) to focus on solving and addressing the many areas in Scituate with brown water, as well as starting the process of removing manganese from the Town’s water pipes. Sean Anderson (head of the Water Division) currently has a foreman and operator under him, who are constantly monitoring and working to provide and maintain the

Town's rapidly-aging water plant. At this time, especially given the current conditions of the Town's water, we believe it is necessary to provide an extra resource to help address the Town's broader water issues. In addition, with some of the older wells producing higher manganese content, this additional resource can be potentially used to help update/clean these wells to keep the manganese content low. The Town and the DPW deserve credit for thinking outside the box and finding a European solution to see if there are better ways to potentially reduce the brown water many residents have. The Town is currently using this solution to flush out pipes with a process called "ice pigging," which breaks down manganese and can effectively get rid of it all together in the Town's water pipes. We are hopeful this first round of tests can help alleviate the Town's brown water and is a good first step towards potentially fixing this issue.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 5. Repairs to Water Treatment Plant

To see if the Town will vote to authorize the Treasurer to borrow, with the approval of the Board of Selectmen, pursuant to Massachusetts General Laws Chapter 44, or any other applicable law, \$1,253,000.00, to fund repairs at the water treatment plant, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: The sand filter system at the Water Treatment Plant has failed and requires immediate replacement. In order to repair the system, the treatment plant needs to be taken off line which has been impossible due to high demand and brown water issues. There are other necessary repairs needed at the plant, including a previously-funded TracVac replacement project, which has been unable to move forward since the plant could not be taken out of service. This article would not only provide funding for multiple repairs, but also includes funding for temporary filters to be brought in for deployment at two wells in order that the treatment plant can be taken off line for two to three months for necessary repairs.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 6. FEMA Subsidized Repairs to Foreshore Structures - Design

To see if the Town will vote to authorize the Treasurer to borrow, with the approval of the Board of Selectmen, pursuant to Massachusetts General Laws Chapter 44, or any other applicable law, \$4,000,000.00, to fund the design, engineering and permitting of repairs to foreshore structures and construction, if funds permit, caused by recent storms including the declared disasters of the 2012 Storm (Sandy), 2013 Blizzard (Nemo), 2015 Blizzard (Juno) and 2018 Blizzard (Riley) and further that such borrowing is to be reduced by reimbursements received from FEMA, or take any other action relative thereto.

Comments: The Town has been working with the Massachusetts Emergency Management Agency (MEMA) and the Federal Emergency Management Agency (FEMA) for several years to address the infrastructure damage to foreshore structures caused by the disasters of Sandy, Nemo, Juno & most recently Riley. In order to move forward with final design, engineering and construction of these repairs, the Town needs an appropriation from Town Meeting to do the work. The Town consulted with the Department of Revenue (DOR) to see if it needed to appropriate only its 25% expected share or the full estimated cost. The DOR considers this situation similar to a school construction project with MSBA funding. The municipality authorizes the full cost of the project but only borrows its final costs after applying all reimbursements received. Since these estimates are several years old and FEMA is imposing additional requirements, the request is only for the design, engineering and permitting in order to see how best to approach the repairs for maximum benefit while keeping in mind economies of scale for bidding and federal reimbursement. The total requested for this purpose is \$4M to be reduced by any FEMA reimbursements received for design work. Any remaining funds not needed for design, exclusive of the FEMA reimbursements, could be applied to construction. The project listing also includes the section of seawall from where the Oceanside Drive work ended to the area now being evaluated by the Army Corps of Engineers in Cedar Point for another federal grant program. The Town has requested the Army Corps include this section in their study but a final decision has yet to be received. This request is consistent with our Town’s ongoing commitment to foreshore protection and the efforts in support of these many longstanding claims with FEMA.

