

TOWN OF HINGHAM



WARRANT

for the
ANNUAL TOWN MEETING
April 22, 2019
at 7:00 P.M.

and

REPORTS
of the

**Advisory Committee
Capital Outlay Committee
Planning Board**

**Board of Selectmen
Personnel Board
School Committee**

Elder and Handicapped transportation available – Register: 781.741.1458
Reservations must be made by 12:00 P.M. on April 22nd

Please bring this report to the meeting for use in the proceedings
at
Hingham High School, 17 Union Street

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**MODERATOR'S MESSAGE
ON
TOWN MEETING PROCEDURES**

Welcome to the 2019 Hingham Town Meeting. In our commitment to open town meeting, Hingham remains true to a wonderful tradition – of vesting in each citizen both voice and vote, enabling all of us to play a pivotal part in the work of our town and in shaping its future. Town meeting is not only a gathering of citizens to consider matters of common concern; it is the legislative body of the town. As such, the meeting must be conducted in a fair and open manner and in accordance with the Town By-Laws, as well as traditions that we have followed in Hingham town meetings for many years. Several matters of procedure are summarized below.

- An **article** in the warrant states a question for the town meeting to answer. A **motion** is a proposed answer to the question and must be within the scope of the article. An article (once published in the warrant) may not be amended, but a motion may be amended by vote of the meeting. All motions must be seconded.
- If the Advisory Committee is recommending an **affirmative motion** under an article, its motion will be received as the main motion under the article. A voter may propose to amend this motion, either to change it in part or to substitute a whole new motion (sometimes called a "substitute motion"). In any such case, the proposed amendment will be taken up and voted on first and then the main motion, as it may have been amended, will be acted upon.
- If the Advisory Committee is recommending **no action** under an article and a voter offers an affirmative motion, the voter's motion will be received as the main motion under the article. Such a motion is likewise subject to amendment.
- All **motions and proposed amendments** involving the expenditure of money must be **in writing**. So must all other motions and proposed amendments unless they are so brief and simple as to be easily understood when stated orally (*e.g.*, motion for the previous question, motion to adjourn). Voters are welcome to seek the assistance of counsel for the Town in preparing motions or proposed amendments.
- **Limits on speaking:** No one may speak on any subject for more than six (6) minutes for the first time or for more than three (3) minutes for the second time. No one may speak more than twice on any question unless all others who have not spoken on the question shall have spoken if they desire to do so and unless leave of the meeting is first obtained. A person may speak more than twice, but only to make a brief correction of an error in or misunderstanding of his or her previous statement, including brief answers to questions from the floor (addressed through the Moderator).
- No speaker is allowed to **indulge in personalities**, but must confine his or her remarks to the matter before the meeting.
- Persons who are not registered voters of the Town may be admitted to the meeting as **guests** by the Moderator. A guest of the meeting may be granted permission to address the meeting by majority vote.
- The purpose of the **motion for the previous question** is to end discussion and have an immediate vote on the pending question. The motion is not debatable and requires a majority

vote for adoption. The Moderator will decline to accept a motion for the previous question if other voters are seeking recognition and if both sides have not had a fair opportunity to be heard. The Moderator will accept the motion for the previous question if it appears that both sides have been heard and the discussion is becoming repetitious.

- **Voting procedures:** All votes are taken in the first instance by voice vote. If the Moderator is in doubt as to the results, or if seven (7) voters rise and express doubt as to the result declared by the Moderator, a standing vote is taken, **except** that a ballot vote is taken (instead of a standing vote) if either the Advisory Committee or fifty (50) voters promptly call for a ballot vote. As a ballot vote takes considerable time, our practice has been not to request a ballot vote in the absence of compelling reasons to do so.
- At a **Special Town Meeting**, no money may be appropriated for any purpose if the Advisory Committee recommends against the appropriation, except by a **two-thirds vote** of the meeting.
- No vote may be **reconsidered** except after a **two-thirds vote** on a motion to reconsider such vote. A vote may not be reconsidered a second time or after a motion to reconsider it has failed to pass.
- A vote adopted at one session of the town meeting may not be **reconsidered at a later (adjourned) session** of the meeting unless the mover has given notice of his or her intention to make such a motion either at the session of the meeting at which the vote was passed or by written notice to the Town Clerk not less than 12 hours before the hour to which adjournment has been voted and not more than 48 hours after the hour of adjournment of such session. Any motion for reconsideration pursuant to such notice of intention will be taken up at the beginning of the adjourned session.
- **Articles** in the warrant are to be acted upon **in their order** unless the meeting otherwise determines by majority vote.
- A **motion to adjourn** the meeting to a later time is a privileged motion and is decided by majority vote without debate. When the warrant is completed, a **motion to dissolve** the meeting is in order.
- The number of voters constituting a **quorum** in order to convene the first session of a Regular or Special Town Meeting is 300. The number of voters necessary to convene the second or any subsequent session of a Regular or Special Town Meeting is 200. Once convened, the quorum to transact business at any Regular or Special Town Meeting is 200; provided, however, that a number of less than 200 may from time to time adjourn the same. Once a quorum is determined at the start of the meeting (or adjourned session), the presence of a quorum is presumed to continue unless a point of no quorum is raised and a count of the meeting shows that a quorum is not present. In that event, the meeting may be adjourned to a later date.
- **If you wish to speak**, please rise and seek the attention of the Moderator or the Assistant Moderator. When recognized by the Moderator, you should come to a microphone. Please state your name and address at the outset each time you speak.

REPORT OF THE ADVISORY COMMITTEE

The Advisory Committee recommends the proposed Fiscal Year (“FY”) 2020 budget (Articles 4, 5, and 6) for Town Meeting approval.

While the financial position of the Town is solid, balancing the budget was challenging once again this year. The growth of expenses continues to outpace the growth of revenues. The five-year forecast reflects flattening revenue, driven by a decrease in new growth and an assumption that State aid will decrease. The Town would benefit from a long-term financial management plan, including an examination of capital priorities and service levels, all the while being mindful of the impact on taxpayers and rating agencies.

The Town’s FY2020 Total Annual Expenditures (“TAE”) (Articles 4, 5, and 6) will increase 2.89% over the FY2019 TAE, and the Town’s FY 2020 Operating Budget (TAE minus employee benefits, debt service, and items that are financed by user rates/charges) will increase 4.02% over the FY2019 Operating Budget. This increase is primarily due to wage inflation, as personnel expenses represent 78% of the Town’s Operating Budget.

The increase in expenditures for FY2020 will be funded by a 2.5% increase in the tax levy, new growth of approximately \$1,100,000, and modest increases in State aid and local receipts (including \$800,000 in current meals tax revenue), and the balance of the Meals Tax Stabilization Fund of approximately \$120,000.

The budget presented for Town Meeting consideration is based on “level services”, i.e., FY2019 service levels adjusted for FY2020 costs. The Board of Selectmen, Personnel Board, and School Committee continue to work diligently to ensure that Town employees are compensated fairly. All municipal and school bargaining units’ contracts except two have been settled through June 30, 2020. This process is critical, as employee payroll accounts for such a large percent of the of the Town’s total budget.

The FY2020 budgets differ from the FY2019 budgets as listed in the table below. This includes Articles 4, 5, and 6 (excluding the Sewer and South Shore Country Club budgets, which are funded by user rates / charges).

	<u>FY 2019</u>	<u>FY 2020</u>	<u>% CHANGE</u>
Municipal Departments:	\$26,498,584	\$27,510,312	3.82%
School Department:	\$52,006,697	\$54,319,826	4.45%
Capital Outlay:	\$2,354,462	\$2,279,535	-3.18%
Employee Benefits:	\$13,116,282	\$13,575,588	3.50%
Debt Service:	\$8,747,260	\$8,214,774	-6.09%
Insurance and Incidentals:	<u>\$665,008</u>	<u>\$693,723</u>	4.32%
TOTAL	\$103,388,293	\$106,593,758	3.10%

All budgets have been closely scrutinized by each department head, the Town Administrator, the Town Accountant, the Board of Selectmen, and the Advisory Committee. Each department presented a level services budget, and some departments also included additional requests for funding. The recommended budget increase for the Municipal Departments reflects wage and cost inflation, along with modest increases in services. With respect to the School Department’s FY2020 budget, the Advisory Committee is recommending an appropriation that is \$2,313,129 (4.45%) greater than the FY2019 funding authorization. This increase represents wage inflation along with some increases in services.

The FY2020 budgets presented to Town Meeting do not reflect the full requested amounts from all departments. The Advisory Committee approved only a few of the additional requests for funding. The Committee believes that the proposed budgets are fair and equitable and represent a level of service consistent with the expectations of the Town's residents.

While the Municipal and School Departments worked through the financial constraints of the last several budget cycles with limited disruption in services, increasing service demands and unfunded Federal and State mandates require the allocation of additional dollars to meet the most pressing needs. Unfunded mandates will continue to influence future budgets, especially as they relate to the Education budget. The School Department remains especially concerned about the chronic underfunding and delayed reimbursement from the Commonwealth, particularly as it relates to special education out-of-district tuition and transportation costs.

The resulting impact of the proposed budget will result in a tax increase to the average homeowner of approximately 3.13% or \$286.63.

The Town continues to strengthen its financial position while maintaining reasonable service levels and providing for the Town's capital needs. In developing the proposed FY2020 budget, the Advisory Committee deliberations included four important considerations: (1) delivery of Town services in the most cost-effective manner possible; (2) addressing the capital and infrastructure needs of the Town; (3) the effect of the Committee's recommendations on residential property taxes; and (4) maintenance of the Town's Aaa bond rating.

Budgeted expenditures for employee benefits in FY2020 are \$459,306 more than FY2019 based on increases in retirement costs, after remaining virtually flat from FY 2018 to FY 2019 primarily because of a reduction in the anticipated cost of the Town's health insurance plan in that fiscal year. (The Town is in its third year with the State Group Insurance Commission ("GIC") Plan.) Health care expenses for active and retired employees, though, are budgeted to increase at a rate of 10% per year in the future, creating a significant long-term issue. The Town continues to fund its Other Post-Employment Benefits ("OPEB") liability and has budgeted an additional \$250,000 for this item in FY2020 (as it did in FY2018 and FY2019), but this will require continued analysis to determine if the funding rate is adequate.

Budgeted debt service has decreased by \$532,487, as previously funded projects begin to roll off the debt schedule. This trend is expected to continue, but the expectation is that new capital needs will require significant future borrowing. The Town has made an effort to ensure that the savings for non-excluded debt service are not incorporated into the operating budget. These funds are being tracked in a new reserve account in the General Fund.

The Advisory Committee continues to monitor the ratio of the Town's Unassigned Fund Balance to the Town's Total Annual Expenditures. This is a key metric of fiscal health and effective management in evaluations by all three bond-rating agencies. The Town's Aaa bond rating provides the Town access to debt markets when other potential borrowers (with lower bond ratings) are unable to find purchasers for their riskier debt. The Aaa bond rating also means the Town can secure the lowest possible interest rates for its bond offerings, resulting in lower debt-service costs funded by property taxes. The availability of debt at reasonable rates is a key component of the Town's financial assumptions. The resulting debt service costs at lower-than-projected levels also reduce the tax burden for Hingham households.

The Town is committed to providing for its ongoing capital needs primarily within the tax levy or operating budget of the Town. Rebounding from a low in capital spending in FY2010, there has been a steady increase in capital funding through the capital outlay process. Working with the Capital Outlay

Committee, the Advisory Committee continues to balance the need to repair and replace capital items before such costs become unreasonable.

The Town has a number of large capital projects that will require analysis and potential funding. This includes the possible renovation or reconstruction of Foster School, two new fire stations, possible renovations of the Library and Town Hall, the development of new space for the Senior Center, and Harbor repairs and improvements. The Town will need to consider how any or all of these projects may impact the Town's financial position. An Advisory Committee working group developed a financial planning tool that facilitates the analysis and forecasting of debt capacity. It allows the input of a number of variables to see the impact that any future capital projects may have on the Town budget. The Town Administrator's office is responsible for the use of this tool.

FINANCIAL POLICY CONFORMANCE

Expenditures in the proposed FY2020 budget conform to the Town's Financial Policy guidelines as follows:

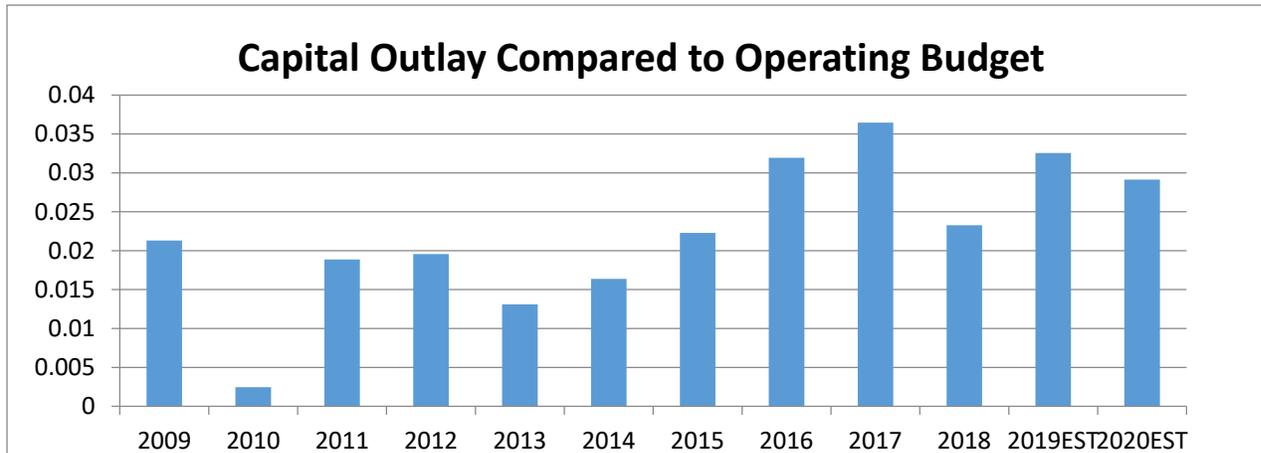
Unassigned Fund Balance between 16% and 20% of Total Annual Expenditures ("TAE")

- Fund Balance, also known as Available Reserves or Available Funds, is the accumulation of each year's actual surpluses and deficits. In accordance with the implementation of GASB 54, Fund Balance is classified into five categories: Nonspendable, Restricted, Committed, Assigned, and Unassigned.
- Total Fund Balance has increased from 8.9% of TAE at the end of FY2009 to 31.79% at the end of FY 2018 (the most recently completed Fiscal Year). As of the end of FY2018, total Fund Balance equaled an historic high of \$35,658,086. The amount "reserved" for particular future uses (per GASB 54) is \$8,566,342 (24.02%).
- Per the Town Financial Policy, the Town should maintain an Unassigned Fund Balance at a level no less than 16% and as high as 20% of TAE.
- As of the end of FY2018, Unassigned Fund Balance equaled \$27,091,744 or 25.70% of TAE. As of the end of FY2017, this dollar amount was \$22,981,179, and the ratio was 22.31% of TAE. Five Warrant Articles under consideration by the 2019 Annual Town Meeting seek funding from Unassigned Fund Balance, in amounts including \$813 (unpaid bill of a previous year), \$350,000 (Foster School), \$195,000 (Route 3A design), \$145,000 (Master Plan), and \$250,000 (water company acquisition transition costs). These expenditures will not significantly impact Fund Balance at 6/30/2019.

Capital Expenditures between 2% and 5% of the Operating Budget

- Per the Town Financial Policy, the Capital Plan for any Fiscal Year should budget an expenditure amount that is between 2% and 5% of the Town's Operating Budget for that Fiscal Year.
- For FY2020, the Capital Outlay budget (excluding borrowing and Sewer, Recreation, and South Shore Country Club capital, which is funded from user rates/charges) is \$2,279,535. This amount is 2.69% of the FY2020 Operating Budget.

- This is the sixth consecutive year that capital spending has been within the limits set forth in the Town Financial Policy. The Advisory Committee recognizes the importance of continuing the plan to increase capital funding.



- For FY2020, the Capital Outlay Committee (“COC”) reviewed and evaluated departmental capital requests using the following six criteria:
 - If lack of the particular capital item puts citizen / employee safety at risk.
 - If the capital item is broken.
 - If the capital item is core to the department's mission, i.e., the department cannot function without it.
 - If the capital item is still functional but repairs are required that would cost 25% or more of the new item purchase price.
 - If the capital item is substantially beyond its originally projected useful life and its failure would jeopardize performance of the department's overall mission.
 - If the cost of the capital item can be recovered in three years or less.
- From initial capital requests of \$4,208,812, the COC recommended a FY2020 capital budget of \$2,279,535 to be funded from the tax levy. Furthermore, COC recommended a capital budget of \$52,000 for the South Shore Country Club and \$85,000 for the Recreation Commission, both of which are to be funded by user fees. Lastly, a total of \$191,000 was recommended for Sewer-related projects to be paid by Sewer rate payers. In addition, \$128,216 of the FY 2020 capital requests from the Department of Public Works and Town Hall will be funded from FY 2019 budget surpluses from various departments.
- In separate Warrant Articles, the Advisory Committee recommended:
 - That the Town borrow up to \$3,500,000 to dredge Hingham Harbor, a necessary project every 10 years to maintain the Harbor’s navigability.
 - That the Town borrow up to \$550,160 for the purpose of replacing the glass block windows at the Hingham High School gymnasium and related work.
 - That the Town borrow up to \$500,000 for the purpose of installing a fiber optic municipal area network for data and telephone communications in and between all Town-owned buildings.
 - That the Town borrow up to \$415,000 to purchase golf course maintenance equipment for the South Shore Country Club. This debt will be repaid through the Country Club’s operating revenues over the next five years.
 - That the Town borrow up to \$114,000,000 to acquire the Town’s water company. This debt will be repaid through ratepayer revenue over 30 years.

- All of this spending and borrowing is subject to approval at Town Meeting.
- The COC continues to call for adequate funding throughout the term of the *Five-Year Capital Plan*, including consideration of the targeted use of debt to address major capital expenditures.

Reserve Fund of Approximately 0.75% of the Operating Budget

- Massachusetts General Laws provide for annual appropriations to a Reserve Fund from which transfers for extraordinary or unforeseen expenditures may be made from time to time, with the advice of the Board of Selectmen and the approval of the Advisory Committee. The Reserve Fund is used to save the time and expense of a Special Town Meeting for relatively low-cost items.
- Per the Town Financial Policy, the annual appropriation amount for the Reserve Fund should be approximately 0.75% of the Operating Budget.
- In FY2018, Reserve Fund transfers were made as follows:

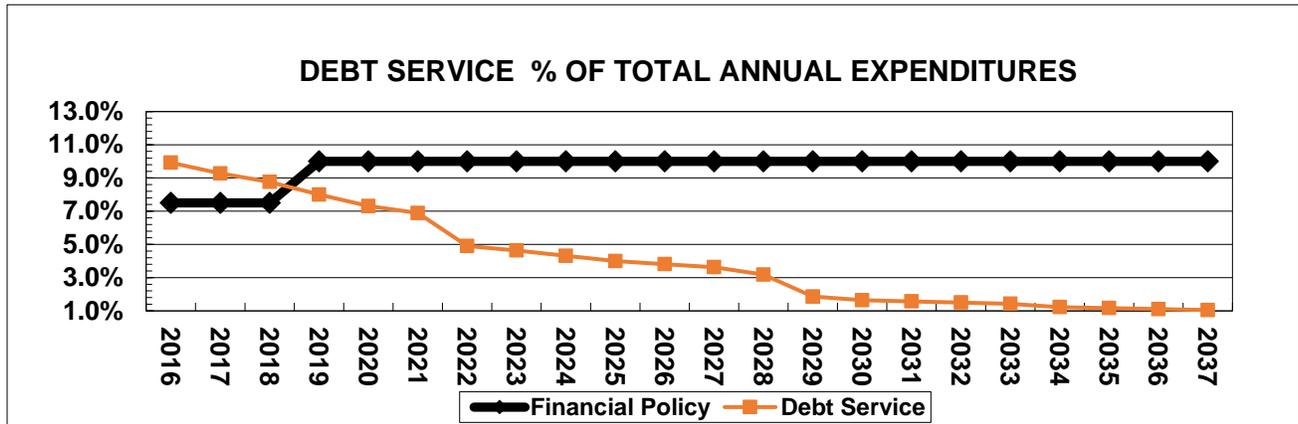
<u>DEPARTMENT</u>	<u>AMOUNT</u>
Settlement of Claims	\$86,500
Town Engineering-Road Bldg.	\$40,111
Trustee of Bathing Beach-Expense	\$51,000
Town Engineering-Paving Supplies	\$25,000
Snow & Ice	\$490,196
Legal	\$449,000
Medicare Taxes	\$65,000
Workers Comp	\$50,000
SSCC-Expenses	\$50,000
Police-Salaries	\$30,000
Police-Expenses	\$16,000
Unemployment	\$3,000
FY18 TOTAL APPROVED TRANSFERS	\$1,355,807

- Unexpended funds (if any) in the Reserve Fund for a Fiscal Year are returned to Fund Balance effective at the end of that Fiscal Year.
- The proposed amount for the FY2020 Reserve Fund is \$611,500. This is 0.72% of the Operating Budget.

Average Annual Debt Service between 5% and 10% of Total Annual Expenditures (“TAE”)

- Per the Town Financial Policy, the Town should maintain average annual debt service (repayment of principal and current interest for borrowings) between 5% and 10% of TAE.
- FY2020 debt service represents 7.34% of FY2020 TAE – a slight decrease from FY2019 (8.04%).

- The graph below shows currently authorized debt only.