Disaster	PW #	Location	Total Claim	Total FEMA Reimbursement Potential	Design, Engineering & Permitting (20%)	Design FEMA Reimbursement Potential
2012 (Sandy)	301	Third Cliff	\$ 2,241,135	\$ 1,680,851	\$ 448,227	\$ 336,170
2013 (Nemo)	820	Minot Beach Revetment	\$ 254,540	\$ 190,905	\$ 50,908	\$ 38,181
2013 (Nemo)	821	Glades Beach Revetment	\$ 274,980	\$ 206,236	\$ 54,996	\$ 41,247
2013 (Nemo)	824	Second Cliff Revetment	\$ 305,910	\$ 229,433	\$ 61,182	\$ 45,887
2013 (Nemo)	834	Third Cliff Revetment	\$ 1,025,165	\$ 768,874	\$ 205,033	\$ 153,775
2013 (Nemo)	835	First Cliff Revetment	\$ 262,360	\$ 196,770	\$ 52,472	\$ 39,354
2013 (Nemo)	838	Egypt Beach Berm	\$ 446,965	\$ 336,723	\$ 89,393	\$ 67,045
2015 (Juno)	1171	Seawall & Revetment Damages	\$ 5,905,083	\$ 4,428,812	\$ 1,181,017	\$ 885,762
2018 (Riley)	TBD	Seawall & Revetment Damages	\$ 8,000,000	\$ 6,000,000	\$ 1,600,000	\$ 1,200,000
Non-Declared		Turner/Oceanside Seawall			\$ 250,000	
		Total	\$ 18,716,139	\$ 14,038,605	\$ 3,993,228	\$ 2,807,421

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 7. 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 first from any existing reserves for the

purposes of such item, with any excess to be appropriated from Community Preservation FY 2019 Estimated Receipts or Undesignated Funds. 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. \$80,000.00 From FY 2019 Estimated Receipts for Improvements at Roach Field
2. \$270,000.00 From FY 2019 Estimated Receipts to replace a Playground At Wampatuck School
3. \$500,000.00 From Open Space Reserve for Acquisition of Sunset Road/First Cliff property
4. \$109,000.00 From FY 2019 Estimated Receipts for Acquisition of Sunset Road/First Cliff property

Or take any other action relative thereto.

Sponsored by: Board of Selectmen

Roach Field Parking Improvements (Recreation \$80,000)

Comments: This application is for additional funding to refurbish an existing parking area and construct additional parking (18 spaces) on the grassy area past right field at Roach Field. The original proposal for \$89,300 was approved at the 2017 Annual Town Meeting. The actual design requires storm water and drainage swales and runoff which were not included in the original request. The lowest design bid is \$25,500 vs. the budgeted \$10-15K. Additional storm water requirements, signs and redesign for front parking require an additional \$80,000 in funding. Scituate Little League is committing \$7,500 for the project. This project will provide safe parking for attendees, handicap parking and get cars parked in the neighborhood and Beaver Dam Road off the streets.

Recommendation: The Advisory Committee recommends approval of this item.

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

Wampatuck Playground Project (Recreation \$270,000)

Comments: This project is to replace an existing playground with a new playground at Wampatuck Elementary School. The existing playground is a community playground widely used by the surrounding neighborhoods as well as by the elementary school. The existing playground is in disrepair and needs replacing.

Wampatuck PTO will be contributing \$30,000 to the cost of the playground. The project is seeking an additional \$270,000 in CPC funding. Modern playground equipment will be installed with an ADA-accessible walkway to the playground. The new playground will provide a safe, ADA-compliant and modern recreation space for a wide range of ages and abilities.

Recommendation: The Advisory Committee recommends approval of this item.

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

**Acquisition of Sunset Road (aka MacDonald Farm) First Cliff Property
(Open Space \$500,000 and Estimated Receipts \$109,000)**

Comments: This project is for the purchase of approximately 4.79 acres of land, long known as the MacDonald Farm, located on Sunset Road, off Edward Foster Road on First Cliff. The property is adjacent to the National Oceanic and Atmospheric Administration headquarters of the Stellwagen Bank National Marine Sanctuary (SBNMS). The Town would like to purchase this property to permanently add to and protect it as public waterfront open space. The property comprises beach frontage, marsh, and coastal upland, and is the last large remaining undeveloped privately-owned parcel on First Cliff.

The total cost to buy the property of \$609,000 consists of:

Maximum purchase price	\$599,000
Conservation Restriction fees	\$ 7,500
Legal, Title, etc. fees	\$ 2,500

The \$609,000 is the maximum we will pay for the property and is contingent on a full appraisal. The difficulty with the valuation is no one can confirm whether there is or is not a buildable lot on the 4.79 acres.