- The graph indicates that, assuming no additional borrowing, debt service conformed to Financial Policy guidelines beginning in FY2019. However, the Advisory Committee notes that the Town is contemplating several projects that could be financed through the issuance of additional debt. As mentioned earlier, the Harbor Dredging Article seeks authorization to borrow \$3,500,000, the High School Windows Article seeks authorization to borrow \$550,150, the Municipal Area Network Article seeks authorization to borrow \$500,000, and the Country Club Maintenance Equipment Article seeks authorization to borrow \$415,000. The Country Club’s debt will be repaid over five years from Club revenues.
- Additional projects will be presented to future Town Meetings for consideration. Many worthy projects are on the Town's "radar screen". It would seem appropriate to have a public discourse on the priority, amount, and timing of these opportunities, being mindful of the impact of future borrowings on the taxpayer and rating agencies.
- Note that the Advisory Committee recently conducted its triennial review of the Town’s Financial Policy and revised the criteria for determining the acceptable amount of debt service.
- FY2018 was the first year that the Town set aside an annual amount that represents the unused non-excluded debt capacity. For FY2018, the amount was \$18,267. For FY2019, the forecast amount is \$107,532. The estimated annual amounts for FY2020 and FY2021 are \$90,991 and \$166,205, respectively, but these amounts will change upon the issuance of new debt. Note that the unused non-excluded debt capacity will be tracked in a new Committed account in the General Fund. It is likely that these funds will be used for future debt service or capital purchases.

FY2020 PROPERTY TAX RELIEF

- As in previous years, the FY2020 budget includes tax relief for the benefit of all taxpayers. Property taxes for FY2020 will be higher than in FY2019, but the amount of increase will be less than it would be without certain tax relief measures. Pursuant to Article 14 of the April 2013 Annual Town Meeting, about \$120,000 of meals tax receipts from prior years, currently held in the Meals Tax Stabilization Fund, will be transferred for the purposes of FY2020 tax relief. This year’s transfer uses the remaining reserves in this Fund, resulting in its closure. Some of the current meals tax revenue will also be used for tax relief. In addition, \$178,836 will be transferred from the Stabilization Fund, which contains proceeds from the sale of Town buildings plus bond premiums associated with debt refinancing. Note that the closure of the

Meals Tax Stabilization Fund and a declining balance in the Stabilization Funds will impact future tax relief.

- The Town chose not to raise taxes to the maximum level (2.5%) in FY2019 thus creating \$500,000 in unused levy capacity. Adoption of the FY2020 budget will also create \$500,000 in unused levy capacity. While unused levy capacity is not cumulative (taxes foregone in one Fiscal Year cannot be recouped in a future year), it does carry forward. As a result, future Town Meetings will have the ability to increase taxes up to the full levy capacity. If a future Town Meeting chooses to use all or some of the now existing unused levy capacity, the resulting increase in taxes will be disproportionate to the historical trend.
- The Town's financial forecast includes tax relief in future years, but there is no guarantee that the Town's financial condition will support it. The Town's current budgeting process includes appropriate checks and balances to manage the risk of tax rate volatility. While the Town's recent history of fiscal discipline and responsibility bode well for the future, continued diligence by the Board of Selectmen and the Advisory Committee will be necessary to ensure the ongoing success of this tax relief program.

LONG-TERM FINANCIAL OBLIGATION AND LIABILITY FUNDING

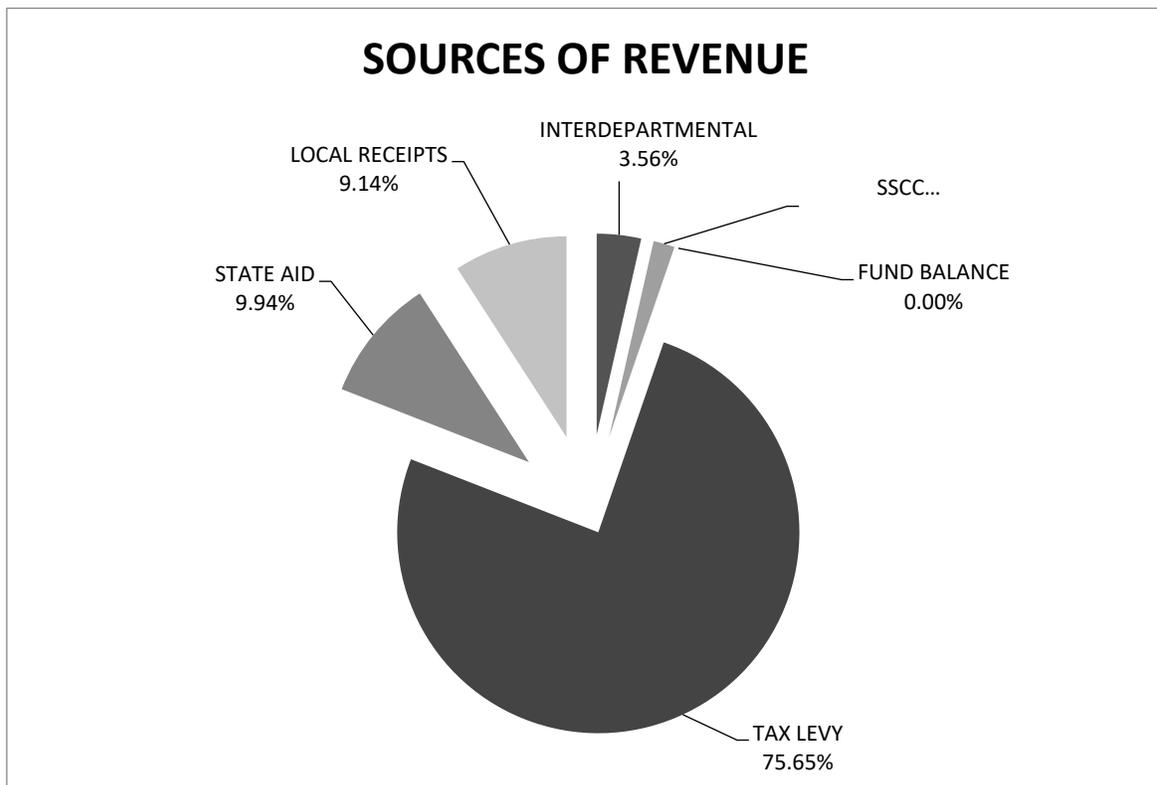
- Contributory Retirement and Other Post-Employment Benefits (“OPEB”) (retiree health care benefits) are each funded as required by law. The FY2020 budget recommends funding each so as not to burden future generations with unsustainable or disproportionate financial obligations. The FY2020 budget includes a Contributory Retirement funding amount of \$4,801,468 and an OPEB contribution of \$1,153,243.
- Further analysis of the OPEB funding level is necessary due to the continual changes in the actuarial assumptions that determine the contribution amount. These include the impact of future health insurance premiums, the updating of actuarial assumptions related to lifespans, and the assumed future rate of return on the set-aside funds. The Town does a full actuarial valuation of OPEB every two years. As of 6/30/2018, Hingham had funded its OPEB trust with \$13.9 million. Assets are projected to be available to make all projected future benefit payments for current plan members. The next valuation will be done in the fall of 2020. Hingham is far ahead of comparable towns with regard to funding OPEB obligations.

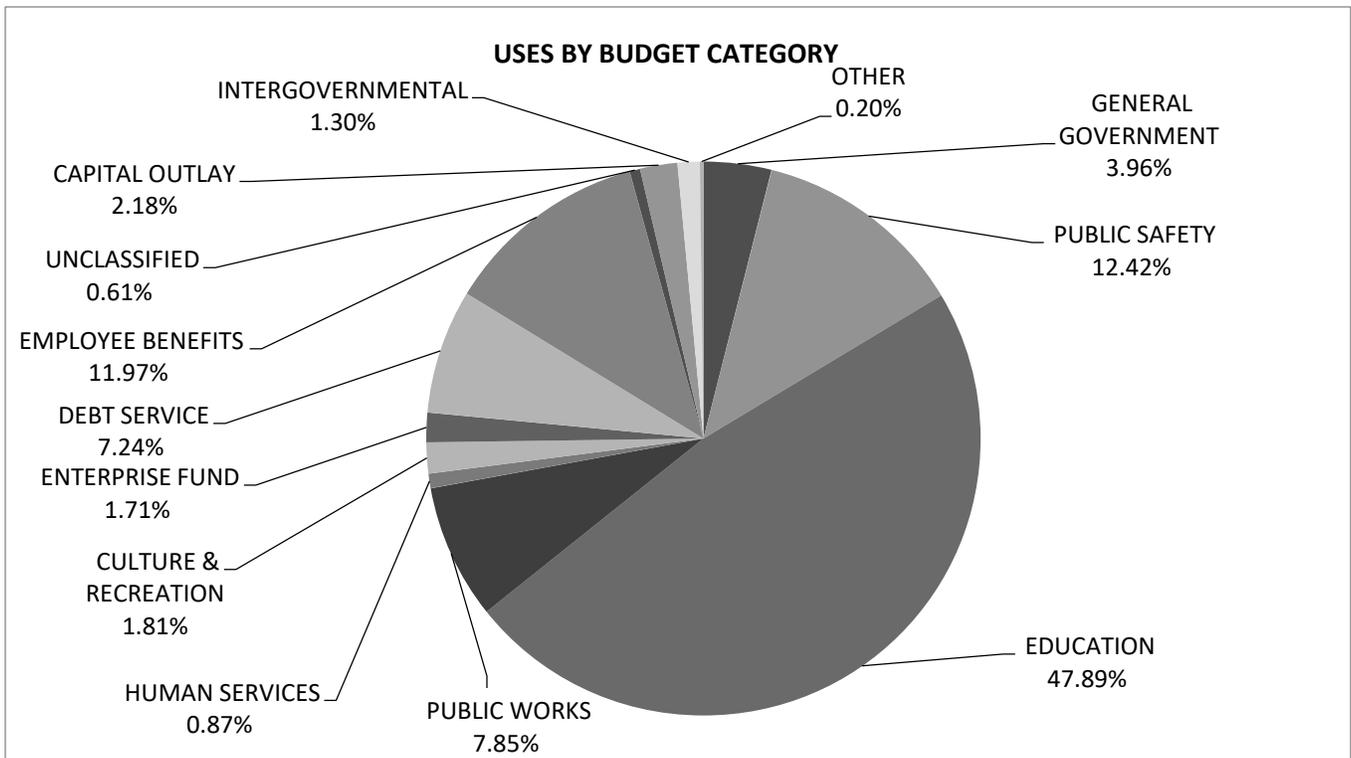
REVENUE SOURCES AND USES

- For 2020, total budgeted revenue Uses include Article 4, 5, and 6 appropriations of \$111,762,844 and amounts reserved for State Assessments, Overlay and Other Expenses totaling \$1,469,242.
- The aggregate budget Uses for FY2020 of \$113,232,086 balances to the forecasted revenue sources of \$113,232,086.

	ACTUALS	ESTIMATE	FORECAST	FORECAST	FORECAST	FORECAST	FORECAST
	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024
SOURCES							
Tax Levy							
Levy	74,111,683	76,501,004	79,418,112	82,503,565	85,866,154	88,562,808	91,326,878
2 1/2 % increase	1,852,792	1,912,525	1,985,453	2,062,589	2,146,654	2,214,070	2,283,172
New growth	536,529	1,004,583	1,100,000	1,300,000	550,000	550,000	550,000
Debt exclusions	4,037,059	3,734,626	3,652,135	3,313,103	2,955,387	2,848,676	2,733,854
Unused Levy Capacity	(500,000)	(500,000)	(500,000)	(500,000)	(500,000)	(500,000)	(500,000)
Total Tax Levy	80,038,063	82,652,738	85,655,700	88,679,257	91,018,195	93,675,554	96,393,904
Other Revenue							
State Aid	10,874,410	10,974,204	11,258,099	11,258,099	9,623,910	9,623,910	9,623,910
Local Receipts	12,638,191	10,062,829	10,345,365	10,603,999	10,869,099	11,140,826	11,419,347
Fund Balance	909,000	352,000	0	0	0	0	0
SSCC	2,103,614	2,134,481	1,943,489	1,943,489	1,943,489	1,943,489	1,943,489
Sewer	2,827,696	3,296,149	3,225,597	3,470,329	3,737,200	4,028,353	4,346,144
Light Plant (\$450K Min.)	494,999	500,000	500,000	500,000	500,000	500,000	500,000
Meals Tax Reserves	450,000	450,000	125,000	0	0	0	0
Stabilization Fund	178,836	178,836	178,836	178,836	178,836	178,836	178,836
Excess Overlay	0	0	0				
Total Other Revenue	30,476,746	27,948,499	27,576,386	27,954,752	26,852,534	27,415,414	28,011,726
Total Sources	110,514,809	110,601,237	113,232,086	116,634,009	117,870,729	121,090,968	124,405,630
USES							
State Assessments	909,520	1,007,401	1,019,242	1,070,204	1,123,714	1,179,900	1,238,895
Overlay	350,000	350,000	350,000	350,000	350,000	350,000	350,000
Other expenses / deficits	0	100,000	100,000	100,000	100,000	100,000	100,000
Total	1,259,520	1,457,401	1,469,242	1,520,204	1,573,714	1,629,900	1,688,895
Appropriations							
Capital Outlay	1,824,612	2,650,462	2,279,535	2,500,000	2,600,000	2,700,000	2,800,000
Article 6	103,046,064	106,016,093	109,252,809	111,567,685	112,412,472	115,253,235	118,264,910
Article 4&5	0	61,594	230,500	638,299	1,054,254	1,478,528	1,911,288
Other articles	0	0	0	0	0	0	0
Total appropriation	104,870,676	108,728,149	111,762,844	114,705,985	116,066,727	119,431,763	122,976,198
Total Uses	106,130,196	110,185,550	113,232,086	116,226,189	117,640,441	121,061,663	124,665,093
EXCESS (Shortfall)	4,384,613	415,687	(0)	407,820	230,288	29,305	(259,463)

- New Growth is the amount by which the property tax base increases due to new development and improvement to existing properties. The projection of New Growth revenue for FY2020 and beyond is based on the extrapolation of building permit activity and other indicators of the local economic outlook. The Town is currently forecasting New Growth to increase modestly from FY2020 to FY2021 (as new apartment and condominium projects are completed), and then to decrease back to FY2018 levels in FY2022. While there may be opportunities for new growth, the realization of these opportunities is dependent on a number of variables, many of which are outside the control of the Town. Accordingly, conservative forecasting is both prudent and necessary.
- With regard to particular FY2020 Other Revenue line items:
 - Future Local Receipts revenue, primarily from Motor Vehicle Excise taxes, is tracked carefully and forecasted conservatively.
 - South Shore Country Club (“SSCC”) revenues of \$1,943,489 fully offset SSCC operating expenses, capital expenses, and employee benefit costs, all of which are included in the Article 6 Uses total.
 - Sewer revenues of \$3,225,597 fully offset sewer operating expenses, debt, capital expenses, and employee benefit costs, all of which are included in the Article 6 Uses total.
 - Light Plant revenue of \$500,000 is a payment in lieu of taxes (“PILOT”).
- The Advisory Committee notes that the impact of reduced growth in the future will make it increasingly difficult to fund new services or initiatives, considering the structurally high levels of increases in the Education (estimated at 4-5%) and Health Insurance (estimated at 10%) budgets. Additionally, Debt Service is likely to be higher than forecasted if new debt is issued to fund new projects. Accordingly, the above chart understates the possible deficits of the future.





ADVISORY COMMITTEE RECOMMENDATIONS

The Advisory Committee has voted to recommend the budget amounts presented in Articles 4, 5, and 6 for approval by Town Meeting.

In addition, the Advisory Committee has reviewed each of the other Articles in the Warrant and, after public discussion with sponsors, petitioners, proponents, and other interested citizens, has provided comments and recommended motions that reflect the relevant points made during the Committee’s deliberations.

ACKNOWLEDGEMENTS

The Advisory Committee is most grateful for the assistance and support of Town Administrator Tom Mayo, Assistant Town Administrator Michelle Monsegur, Town Accountant Sue Nickerson, Office Manager Sharon Perfetti, Accounts Payable Specialist Lynn Phillips, and Administrative Secretary Sally Sinclair. Their diligence and timely support have enabled the Advisory Committee to better represent and serve the Town.

As in past years, the Advisory Committee benefited from strong working relationships with the Board of Selectmen, the School Committee and Administration, Town Department heads, the Capital Outlay Committee, the Community Preservation Committee, the Planning Board, and the numerous other Town Boards, Commissions, and Committees with which the Advisory Committee and its liaisons routinely interface. Continued collaboration, mutual respect, and teamwork benefit everyone.

Hingham continues to be well served by the extraordinary efforts of its many capable and responsible employees and volunteers. The Advisory Committee thanks them all for their contributions.

THE ADVISORY COMMITTEE

Donna Smallwood, Chair
Victor Baltera, Vice-Chair
Robert Curley, Secretary
David Anderson
Thomas Belyea
Libby Claypoole
Davalene Cooper
George Danis
Edmund Gaydos
Eric Haskell
Eryn Kelley
Nancy MacDonald
Andrew McElaney
Evan Sheehan
Julie Strehle

REPORT OF THE BOARD OF SELECTMEN

2018 in the Town of Hingham marked a number of developments on several different fronts. It marked a time where hard decisions on spending and the need for increased focus on our infrastructure were necessary. We are fortunate that our volunteers and dedicated employees performed superb work and service to our community, serving our town well.

Financial Overview

Our Triple-A (AAA) bond rating remains intact, due to the discipline and quality of our management, ongoing funding of our long-term liabilities, and our continuing and strong commitment to maintaining a robust fund balance, which is in conformance with our Town Financial Policy. This has required us to strike an appropriate balance between providing town services, maintaining and improving our assets, and managing residential property taxes. Our successful migration to the GIC health care plan has helped us and our employees, who equally share in the cost of health care, contain fast growing costs while providing quality coverage. While growth revenues have increased slightly, we recognize the uncertainty of incorporating this into our annual budget needs. We have also developed initiatives in this year's ATM to provide tax relief to our seniors who qualify.

Development and Growth

Construction on Avalon II and Brio projects in the Hingham Shipyard continue, along with the 220-unit Alliance project at 230 Beal Street (the former Hingham Mutual Insurance site), in Hingham has achieved its uncontested 10% minimum subsidized housing inventory (SHI) figure with the Department of Housing and Community Development (DHCD). Thereafter, the ZBA will have discretion to approve, deny or condition any future Chapter 40B submittals. While the town remains committed to providing opportunities for future affordable housing, we do so in a way that such initiatives would be compatible and appropriate to our existing neighborhoods.

After holding numerous public meetings, and receiving input from many stakeholders, the Route 3A Task Force concluded its work and a 25% design submittal has been tendered to Mass DOT for its consideration. As part of this effort, the town worked collaboratively with the towns of Hull and Cohasset to achieve consensus on a design change to Summer Street calculated to lead to increased safety of motorists and pedestrians without sacrificing the travel time associated with the new layout. Our thanks to the committee, Town staff, and the interested citizens and the officials from Hull and Cohasset who participated in this work.

New Initiatives

In 2017, with the assistance of a financial model created by the Advisory Committee, we began exploring and communicating our ability to fund future large capital projects. We look to continue these conversations. The Board thanks those committees for their commitment to ensuring that large capital projects are advanced thoughtfully and deliberately with an eye towards the impact on the taxpayer. In particular, the needs of the Town Hall, fire service and school department at the Foster Elementary School continue to remain acute. Our thanks to the Hingham Public Library Trustees for their hard work and dedication.

In response to ongoing citizen concerns over a proposed natural-gas compressor station located on the Fore River, 2 miles from Hingham, the Compressor Station Task Force was formed. Charged with outlining the anticipated public permitting and approval process, and alerting us to opportunities to engage in the permitting process, the Board voted to seek intervenor status in connection with the litigation entered into by the Cities of Weymouth and Quincy opposing this project.

The work on the Snack Shack in the harbor continues as does the ongoing efforts with respect to the resiliency of the sea walls within our town wharves.

The Army Corps of Engineers successfully completed its survey in the Bare Cove Park (formerly the Hingham Ammunition Depot) for unexploded ordinance, ensuring that no danger exists from activities of a by-gone era.

Inspired by a visit to historic districts in Savannah and Charleston, Chairman Paul Healey proposed creating a Town Preservation Award. The award is designed to reinforce the value of preserving Hingham's "irreplaceable historic resources". Preservation is possible "only when a community values the products of its past," said committee member Ben Wilcox. "Our buildings, neighborhoods, streetscapes, and vistas, the people who built and maintained them, and the events that took place in and around them are our history and are part of our community character". Award categories include: archaeology and landscape; education and outreach; neighborhood and streetscape; rehabilitation, including adaptive reuse; restoration, both interior and exterior; new projects. For guidelines and Checklist, and Nomination Form, visit the Document Center located on the Town website. A special thanks to Andrea Young for her hard work in this regard.

Ongoing initiatives

Work continued on assessing our facility needs and understanding the financial implications. Our accelerated road-building program repaired and/or repaved nearly 7 miles of Hingham streets. Since beginning this program in 2009, 55 miles, or 50% of Hingham roads, have been improved.

Hingham's litigation effort to determine the price of the water company has now materialized when Judge Christine Roach issued a ruling establishing the purchase price of the water company, now owned by the mega-corporation Eversource. The appeal process has confirmed the price and the Board has worked hard to present the argument that purchase of this most valuable resource is in the best interests of the town, both now and in the future. This effort has involved multiple public meetings and forums where the public has been presented with contemplated models of governance, operation and the significant financial savings that the town would enjoy if it elects to purchase. This is a decision, of epic proportions, that will be felt for generations to come.

Leadership

Our town department heads continue to serve with great professionalism. Town Administrator Thomas Mayo and Assistant Town Administrator Michelle Monsegur have rendered superb service to the Town. Our police and fire services have continued to evolve with an eye to addressing today's needs with an eye on tomorrow. We acknowledge the retirement of David Basler, Human Resources Director and Barbara Farnsworth, Director of Elder Services and thank them for their years of dedicated service.

Finally, we thank the hundreds of citizen volunteers who generously give of their time and talents to work on behalf of the Town. This year alone, the Board appointed over 50 citizens to different committees and boards. Our citizen's willingness to contribute their time and talents to our community are very much appreciated. They are integral to making Hingham a great place to live.

Paul K. Healey, Chair
Mary M. Power
Karen A. Johnson

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

To the Constables of the Town of Hingham in the County of Plymouth, Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Hingham qualified to vote in Town affairs to meet in the HIGH SCHOOL, 17 Union Street, in said Hingham, Monday, the twenty-second day of April 2019 at SEVEN O’CLOCK in the evening, Then and thereto act on the following Articles:

ARTICLE 1: Will the Town choose all necessary Town Officers, other than those to be elected by ballot, including the following:

One member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years, or act on anything relating thereto? (Inserted by the Board of Selectmen)

COMMENT: The Hannah Lincoln Whiting Fund was established in 1915 pursuant to the will of Ada B.W. Bacon in memory of her mother, “...to be expended in relieving the necessities of the deserving poor or unfortunate of South Hingham...” Grants from the income of the fund are made at the discretion of a committee of three members, one of whom is elected each year by the Town. As of December 31, 2018, the fund assets totaled \$16,014.36 of which \$1,014.36 was available for distribution. The principal of \$15,000 is held in trust and is not available for distribution.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDATION: That Laura Boyle, 22 Westmoreland Road, be elected a member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years.

ARTICLE 2: Will the Town, in accordance with, and only to the extent permitted by, Massachusetts General Laws chapter 91, section 29, as amended, assume liability for all damages that may be incurred by work to be performed by the Department of Conservation and Recreation of the Commonwealth of Massachusetts for the improvement, development, maintenance, and protection of tidal and non-tidal rivers and streams, harbors, tide waters, foreshores, and shores along a public beach within the Town, in accordance with section 11 of said chapter 91, and

authorize the Board of Selectmen to execute and deliver a bond of indemnity to the Commonwealth assuming such liability, or act on anything relating thereto?

(Inserted by the Board of Selectmen)

COMMENT: The Department of Conservation and Recreation (“DCR”), as a matter of policy, requires the Town to assume liability if it is to perform any of this type of work within the Town. In accordance with the statute, the Town would assume liability for all damages to property sustained by any person as a result of such work performed by the DCR.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town, in accordance with, and only to the extent permitted by, Massachusetts General Laws chapter 91, section 29, as amended, assume liability for all damages that may be incurred by work to be performed by the Department of Conservation and Recreation of the Commonwealth of Massachusetts for the improvement, development, maintenance, and protection of tidal and non-tidal rivers and streams, harbors, tide waters, foreshores, and shores along a public beach within the Town, in accordance with section 11 of said chapter 91, and that the Board of Selectmen is hereby authorized to execute and deliver a bond of such indemnity to the Commonwealth assuming such liability.

ARTICLE 3: To receive the reports of the following: Affordable Housing Trust; Audit Committee; Capital Outlay Committee; Commission on Disability Issues; Community Preservation Committee; Conservation Commission; Country Club Management Committee; Council on Aging; Energy Action Committee; Fire Station Building Committee; GAR Hall Trustees; Harbor Development Committee; Hingham Historic Districts Commission; the Historian; Historical Commission; Board of Managers of Lincoln Apartments LLC; Long-Range Waste Disposal and Recycling Committee (Cleaner, Greener Hingham); Memorial Bell Tower Committee; Open Space Acquisition Committee; Scholarship Fund Committee; 2017 School Building Committee; Wastewater Master Planning Committee; and Water Supply Committee, or act on anything relating thereto.

(Inserted by the Board of Selectmen)

COMMENT: The Town is indeed fortunate to have many public-spirited citizens willing to work in these capacities. We thank them for their excellent service

and recommend that all these posts and committees be continued.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the reports, if any, of the existing Town Committees, Commissions, and the Town Historian be received; and that all of said bodies and posts of government be continued.

ARTICLE 4: Will the Town accept the report of the Personnel Board appointed under the Classification and Salary Plan, or act on anything relating thereto? (Inserted by the Board of Selectmen)

COMMENT: The Personnel Board is established pursuant to the Town of Hingham Personnel By-Law and is comprised of five members appointed by the Moderator. This Article provides funds to pay for financial obligations of the Town relating to salary increases, fringe benefit changes, and job reclassifications for non-School Department employees, and makes certain amendments to the Personnel By-Law, including the Classification and Salary Plan.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the report of the Personnel Board, a copy of which is on file in the Town Clerk's Office, be accepted; that the amendments of the Personnel By-Law, including the Classification and Salary Plan, and any Cost Item agreements reached by the Personnel Board in collective bargaining, which may be embodied or referred to in said report, be approved and adopted in their entirety, such approval and adoption to become effective July 1, 2019 or as otherwise specified in said report or agreements; that the Town raise and appropriate the sum of \$230,500 for the purpose of this vote; and that the Town Accountant is hereby authorized and instructed to allocate said sum to and among the several Personnel Services and Expense Accounts in such amounts, respectively, as are proper and required to meet such amendments and to comply with such collective bargaining agreements as may be entered into by the Board of Selectmen on behalf of the Town.

ARTICLE 5: Will the Town fix the salaries of the following Town Officers:

1. Selectmen
2. Assessors

3. Town Clerk
4. Municipal Light Board;
or act on anything relating thereto?
(Inserted by the Board of Selectmen)

COMMENT: This Article fixes the salaries of the elected Town Officers listed above.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That, subject to the proviso below, the salary from July 1, 2019, through June 30, 2020, for each of the following officers shall be at the rates below stated or provided after the name of the office.

Selectmen: at the annual rate of \$2,000 each, except that the Chair shall receive an annual rate of \$2,500 for the period of incumbency.

Assessors: at the annual rate of \$1,800 each, except that the Chair shall receive an annual rate of \$2,000 for the period of incumbency.

Town Clerk¹: in accordance with the compensation rates established in Grade 15 of the Town of Hingham Classification and Salary Plan of the Personnel By-law.

Municipal Light Board: at the annual rate of \$214 each (to be paid from the receipts of the Electric Light Department).

Provided: that the salary of the Town Clerk shall be reduced by all retirement allowances and pensions received by such officer from the Town of Hingham.

¹ Town Clerk, when serving as a member of the Board of Registrars of Voters, shall be paid for such duties in accordance with Massachusetts General Laws chapter 41, section 19G.

ARTICLE 6: Will the Town raise and appropriate, or transfer from available funds, sums of money to defray the expenses of the Town for the twelve-month period beginning July 1, 2019, or act on anything relating thereto?

(Inserted by the Board of Selectmen)

COMMENT: The Advisory Committee and the Board of Selectmen voted unanimously in support of this budget, except that two members abstained on specific departmental budgets.

RECOMMENDED: That the Town raise and appropriate for each of the following purposes, for the Fiscal Year beginning July 1, 2019, the sum of money stated therefor, provided that, where a transfer appropriation is stated, the amount so

indicated shall be transferred or specifically appropriated as stated; also that the authority is hereby given to turn in vehicles and equipment in partial payment for vehicles and equipment purchased in those cases where a turn-in is stated; and provided that any amount or portion

thereof appropriated to a sub-account and included in a numbered account as set forth below may be transferred to another sub-account under the same numbered account with the approval of the Board of Selectmen and the Advisory Committee

	Fiscal 2018 <u>Expended</u>	Fiscal 2019 <u>Appropriated</u>	Advisory Fiscal 2020 <u>Recommended</u>
GENERAL GOVERNMENT			
122 SELECTMEN			
Payroll	487,252	503,462	399,391
Expenses	43,441	34,090	59,140
Total	530,693	537,552	458,531
131 HUMAN RESOURCE			
Payroll	0	0	130,596
Expenses	0	0	3,350
Total	0	0	133,946
132 RESERVE FUND			
	1,355,807	580,000	611,500
135 TOWN ACCOUNTANT			
Payroll	274,829	293,414	266,001
Expenses	4,604	12,555	11,355
Audit	61,080	65,000	71,500
Total	340,513	370,969	348,856
137 INFORMATION TECHNOLOGY			
Payroll	173,341	173,886	201,046
Expenses	197,361	223,915	242,794
Capital Outlay	141,221	109,000	104,000
Total	511,923	506,801	547,840
141 ASSESSORS			
Payroll	249,187	253,663	281,069
Expenses	7,549	11,510	11,513
Consulting	107,622	67,000	48,000
Map Maintenance	3,971	6,000	6,000
Total	368,329	338,173	346,582

	Fiscal 2018 <u>Expended</u>	Fiscal 2019 <u>Appropriated</u>	Advisory Fiscal 2020 <u>Recommended</u>
145 TREASURER/COLLECTOR			
Payroll	338,681	339,649	350,050
Expenses	43,695	46,554	46,792
Tax Titles	2,115	10,000	10,000
Total	384,491	396,203	406,842
151 LEGAL SERVICES	651,500	232,000	257,000
159 TOWN MEETINGS			
Payroll	1,325	2,692	2,692
Expenses	27,585	29,500	30,500
Total	28,910	32,192	33,192
161 TOWN CLERK			
Payroll	188,843	193,228	198,899
Expenses	4,713	7,866	7,866
Total	193,556	201,094	206,765
162 ELECTIONS			
Payroll	5,395	29,292	12,650
Expenses	10,656	18,345	14,795
Total	16,051	47,637	27,445
171 CONSERVATION COMMISSION			
Payroll	0	0	178,759
Expenses	0	0	13,306
Total	0	0	192,065
175 COMMUNITY PLANNING			
Payroll	755,691	754,225	156,292
Expenses	45,640	62,384	21,705
Total	801,331	816,609	177,997
176 LAND USE & DEVELOPMENT			
Payroll	0	0	142,677
Expenses	0	0	7,375
Total	0	0	150,052

	Fiscal 2018 <u>Expended</u>	Fiscal 2019 <u>Appropriated</u>	Advisory Fiscal 2020 <u>Recommended</u>
177 BARE COVE PARK			
Payroll	17,846	17,864	18,370
Expenses	4,724	7,370	9,390
Total	22,570	25,234	27,760
192 TOWN HALL			
Payroll	214,720	221,060	228,262
Expenses	298,346	403,619	424,005
Capital Outlay	62,691	91,000	26,784
Total	575,757	715,679	679,051
193 GRAND ARMY MEMORIAL HALL			
	13,613	15,865	16,256
TOTAL GENERAL GOVERNMENT	5,795,044	4,816,008	4,621,680
PUBLIC SAFETY			
210 POLICE DEPARTMENT			
Payroll (Overtime \$460,406)	5,345,309	5,636,748	5,727,622
Expenses	338,546	358,500	385,750
Capital Outlay	116,752	308,000	273,000
Total	5,800,607	6,303,248	6,386,372
220 FIRE DEPARTMENT			
Payroll (Overtime \$490,171)	5,284,543	5,211,257	5,533,871
Expenses	355,254	418,865	443,175
Capital Outlay	156,488	120,000	454,000
Total	5,796,285	5,750,122	6,431,046
240 DISPATCH SERVICES			
Expenses	817,576	858,466	901,390
Total	817,576	858,466	901,390
241 BUILDING COMMISSIONER			
Payroll	0	0	227,694
Expenses	0	0	14,378
Total	0	0	242,072

	Fiscal 2018 <u>Expended</u>	Fiscal 2019 <u>Appropriated</u>	Advisory Fiscal 2020 <u>Recommended</u>
292 ANIMAL CONTROL			
Payroll	55,397	65,163	66,872
Expenses	2,191	5,800	5,800
Total	57,588	70,963	72,672
295 HARBORMASTER			
Payroll	177,457	177,481	190,760
Expenses	53,712	57,092	68,858
Total	231,169	234,573	259,618
299 PUBLIC SAFETY UTILITIES			
Emergency Water	272,668	414,044	410,900
Street Lighting	150,500	105,000	105,000
Total	423,168	519,044	515,900
TOTAL PUBLIC SAFETY	13,126,393	13,736,416	14,809,070
EDUCATION			
300 SCHOOL DEPARTMENT			
Payroll	41,229,950	43,425,592	46,171,853
Expenses	8,207,061	8,581,105	8,147,973
Capital Outlay	700,365	1,023,962	975,751
TOTAL EDUCATION	50,137,376	53,030,659	55,295,577
PUBLIC WORKS AND FACILITIES			
405 TOWN ENGINEERING			
Payroll	263,439	259,599	282,313
Expenses	31,428	33,350	13,935
Road Bldg/Construction	340,271	300,000	300,000
Total	635,138	592,949	596,248
420 HIGHWAY/RECREATION/TREE & PARK			
Payroll (Overtime \$65,300)	1,874,796	2,072,803	2,223,271
Expenses	393,786	440,275	466,755
Capital Outlay	453,777	337,500	221,000
Snow Removal	1,044,521	554,325	563,365
Road Maintenance	348,316	358,500	362,500
Total	4,115,196	3,763,403	3,836,891

	Fiscal 2018 <u>Expended</u>	Fiscal 2019 <u>Appropriated</u>	Advisory Fiscal 2020 <u>Recommended</u>
430 LANDFILL/RECYCLING			
Payroll (Overtime \$32,000)	534,159	544,191	604,167
Expenses	783,180	832,115	860,879
Capital Outlay	148,808	260,000	165,000
Total	1,466,147	1,636,306	1,630,046
440 SEWER COMMISSION			
Payroll (Overtime \$28,358)	279,363	350,596	373,341
Expenses	206,481	273,389	282,611
Capital Outlay	70,983	296,000	191,000
Engineering	803	10,000	10,000
MWRA Charges	1,846,255	1,975,493	2,113,776
Debt Service	0	0	
Hull Intermunicipal Agreement	246,255	387,712	445,869
Total	2,650,140	3,293,190	3,416,597
The sum of \$3,416,597 shall be funded from Sewer Revenue			
TOTAL PUBLIC WORKS	8,866,621	9,285,848	9,479,782
HUMAN SERVICES			
510 HEALTH DEPARTMENT			
Payroll	284,566	290,703	309,032
Expenses	19,253	36,785	36,797
Total	303,819	327,488	345,829
540 ELDER SERVICES			
Payroll	227,559	239,355	255,176
Expenses	15,902	18,308	19,215
Total	243,461	257,663	274,391
543 VETERANS' SERVICES			
Payroll	102,255	102,256	105,102
Expenses	5,672	6,444	7,019
Benefits	193,471	198,250	243,002
Total	301,398	306,950	355,123

	Fiscal 2018 <u>Expended</u>	Fiscal 2019 <u>Appropriated</u>	Advisory Fiscal 2020 <u>Recommended</u>
545 HEALTH IMPERATIVES	2,700	2,700	2,700
546 SOUTH SHORE WOMEN'S CENTER	3,700	3,700	3,700
TOTAL HUMAN SERVICES	855,078	898,501	981,743

CULTURE AND RECREATION

610 LIBRARY			
Payroll	1,348,855	1,441,550	1,495,489
Expenses	284,510	310,473	325,426
Capital Outlay	37,660	105,000	60,000
Total	1,671,025	1,857,023	1,880,915
630 RECREATION COMMISSION			
Payroll	94,579	95,158	104,317
Total	94,579	95,158	104,317
650 TRUSTEES OF BATHING BEACH			
Payroll	18,815	20,256	20,664
Expenses	50,241	21,254	8,058
Total	69,056	41,510	28,722
691 HISTORIC PRESERVATION			
Payroll	0	0	73,012
Expenses	0	0	5,291
Total	0	0	78,303
692 CELEBRATIONS	11,924	13,268	15,661
TOTAL CULTURE & RECREATION	1,846,584	2,006,959	2,107,918

ENTERPRISE FUND

720 COUNTRY CLUB	2,073,337	2,123,677	1,943,489
The sum of \$1,943,489 shall be funded from Country Club Revenue			
TOTAL ENTERPRISE FUND	2,073,337	2,123,677	1,943,489

	Fiscal 2018 <u>Expended</u>	Fiscal 2019 <u>Appropriated</u>	Advisory Fiscal 2020 <u>Recommended</u>
DEBT SERVICE			
DEBT SERVICE	9,082,883	8,747,261	8,214,774
TOTAL DEBT SERVICE	9,082,883	8,747,261	8,214,774
EMPLOYEE BENEFITS			
900 GROUP INSURANCE	6,106,170	6,232,754	6,287,375
903 OTHER POST EMPLOYMENT BENEFITS	814,175	1,136,484	1,153,245
910 CONTRIBUTORY RETIREMENT	4,221,102	4,502,044	4,801,468
912 WORKER'S COMPENSATION	380,000	330,000	330,000
913 UNEMPLOYMENT	30,042	30,000	30,000
914 MANDATORY MEDICARE	885,716	885,000	973,500
TOTAL EMPLOYEE BENEFITS	12,437,205	13,116,282	13,575,588
UNCLASSIFIED			
999 Unclassified	90,988	10,700	6,700
915 Property and Liability Insurance	635,250	654,308	687,023
TOTAL UNCLASSIFIED	726,238	665,008	693,723
GRAND TOTAL	104,946,759	108,426,619	111,723,344

ARTICLE 7: Will the Town transfer a sum of money from the Stabilization Fund and/or from available reserves for the purpose of reducing the Fiscal Year 2020 tax rate, or act on anything relating thereto?

(Inserted by the Board of Selectmen)

COMMENT: Pursuant to prior Town Meeting votes, the proceeds from the sale of the former School Administration Building, Municipal Light Plant Building, and the former Police Station were deposited in the Stabilization Fund for future tax reduction. This amount was augmented by the addition of bond premiums associated with the refinancing of excluded debt. This Article would transfer a portion of the Stabilization Fund for the purpose of reducing the Fiscal Year 2020 tax rate.

Approval of this Article requires a two-thirds vote of Town Meeting.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town transfer the sum of \$178,836.00 from the Stabilization Fund for the purpose of reducing the Fiscal Year 2020 tax rate.

ARTICLE 8: Will the Town transfer a sum of money from the Meals Tax Stabilization Fund for the purpose of reducing the Fiscal Year 2020 tax rate, or act on anything relating thereto?

(Inserted by the Board of Selectmen)

COMMENT: This Article seeks to appropriate and transfer the balance, as of the date of transfer, in the Meals Tax Stabilization Fund for the purpose of defraying the debt on the Middle School project and thereby reducing the Fiscal Year 2020 tax rate. Because this fund continues to earn interest, the exact amount will not be known until the date of transfer, but the balance in the account was approximately \$120,000 as of March 1, 2019. With this transfer, this fund will be reduced to zero and will be closed. This Stabilization Fund was established when Hingham adopted the local option meals tax. Meals tax receipts were deposited into this Stabilization Fund until the 2015 Annual Town Meeting voted to change this practice and have meals tax receipts deposited into the general fund (local receipts).

Approval of this Article requires a two-thirds vote of Town Meeting.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town appropriate and transfer the balance remaining in the Meals Tax Stabilization Fund (approximately \$120,000 as of March 1, 2019) for the purpose of defraying the debt on the Middle School project and thereby reducing the Fiscal Year 2020 tax rate. Positive action will close out this fund.

ARTICLE 9: Will the Town appropriate, from the receipts of the Hingham Municipal Lighting Plant, money for the maintenance and operation of the Plant for the 12-month period commencing July 1, 2019, pursuant to sections 57 and 57A of chapter 164 of the Massachusetts General Laws, and provide for the disposition of any surplus receipts, or act on anything relating thereto?

(Inserted by the Board of Selectmen)

COMMENT: The Hingham Municipal Lighting Plant ("HMLP") is self-funding; funds collected from billing customers are used to pay all expenses incurred by the Plant. The HMLP Board has an agreement in place whereby it makes a payment in lieu of taxes ("PILOT") to the Town. The PILOT amount is calculated by multiplying the number of kilowatt hours sold by HMLP in the prior year by \$0.0025, with a minimum payment to the Town of \$450,000. Based on sales for the last several years, it is estimated that this payment will be approximately \$500,000. The Plant's PILOT to the Town has the effect of reducing the Town's tax rate.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That, with the exception of the Hingham Municipal Lighting Plant's payment in lieu of taxes (expected to be approximately \$500,000 based on Plant sales, but no less than \$450,000), which is hereby transferred to the General Fund, all funds received by the Hingham Municipal Lighting Plant during the Fiscal Year commencing July 1, 2019, be appropriated to said Municipal Lighting Plant, the same to be expended by the Manager of Municipal Lighting under the control and direction of the Municipal Light Board for the expenses of the Plant for said Fiscal Year, as defined in sections 57 and 57A of chapter 164 of the Massachusetts General Laws, and, if there should be any unexpended balance thereof at the end of said Fiscal Year, such amount as is deemed necessary shall be transferred to the Construction Fund of said Plant

and appropriated and used for such additions thereto as may be authorized by the Municipal Light Board during the next Fiscal Year.

ARTICLE 10: Will the Town of Hingham vote to approve the purchase of the corporate property and all the rights, privileges and franchises of the Hingham Water Company (now owned by Aquarion Water Company of Massachusetts, Inc. and/or Aquarion Water Capital of Massachusetts, Inc. their successors and/or assigns) including, but not limited to, the water system and treatment plant, all as authorized under Chapter 139 of the Acts of 1879 (as amended) and as confirmed in *Town of Hingham v. Aquarion Water Company of Massachusetts, Inc. and Aquarion Water Capital of Massachusetts, Inc.*, 92 Mass.App.Ct. 430 (2017) and will the Town of Hingham vote to raise and appropriate, borrow or transfer from available funds a sum of money necessary to purchase said corporate property and all of said rights, privileges and franchises and further vote to authorize the Town of Hingham Board of Selectmen to take all actions necessary to complete said purchase, or act on anything relating thereto. (Inserted by the Board of Selectmen)

COMMENT: This is the first of four Articles relating to the proposed acquisition of the Hingham Water Company. This Article proposes to acquire the water company and to raise approximately \$114 million to fund the purchase. Article 11 proposes an initial governance structure for Town ownership and operation of the water system. Article 12 would establish an enterprise fund for the water system operation and approve a first-year budget. Article 13 seeks to approve funds for transition costs.