Recommendation: The Advisory Committee recommends approval of these items.

Advisory Committee Vote: Unanimous (6-0) vote in support of these items.

ARTICLE 8. General Bylaw Amendment - Plastic Bag Reduction Bylaw

To see if the Town will amend the General Bylaws by adding a new Section 32070 entitled “Plastic Bag Reduction Bylaw” as follows, or take any action related hereto.

**Plastic Bag Reduction
Bylaw**

1. Purpose and Intent

The production and use of thin-film, single-use plastic checkout bags have significant impacts on the environment, including but not limited to: contributing to the potential death of marine animals through ingestion and entanglement; contributing to pollution of the land environment; creating a burden to solid waste collection and recycling facilities (Scituate does not recycle plastic bags); clogging storm drainage systems; requiring the use of millions of barrels of crude oil nationally for their manufacture; and plastic bags are not biodegradable so they gradually disintegrate into minute particles which absorb toxins contaminating the food chain including the food humans eat.

The goal of this bylaw is to reduce the common use of plastic checkout bags and to encourage the use of reusable bags by consumers, thereby reducing local land and marine pollution, advancing solid waste reduction, protecting the Town's unique natural beauty and irreplaceable natural resources, and improving the quality of life for the citizens of the Town.

2. Definitions

“Checkout Bag” means a bag with or without handles provided to a customer at the check stand, cash register, point of sale or other point of departure that is intended for the purpose of transporting food or merchandise out of the Establishment.

“Single-use Plastic Checkout Bag” means a single use plastic bag, including plastic bags labeled biodegradables, compostable, or photodegradable, provided to a customer by an establishment and used to transport merchandise from the establishment. Plastic carryout bags do not include those plastic bags, typically without handles, used to contain dry cleaning, newspapers, or small bags used to contain fish, meat, produce or other products provided to the consumer, free of charge, to deliver items to the point of sale.

“Recyclable Paper Bag” means a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag (1) the word “recyclable” or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag.

“Compostable Plastic Bag” means a plastic bag that (1) conforms to the current ASTM D6400 for compostability as well as ASTM D7081 for biodegradability in the marine environment (2) is certified as meeting the ASTM D6400 and ASTM D7081 standard specification by a recognized verification entity or (3) conforms to any other standards deemed acceptable by this section.

“Reusable Bag” means a bag with stitched on handles that is made solely of, or in a combination of, natural cloths, synthetic fibers, or other washable material other than any type of polyethylene or polyvinyl chloride, and is durable, non-toxic, and specifically designed for multiple reuse (a minimum of 175 uses).

“Product Bag” means (1) a bag in which loose produce, bulk items, unwrapped baked goods or prepared food, or other products are placed by the consumer to deliver such items to the point of sale or check out area of the store, or (2) a bag that contains or wraps food to retain moisture or to segregate foods (like meat or ice cream) or other items to prevent contamination or damage when the items are placed together in a Recyclable Bag or Reusable Bag, (3) a bag without handles used to cover clothing such as dry cleaning bag, or (4) bags used to contain phonebooks, newspapers or magazines.

“Store” means any commercial enterprise selling goods, food or services directly to the public, whether for or not for profit, including, but not limited to, convenience and grocery

stores, markets, restaurants, pharmacies, liquor stores, take-out food purveyors, and merchandise retailers.

“**ASTM D6400**” means the American Society for Testing and Materials (ASTM) International “Standard Specification for Compostable Plastics.”

“**ASTM D7081**” means ASTM International “Standard Specification for Biodegradable Plastics in the Marine Environment.”

3. Use Regulations

3.1 No Store in the Town shall provide to any customer a Plastic Checkout Bag. Existing stock should be phased out within six months of March 1, 2019 and any remaining stock should be disposed of properly.

3.2 If a Store provides Checkout Bags, they may only provide Reusable, Recyclable or Compostable Bags.

3.3 If a store provides product bags to customers, the bag shall comply with the requirements of being either a Reusable, Recyclable or Compostable bag.