Hingham residents, as well as those of Hull and north Cohasset, are supplied water by the Hingham Water Company, a private company, currently owned by Aquarion Water Company of Massachusetts, Inc. which is a subsidiary of Eversource Energy, a publicly-traded company, headquartered in Hartford, Connecticut and Boston, Massachusetts. The water system consists of 12 wells and pump stations, a booster station in Hull, two water storage tanks (at Accord Pond and Turkey Hill), a water treatment plant constructed in the 1990s, and approximately 190 miles of water mains with an average age of about 64 years. Water supplying the system comes from Accord Pond and a series of groundwater wells.

Chapter 139 of the Massachusetts Acts of 1879 incorporated the water company “for the purpose of furnishing the inhabitants of Hingham with pure water for the extinguishment of fires, generation of steam,

domestic, and other purposes.” Section 11 of the statute gave Hingham the right to purchase the property and all rights, privileges, and franchises of the water company “at anytime” if approved by a 2/3 vote of Town Meeting. The statute authorized the water company to serve Hingham and the Nantasket and Nantasket Beach sections of Hull. An amendment in 1881 expanded the service area to include the rest of Hull and all of Cohasset (currently, only north Cohasset is served by the water system). Another amendment in 1924 authorized the company to extend its pipes into Norwell. Today, the water system serves Hingham, Hull, and several hundred homes in north Cohasset.

The incorporators of the Hingham Water Company were Hingham residents and the company was locally-owned for many years. However, in 1949 the water system was purchased by American Water Works, whose holdings included water companies in Connecticut, New Hampshire, and the Massachusetts towns of Oxford and Millbury. In 2002, American Water Works sold all of its New England subsidiaries to the United Kingdom-based Kelda Group plc. In 2007, Kelda sold its entire Aquarion subsidiary, including the companies purchased in 2002, to a private equity fund of Australia’s Macquarie Bank. In 2017, Eversource acquired Aquarion from Macquarie. Today, the Aquarion Water Company (“Aquarion”) supplies water to 59 cities and towns in Connecticut, New Hampshire, and Massachusetts. The part of the company that services Hingham, Hull, and north Cohasset is referred to as “Service Area A.”

Hingham is an outlier in that it is one of only 14 Massachusetts municipalities still served in whole or in part by a private water company. Most of these other systems serve relatively few customers (in fact, 96% of all water connections in Massachusetts are owned and operated by municipalities). All of the other 337 municipalities in the Commonwealth either have municipal systems or are served by the Massachusetts Water Resources Authority. Of 41 water systems identified as similar in size to Service Area A, only Hingham’s is privately owned.

The Board of Selectmen now proposes that the Town acquire the water system and finance the purchase through borrowing over a 30-year term. Section 11 of Chapter 139 provides a formula to set the purchase price. Between 2013 and 2018, the Town and Aquarion engaged in litigation to interpret the statutory formula, which the court set at \$88.6 million as of December 31, 2013. Under the statutory formula as interpreted by the court, the cost increases

approximately \$3 to \$4 million per year to reflect Aquarion's subsequent capital investments and the 10% statutory interest on the resultant net plant. Based on information through the end of 2017, the Board of Selectmen estimates the acquisition price as of Town meeting on April 22, 2019 to be approximately \$107,800,000. This number is subject to adjustment based on Aquarion's actual capital investment since December 31, 2017.

The Selectmen are seeking authorization for the Town to borrow up to \$114 million. Besides the purchase price, this amount includes \$1.49 million for the repayment of litigation and other costs connected with the acquisition, \$2.7 million for first-year capital improvements to the water system, and a \$2.0 million contingency with respect to the purchase price. The Town would only borrow what is needed so that the actual amount would depend on the final, adjusted purchase price. It is expected the Town would use one year of short-term borrowing, followed by a 29-year level payment general obligation bond. Although general obligation bonds rely on the "full faith and credit" of the Town, repayment would rely solely on revenue from water rates to be paid by all ratepayers of the water system, including residents of Hull and north Cohasset. The revenue from water rates would be collected, and remain, in an enterprise fund as more fully described in the Article 12 comment. Debt to acquire a water system is not counted against the Town's debt limit and, according to the Town's financial advisors, should not affect the Town's credit rating, because the water rates provide a dedicated revenue stream for repayment.

As discussed more fully in the Article 11 comment, for an initial governance structure, the Selectmen would act as water commissioners. In that role, they would hire a water Superintendent, a Town employee with the required state training and license certification to operate the water treatment and distribution system. The water Superintendent would oversee general operations; however, the Town would enter into a multi-year agreement with a third-party contract operator to run the system on a day-to-day basis. There are a number of qualified companies who could fill this role, two of which provided the town nonbinding cost estimates in 2018. The contract operator would retain one or more capital vendors, as needed, for water main replacements and other capital improvements. It is anticipated that costs for capital improvements would be financed annually by 20-year term borrowings to be repaid through water rates. The Town would establish a Citizens' Advisory Board comprised of three members from Hingham, one from Hull, and one from north Cohasset. This

board would be charged with gathering input from ratepayers and advising both the water commissioners and water Superintendent as to ratepayers' concerns and would work with them on the rate setting process. The Massachusetts Department of Environmental Protection (DEP) would continue to regulate water quality and quantity and the qualifications of water system personnel. However, the Department of Public Utilities (DPU) would no longer regulate water rates. Instead, rates would be set locally at public meetings as part of the Town's annual budget process. As discussed in Article 12, an enterprise fund would be established to keep water system revenues, expenses, and liabilities separate from other Town operations.

Hingham previously considered whether to exercise its right to acquire the water system on at least two occasions. In both 1958 and 1985, the Town chose not to pursue a purchase. In 2012, Town Meeting voted under Article 19 to appropriate funds to again investigate whether acquisition of the water company was "feasible and advisable." The Board of Selectmen then appointed the Water Company Acquisition Study Committee (the "Acquisition Study Committee") to guide this endeavor. After being unable to agree with Aquarion on a price for the water system, the Town commenced litigation in 2013 seeking a judicial determination of the purchase price and whether the water treatment plant was a statutory part of the water system.

Following completion of the litigation in March 2018, the Selectmen continued the investigation into a potential acquisition. Individual Selectmen and members of the Acquisition Study Committee undertook extensive research into the financial and operational aspects of running the water system. Besides financial feasibility, the Town considered issues of governance, operations, and engineering. Town representatives met with water supply staff from DEP, as well as officials from municipalities that have acquired their water operations from a private company. The Town retained two consulting firms to review its financial analysis, consulted with its financial advisor as to the impact of an acquisition on the Town's credit rating and borrowing capacity, and conferred with bond counsel. To identify the continued cost of private ownership, the Town obtained Aquarion financial data and business information submitted to the DPU in Aquarion's recent rate case. With respect to governance, Town officials consulted with Town counsel, researched legal and operational requirements, reviewed DEP drinking water regulations, investigated governance structures used by other communities with similarly sized water

systems, and met with officials from Hull and Cohasset. After completing the research and reviewing the reports of the Town's third-party consultants, the Acquisition Study Committee unanimously recommended that the Town move ahead with the acquisition, and the Selectmen have similarly unanimously endorsed this recommendation.

The Advisory Committee, through a five-member subcommittee, has closely considered the water company Articles. The subcommittee held seven public meetings, and attended or participated in four meetings of the Acquisition Study Committee and Selectmen (totaling more than 25 hours), at which it reviewed in detail financial, governance, and operational issues relating to the acquisition, including the relationship with Hull ratepayers. At these meetings, the subcommittee had extensive discussions with members of the Board of Selectmen, Acquisition Study Committee, Town staff, Town counsel, the Town's consultants, representatives of Aquarion, and Aquarion consultants. It also has had the benefit of many oral and written comments from residents of both Hingham and Hull.

The subcommittee sought to study the merits of and objections to the proposal in detail, with particular concern for financial viability. It considered competing financial models prepared by consultants for the Town and for Aquarion. As part of its evaluation, the subcommittee prepared a sensitivity analysis to test the impact of various cost assumptions in the financial models. Individual members spoke with the Town's financial advisors. The subcommittee reviewed statutory requirements for water systems and evaluated data relating to water systems of comparable size to Hingham. Besides the subcommittee's work, the full Advisory Committee held three public meetings to consider the water company Articles.

Proponents of this Article advance a number of reasons in favor of an acquisition. Significantly, they argue that the cost savings are substantial under public ownership and will allow the Town to invest more in capital in the water system, in a timely and coordinated manner, than the private company has historically been willing to do. The capital improvements are necessary, and the ratepayer will pay for these regardless of who owns the company. Moreover, the Selectmen emphasize that Town ownership will provide greater local control over the water supply and distribution system. Ratepayers will be the only priority (in contrast to private ownership which is primarily responsible to its shareholders).

In the Advisory Committee's view, the principal gating issue in considering the merits of the proposed acquisition is financial feasibility. Other significant concerns are governance and operational matters, the relationship with Hull and Cohasset residents, and the ability of the Town and private owners to provide safe and reliable water service, including attention to the capital infrastructure needs of the system and protection of the aquifer and watershed. In each case, Town ownership provides an advantage.

With respect to finances, Town ownership enjoys several significant areas of cost savings compared to private ownership. In particular, the Town would not need to pay shareholders a profit or "return on equity", pay federal or state income taxes, make lease payments for the water treatment plant, or incur costs for rate cases or for corporate overhead. For example, in the most recent rate case, concluded in October 2018, the DPU approved Aquarion's request for a 10.5% return on equity. That amount would be eliminated under Town ownership. Similarly, Aquarion leases the water treatment plant from an affiliated entity. Those rent payments (which include an additional, separate return on equity that Aquarion essentially pays to itself), would also be eliminated as the Town would acquire the water treatment plant as part of this transaction. Moreover, besides these savings, a municipal borrower, such as the Town, enjoys a lower cost of borrowing for capital projects than a private corporation. Although there was disagreement as to the size of the interest rate difference, or "spread", Aquarion's consultant conceded that the Town would enjoy a 193-basis point (1.93%) advantage. Depending on how the Town ultimately finances its capital borrowing, this spread could be even larger. On the other hand, the Town could face higher labor costs due to the need to pay prevailing wages. The magnitude of the impact of the prevailing wage is uncertain and may vary depending on conditions in the labor market.

A consultant retained by the Town and a consultant for Aquarion have both prepared financial models comparing the cost of Town and Aquarion ownership over the 30-year term of the acquisition financing. Not surprisingly, the models reach divergent conclusions as to impact on ratepayers from Town ownership when compared to continued Aquarion ownership. Thus, the Town's consultant estimates an approximately \$48 million savings (\$1.6 million per year) to ratepayers under Town ownership while Aquarion's consultant concludes there will be approximately \$12.6 million (\$420,000 per year) more in costs under Town ownership. However, to arrive at the \$12.6 million figure, Aquarion's consultant used

an unrealistic interest rate spread between municipal and Aquarion borrowing costs. When a more appropriate spread is used, the Aquarion analysis predicts a higher cost to ratepayers over 30 years of \$6.5 million (\$217,000 per year). Under either model, after the acquisition financing has been paid off, Town costs will decrease by approximately \$5.7 million per year. The disparities arise from differing assumptions as to several significant cost categories. These include the size of the spread in interest rates available to the Town and Aquarion, the amount and duration of lease payments that Aquarion pays with respect to the water treatment plant, the costs the Town will incur to operate the water company through a contract operator, and the impact of prevailing wage requirements on Town ownership.

In general, it appears that the Town's consultant used conservative assumptions in evaluating the costs of Town and private ownership, likely understating the benefits of Town ownership. In contrast, Aquarion's consultant appears to have, in certain instances, used more aggressive assumptions. The sensitivity analysis prepared by the Advisory Committee sought to test the impact of the Aquarion consultant's assumptions and concluded that, except for the most aggressive scenario favoring Aquarion, Town ownership would result in substantial savings to ratepayers over the life of the acquisition bond. Moreover, even using the Aquarion-favorable assumptions, annual costs under Town ownership will be significantly less once the acquisition debt is retired.

In reviewing financial aspects of Town ownership, the Advisory Committee focused on financial feasibility, including potential savings, impact on the Town's borrowing capacity and credit rating, and the ability to expedite capital improvements. Because Massachusetts law does not count borrowing for water systems against the Town's overall borrowing limit, the water company acquisition will have no impact on the Town's ability to address other capital needs such as the Foster Elementary School. Likewise, the Town's financial advisors have stated that debt for the water company acquisition should not affect the Town's credit rating because repayment will come solely from water rates, a dedicated and stable source of revenue.

In projecting its annual operational costs, the Town has relied on non-binding estimates from two third-party operating companies and used the higher of those estimates in its model. Questions have been raised as to the accuracy of the estimates and whether they capture all activities for which the Town

expects the operator to be responsible. In its analysis, Aquarion's consultant employed a significantly higher cost for the contract operator reflecting what it believes is an average cost for water systems in nearby communities. The Advisory Committee's sensitivity analysis concluded that, even utilizing the higher Aquarion estimate for the cost of operations, ratepayers would see savings under Town ownership.

Savings under Town ownership does not mean that rates will decrease, *per se*. Rates would increase due to inflation and other cost pressures, but not as quickly as under private ownership, although the Town may have more frequent small rate hikes. Indeed, the Town's consultant projects that, for several years starting in 2036, Aquarion rates could be lower than the Town's due to the end of certain lease payments for the water treatment plant at that time. After 2045, private rates are projected to again exceed rates under municipal ownership. Besides ameliorating the size of rate increases, savings would be available for additional capital improvements. Rates for the first year of Town ownership would be the same as Aquarion's current rates (without the capital surcharge that DPU has authorized Aquarion to impose starting September 2019), with a portion of that amount directed to the water system's enterprise fund revenue surplus. Second year and future rates would be informed by a rate study. See the comment for Article 12 for further discussion.

In addition to projected financial savings, proponents of the acquisition believe a municipally-owned system can more promptly and cost-effectively address needed capital improvements than has been the case with the existing private operation. Aquarion has consistently replaced far fewer water mains than recommended by its own studies. Proponents expect the Town to devote some of the savings under municipal ownership to an expedited capital improvement program, in particular, replacement of aging mains—in whatever town they are located—that plague the system and lead to more costly and disruptive emergency repairs. Such repair or replacement of pipes would also reduce leakage, which currently results in "unaccounted for water" (*i.e.* lost water) at higher rates than the DEP target level and has been frequently above the state average. Compounding this concern, water withdrawals over the last several years have come close to the annual limit allowed by DEP.

Proponents also believe the Town would be better able to coordinate water main repairs with road-paving projects in both Hingham and Hull. When

roads are repaved, they are subject to a five-year road-opening moratorium. Premature reopening of the road compromises the integrity of the repaving and reduces the road's useful life. Many "emergency repairs" by Aquarion, which could have been foreseen and coordinated with Town road work, have required the early reopening of rehabilitated roads.

Proponents emphasize the importance of controlling a critical resource such as water and the opportunity for municipally-owned systems to obtain State and federal funds to buy watershed land. In contrast, Aquarion has shown no interest in joining past Hingham efforts to protect the watershed (since 2003, the Town has spent \$9 million to acquire land in the watershed). Proponents note that the vast majority of other communities in Massachusetts own their own systems. Town ownership would avoid frequent changes of corporate owners with potential for disruption of operations that has been the case over the last couple of decades when there have been three owners in 17 years. In addition, both the rate-setting process and policy decisions for the water system would become considerably more transparent, easier to access, and without expensive rate case costs, since they would occur locally at Town Hall rather than in Boston at the DPU or in the offices of a private owner.

Opponents argue that the large debt burden is an inappropriate risk for the Town to take. They note that in 2015, Moody's credit rating agency provided the Town an email listing the strengths and challenges to the Town in maintaining its superior credit rating. The increased debt burden from the potential acquisition of the water system was identified as a challenge. However, as noted above, in 2018 and 2019, the Town's financial advisors stated that, since payment will be from a dedicated, sufficient revenue source, debt for the water system acquisition should not affect the Town's credit rating.

Similarly, an objection has been raised to the use of general obligation bonds, instead of revenue bonds. The latter would be a debt of the water system rather than of the Town's taxpayers. However, revenue bonds would not take advantage of the Town's favorable credit rating, to the detriment of ratepayers, and they require approval from the Massachusetts legislature.

Some opponents dislike the idea of Selectmen as water commissioners (see Article 11 for further discussion of this issue). They argue that the Selectmen are overburdened with other Town responsibilities and do not have time or the requisite

experience to oversee a water utility system. Some opponents are concerned that the Selectmen, unlike independent water commissioners or private ownership, could be tempted to extend water service to underserved parts of Town in order to promote commercial development, even if such action were not in the interest of the ratepayers.

Opponents also believe that the Town is underestimating the costs and complexity of running a water system, and they question the ability of a third-party contractor to effectively and safely operate the system. Their perspective is that the Town will not be able to run it efficiently and thus the savings suggested are unrealistic.

Moreover, the relationship with the ratepayers in Hull and north Cohasset (who make up over a third of the customers of the system) is seen as a challenge unique to Hingham ownership. Although many municipalities provide water to or have customers in other towns, those that do so serve far fewer out-of-town customers than would Hingham. Under State law and DEP regulations, however, the operator of a public water system must treat all ratepayers equitably. Thus, Hingham could not discriminate against Hull or Cohasset ratepayers. In addition, and partly in response to concerns raised by opponents, the Hingham Selectmen have agreed to put in place a memorandum of understanding (MOU) with Hull and Cohasset spelling out certain terms relevant to the ratepayers as well to the municipalities; nevertheless, some opponents do not believe that will be adequate and are concerned the residents of Hull and north Cohasset have only their representation on the Citizens' Advisory Board to assure that Hingham treats them fairly. Additionally, some Hingham residents have raised concerns about owning Hull's deteriorating water mains originally designed for a seasonal community. Even under private ownership, however, ratepayers would be responsible for repair of these mains.

Opponents of the proposed acquisition contend that detailed plans for operation and governance should be in place before Town Meeting is asked to vote. They argue further that the current ownership supplies good quality water, that it is risky to rock the boat by transferring operations to the Town, which is less experienced in this area, and that the current owner is a large multi-state operation able to draw expertise as well as economies of scale, as needed, from across its affiliated companies. Proponents reply that, in considering these points, it is important to keep in mind that the water treatment plant stays the same under Town ownership; the Town will

employ two levels of technical expertise in running the system with a fully-licensed water Superintendent and a fully-licensed water operating company; and the Town will be regulated by and have the support of the DEP – which is the same regulatory paradigm required of current ownership. Moreover, the Town will have the ability to take part in regional and state-wide consortia for the purchase of materials associated with the water operation. Finally, proponents note that Hingham already runs two utilities, namely, the Hingham Municipal Light Plant and the Sewer Commission, and there is no reason to believe the Town cannot accomplish what the vast majority of cities and towns in the Commonwealth have accomplished.

In weighing these arguments, a majority of the Advisory Committee agreed with the proponents. The acquisition makes financial sense for the Town in both the short and long term. The Town will gain control over a precious and critical resource, which will no longer be treated as a commodity to be sold for profit. Hingham will be a superior steward for the watershed and aquifer than a private company. Governance will occur in a public forum that will be more easily accessible and transparent to ratepayers, and the Town will be better able than private ownership to make needed capital investment in the system's infrastructure. The acquisition is an opportunity to benefit generations for years to come.

Approval of this Article requires a two-thirds vote of Town Meeting.

The Advisory Committee voted 11 to 2 in support of the Article. The Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town of Hingham hereby exercises its right to purchase the corporate property and all of the rights, privileges and franchises of the Hingham Water Company (now owned by Aquarion Water Company of Massachusetts, Inc. and/or Aquarion Water Capital of Massachusetts, Inc. their successors and/or assigns) including, but not limited to, the water system and treatment plant, all as authorized under Chapter 139 of the Acts of 1879 (as amended) and as confirmed in Town of Hingham v. Aquarion Water Company of Massachusetts, Inc. and Aquarion Water Capital of Massachusetts, Inc., 92 Mass.App.Ct. 430 (2017), for the purchase price as determined by the Final Judgment entered by the Suffolk County Superior Court in Civil Action No. SUCV2013-03159-BLS2, as calculated in accordance with the

formula contained in said Final Judgment as of the date of this vote, and that the Town appropriate \$114,000,000.00 to fund said purchase and to fund the repayment of litigation expenses and other costs incurred in connection with the acquisition and to fund first-year capital costs for said water system, and that the Town authorize the Town of Hingham Board of Selectmen to take all actions necessary to complete said purchase. To meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under Massachusetts General Laws, chapter 44, section 8(3), or any other enabling authority and to issue bonds or notes of the Town therefor.

Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws chapter 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 11: Will the Town of Hingham vote to authorize its Board of Selectmen to act as the Board of Water Commissioners pursuant to M.G.L. c. 40, § 39E, and all other applicable laws, and with all the powers and duties associated therewith, to manage and operate the water system purchased pursuant to Article 10 of the 2019 Town of Hingham Annual Town Meeting, including the authority to hire a Superintendent and to enter into all contracts necessary to manage and operate said water system, or act on anything relating thereto.
(Inserted by the Board of Selectmen)

COMMENT: M.G.L. c. 40, § 39E provides a town with two options for the management, improvement, and control of a public water system. Those options are either a board of water commissioners to be elected as provided by M.G.L. c. 41, § 69A or by its selectmen authorized to act as a board of water commissioners. In addition, the Town has the authority under Section 13 of Chapter 139 of the Acts of 1879 to manage, improve and control said water system by such "officers, servants or agents as the town may direct ...". This Article would provide the authorization for the Board of Selectmen to act as the Board of Water Commissioners to manage, improve and control the water system purchased pursuant to the preceding Article.

The Tighe & Bond Massachusetts Water Rate Survey has identified 41 cities, towns, and water districts which it regards as similar in size to the water system of Aquarion in Hingham, Hull and North Cohasset (Service Area A). A review of the governance structures in those communities reveals that the management of the water systems in those communities resides in the executive branch of government. In cities, the water system most frequently is a division of a department of public works supervised by a person who most frequently is called a superintendent. In towns, most frequently there is a superintendent of the water system whose hiring, direction, and oversight is provided by the Board of Selectmen. There are a few Water Districts and one has elected water commissioners. This Article proposes the prevailing form of governance of a water supply system.

In the event of the adoption of the preceding Article, the option of a separate elected board of water commissioners is not feasible as the Town election will be held on the Saturday following the initial days of Town Meeting. Such a short time frame would not permit the orderly conduct of an election for a board of water commissioners. For example, nomination papers for an elected position must be returned 49 days prior to the election.

This Article also expressly authorizes the Board of Selectmen to hire a Superintendent and to enter into all contracts necessary to manage and operate the water system. It is anticipated that the Town will enter into a contract for the management and operation of the water system. That contractor would be subject to the daily supervision of the Water Superintendent and would manage the capital needs of the water system, either directly or through specialized outside contractors. It is anticipated that the initial contract for management and operation will be for a term of three to five years with options for the Town to renew for additional periods. This period of time will provide the Town with the opportunity to review and study its governance and operations options.

Eventually, the Town may want to consider whether Town employees could run the water system, perhaps as part of the Department of Public Works. This is a common form of town operation of a water system. For example, both the Town Sewer Commission, whose finances involve a special revenue fund, and the South Shore Country Club, whose finances involve an enterprise fund, initially were managed and operated by outside contractors. After learning from its experience with outside contractors, the Town directly assumed the

management and operation of these enterprises with Town employees; these new systems of operation have benefited the Town. The Town may want to consider the establishment of an elected board of water commissioners at a future date. The Town also could consider the feasibility of having a combined water and sewer commission or a combined water and light board at a future time.

The Board of Selectmen has proposed, and the Advisory Committee recommends, the establishment of a Transition and Evaluation Committee with members appointed by the Moderator and the Board of Selectmen. This Committee would advise and interact with the Water Superintendent, assist with transition tasks, and identify and evaluate structural options for the future governance of the water system.

The Town has retained the services of a transitional expert with decades of experience in the Department of Environmental Protection ("DEP") to guide and assist the Town through the transitional period between the water system purchase and the transfer of Aquarion's DEP Registration to the Town. During this period of time, Aquarion must operate the water system according to principles of "good husbandry" so that it can accomplish the orderly turnover of an operating water system to the Town.

The Town also contemplates the establishment of a Citizens Advisory Board comprised of three citizens of Hingham, one citizen from Hull, and one citizen from Cohasset. In the event that a ratepayer had an issue with water service, the ratepayer would not only have immediate local access to the management and operation contractor and the Water Superintendent but would have access to local citizens on the Citizen Advisory Board to address water issues. Ultimately, ratepayers would have local access to the Board of Selectmen acting as Water Commissioners and above them the DEP and the Attorney General.

The Towns of Hingham, Hull and Cohasset have a history of cooperation and communication. The Town officials of Hull and Cohasset are supportive of the acquisition of Aquarion Service Area A and its operation and management by the Town of Hingham. It is expected that Hingham, Hull, and Cohasset will work cooperatively to memorialize in writing as necessary the operational and service arrangements equally applicable to the ratepayers of the three Towns.

As part of the acquisition of Aquarion Service Area A, the Town would have the DEP Registration presently held by Aquarion transferred to the Town. This

Registration governs the amount of water which the Town may withdraw from the aquifer as approved by the DEP. The Town will file its water system rules and regulations and plan of operation with the DEP. Due to ownership by a governmental body, transparency concerning the management and operation of the water system will be enhanced as documents and information will be publicly available. Public ownership will also enhance the ability of the Town to obtain State or Federal grants and, if necessary, to purchase water from the Massachusetts Water Resources Authority (MWRA).

The Advisory Committee voted 11-2 in support of this Article. The Water Company Acquisition Study Committee unanimously recommended the governance provided by this Article to the Board of Selectmen, which unanimously voted to support this Article.

RECOMMENDED: That the Town of Hingham vote to authorize its Board of Selectmen to act as the Board of Water Commissioners pursuant to M.G.L. c. 40, § 39E, and all other applicable laws, and with all the powers and duties associated therewith, to manage, improve and control the water system purchased pursuant to Article 10 of the 2019 Annual Meeting of the Town of Hingham, including the authority to hire a Superintendent and to enter into all contracts necessary to manage, improve and control said water system; and that the Town of Hingham establish a Transition and Evaluation Committee composed of five members with three members to be appointed by the Moderator and two members to be appointed by the Board of Selectmen for the purpose of advising on all water system transition matters and conducting a study of the governance and operation of the water system and to report annually to the Moderator and the Board of Selectmen and to make its recommendations based on that study to the Moderator and the Board of Selectmen upon the conclusion of its study; and that the Town of Hingham establish a Citizens Advisory Board to be comprised of five members appointed by the Town of Hingham Board of Selectmen which shall include one member nominated by the Town of Hull Board of Selectmen and one member nominated by the Town of Cohasset Board of Selectmen for the purpose of assisting the ratepayers of the water system and advising and informing the Water Superintendent and the Town of Hingham Board of Selectmen of concerns or issues raised by ratepayers of the water system.

ARTICLE 12: Will the Town of Hingham vote to accept the provisions of M.G.L. c. 44, § 53F1/2 and establish a Water System Enterprise Fund for the operation of the water system purchased pursuant to Article 10 of the 2019 Town of Hingham Annual Town Meeting and to require that all receipts, revenues and funds received from the acquisition and operation of said water system shall be deposited into said Water System Enterprise Fund and that all salaries, expenses, capital expenditures and debt service payments associated therewith shall be paid from said Water System Enterprise Fund and to raise and appropriate or transfer a sum of money from the receipts, revenues and funds received from the acquisition and operation of said water system to operate said water system and to be expended by the Board of Selectmen acting as the Board of Water Commissioners, or act on anything relating thereto. (Inserted by the Board of Selectmen)

COMMENT: In 1986, the Commonwealth adopted M.G.L. c.44, § 53F1/2 to enable a Town to establish a separate account classified as an "Enterprise Fund" for purposes which include the operation of a water utility. All revenues derived from all activities of the enterprise must be deposited in this account. One hundred and twenty days before the beginning of each fiscal year, the Town Administrator shall submit an estimate of the income of the enterprise for the ensuing year and a proposed line item budget to the Board of Selectmen. They will then submit their recommendation to the Annual Town Meeting which will act upon the budget as any other budget. The expenses of the enterprise are paid from the enterprise fund. A surplus must remain dedicated to the enterprise. Surplus funds could be dedicated to rate stabilization or accelerated capital investment or other objectives of the water system. Additionally, a payment in lieu of taxes is an appropriate use of an enterprise fund.

The Town previously established an enterprise fund for the South Shore Country Club in Article 44 of the Annual Town Meeting in 1987.

This Article would establish a Water System Enterprise Fund for the operation of the water system if purchased at this Town Meeting. This Fund will provide a unified, transparent and comprehensive method for controlling and accounting for the operations of the water system. The Town Administrator submitted a proposed budget to the Board of Selectmen on February 26, 2019 as follows:

Revenue	\$13,047,168
Recommended Budget	
Salaries	\$240,120
Operating Expenses	\$4,420,000
Payment in lieu of taxes (PILOT)	\$830,503
Debt Service (Acquisition and Capital)	\$2,688,662
Revenue/Budgeted Surplus	\$4,867,883
Total Water Company Enterprise Fund Appropriation	\$13,047,168

The amount of revenue is the amount Aquarion was authorized to receive under DPU 17-90, the rate case decision. The amounts for salaries, operating expenses, the PILOT payment, and debt service are derived from the Andersen Tax Town financial model; the Revenue/Budgeted Surplus figure is the expected remainder when those expenses are deducted from the revenues.

The Board of Selectmen unanimously approved this budget.

This Article seeks to appropriate an amount of money for the operational expenses of the water system from the receipts, revenues, and funds received from the acquisition and operation of the water system to be expended by the Board of Selectmen acting as the Board of Water Commissioners.

It is important to keep in mind the distinction between water company ratepayers and Town taxpayers. The cost of the acquisition of the water supply system and its management and operation will be paid by the water system ratepayers, not the tax levy. There is one situation in which there may be a temporary impact on taxpayers, and that would be in the event of an enterprise fund operating loss which results in a retained earnings deficit. Such a retained earnings deficit would need to be funded in the following fiscal year. Funding provided by the Town could subsequently be repaid to the Town from the enterprise fund.

It is anticipated that the avoidance of a retained earnings deficit would be one of the objectives of the rate setting process controlled by the Board of Selectmen. To mitigate against this possibility, the year one budget set forth in this Comment and in the Recommendation below includes a \$4,867,883 revenue/budgeted surplus which will remain in the enterprise fund and be available for unexpected expenses and/or in the event of an operating loss. The year one enterprise fund budget involves

revenues generated by current water rates, which will remain in effect in year one.

The Advisory Committee voted 11-2 in support of this Article; the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town of Hingham vote to accept the provisions of M.G.L. c. 44, § 53F1/2 and establish a Water System Enterprise Fund for the operation of the water system purchased pursuant to Article 10 of the 2019 Town of Hingham Annual Town Meeting and to require that all receipts, revenues and funds received from the acquisition and operation of said water system shall be deposited into said Water System Enterprise Fund and that all salaries, expenses, capital expenditures and debt service payments associated therewith shall be paid from said Water System Enterprise Fund and to raise and appropriate or transfer a sum of money from the receipts, revenues and funds received from the acquisition and operation of said water system to operate said water system and to be expended by the Board of Selectmen acting as the Board of Water Commissioners as follows:

Recommended Budget	
Salaries	\$240,120
Operating Expenses	\$4,420,000
Payment in lieu of taxes (PILOT)	\$830,503
Debt Service (Acquisition and Capital)	\$2,688,662
Revenue/Budgeted Surplus	\$4,867,883
Total Water Company Enterprise Fund Appropriation	\$13,047,168

ARTICLE 13: Will the Town of Hingham vote to raise and appropriate, borrow or transfer a sum of money to be used for any transition costs associated with the purchase of the water system pursuant to Article 10 of the 2019 Town of Hingham Annual Town Meeting, including, but not limited to, engineering, legal, consulting, salaries or other costs, provided that said sum shall be reimbursed to the Town of Hingham from the proceeds of the bonds issued by the Town of Hingham for the purchase of said water system, or act on anything relating thereto.
(Inserted by the Board of Selectmen)

COMMENT: If the Town votes to purchase the water system, Aquarion's Service Area A, there will be a transition period from Town Meeting vote to the debt issuance of approximately \$114 million. The duration of this period depends on completion of

certain tasks as well as the degree of cooperation between Aquarion and the Town.

During the transition period the parties will have the following responsibilities: Aquarion will continue to operate the water system in accordance with their legal "good husbandry" obligation that includes an orderly transfer of purchased assets to the Town. No new large capital investments would be made during this time, but Aquarion is responsible for properly maintaining the system, including water main repairs. The Town will establish the Selectmen as Water Commissioners, hire a Water Superintendent, issue a Request for Proposal and hire a water system operator and capital vendor, prepare documents for the bond issuance, establish a Transition and Evaluation Committee and Citizens Advisory Board, and work with the Massachusetts Department of Environmental Protection (DEP) to complete the regulatory approval.

The costs to be incurred during the transition period, based on the Year 1 Enterprise Fund budget, include a portion of the following expenses: salary and benefits for the Water Superintendent of \$200,000, outsourced transition costs of \$165,000 and other transaction costs of \$150,000.

Since the water company will not have access to funds until the financial transaction is complete, this Article requests the Town advance the Water Enterprise Fund an amount not in excess of \$250,000 in order to commence transition activities. Any funds provided by the Town for this purpose will be reimbursed upon the initial debt issuance.

This article is recommended for affirmative action only if Article 10: Water Company Acquisition is adopted.

The Advisory Committee voted 11-2 in support of this Article; the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town of Hingham vote to appropriate an amount not in excess of \$250,000 from available reserves to be used for any transition costs associated with the purchase of the water system pursuant to Article 10 of the 2019 Town of Hingham Annual Town Meeting, including, but not limited to, engineering, legal, consulting, salaries or other costs, provided that said sum shall be reimbursed to the Town of Hingham from the proceeds of the bonds issued by the Town of Hingham for the purchase of said water system.

ARTICLE 14: Will the Town limit the total amount that may be spent from the Building Department Revolving Fund, established under Article 18 of the General By-laws, to \$350,000.00 during Fiscal Year 2020, or act on anything relating thereto?
(Inserted by the Board of Selectmen)

COMMENT: The Building Department Revolving Fund is credited with all fees from plumbing, gas, and electrical inspections performed by Inspectors. This fund is used to pay wages, salaries, and fringe benefits (as applicable) to these Building Department staff members. This Article would limit the total amount that may be spent from this revolving fund.

The Advisory Committee and the Board of Selectmen voted unanimously in favor of this Article.

RECOMMENDED: That the Town limit the total amount that may be spent from the Building Department Revolving Fund for Fiscal Year 2020 to \$350,000.

ARTICLE 15: Will the Town limit the total amount that may be spent from the Elder Services Revolving Fund, established under Article 16 of the General By-laws, to \$70,000.00 during Fiscal Year 2020, or act on anything relating thereto?
(Inserted at the request of the Council on Aging)

COMMENT: The Department of Elder Services Revolving Fund is credited with all fees and charges received from Senior Center programs and pays expenses associated with providing these services and activities for the Town's senior residents. This Article would limit the total amount that may be spent from this revolving fund.

The Advisory Committee and the Board of Selectmen voted unanimously in favor of this Article.

RECOMMENDED: That the Town limit the total amount that may be spent from the Elder Services Revolving Fund for Fiscal Year 2020 to \$70,000.

ARTICLE 16: Will the Town raise and appropriate, or transfer from available funds, a sum of money for an unpaid bill of a previous year to Wells Fargo, or act on anything relating thereto?
(Inserted by the Board of Selectmen)

COMMENT: This article requests that Town Meeting authorize the payment of an unpaid FY 2016 invoice from Wells Fargo for the lease of a copier machine. This invoice was not received by the Town until this Fiscal Year, but it is money owed by the

Town. Although there were sufficient funds in the FY 2016 budget to cover this expense, the money was not encumbered as of June 30, 2016, therefore, funds were not available to pay this invoice in FY 2017, FY 2018, or FY 2019.

Approval of this Article requires a four-fifths vote of Town Meeting.

The Advisory Committee and the Board of Selectmen voted unanimously in favor of this Article.

RECOMMENDED: That the Town transfer from available funds a sum of \$812.77 to pay an unpaid bill of a previous year.

ARTICLE 17: Will the Town raise and appropriate, or transfer from available funds, a sum of money to the Town's Reserve Fund for use during Fiscal Year 2019, or act on anything relating thereto?
(Inserted by the Board of Selectmen)

COMMENT: This Article is included each year in the event that the existing Reserve Fund is not adequate to cover unbudgeted and unanticipated expenses for the balance of the current Fiscal Year (FY 2019). The specific amount will be reported at Town Meeting.

RECOMMENDED: The Advisory Committee will make its recommendation at Town Meeting.

ARTICLE 18: Will the Town raise and appropriate, borrow, or transfer from available funds a sum of money in the amount of \$550,000 for the purchase of golf course maintenance equipment for the South Shore Country Club, or act on anything relating thereto?
(Inserted at the request of the South Shore Country Club Management Committee)

COMMENT: The South Shore Country Club ("SSCC") is requesting to borrow \$415,000, less than the amount originally requested, to purchase golf course maintenance equipment. The lower request in the recommendation reflects developments after submission of the original Article. The purchase will include two greens mowers, two fairway mowers, two rough mowers, two green rollers, and one sprayer. This equipment will replace current equipment that has exceeded its useful life. This purchase is expected to reduce expenses for fuel and field supplies. The fleet purchase will be financed through Town debt, which will be repaid through the SSCC operating revenues in five annual payments commencing in Fiscal Year 2020. The amended

amount will reduce the SSCC annual debt payment by approximately \$25,000.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town appropriate a sum of money not in excess of \$415,000 for the purchase of golf course maintenance equipment for the South Shore Country Club. To meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under Massachusetts General Laws chapter 44, section 7, or any other enabling authority, and to issue bonds or notes of the Town therefor.

Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by the vote in accordance with Massachusetts General Laws chapter 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 19: Will the Town vote to establish a Municipal Waterways Improvement and Maintenance Fund under M.G.L. c. 40, § 5G to receive revenue from boat excise taxes under M.G.L. c. 60B, § 2(i) and to receive revenue from mooring permit fees under M.G.L. c. 91, § 10A and to receive any additional sums from the Commonwealth of Massachusetts or the Federal Government and to require that fifty percent of said boat excise taxes collected under M.G.L. c. 60B, § 2(i) shall be deposited into said fund as required by law and that all mooring permit fees collected under M.G.L. c. 91, § 10A shall be deposited into said fund as required by law and provided further that appropriations from said Municipal Waterways Improvement and Maintenance Fund shall be limited to the following as required by M.G.L. c. 40, § 5G: (1) maintenance, dredging, cleaning and improvement of harbors, inland waters and great ponds of the commonwealth located in the Town of Hingham, (2) the public access thereto, (3) the breakwaters, retaining walls, piers, wharves and moorings thereof, and (4) law enforcement and fire prevention associated therewith. Or act on anything relating thereto?

(Inserted by Board of Selectmen)

COMMENT: In order to be eligible to apply for any available state dredging grants the Town must have a Municipal Waterways Improvement and Maintenance Fund. Statutorily, this fund receives revenue from the following sources: 50% of boat excise taxes, all mooring permit fees, and any additional sums from the Commonwealth of Massachusetts or the Federal Government. All appropriations from this fund are limited to the following: (1) maintenance, dredging, cleaning and improvement of harbors, inland waters and great ponds of the Commonwealth located in the Town of Hingham, (2) the public access thereto, (3) the breakwaters, retaining walls, piers, wharves and moorings thereof, and (4) law enforcement and fire prevention associated therewith.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town vote to establish a Municipal Waterways Improvement and Maintenance Fund under M.G.L. c. 40, § 5G to receive revenue from boat excise taxes under M.G.L. c. 60B, § 2(i) and to receive revenue from mooring permit fees under M.G.L. c. 91, § 10A and to receive any additional sums from the Commonwealth of Massachusetts or the Federal Government and to require that fifty percent of said boat excise taxes collected under M.G.L. c. 60B, § 2(i) shall be deposited into said fund as required by law and that all mooring permit fees collected under M.G.L. c. 91, § 10A shall be deposited into said fund as required by law and provided further that appropriations from said Municipal Waterways Improvement and Maintenance Fund shall be limited to the following as required by M.G.L. c. 40, § 5G: (1) maintenance, dredging, cleaning and improvement of harbors, inland waters and great ponds of the Commonwealth located in the Town of Hingham, (2) the public access thereto, (3) the breakwaters, retaining walls, piers, wharves and moorings thereof, and (4) law enforcement and fire prevention associated therewith.

ARTICLE 20: Will the Town vote to raise and appropriate, borrow, or transfer from available funds a sum of money, for the dredging of Hingham Harbor, or act on anything thereto?
(Inserted by Board of Selectmen)

COMMENT: Hingham Harbor is routinely dredged every 10 years to return the water depth to 6 feet at low mean tide. The dredging cycle runs from October to January. The harbor was last dredged in the winter

of 2009/2010 when 89,000 cubic yards of material were removed. Due to the large volume of material removed, an extension was requested and granted to complete the project through February 2010. Such an extension is no longer easily obtained. Therefore, in order to ensure that the current dredging can be done in one cycle and will not incur additional equipment rental costs to complete the project, the amount of material to be removed is closely monitored. Current surveys show there are 70,000 cubic yards to remove.

As the end of the 10 year cycle nears, the mooring basin is becoming shallow, causing moored boats to rest on the bottom. In addition, portions of the basin are becoming impassible, preventing boats from entering or leaving the harbor, and some areas are now intertidal, meaning that the seabed is exposed at low tide and submerged at high tide. In order to keep the project on time and on budget it must be completed in the winter of 2019/2020.

The project is estimated to cost a maximum of \$5,000,000 and will be funded from at least two sources. The Town will use \$1,500,000 of existing waterways funds, accumulated over recent years, and likely consolidated in the new Municipal Waterways Improvement and Maintenance Fund in previous Articles at this Town Meeting. In addition, the Town will borrow up to \$3,500,000 to complete the project. Finally, the Town is eligible to apply for a State grant of up to 50% of the project's cost. If a grant is awarded, the Town would use grant funds to reduce the amount borrowed.

If the new Municipal Waterways Improvement and Maintenance Fund is adopted, it will consolidate all waterways revenue and appropriation activity, including dredging, into one fund. The old Capital Harbor Dredging Fund will contribute to the cost of this dredging cycle, be depleted, and no longer used.

The next dredging cycle will be in 10 years (winter of 2029/2030). Due to fewer grant opportunities, the Town's portion of the cost to dredge Hingham Harbor is increasing. To ensure sufficient funds are available in the next dredging cycle to pay the Town's portion, the Town would be well-served to earmark 10% of the final net cost, on an annual basis, of existing funds in the Municipal Waterways Improvement and Maintenance Fund for this purpose from FY2021 to FY2030 as circumstances permit.

Approval of the borrowing in this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town appropriate \$1,500,000 from the Municipal Waterways Improvement and Maintenance Fund, or its predecessor funds, for the dredging of Hingham Harbor. In addition, that the Town appropriate an amount not in excess of \$3,500,000 to dredge Hingham Harbor. To meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under Massachusetts General Laws, chapter 44, section 7, or any other enabling authority and to issue bonds or notes of the Town therefor.

Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws chapter 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 21: Will the Town vote to appropriate or transfer from available funds a sum of money, which sum was generated from fees paid to the Town of Hingham during FY2019, from any parking license for the purpose of accessing slips or moorings, any capital dredging fund, mooring and docking permit revenues, mooring/docking permit late fees, boating fines and/or boat excise taxes, for deposit to the Town's Municipal Waterways Improvement and Maintenance Fund, to be used in accordance with M.G.L. c. 40, § 5G, or act on anything relating thereto. (Inserted by Board of Selectmen)

COMMENT: This Article seeks to consolidate current waterways amounts into a new fund being proposed in a previous Article - Municipal Waterways Improvement and Maintenance Fund. This requires transfer of the following amounts from available reserves: mooring permit fees of \$754,750 as of 6/30/18, FY 2019 parking license for the purpose of accessing slips or moorings of \$40,000 (projected), FY 2019 mooring permit fees of \$300,000 (projected) and FY 2019 50% boat excise taxes of \$35,000 (projected). Additionally, the old Waterways Fund balance of \$371,408.35 as of 6/30/18 will be transferred into the new fund. As a result of these transfers, the Municipal Waterways Improvement and Maintenance Fund will have a projected balance of \$1,501,158.35 as of 6/30/19.

In accordance with M.G.L. c. 40, § 5G, the Municipal Waterways Improvement and Maintenance Fund receives statutory revenue from the following sources: 50% of boat excise taxes, all mooring permit fees, and any additional sums from the Commonwealth of Massachusetts or the Federal Government. Annually, future Town Meetings will need to determine if any additional waterways revenues, such as parking license revenue for the purpose of accessing slips or moorings, will be transferred into the Municipal Waterways Improvement and Maintenance Fund.

The Capital Harbor Dredging Fund currently has a balance of \$399,865.26. Since statutes preclude transfers from this type of fund, this amount is not included in the Recommended Motion.

This Article is recommended for affirmative action only if Article 19: Municipal Waterways Improvement and Maintenance Fund is adopted.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town transfer \$754,750 in mooring permit fees through 6/30/18 and approximately \$375,000 during FY2019 from three categories of available reserves, to the Municipal Waterways Improvement and Maintenance Fund, which sums were generated from fees paid to the Town of Hingham, from any parking license for the purpose of accessing slips or moorings, mooring and docking permit revenues, mooring/docking permit late fees, boating fines and/or boat excise taxes, for deposit to the Town's Municipal Waterways Improvement and Maintenance Fund, to be used in accordance with M.G.L. c. 40, § 5G.

That the Town transfer \$371,408.35 from the Waterways Fund, to the Municipal Waterways Improvement and Maintenance Fund, which sum was generated from fees paid to the Town of Hingham through 6/30/18, from any boating fines and/or boat excise taxes, for deposit to the Town's Municipal Waterways Improvement and Maintenance Fund, to be used in accordance with M.G.L. c. 40, § 5G.

ARTICLE 22: Will the Town appropriate or set aside for later spending funds as recommended by the Community Preservation Committee as follows:

- 1) Appropriate a sum of money from the Community Preservation General Fund for addition to the

Community Preservation Committee's Administrative Fund;

2) Appropriate a sum of money from the Community Preservation Community Housing Reserve and from the Community Preservation General Fund to be used by the Hingham Affordable Housing Trust for the HAHT Opportunity Fund;

3) Appropriate a sum of money from the Community Preservation General Fund to be used by Liberty Plain Cemetery Corporation to continue to restore and conserve veterans' markers and grave stones within the Liberty Plain Cemetery located at 990 Main Street, Map 180/Lot 20;

4) Appropriate a sum of money from the Community Preservation General Fund to be used by the Hingham Memorial Bell Tower Committee to restore the mechanisms of 6 bells located at 68R Main Street, Map 61/Lot 124A;

5) Appropriate a sum of money from the Community Preservation General Fund to be used by the Hingham Historical Society for stabilization of Old Ordinary House and 1906 Annex at 21 Lincoln Street, Map 61/Lot 21;

6) Appropriate a sum of money from the Community Preservation General Fund to be used by the Hingham Recreation Commission to conduct a Comprehensive Study of Hingham's athletic fields, outdoor tennis courts, and basketball courts;

7) Appropriate a sum of money from the Community Preservation General Fund to be used by the Trustees of the Hingham Bathing Beach for additional funding to complete the Bathhouse/Concession Stand located at 0 Otis Street, Map 50/Lot 50;

8) Appropriate a sum of money from the Community Preservation General Fund to be used by Hingham School Committee to assist with making Plymouth River School Playground ADA compliant located at 200 High Street, Map 124/Lot 32

or act on anything relating thereto?
(Inserted at the request of the Community Preservation Committee)

COMMENT: The Community Preservation Act (Massachusetts General Laws chapter 44B) ("CPA") is a local option statute enacted by the State Legislature in 2000 and adopted by the Town in 2001. It enables towns to collect and expend funds (including funds from the Commonwealth) to maintain

their character by supporting open space, affordable housing, historic preservation, and recreation initiatives specifically defined by the CPA. The current Hingham CPA surcharge rate is 1.5% of real property taxes.

The Community Preservation Committee ("CPC") started the deliberation process this year with a budget of \$1,293,135. That includes local tax revenue from FY2018 of \$1,046,814 and a State grant of \$199,050. It also includes \$47,271 of funds returned to the CPC from projects that either were completed under budget or cancelled.

This year, as in years past, the dollar amount of grants sought by applicants to CPC exceeded CPC's budget. CPC scrutinized each grant application and applied consistent CPC guidelines and criteria to determine which applications to approve and, for those approved, a grant amount that fits within the year's budget. In many cases, the amount of a proposed grant is less than the amount sought by an applicant.

In 2019, the CPC recommends approval of funding for 8 projects for a total of \$725,545. In addition to this amount, an additional \$171,590 of CPA funds will be set aside in anticipation of debt payments for the Hingham Heritage Museum. The Museum project (\$1,100,000) was approved by the 2013 Annual Town Meeting and will require debt service payments from CPA funds for no more than a total of 10 years. To date, \$768,609 has been retained for this purpose. An additional \$396,000 of CPA funds will be set aside in anticipation of debt service payments for the Lehner Property. In previous years, \$675,000 has been retained for this purpose. The purchase of this property (\$5,000,000) was approved by the 2016 Annual Town Meeting, along with an initial payment of \$500,000, and will require debt payments from CPA funds for a total of 20 years.

The proposed funding of the 2019 projects will meet the required 2019 allocations for historic preservation, open space, and affordable housing.

The comments of the Advisory Committee are set forth below and correspond to the numbered sections of this Article.

1) The CPA allows up to 5% of annual CPA revenues to be reserved for operational and administrative expenses, including engineering, legal and consulting costs associated with the review of proposed projects, the administration of projects approved by Town Meeting, and the salaries of part-time staff.

Since the inception of the CPA program in Hingham, administrative appropriations have averaged 2.7% of annual CPA revenues, compared to the 5% allowed by the CPA. In recent years, administrative expenses have grown due to existing grant and new grant management. As a result, this percentage has increased modestly, yet still remains below the permitted 5%. This year's contribution to the CPC Administrative Fund equals \$50,000 and represents 4.0% of the annual CPA revenues.

The Advisory Committee, the Board of Selectmen, and the Community Preservation Committee voted unanimously in support of this project.

2) CPC recommends a grant of \$300,000 for the Hingham Affordable Housing Trust ("HAHT") to be placed in the Opportunity Fund established by 2014 Annual Town Meeting. This fund is for the sole purpose of responding quickly to potentially short-window opportunities to purchase sites with major potential for development/preservation of affordable housing within the Town. Any need to borrow funds or mortgage assets to complete a purchase requires approval by a majority of the Board of Selectmen. If, however, a potential purchase is of smaller nature, the HAHT can act on its own and acquire the property in a timely manner. Transactions involving such funding will be included in a detailed annual financial report from HAHT to the Selectmen. The Town has placed \$957,511 in the Opportunity Fund since it was established and the current balance in the fund, excluding this grant, is \$350,000.

In 2017, the HAHT used Opportunity Fund monies to create a new affordable unit in Town. When HAHT purchases such a property, it applies for an affordability restriction from the State Department of Housing and Community Development. Once the restriction is in effect, HAHT sells the property and places the proceeds back into the Opportunity Fund for future purchases.

HAHT has reserved \$100,000 in support of the creation of two affordable units on Whiting Street, in partnership with Habitat for Humanity. It has committed funds for a Town Housing Plan, reserved funds for possible subdivision of a parcel into two deeded lots, for Phase I due diligence of another parcel, and for repurchase of an affordable unit in 2019, pending litigation.

The Advisory Committee, the Board of Selectmen, and the Community Preservation Committee voted unanimously in support of this project.

3) CPC recommends a grant of \$19,528 for Liberty Plain Cemetery to continue to clean and repair gravestones. The Cemetery is a repository of Revolutionary War, Civil War, and War of 1812 graves of veterans and early Town settlers. After years of exposure to acid rain, invasive algae, fungus, and weather extremes, many of the 17th, 18th, and 19th century markers have broken, split apart, or separated from their bases and need comprehensive repairs.

Previous Town Meetings have allocated \$143,750 towards marker restoration, with the first CPC grant approved in 2004.

This year's request, Phase 4, is intended to clean the oldest markers in the cemetery which are stones that are heavily covered with lichen, algae, and fungus. Restoration will make legible the shallow hand carved inscriptions.

As part of the documentation process, a two-page form is prepared for each headstone, footstone, or monument, illustrating before and after conditions, with a description of conservation procedures employed. The report of the project will be placed in a notebook containing the forms for conserved markers and an updated Condition Assessment/Completed Treatment Listing, noting those stones conserved.

The Advisory Committee, the Board of Selectmen, and the Community Preservation Committee voted unanimously in support of this project.

4) CPC recommends a grant of \$121,651 for the Hingham Memorial Bell Tower Committee to repair the mechanisms of 6 bells and ropes in the Hingham Memorial Bell Tower. The mechanisms of these bells are in a state of deterioration that requires extraordinary physical effort to ring them. The Hingham Memorial Bell Tower, situated at 68R Main Street, houses 10 English change ringing bells and is listed on the Town's inventory of historic assets. Built in 1912 to commemorate Hingham's 275th anniversary, the tower was constructed with donations from the public and was erected as a memorial to the Town's early settlers. The bells, cast in England as direct copies of the bells in Hingham, England, create sounds similar to the bell sounds that the original settlers of Hingham would have heard in England before they left for America.

The Hingham Memorial Bell Tower has been supported by the Town in recent years. 2018 Annual Town Meeting voted to approve the CPC grant of

\$28,525 to restore the mechanisms of bells #6 and #8. In addition to this CPC grant, the Hingham Memorial Bell Tower was awarded \$18,167 in Greenbush Preservation Act funds in 2018 to repair bells #1 and #2. Before these grants were awarded, none of the bells and their frames, all now over 100 years old, had ever been replaced or modified.

The restoration of the remaining 6 bells' mechanisms includes replacing each bell's headstock, updating the wheels that allow the bells to move, and adding a bearing system that will make it easier to swing. In addition, the ropes and their respective guide boxes for all 10 bells would be repaired and adjusted.

The Advisory Committee, the Board of Selectmen, and the Community Preservation Committee voted unanimously in support of this project.

5) CPC recommends a grant of \$29,921 for the Hingham Historical Society to stabilize the Old Ordinary House (built 1688) and Annex (Built 1906) located at 21 Lincoln Street. This work is part of Phase 4 of the *Old Ordinary's Comprehensive Conservation Plan*: foundation and structural conservation, repair, and restoration. Deficiency in the original Annex construction with structural placement of mudsill on grade, requires lifting the building and putting it on a proper foundation. The Old Ordinary frame is intact, but damp.

The total cost of this phase is estimated at \$325,000; the Historical Society's intent is that the remaining amount will be underwritten through private donations and additional grants that are being sought. This project will include 1) cellar slab on grade with moisture barrier including structural footings and columns at the Old Ordinary, and 2) restoration of structure and foundation at the Annex. Once the conservation work is complete, the ongoing maintenance of the buildings will be covered by the operating budget of the Hingham Historical Society. It is anticipated that this work will be started in July 2019 and completed in time for programming to resume in November 2019.

Hingham takes special pride in its stewardship of historical assets. The Old Ordinary Campus plays a central role in historical preservation and education and serves the entire community. Programs include guided tours, school field trips, summer camps, and special exhibits. The Annex not only serves as an historical asset, but is also the only open space on the 21 Lincoln Street campus that is handicap-accessible and can accommodate groups and classroom instruction.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this project. The Community Preservation Committee voted 8-0 in support of this project, with one abstention.

6) CPC recommends a grant of \$60,000 for the Hingham Recreation Commission to fund a Town-wide comprehensive study of Hingham's athletic fields and outdoor tennis and basketball courts. This study would result in an independent review of existing athletic fields, an analysis of field and program demands and deficiencies, and a summary report that would provide findings and recommendations. With dozens of different sports leagues seeking use of the same limited facilities, and with each group coming to the table with its own agenda to meet its own needs, an independent, nonbiased review of the fields and courts would help to limit and possibly eliminate future elements of contention when different organizations seek to achieve the goals of their respective group. The professional firm retained to conduct the review would communicate directly with all field users to ensure all field data and information has been thoughtfully considered before any recommendations are made.

The Town owns and maintains more than 68 acres of athletic fields that are controlled by three separate entities: the Board of Selectmen (control 25% of acreage), the School Department (47%), and the Recreation Department (28%). These fields serve the Town across a wide range of organized and recreational usage. There has been continued and sustained demand from both youth and adult organizations, resulting in the need for the Town to evaluate its ability to meet both current and future community needs.

The information in this proposed report will help the Town ensure adequate access for youth and adult sports leagues to the fields and courts they need, at the times they need them. It would answer the question whether team organizations need to seek accommodation outside of Hingham. An independent study could provide the Town with information necessary to take the next steps toward accommodating league needs from a Town-wide perspective, instead of from a limited field by field scope. Natural grass turf maintenance, surface treatment best practices, and field resting recommendations would be incorporated into an overall plan for oversight practice amongst all jurisdictions.

The Advisory Committee, the Board of Selectmen, and the Community Preservation Committee voted unanimously in support of this project.

7) CPC recommends a grant of \$120,000 for the Trustees of the Bathing Beach for project contingency funding. A new bathhouse/concession stand building, to be located at 31 Otis Street on land under jurisdiction of the Trustees of the Bathing Beach, was first conceived in the CPC-funded Harbor Master Plan of 2007. A total of \$1,200,000 has been appropriated for this project to date: a \$150,000 CPC grant was approved at 2016 Annual Town Meeting for engineering/architectural and feasibility analysis; a \$700,000 grant was approved from the Massachusetts Seaport Economic Council in 2016; and \$350,000 match funding from the Town was approved at 2017 Annual Town Meeting. Site preparation and utility work have begun, with an expected project completion by June 2019 in accordance with the extended timeline of the Seaport grant.

Two factors have increased the cost of building completion: 1) there has been a rapid escalation in construction costs in the building industry in the past several years; and 2) specific to this project, it was determined that the building foundation is required to be deeper than originally planned and drilled into fill that is of an unknown quality. In order to mitigate these cost increases, the Trustees, working with the Town Engineer, undertook value engineering to find efficiencies within the project without changing the approved project scope. Cost savings were realized by contracting with a modular building company to construct the building off-site. The concessionaire lessee has also agreed to contribute extra funding outside of the lease agreement.

After the value engineering was completed, it was determined that the project estimated "cost to complete" reflects the full project budget available, without carrying any contingency. The request is for minimum funding contingency of 10% (\$120,000) of the total project cost (\$1,200,000), which is a standard industry amount for contingency funding. Contingency funding would be returned to CPC if not required to complete the original project scope.

The Advisory Committee voted 10-0 in support of this Article, with two abstentions. The Board of Selectmen and the Community Preservation Committee voted unanimously in support of this project.

8) CPC recommends a grant of \$24,445 for the Hingham School Department to rehabilitate

recreational land at the Plymouth River Elementary School ("PRS") to comply with the State's access codes. The Department of Public Safety Architectural Access Board ("AAB") requires that playgrounds throughout the State be brought into compliance for accessibility under 521 CMR 19.7. Although the school playgrounds in the Town are in compliance with the Federal Americans with Disability Act ("ADA"), they are not in compliance with all AAB requirements, including that the playgrounds have an accessible travel route from the school building.

In 2016, the AAB filed a complaint of noncompliance with Hingham Public Schools regarding various accessibility deficiencies at the elementary school playgrounds. Because the school playgrounds are public property, the AAB requires that they must be accessible to people both with and without disabilities during the school day, as well as during summer, weekends, holidays, vacations and other non-school days. The AAB is authorized to take legal action against violators by preventing use of offending facilities and imposing fines of up to \$1,000 per day. Since then, the School Department has undertaken a project to secure capital funding and create a schedule of construction at school playgrounds to comply with state requirements.

These CPA funds will underwrite a portion of the \$105,000 cost associated with bringing the PRS playground into compliance, including creating an accessible travel route from the school building to the playground, installing a poured in place rubber accessway between various pieces of equipment, and retrofitting and adding equipment to provide a more inclusive play experience.

Under Decision Guidelines in the Process Manual used by the CPC, projects are evaluated in relation to the General Selection Criteria and how well the project meets these criteria, recognizing that all criteria may not apply to every project. The General Selection Criteria are:

1. Mature (project is fully developed and does not need further definition.)
2. Stands Alone (this project does not commit the CPC to future initiatives)
3. Time Sensitive (opportunity will be lost if we fail to act)
4. Alternative Capital (no other capital sources would be available to fund the project)
5. Leverages (the value of the CPA capital is multiplied through other contributions)
6. Long Term Plan (part of an integrated long-term plan by proponent).

Because the School Department has access to annual capital funding from the Town's annual capital budget, there may be objections to using CPA funds towards the total cost of a playground rehabilitation.

Although the School Department has access to annual capital funding from the Town, the budget associated with the annual operating and capital costs for providing education of students and maintenance of buildings does not give much latitude for extra projects. The playground rehabilitation has been completed at East Elementary School and will soon be completed at South Elementary School. Rehabilitation of the Foster School playground is scheduled in the FY2022 School Department capital request.

Additionally, as cited in the same Process Manual, CPA funds may be used for the "rehabilitation" of land for recreational use defined as "capital improvements, or the making of extraordinary repairs." It goes on to say, "Such improvements may include assistance in complying with the Americans with Disabilities Act or meeting other federal, state, or local building or access codes; replacement of existing playground equipment; and other improvements which make the site more functional for its intended recreational use."

There is also precedent for using CPA funds to underwrite a portion of the costs of rehabilitation or improvement to recreational land under control of the School Department. 2013 Annual Town Meeting approved a \$50,000 CPC grant towards the \$169,000 relocation of the softball field at Hingham High School to the other side of Union Street, during the larger High School Fields project. Both the high school softball field and the elementary school playgrounds, while sited on School Department land and falling under the School Department's budget and funding sources, are examples of recreational spaces that are used by the larger community outside of the set school day and sport season.

The Advisory Committee voted 10-2 in support of this project. The Board of Selectmen and the Community Preservation Committee voted unanimously in support of this project.

RECOMMENDED: That the Town appropriate or set aside for later spending funds as recommended by the Community Preservation Committee as follows:

1) Appropriate \$50,000 from the Community Preservation General Fund for addition to

the Community Preservation Committee's Administrative Fund;

2) Appropriate \$300,000 from the Community Preservation Community Housing Reserve and from the Community Preservation General Fund to be used by the Hingham Affordable Housing Trust for the HAHT Opportunity Fund;

3) Appropriate \$19,528 from the Community Preservation General Fund to be used by Liberty Plain Cemetery Corporation to continue to restore and conserve markers and grave stones within the Liberty Plain Cemetery located at 990 Main Street, Map 180/Lot 20;

4) Appropriate \$121,651 from the Community Preservation General Fund to be used by the Hingham Memorial Bell Tower Committee to restore the mechanisms of 6 bells located at 68R Main Street, Map 61/Lot 124A;

5) Appropriate \$29,921 from the Community Preservation General Fund to be used by the Hingham Historical Society for stabilization of Old Ordinary House and 1906 Annex at 21 Lincoln Street, Map 61/Lot 21;

6) Appropriate \$60,000 from the Community Preservation General Fund to be used by the Hingham Recreation Commission to conduct a Comprehensive Study of Hingham's athletic fields, outdoor tennis courts, and basketball courts;

7) Appropriate \$120,000 from the Community Preservation General Fund to be used by the Trustees of the Hingham Bathing Beach for additional funding to complete the Bathhouse/Concession Stand located at 0 Otis Street, Map 50/Lot 50;

8) Appropriate \$24,445 from the Community Preservation General Fund to be used by Hingham School Committee to assist with making Plymouth River School Playground AAB compliant located at 200 High Street, Map 124/Lot 32.

ARTICLE 23: Will the Town authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts, in accordance with Article LXXXIX, Article II, Section 8 (M.G.L.A. Const. Amend. Art. 2, Section 8), of the Articles of Amendment to the Constitution of the Commonwealth, to enact legislation in substantially

the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition:

AN ACT RELATIVE TO THE ESTABLISHMENT
OF A HINGHAM MEANS-TESTED PROPERTY
TAX EXEMPTION

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. With respect to each qualifying parcel of real property classified as class one, residential according to the classification by the Board of Assessors for the town of Hingham (a "Qualifying Parcel") there shall be a senior, means-tested exemption from the property tax otherwise payable with respect to such Qualifying Parcel in an amount to be determined annually by the Board of Selectmen as described herein. For the purposes of this special act, a Qualifying Parcel shall be a unit of real property as defined by the Board of Assessors under the deed for the property as residential class one and includes a condominium unit. The exemption provided for herein shall be in addition to any and all other exemptions allowed by the General Laws.

SECTION 2. A taxpayer shall qualify for the exemption provided for herein only if all of the following criteria are met:

- (a) The Qualifying Parcel is owned and occupied by one or more natural persons who applied for and received the circuit breaker income tax credit the previous calendar year under section 6(k) of chapter 62 of the General Laws;
- (b) The Qualifying Parcel is owned by: (i) a single taxpayer age 65 or older; or (ii) jointly by one or more taxpayers so long as one owner is age 65 or older and all other owners are age 60 or older in each case as determined as of December 31st of the previous calendar year;
- (c) The Qualifying Parcel is the domicile of the taxpayer(s);
- (d) The applicant taxpayer (or at least one of the joint applicants) has been domiciled and owned a residential unit of real property in the town of Hingham for at least ten (10) consecutive years prior to filing an application for this exemption;
- (e) The maximum assessed value of the domicile is no greater than the prior fiscal year's maximum assessed value for

qualification for the circuit breaker income tax credit under Section 6(k) of chapter 62 of the General Laws as adjusted annually by the Department of Revenue;

- (f) Property taxes shall not be reduced by more than 50 percent by this exemption; and
- (g) The Board of Assessors has approved the application. The Board of Assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act.