4. Administration and Enforcement

4.1 The enforcement of this law is the responsibility of the Town Administrator/Board of Health, and may be enforced by any Town Police Officer or agent of the Board of Health and other individuals appointed by the Town Administrator.

4.2 A person, individually or by his servant or agent, who violates any provision of this bylaw may be penalized by a non-criminal disposition pursuant to G.L. Chapter 40, Section 21D and the Town’s non-criminal disposition bylaw. The following penalties apply:

- first violation: a written warning
- second violation: \$100 fine
- third violation \$200 fine
- fourth and subsequent violations \$300 fine
- Each day the violation continues constitutes a separate violation.

5. Effective Date

This bylaw takes effect on March 1, 2019.

Sponsored by: Board of Selectmen

Comments: This article seeks to amend the general bylaws by adding a new Section 32070 which would reduce the common use of plastic checkout bags and encourage the use of reusable

bags by consumers, thereby reducing local land and marine pollution, advancing solid waste reduction, protecting the Town's unique natural beauty and irreplaceable natural resources, and improving the quality of life for the citizens of the Town. The bylaw would take effect on March 1, 2019.

Stores would only be able to provide checkout and product bags which are reusable (with stitched on handles and a minimum of 175 uses), recyclable or compostable.

A "store" is defined as any commercial enterprise selling goods, food or services directly to the public, whether for or not for profit, including, but not limited to, convenience and grocery stores, markets, restaurants, pharmacies, liquor stores, take-out food purveyors, and merchandise retailers.

The food pantry would not be subject to this article as it is not a commercial enterprise.

The Town Administrator/Board of Health would be responsible for the enforcement of this law. Penalties for violations of the law would range from a written warning for a first violation to \$300 for fourth and subsequent violations.

Recommendation: The Advisory Committee recommends approval of this article.

Advisory Committee Vote: Majority (5-1) vote in support of this article.

ARTICLE 9. General Bylaw Amendment – Capital Planning Committee

To see if the Town will vote to amend the General Bylaws Section 20730 – Capital Planning Committee by deleting the word "four" and replacing it with the word "five".

Or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article seeks to amend Section 20730 – Capital Planning Committee of the general bylaws by deleting the word "four" and replacing it with the word "five". The Town Charter indicates that the Capital Planning Committee is to have five members but the General Bylaws only references four members to be appointed by the Moderator. This would bring the two governing documents into agreement.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 10. Local Option Acceptance – Property Tax Exemptions Asset Limit Increase

To see if the Town will vote to accept General Laws Chapter 59, Section 5, Clause 17E, which authorizes an annual increase in the asset (whole estate) limit for exemptions granted to senior citizens, surviving spouses and surviving minors under General Laws Chapter 59, Section 5,

Clause 17C and 17D, by the percentage increase in the U.S. Department of labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2018, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: Accepting this local option would make existing real estate tax exemptions available to more Scituate residents. The current \$175 exemption is available to seniors and surviving spouses aged 70 and over as of July 1 of the tax year who have owned and occupied the property/home for at least five years. The exemption only applies to those whose total assets are less than \$40,000 EXCLUDING the value of their homes. The option would INCREASE the maximum assets to \$41,000.

For Fiscal Year 2018 there were 17 such exemptions. It is not anticipated that passage of this article would result in a meaningful financial impact to the town.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 11. Local Option Acceptance – Property Tax Exemptions Limit Increase

To see if the Town will vote to adjust the following factors under M.G.L. c. 59, § 5, Clause 41C to (1) lower the requisite age of eligibility to any person age 65 or older; (2) increase the amounts contained in subclause (B) of said first sentence whenever they appear in said subclause from \$13,000 dollars to \$20,000 dollars and from \$15,000 dollars to \$30,000 dollars; and (3) increase the amounts contained in subclause (C) of said first sentence whenever they appear in said subclause from \$28,000 dollars to \$40,000 dollars and from \$30,000 dollars to \$55,000 dollars, or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: These proposed changes would increase eligibility to seniors to receive a property tax exemption. For Fiscal Year 2018 there were 8 exemptions. It is estimated that almost thirty residents would be eligible under these new limits. NOTE: funding for this would be drawn from the Town Overlay.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 12. Local Option Acceptance – Property Tax Deferral Income Limit Increase

To see if the Town will vote to amend the income limit for General Laws Chapter 59, Section 5, Clause 41A, to the maximum income limit in the State Circuit Breaker tax credit for single

taxpayers effective for deferrals granted for any fiscal year beginning on or after July 1, 2018 or take any other action relative thereto.