SECTION 3. The Board of Selectmen shall annually set the exemption amount provided for in section 1, provided that the amount of the exemption shall be within a range of 50 percent to 100 percent of the amount of the circuit breaker income tax credit under section 6(k) of chapter 62 of the General Laws which the applicant received in the previous year. The total amount exempted by this act shall be allocated proportionally within the tax levy on all taxpayers and/or shall be funded by an appropriation or transfer from existing funds and cannot exceed 1% of the municipality's tax Levy.

SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the Board of Assessors, file an application, on a form to be adopted by the Board of Assessors, with the supporting documentation of the applicant's income and assets as described in the application including a copy of the filed income tax return of the applicant showing the Circuit Breaker tax credit. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. No exemption shall be granted under this act until the Department of Revenue certifies a tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the tax levy and/or by an appropriation or transfer from existing funds.

SECTION 6: This act shall expire after 3 years of implementation unless reaffirmed by Town Meeting vote.

or act on anything relating thereto?
(Inserted by the Board of Selectmen)

COMMENT: This Article is designed to initiate special legislation for means tested property tax relief for a specifically identified group of Hingham seniors—those long-time residents who meet certain income and asset criteria. The Town's current

statutory exemptions available to Hingham seniors includes all those contained in M.G.L. Ch. 59. The purpose of this Article is to add an additional exemption to help alleviate an escalating tax burden that could force those on fixed incomes to sell their homes.

The Commonwealth considers a reasonable definition of a real estate tax burden to be 10% of income, which is the criteria used in the Commonwealth's Circuit Breaker Tax Credit program. This program uses age, income, and assessed value of one's home to determine eligibility for the tax credit. However, even with this tax credit, the net real estate tax burden can be significantly above the 10% threshold in more affluent communities where property values are high,

This special legislation for Hingham would be based on eligibility for the Circuit Breaker Tax Credit program. This is comparable to other municipalities, such as Hamilton, Sudbury, Concord, and Andover, that have adopted similar programs using this tax credit. To participate in the Hingham program, applicants must have received the Circuit Breaker Tax Credit in the prior calendar year. Additionally, the applicant must be at least 65 years of age, have owned and occupied a home in Hingham for at least 10 consecutive years and have no other significant assets that would disqualify the applicant from receiving the Hingham property tax exemption. The overall property taxes due cannot be reduced by more than 50%. This exemption will be in addition to any other tax exemption the resident is qualified to receive. Applicants could receive tax relief between 50% and 100% of their Circuit Breaker Credit, such percentage to be determined each year by the Board of Selectmen. Using this state tax credit reduces the administrative and personnel costs in creating this exemption in Hingham.

The most recent data available from the Department of Revenue shows that in 2016, there were 543 Hingham families (including renters) that received the Circuit Breaker Tax Credit with the average credit being \$986. The aggregate amount of credit claimed was \$535,206.

This new exemption does not require a specific funding source. The Article permits the Board of Selectmen to set the range of the tax credit each year and to proportionally shift the tax levy on all tax payers and/or to identify another funding source. The tax impact of an average Hingham home valued at \$778,000 would be \$56.21 if everyone who received the state credit also applied and qualified for the

exemption, and if the Town elected to transfer the tax credit to all other Hingham taxpayers. The total amount for this exemption cannot exceed 1% of the municipal tax levy. The Board of Selectmen will make these decisions in the fall of the fiscal year when the budget has been approved and the number of applicants will be known.

The Recommendation differs from the text of the proposed Article, as the Advisory Committee added language to Section 2(g) requiring the Board of Assessors to adopt regulations for accepting or denying applications for the tax relief.

If approved by the General Court, it is expected this exemption would go into effect in FY 2021. The program expires after three years unless reauthorized by Town Meeting.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts, in accordance with Article LXXXIX, Article II, Section 8 (M.G.L.A. Const. Amend. Art. 2, Section 8), of the Articles of Amendment to the Constitution of the Commonwealth, to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition:

AN ACT RELATIVE TO THE ESTABLISHMENT OF A HINGHAM MEANS-TESTED PROPERTY TAX EXEMPTION

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. With respect to each qualifying parcel of real property classified as class one, residential according to the classification by the Board of Assessors for the town of Hingham (a "Qualifying Parcel") there shall be a senior, means-tested exemption from the property tax otherwise payable with respect to such Qualifying Parcel in an amount to be determined annually by the Board of Selectmen as described herein. For the purposes of this special act, a Qualifying Parcel shall be a unit of real property as defined by the Board of Assessors under the deed for the property as residential class one and includes a

condominium unit. The exemption provided for herein shall be in addition to any and all other exemptions allowed by the General Laws.

SECTION 2. A taxpayer shall qualify for the exemption provided for herein only if all of the following criteria are met:

- (a) The Qualifying Parcel is owned and occupied by one or more natural persons who applied for and received the circuit breaker income tax credit the previous calendar year under section 6(k) of chapter 62 of the General Laws;
- (b) The Qualifying Parcel is owned by: (i) a single taxpayer age 65 or older; or (ii) jointly by one or more taxpayers so long as one owner is age 65 or older and all other owners are age 60 or older in each case as determined as of December 31st of the previous calendar year;
- (c) The Qualifying Parcel is the domicile of the taxpayer(s);
- (d) The applicant taxpayer (or at least one of the joint applicants) has been domiciled and owned a residential unit of real property in the town of Hingham for at least ten (10) consecutive years prior to filing an application for this exemption;
- (e) The maximum assessed value of the domicile is no greater than the prior fiscal year's maximum assessed value for qualification for the circuit breaker income tax credit under Section 6(k) of chapter 62 of the General Laws as adjusted annually by the Department of Revenue;
- (f) Property taxes shall not be reduced by more than 50 percent by this exemption; and
- (g) The Board of Assessors has approved the application. The Board of Assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. The Board of Assessors shall adopt by regulation criteria for approvals and denials of applications.

SECTION 3. The Board of Selectmen shall annually set the exemption amount provided for in section 1, provided that the amount of the exemption shall be within a range of 50 percent to 100 percent of the amount of the circuit breaker income tax credit under section 6(k) of chapter 62

of the General Laws which the applicant received in the previous year. The total amount exempted by this act shall be allocated proportionally within the tax levy on all taxpayers and/or shall be funded by an appropriation or transfer from existing funds and cannot exceed 1% of the municipality's tax Levy.

SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the Board of Assessors, file an application, on a form to be adopted by the Board of Assessors, with the supporting documentation of the applicant's income and assets as described in the application including a copy of the filed income tax return of the applicant showing the Circuit Breaker tax credit. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. No exemption shall be granted under this act until the Department of Revenue certifies a tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the tax levy and/or by an appropriation or transfer from existing funds.

SECTION 6: This act shall expire after 3 years of implementation unless reaffirmed by Town Meeting vote.

ARTICLE 24: Will the Town vote to raise and appropriate, borrow or transfer from available funds, an amount of up to \$350,000 to be expended under the direction of the School Committee upon the recommendation of the 2017 School Building Committee for the purpose of funding Foster Elementary School Extraordinary Maintenance Capital needs for the existing school building, or act on anything relating thereto?
(Inserted at the request of the School Committee)

COMMENT: This Article seeks to appropriate from available funds \$350,000 for any extraordinary maintenance capital needs that arise for Foster Elementary School.

Foster Elementary School is now nearly 70 years old; the Town and School Administration are in the process of determining the best way to renovate or rebuild the school on the present building site. At the recommendation of the 2017 School Building Committee, School Administration is seeking to have ready access to funding for any extraordinary or recommended preventative maintenance for Foster Elementary School.

School Administration has recommended that the Town submit a third SOI (Statement of Interest) to the MSBA (Massachusetts School Building Authority) seeking a partner in the building or renovation at the current building site. In anticipation of MSBA's recommendation in December 2019, the School Administration requests that the Town appropriate the sum of \$350,000 to cover any unforeseen expenditures that arise until a permanent solution is decided for Foster Elementary School. Examples of this include boiler maintenance or replacement, electrical upgrades/repairs and roof maintenance.

This funding will only be expended as needed to prevent any major system failure or loss and to provide preventative maintenance to ensure the safe operation of the building, mitigating the risk of a major building disruption. Funds not expended will be returned to the Town.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town vote to transfer from available funds, an amount of \$350,000 to be expended under the direction of the School Committee upon the recommendation of the 2017 School Building Committee for the purpose of funding Foster Elementary School Extraordinary Maintenance Capital needs for the existing school building.

ARTICLE 25: Will the Town vote to raise and appropriate, borrow or transfer from available funds, an amount of up to \$550,160 for the purpose of replacing the clerestory windows and completing other work related to this project at Hingham High School, or act on anything relating thereto?
(Inserted at the request of the School Committee)

COMMENT: This Article seeks to raise and appropriate up to \$550,160 for the replacement of the clerestory windows at Hingham High School. This follows Warrant Article 15 from the 2018 Town Meeting where \$60,000 of funding was appropriated to assess and provide design services to replace the clerestory (glass block) windows at Hingham High School after structural issues were found in 2017.

In 2017, a report was issued to School Administration describing cracks in two clerestory windows located in the Hingham High School gymnasium. The report also observed damage to both the original 50-year old wall of windows, as well as the newer (20-year old) wall. The report estimated the cost of replacing the

windows would range from \$600,000 to \$1,000,000, depending upon the scope of any structural damage. During 2018, the School Administration completed the assessment of the damage and the design of the replacement windows. Subsequently, proposals were received from four contractors to provide a firm, fixed bid to replace the clerestory windows. A final bid was selected and confirmed at the low end of the preliminary estimates.

Therefore, this Article requests funding of up to \$550,160 to commence replacement of the clerestory windows, with work to be completed in the summer of 2019.

This Article requires a two-thirds vote at Town Meeting.

The Advisory Committee and Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town appropriate an amount of up to \$550,160 for the purpose of replacing the clerestory windows and completing other work related to this project at Hingham High School. To meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under Massachusetts General Laws chapter 44, section 7, or any other enabling authority and to issue bonds or notes of the Town therefor.

Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws chapter 44, section 20 thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 26: Will the Town authorize the School Department to enter into leases of up to five years for the purpose or leasing school buses and special education vans used for regular and special education transportation, or act on anything relating thereto?
(Inserted at the request of the School Committee)

COMMENT: The purpose of this Article is to give the Hingham School Department the authority to enter into a five-year lease for school buses and vans for regular and special education transportation. Regular transportation includes all student transportation not related to special education

students. Special education transportation involves smaller numbers of students and is best handled via vans, instead of larger yellow buses. Massachusetts General Laws, chapter 30B, section 12, prohibits the Town from entering into contracts for more than three years without Town meeting approval.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town authorize the School Department through the end of FY 2020 to enter into leases of up to five years for the purpose of leasing school buses and vans for transporting students.

ARTICLE 27: Will the Town accept the provisions of M.G.L. c. 59, § 5, Clause Twenty-second G (inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, which provides for a property tax exemption for any real estate that is the domicile of a person, but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, or Twenty-second F if the person were the owner of the real estate, or act on anything relating thereto? (Inserted at the request of the Hingham Veterans' Council)

COMMENT: The purpose of this Article is to provide real estate property tax relief in the form of an exemption to veterans who would have already been eligible for such exemption under the clauses mentioned above, even if the veteran has conveyed the property to a trust. The Town of Hingham expects to receive partial, and in some cases full, reimbursement from the Commonwealth for each exemption if adopted.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town accept the provisions of M.G.L. c. 59, § 5, Clause Twenty-second G (inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")).

ARTICLE 28: Will the Town accept the provisions of M.G.L. c. 59, § 5, Clause Twenty-second H

(inserted by Chapter 218 of the Acts of 2018 known as an Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, which provides for a property tax exemption for real estate to the full amount of the taxable valuation of the real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veteran Affairs or a branch of the armed forces that was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the Armed Forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further, that the surviving parents or guardians shall have been domiciled in the commonwealth for the five consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the commonwealth for not less than 6 months before entering service.

Surviving parents or guardians eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier, sailor, member of the National Guard or veteran died or became missing in action with a presumptive finding of death; provided, however, that the exemption shall only apply to tax years beginning on or after January 1, 2019. Such exemption shall be available until such time as the surviving parents or guardians are deceased. No real estate shall be so exempt which has been conveyed to the surviving parents or guardians to evade taxation, or act on anything relating thereto? (Inserted at the request of the Hingham Veterans' Council)

COMMENT: The purpose of this Article is to grant a full exemption of property tax to Gold Star parents or guardians of soldiers and sailors, members of the National Guard and veterans who have died or are missing in action/presumed dead. The Town of Hingham expects to receive a full reimbursement for this exemption from the Commonwealth.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town accept the provisions of M.G.L. c. 59, § 5, Clause Twenty-second H (inserted by Chapter 218 of the Acts of

2018 known as an Act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act"))).

ARTICLE 29: To determine whether the Town will vote to amend the By-laws of the Town of Hingham by adding the following Article 44:

Plastic Bag Reduction and Encourage Reusable Bags By-law

Section 1. Purpose and Intent:

Single-use plastic checkout bags have significant detrimental impacts on the environment and to public health including but not limited to: causing the death of marine animals and birds through ingestion and entanglement, contributing to pollution of the land environment and waterways, creating physical and financial burdens to solid waste collection and recycling facilities, clogging storm drainage and sewer systems, necessitating the expenditure of millions of barrels of crude oil nationally for their manufacture, and increasingly risking the public health from non-biodegradable microplastics which wildlife ingest and enter the food chain that humans consume.

The goal of this by-law is to reduce the common use of plastic checkout bags and to promote the use of reusable bags by consumers, thereby reducing local land and marine pollution, reducing waste, reducing the environmental impact of paper bags, protecting the town's unique natural beauty and irreplaceable natural resources, and improving the quality of life for the citizens of Hingham.

Section 2. Definitions:

The following words shall, unless the context clearly requires otherwise, have the following meanings:

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

"Checkout Bag" means a bag with or without handles provided by a Store to a customer at the point of sale that is intended for the purpose of transporting food or merchandise out of the Store.

"Compostable Plastic Bag" means a plastic bag that conforms to the current ASTM D6400 standard specifications by a recognized verification entity.

"Paper Bag" means a paper bag that can be readily recycled.

"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 foods 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. Plastic bags without handles used to cover clothing such as a dry cleaning bag are not included in this definition.

"Recycled 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.

"Reusable Bag" means a bag that is either (1) made of cloth or other machine washable fabric, or (2) made of plastic other than polyethylene or polyvinyl chloride that is durable, non-toxic, and generally considered a food grade material, and is more than 4 mils in thickness.

"Single-use Plastic Checkout Bag" means a plastic Checkout Bag that is less than 4 mils thick or a Compostable Plastic Bag.

"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.

Section 3. Use Regulations:

(A) No Store in Hingham shall provide to any customer a Single Use Plastic Checkout Bag. Existing stock should be phased out within six months of November 1, 2019 and any remaining stock should be disposed of properly.

(B) If a Store provides Checkout Bags to customers, they may only provide Reusable Bags, Paper Bags or Recycled Paper Bags.

- (C) If a Store provides Product Bags to customers, the bag shall comply with the requirements of being a Reusable Bag, Paper Bag, or Recycled Paper Bag or a Compostable Plastic Bag.

Section 4. Administration and Enforcement:

- (A) The administration and enforcement of this by-law is the responsibility of the Hingham Board of Health.
- (B) A person, individually or by his servant or agent, who violates any provision of this by-law may be penalized by a non-criminal disposition pursuant to G.L. Chapter 40, Section 21(D) and the Town of Hingham non-criminal disposition by-law.
- (C) The following penalties shall apply:
 - (1) First violation: written warning
 - (2) Second violation: \$100 fine
 - (3) Third violation: \$200 fine
 - (4) Fourth and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation.

Section 5. Right to a Hearing:

Any person or persons aggrieved by an order that has been served pursuant to this by-law may request a hearing before the Hingham Board of Health by filing a written petition to the Hingham Executive Health Officer within seven (7) days of receipt of said order.

Section 6. Effective Date:

This by-law shall take effect on November 1, 2019.

(Inserted at the request of the Cleaner Greener Hingham Committee/Long Range Waste Disposal and Recycling Committee)

COMMENT: The Greener Cleaner Hingham Committee (“GCHC”)/Long Range Waste and Recycling Committee (“LRWRC”) is requesting that the Town adopt this by-law. If Hingham adopts this by-law, it will join 92 of 351 Massachusetts communities in banning plastic bags. Neighboring communities such as Cohasset, Marshfield, Duxbury, and Bridgewater have a plastic bag ban in effect, and Hull, Norwell, Weymouth, and Kingston are considering it. Boston is the largest city in the

Commonwealth to implement the plastic bag ban. The GCHC/LRWRC also believes this by-law will assist Hingham residents in transitioning to the use of reusable bags, which is a better environmental practice than using either plastic or paper bags.

Since the last plastic bag effort was made in Hingham in 2015, there are signs that a cultural change is underway by local businesses. Recent survey results from 52 small downtown Hingham businesses reveal that 66% use paper bags and 27% use plastic. Seventy one percent responded that their businesses would not be impacted by a plastic bag ban, although 26% responded with a “maybe”. Also, if required by the by-law to switch to paper bags, 66% of local businesses would promote reusable bags. The GCHC/LRWRC has held public meetings and met with a cross section of diverse groups to introduce the proposal and have plans to actively promote the use of sustainably-produced reusable bags, the eventual end product for consumers.

Most downtown Hingham businesses surveyed appear to support the proposal, and some have begun to make the change, according to the survey. Most store chains have stores in other towns with plastic bag bans, and therefore, they already have a process to comply with similar by-laws. Only a few small business owners surveyed expressed concerns about the cost of paper alternatives and reusable bags, and finding a cost-effective path to implement the change.

If approved, the ban would target only thin plastic checkout bags, but not produce, newspaper, or dry cleaning bags. Although there are designated drop off recycle areas at some markets and at the Town Transfer Station, only 7% of plastic bags get recycled. The rest become waste or litter, which takes years to break down on land or in oceans, as microplastics can be consumed by sea life and work their way into the food chain.

The Board of Health agreed to serve as the enforcement agent, with penalties for stores that use plastic bags beyond the November 1, 2019 deadline. Businesses that have sufficient plastic bag stock would be allowed, if granted an extension, to use them up before the ban would apply to them. A comprehensive plastic bag ban is being considered at the State level that would include a financial incentive to transition to reusable bags.

The Advisory Committee added language to its recommendation to clarify that dry cleaning bags are not prohibited by the by-law, and that a violator would

not be penalized for more than one violation per day. The Advisory Committee also made a few technical changes to the recommendation.

The Advisory Committee and the Board of Selectmen voted unanimously to support this Article.

RECOMMENDED: That the Town vote to amend the By-laws of the Town of Hingham by adding the following Article 44:

Plastic Bag Reduction and Encourage Reusable Bags By-law

Section 1. Purpose and Intent:

Single-use plastic checkout bags have significant detrimental impacts on the environment and to public health including but not limited to: causing the death of marine animals and birds through ingestion and entanglement, contributing to pollution of the land environment and waterways, creating physical and financial burdens to solid waste collection and recycling facilities, clogging storm drainage and sewer systems, necessitating the expenditure of millions of barrels of crude oil nationally for their manufacture, and increasingly risking the public health from non-biodegradable microplastics, which wildlife ingest and enter the food chain that humans consume.

The goal of this by-law is to reduce the common use of plastic checkout bags and to promote the use of reusable bags by consumers, thereby reducing local land and marine pollution, reducing waste, protecting the town's unique natural beauty and irreplaceable natural resources, and improving the quality of life for the citizens of Hingham.

Section 2. Definitions:

The following words shall, unless the context clearly requires otherwise, have the following meanings:

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

“Checkout Bag” means a bag with or without handles provided by a Store to a customer at the point of sale that is intended for the purpose of transporting food or merchandise out of the Store. Plastic bags without handles used to cover

clothing such as a dry cleaning bag are not included in this definition.

“Compostable Plastic Bag” means a plastic bag that conforms to the current ASTM D6400 standard specifications.

“Paper Bag” means a paper bag that can be readily recycled.

“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 foods 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. Plastic bags without handles used to cover clothing such as a dry cleaning bag are not included in this definition.

“Recycled 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.

“Reusable Bag” means a bag that is either (1) made of cloth or other machine washable fabric, or (2) made of plastic other than polyethylene or polyvinyl chloride that is durable, non-toxic, and generally considered a food grade material, and is more than 4 mils in thickness.

“Single-use Plastic Checkout Bag” means a plastic Checkout Bag that is less than 4 mils thick or a Compostable Plastic Bag.

“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.

Section 3. Use Regulations:

(A) No Store in Hingham shall provide to any customer a Single Use Plastic Checkout

Bag after November 1, 2019, except that existing stock may be provided to customers for a period of six months after that date.

- (B) If a Store provides Checkout Bags to customers, it may only provide Reusable Bags, Paper Bags or Recycled Paper Bags.
- (C) If a Store provides Product Bags to customers, it may only provide Reusable Bags, Paper Bags, Recycled Paper Bags, or Compostable Plastic Bags.

Section 4. Administration and Enforcement:

- (A) The administration and enforcement of this by-law is the responsibility of the Hingham Board of Health.
- (B) A person, individually or by his servant or agent, who violates any provision of this by-law may be penalized by a non-criminal disposition pursuant to M.G.L. Chapter 40, Section 21D and the Town of Hingham non-criminal disposition by-law.
- (C) The following penalties shall apply:
 - (1) First violation: written warning
 - (2) Second violation: \$100 fine
 - (3) Third violation: \$200 fine
 - (4) Fourth and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation. A violator shall not be penalized for more than one violation per day.