Sponsored by: Board of Selectmen

Comments: This article would increase the maximum allowable income level for taxpayers to be able to defer the payment of their real estate taxes. Tax deferral allows all or a portion of taxes to be paid at a later date when the property passes out of the ownership of an eligible taxpayer. For Fiscal Year 2018 the cost for the ten residents currently receiving this was approximately \$60,000-\$70,000; this could double. However, it is important to note that these deferrals are loans only and the Town would receive 8% interest on the amount of the deferral. Also the Town must have first lien on the property which means that if there is an existing mortgage or equity line secured by the property, the lender must agree to subordinate to the Town. Precedence suggests that smaller banks are more willing to do this than larger banks. Of importance, the total amount of the deferral cannot exceed 50% of the value of the property. Thus, as first lienholder the Town is highly unlikely to be at risk to recover its full loan and interest.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 13. **Community Choice Aggregation Enabling Legislation**

To see if the Town will vote to authorize the Board of Selectmen to research, develop and participate in a Community Choice Aggregation Program, including contract for electric supply for Scituate residents and businesses as per Massachusetts General Law 164, Section 134 of the Acts of 1997, or otherwise act thereon. This includes authorizing the Town Administrator to establish and/or appoint representatives for a committee to oversee such independent action, or take any other action relative thereto, and to execute all documents necessary to accomplish the same.

By petition

Comments: This article would allow Town officials to act on behalf of Town residents and businesses to provide greener electricity for the Town's electric ratepayers. The electricity market is volatile and it is anticipated that the Town may be able to solicit the marketplace during a time of year when other distributors cannot, and may therefore achieve competitive electric rates. It is anticipated this green option will not be less expensive than the current electric rates. Town residents and businesses would have the ability to "opt out" of the proposed collective purchasing.

Recommendation: The Advisory Committee recommends approval of this article.

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

ARTICLE 14. **Community Choice Aggregation Resolution**

To see if the Town will vote to adopt the following A Non-Binding Resolution for Increased Use of Class I Renewable Resources through a Community Choice Aggregation Energy Program in the Town of Scituate.

BE IT RESOLVED, that Town Meeting urges the Board of Selectmen to initiate a process to develop a Community Choice Aggregation plan that includes as a goal the increased use of Class I renewable resources for the generation of electricity for Scituate participants.

1. The Community Choice Aggregation plan shall increase (from the Commonwealth of Massachusetts' mandated requirement) participants' use of Class I renewable sources of electricity by a percentage of retail sales while keeping average household bills competitive relative to National Grid's basic service rate.
2. Further, the Community Choice Aggregation plan shall include, if feasible and appropriate, provisions that entitle participants to charitable deductions on their income tax filings to give consumers the additional benefit of potential tax savings.
3. The Community Choice Aggregation plan shall include clear and easily executed steps allowing consumers to opt out of, or later to opt in to the Aggregation program corresponding to the Community Choice Aggregation plan, with no penalty or other cost, and at any time.
4. That, in addition to all other requirements for notice in Massachusetts General Laws or regulations of the Department of Public Utilities, the Town of Scituate will communicate directly with citizens about Community Choice Aggregation program and its electricity service options as well as its opt-out provision.

By petition

Comments: This is a non-binding article that proposes the Town's residents and businesses receive their electricity from a new electric provider that will provide increased Class 1 renewable sources of electricity and will not include a "non-green" option as a default. The Town would be aggregating its electricity purchase as a group with the goal of lowering "green" electric rates compared with an individual green electric option, but it has to be set up as an opt out, not an opt in. It is anticipated this would be a 2 or 3 year contract and it is hoped that renewable energy credits will make green electricity more competitive in the future.

Recommendation: The Advisory Committee recommends approval of this article.
Advisory Committee Vote: Majority (5-1) vote in support of this article.