- (D) The Board of Health may extend the time for compliance with this by-law for good cause shown for a period of time not to exceed one year from the effective date of the by-law. Any such extension shall be in accordance with regulations to be adopted by the Board of Health governing the criteria upon which such an extension may be granted.

Section 5. Right to a Hearing:

Any person or persons aggrieved by an order that has been served pursuant to this by-law may request a hearing before the Hingham Board of

Health by filing a written petition to the Hingham Executive Health Officer within seven (7) days of receipt of said order.

Section 6. Effective Date:

This by-law shall take effect on November 1, 2019.

ARTICLE 30: Will the Town raise and appropriate, borrow or transfer from available funds, a sum of money to be used to install a fiber optic municipal area network with redundancy in and between all Town buildings, or act on anything relating thereto? (Inserted by the Board of Selectmen)

COMMENT: This Article seeks to appropriate funds not to exceed \$500,000 to install a fiber optic municipal area network in and between Town-owned buildings. In 1999, when the Town negotiated a contract with Comcast to provide cable television coverage in the Town, the utility installed a fiber optic municipal area network ("I-NET") which provides connectivity for data and telephone communications between Town Hall and other Town-owned buildings, including all fire stations, schools and the library. The Town's cable television contract with Comcast expires in August 2019. In contract renewal negotiations with other towns, Comcast is discontinuing I-NET coverage.

The current Comcast-provided fiber infrastructure does not include redundancy in the event of a failed telephone pole or cable resulting from an automobile accident or weather related event. As a result, and depending upon the location of the failure, several Town buildings could be disconnected from data and telephone services until the failure is repaired. The new fiber optic I-NET would allow the Town to create redundancy in the fiber optic system, so that if any town building loses a connection, data and telephone communications would take an alternate path and continue to operate.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town appropriate an amount not to exceed \$500,000 to be used to install a fiber optic municipal area network with redundancy in and between Town buildings. To meet said appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized

to borrow said sum under Massachusetts General Laws chapter 44, section 7, or any other enabling authority and to issue bonds or notes of the Town therefor.

Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws chapter 44, section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

ARTICLE 31: Will the Town will vote to approve the filing of an amended application with the Massachusetts Interagency Permitting Board to designate property located at 0 Southeast Expressway (Map 213, Lot 30), consisting of approximately 161 acres of land and including a previously designated 25 acre parcel formerly known as 0 Commerce Road (Map 207, Lot 21), as a Priority Development Site under Chapter 43D of the Massachusetts General Laws, as amended, pursuant to Section 11 of Chapter 205 of the Acts of 2006 and to amend the vote adopted under Article 50 of the 2012 Annual Town Meeting, in which the Town originally accepted the provisions of Chapter 43D, to correct the Assessors Map and Lot information and/or street address for the following properties: 99 Industrial Park Road (Map 207, Lot 8); 5 Pond Park (Map 201, Lot 4); 20 Pond Park (Map 201, Lot 10); and 75 Abington Street (formerly 105 Research Road) (Map 206, Lot 12), or act on anything relating thereto.

(Inserted by the Board of Selectmen)

COMMENT: This Article seeks to correct--and, in one respect, to expand--authorizations granted by previous Town Meetings relative to the inclusion of the South Shore Park (formerly known as the South Shore Industrial Park) in the State's Priority Development Site Program ("PDS Program").

The PDS Program is a municipal option statute administered by the State's Interagency Permitting Board under chapter 43D of the Massachusetts General Laws. If a municipality accepts the statute, it may then apply to the Interagency Permitting Board to designate one or more parcel(s) of land as a "priority development site," provided that the owner(s) of the parcel(s) agree. Such a designation, if granted, results in the State's assistance in marketing the site to prospective developers, and enhances the site's opportunities to receive certain State funding. It also obligates the municipality to review permit applications relating to the site in an expedited

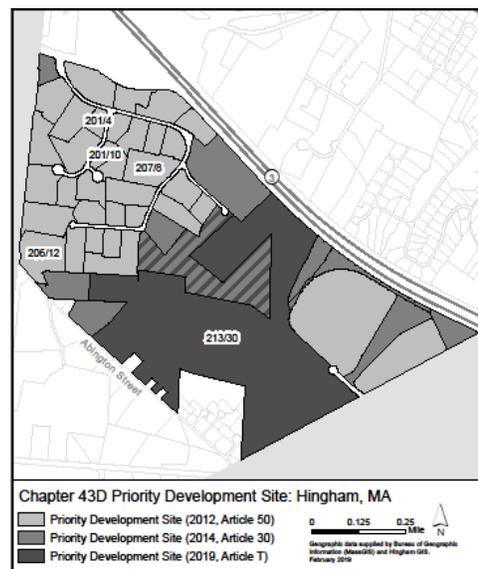
and streamlined fashion. Significantly, though, participation in the PDS Program does not require the municipality to reduce its permitting standards (e.g., zoning standards).

The 2012 Annual Town Meeting (Article 50) accepted Chapter 43D and voted to seek the "priority development site" designation for "land commonly known as the South Shore Industrial Park," including specified parcels in that area. The next year, the Town applied to the Interagency Permitting Board for designation of the specified parcels.

The 2014 Annual Town Meeting (Article 30) voted to seek the "priority development site" designation for additional parcels in the area of South Shore Park. Article 30 identified one of those additional parcels as "0 Commerce Road (Map 207, Lot 21)," which the referenced Assessors' map depicted as comprising 25 acres. The Town subsequently incorporated all those additional parcels into its still-pending application to the Interagency Permitting Board. The Interagency Permitting Board ultimately designated all the parcels approved in both 2012 and 2014 as a priority development site.

In late 2018, however, the Town's staff noticed apparent errors in the earlier Warrant Articles and in the Town's application to the Interagency Permitting Board. Upon investigation, it was learned that: (1) the 25 acre parcel identified as "0 Commerce Road (Map 207, Lot 21)" had, prior to 2014, been merged into a 161 acre parcel known as "0 Southeast Expressway (Map 213, Lot 30)"; and (2) four of the assessors' parcel identifications (i.e., map/lot numbers) appearing in the 2012 article had contained typographical errors that rendered them inaccurate.

A map depicting the affected parcels appears below.



This Article seeks to correct the errors that were detected in the earlier Warrant Articles and application in the following ways:

- As to the typographical errors, this Article seeks to correct the authorizations seemingly granted by the 2012 Annual Town Meeting by re-authorizing those same parcels for “priority development site” designation, this time using accurate Assessors’ parcel identifications. Members of the Town’s staff have carefully re-reviewed the Assessors’ maps to ensure that the parcels identified by street address in the 2012 and 2014 articles are accurately described by map/lot number in this Article.
- As to “0 Commerce Road,” this Article seeks to expand the authorization granted by the 2014 Annual Town Meeting by seeking the “priority development site” designation for the entire 161 acres -- not just the 25 acres that have already been so designated.

If this Article is approved, the Town expects to submit a new application to the Interagency Permitting Board. If that application is granted, the net effect will be that substantially the entire South Shore Park will be designated as a priority development site. As noted, participation in the PDS Program entitles the Town to certain benefits from the State. For example, the Town’s acceptance of Chapter 43D played a role in the Town’s recent, successful application to the State for designation as a “Green Community” and concomitant grant eligibility. As also noted, the PDS Program does not require the Town to reduce its zoning or other permitting standards. See Massachusetts General Laws chapter 43D, section 15.

The Advisory Committee supported this Article by a vote of 13-1, and the Board of Selectmen supported it unanimously.

RECOMMENDED: That the Town approve the filing of an amended application with the Massachusetts Interagency Permitting Board for the designation of the following properties as Priority Development Sites under Chapter 43D of the Massachusetts General Laws: (a) 0 Southeast Expressway (Map 213, Lot 30), including the parcel formerly known as 0 Commerce Road (Map 207, Lot 21); (b) 99 Industrial Park Road (Map 207, Lot 8); (c) 5 Pond Park (Map 201, Lot 4); (d) 20 Pond Park (Map 201, Lot 10); and (e) 75 Abington

Street (formerly 105 Research Road) (Map 206, Lot 12).

ARTICLE 32: Will the Town authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts, in accordance with Article LXXXIX, Article II, Section 8 (M.G.L.A. Const. Amend. Art. 2, Section 8), of the Articles of Amendment to the Constitution of the Commonwealth, to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition:

AN ACT RELATIVE TO THE PROCEDURE FOR
MUNICIPAL ACCEPTANCE OF
SUBDIVISION ROADS IN
THE TOWN OF HINGHAM

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding chapters 79 and 82 of the General Laws or any other general or special law to the contrary, the town of Hingham may employ the procedure set out in this act for municipal acceptance of roads constructed within a subdivision in accordance with a definitive subdivision plan that has been approved pursuant to the subdivision control law, as defined in section 81K of chapter 41 of the General Laws.

The planning board, upon request of the board of selectmen, or a developer, or on its own initiative, shall prepare a written certification that a subdivision road has been laid out and constructed in accordance with the board’s rules and regulations and the approved definitive subdivision plan, and submit its certification to the board of selectmen.

The Board of Selectmen of the town of Hingham shall hold a public hearing, after first giving: (i) written notice by first-class mail, postage prepaid, to the owner of record of each property abutting the road, as appearing in the records of the assessors of the town of Hingham; and (ii) notice by publication in a newspaper of local circulation not less than 7 days before the hearing. The records of the assessors of the town of Hingham shall be conclusive evidence of ownership for purposes of this act. If the board of selectmen determines, after the public hearing, that it is in the public interest to accept the road, they shall so vote, by a majority vote, and place an article on the

warrant for the next annual or special town meeting for acceptance of the road.

Upon a 2/3 vote of town meeting to accept the road, the board of selectmen shall prepare an order of acceptance setting forth the vote of the town meeting for recording at the Plymouth county registry of deeds. The order of acceptance shall contain a description of or reference to a plan showing the boundaries and measurements of the road, which may be an existing approved and recorded definitive subdivision plan. The order of acceptance shall be recorded not later than 60 days after the town meeting vote and, upon recordation, shall vest ownership of a permanent roadway easement in the road for all purposes for which public ways are commonly used in the town of Hingham, together with ownership of all utility, drainage, access and other easements shown on the plan and specifically identified in the order of acceptance, as well as all pipes, structures and other improvements located therein, in the town of Hingham with no additional notice or other action required. No owner or interest holder of land abutting a road so accepted or subject to an easement shown on the plan shall have any claim for compensation against the town of Hingham on account of such acceptance.

SECTION 2. This act shall take effect upon its passage.

or act on anything relating thereto?
(Inserted by the Board of Selectmen)

COMMENT: This Article would authorize the Board of Selectmen to request that the Massachusetts Legislature enact special legislation authorizing the Town of Hingham to adopt a more streamlined procedure for the Town to accept, as public ways, roads in a subdivision when the subdivision has been reviewed pursuant to Hingham's Subdivision Control Law Approval Process and approved by the Hingham Planning Board. This streamlined process would permit the Town to rely on the Assessors' records as to property owners, and thereby save the Town, and those asking that a street be accepted, the time and expense of a full title examination of the property. Under the current procedure, a full title examination is required.

This streamlined process would not change Town Meeting's role in the road acceptance process because a two-third's vote of Town Meeting would still be required for the road to be accepted as a public way. The Massachusetts Legislature has authorized

substantially similar streamlined procedures for Natick (2016), Framingham (2014), Medway (2012), and Franklin (2011).

The Advisory Committee voted 12-1-0 in support of this Article; the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts, in accordance with Article LXXXIX, Article II, Section 8 (M.G.L.A. Const. Amend. Art. 2, Section 8), of the Articles of Amendment to the Constitution of the Commonwealth, to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition:

AN ACT RELATIVE TO THE PROCEDURE FOR MUNICIPAL ACCEPTANCE OF SUBDIVISION ROADS IN THE TOWN OF HINGHAM

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding chapters 79 and 82 of the General Laws or any other general or special law to the contrary, the town of Hingham may employ the procedure set out in this act for municipal acceptance of roads constructed within a subdivision in accordance with a definitive subdivision plan that has been approved pursuant to the subdivision control law, as defined in section 81K of chapter 41 of the General Laws.

The Planning Board, upon request of the Board of Selectmen, or a developer, or on its own initiative, shall prepare a written certification that a subdivision road has been laid out and constructed in accordance with the board's rules and regulations and the approved definitive subdivision plan, and submit its certification to the board of selectmen.

The Board of Selectmen of the town of Hingham shall hold a public hearing, after first giving: (i) written notice by first-class mail, postage prepaid, to the owner of record of each property abutting the road, as appearing in the records of the assessors of the town of Hingham;

and (ii) notice by publication in a newspaper of local circulation not less than 7 days before the hearing. The records of the assessors of the town of Hingham shall be conclusive evidence of ownership for purposes of this act. If the board of selectmen determines, after the public hearing, that it is in the public interest to accept the road, they shall so vote, by a majority vote, and place an article on the warrant for the next annual or special town meeting for acceptance of the road.

Upon a 2/3 vote of town meeting to accept the road, the board of selectmen shall prepare an order of acceptance setting forth the vote of the town meeting for recording at the Plymouth county registry of deeds. The order of acceptance shall contain a description of or reference to a plan showing the boundaries and measurements of the road, which may be an existing approved and recorded definitive subdivision plan. The order of acceptance shall be recorded not later than 60 days after the town meeting vote and, upon recordation, shall vest ownership of a permanent roadway easement in the road for all purposes for which public ways are commonly used in the town of Hingham, together with ownership of all utility, drainage, access and other easements shown on the plan and specifically identified in the order of acceptance, as well as all pipes, structures and other improvements located therein, in the town of Hingham with no additional notice or other action required. No owner or interest holder of land abutting a road so accepted or subject to an easement shown on the plan shall have any claim for compensation against the town of Hingham on account of such acceptance.

SECTION 2. This act shall take effect upon its passage.

ARTICLE 33: Will the Town accept the laying out, as a part of the Town way known as Martins Lane, an approximately 40 square foot parcel of land located to the west of the northwesterly terminus of the existing layout of Martins Lane, more particularly shown on Sheet 4 of a plan entitled "Plan of Martins Lane Hingham, Mass.", dated January 8, 1947, prepared by Lewis W. Perkins, Engineer and recorded with the Plymouth County Registry of Deeds in Plan Book 7, Page 98, or act on anything relating thereto? (Inserted by the Board of Selectmen)

COMMENT: This Article seeks to have the Town accept a 40 square foot parcel of land adjacent to

Martins Lane along Hingham Harbor in order to make repairs to the entire seawall that exists on the site.

This area used to be part of the Martins Lane right of way, but in 1947 the Town discontinued the use of this 40 square foot parcel in an effort to make the Public Way along Martins Lane uniform in width. The ownership of the parcel then reverted back to the former owner, Linn Realty Service, Inc., which had been dissolved in the 1930s. Therefore, there is no currently identifiable owner of this 40 square foot parcel.

In order for the Town to use appropriated funds to repair the entire length of the seawall, all portions of the seawall must be within the public way. If the Town does not include this last stretch of seawall within the 40 square foot parcel as part of the project, it will create a vulnerability in the wall in the event of high water levels or storm surge in the area.

Therefore, this Article requests that the Town accept the 40 square foot parcel as described above as part of Martins Lane.

This Article requires a two-thirds vote at Town Meeting.

The Advisory Committee, the Board of Selectmen and the Planning Board voted unanimously in support of this Article.

RECOMMENDED: That the Town accept the laying out, as a part of the Town way known as Martins Lane, an approximately 40 square foot parcel of land located to the west of the northwesterly terminus of the existing layout of Martins Lane, as more particularly shown on a plan entitled "Layout Plan, Martins Lane, Hingham, MA (Plymouth County)", dated February 4, 2019, prepared by Beal & Thomas, Inc.

ARTICLE 34: Will the Town authorize but not require, the Board of Selectmen to acquire by gift and/or eminent domain the property known as the Canterbury Street Cemetery shown as Assessors Map 43, Lot 110, or act on anything relating thereto? (Inserted by the Board of Selectmen)

COMMENT: This small (42 feet by 79 feet) parcel of land was part of the Barnes estate; it is a repository for the remains of five adults and 10 children under the age of 10 years old. The Barnes and Stoddard families were prominent early settlers in the establishment of Hingham as a Town, and some members of the families are buried here. According

to well preserved, archived Town records, this parcel was separately deeded as part of a registered land plan to the purchaser of surrounding parcels, Margaret Sprout, in 1908. The current known heirs to this property, Sara Sprout Lovett and Lucia Metcalf, have no personal connection to the Barnes and Stoddard families that are buried here.

The known heirs do not maintain the property and are willing to sign a release giving up all rights to the property. Further, the Town believes that taking the land by eminent domain is the only way to be clear of any unforeseen hindrances to proper title of the property. This is commonly referred to as “friendly taking” of property unwanted for private ownership.

Early estimates to restore the property’s landscape, and to conserve and preserve the head and footstones, are in the \$30,000 to \$40,000 range, with an annual maintenance cost of \$900. The startup cost for the restoration expense would be sought from the Town’s Community Preservation Act funds.

The Advisory Committee voted 13-1 in support of this Article; the Board of Selectmen voted unanimously in support of the Article.

RECOMMENDED: That the Town authorize, but not require, the Board of Selectmen to acquire by gift and/or by eminent domain the property known as Canterbury Street Cemetery shown as Assessors Map 43, Lot 110.

ARTICLE 35: Will the Town vote to raise and appropriate, borrow or transfer from available funds a sum of money not to exceed \$145,000, to be spent by the Town for the purposes of funding an updated Comprehensive Master Plan, or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: The Planning Board seeks to update the Town’s comprehensive master plan, last formally revised in 2001. A comprehensive master plan is a statement of public policy that guides future development. Massachusetts General Laws, chapter 41, section 81D charges planning boards to create a master plan “to provide a basis for decision making regarding the long-term physical development of the Municipality.” Public participation plays a critical role in the process, as the law requires an “interactive public process” to determine the Town’s goals and policies. Through a robust public engagement, the plan will produce a shared community vision for the Town. This plan will ensure that Hingham is prepared for the future with a plan to manage and facilitate

appropriate growth and address its needs and challenges, while maintaining the historic qualities that makes Hingham a special place.

The most recent Master Plan was adopted 18 years ago, and many things have changed since that analysis was completed. Since then both the Town’s population and number of houses have grown 10%. The K-12 population has grown 25%, and our senior population has almost doubled in number.

Comprehensive master plans are typically updated every 10 years, so the Town is overdue for updating its plan. A great deal of planning and analysis has been done in recent years by a variety of boards and committees. The Planning Board believes it is now time to build on this work with a formal, professionally conducted effort to prepare for Hingham’s future and manage growth while preserving the Town’s character and all the things that make Hingham a desirable place to live and work.

The Town issued a Request for Proposal (RFP) in November 2018 for the Comprehensive Master Plan update. Five responses were received; three met the qualification criteria. Contingent upon authorization of funding by Town Meeting, the Town has chosen a team with decades of experience working with communities across Massachusetts. Its bid was \$145,000, an amount which is consistent with other master plan projects conducted by peer communities.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town appropriate an amount not in excess of \$145,000 from available reserves to be spent by the Town for the purposes of funding an updated Comprehensive Master Plan.

ARTICLE 36: Will the Town vote to establish a Master Plan Committee to report to the Planning Board on all matters referred to them by the Planning Board relative to the development of an updated Comprehensive Master Plan, or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: This Article proposes having a Master Plan Committee established to help support and guide the work on the Comprehensive Master Plan update. The goal in establishing the Committee is to have a cross section of citizens with broad perspectives and expertise to help guide the Master Planning process. The Master Plan Committee will

report to the Planning Board on all matters referred to them by the Planning Board relative to the development of an updated Comprehensive Master Plan. The Master Plan Committee shall consist of 13 members determined as follows: a member of the Planning Board who shall serve as Chairman of the Master Plan Committee; a member of the following boards or their designee: Board of Selectmen, Board of Health, Historic Districts Commission, Zoning Board of Appeals, Harbor Development Committee, Development & Industrial Commission, Affordable Housing Trust, Recreation Commission and the Conservation Commission; and three residents appointed by the Moderator.

This is recommended for affirmative action only if Article V: Comprehensive Master Plan is adopted.

The Advisory Committee and Board of Selectman voted unanimously in support of this Article.

RECOMMENDED: That the Town vote to establish a Master Plan Committee to report to the Planning Board on all matters referred to them by the Planning Board relative to the development of an updated Comprehensive Master Plan. The Master Plan Committee shall consist of 13 members determined as follows: a member of the Planning Board, who shall serve as Chairman of the Master Plan Committee; a member of the following boards or their designee: Board of Selectmen, Board of Health, Historic Districts Commission, Zoning Board of Appeals, Harbor Development Committee, Development & Industrial Commission, Affordable Housing Trust, Recreation Commission and the Conservation Commission; and three residents appointed by the Moderator.

ARTICLE 37: Will the Town raise and appropriate or transfer monies from available funds for civil engineering services to design and to develop plans and specifications for the Route 3A/Rotary/Summer Street corridor roadway improvements and all incidental costs, or act on anything relating thereto? (Inserted at the request of the 3A Task Force)

COMMENT: This Article, proposed by the 3A Task Force, is seeking \$195,000 to complete the anticipated engineering services and construction administration services for the Route 3A / Rotary / Summer Street corridor. The approximate impacted area includes the Route 3A roadway beginning at the intersection of Otis Street and Broad Cove Road through the rotary (located where Summer Street, Chief Justice Cushing Highway, and Green Street

form a rotary intersection), continuing up Summer Street through to the intersection of George Washington Boulevard, Rockland Street, and Summer Street. This section of roadway is in the State layout and falls under the jurisdiction of the Massachusetts Department of Transportation ("DOT"). This Article is a continuation of the work that was approved by Hingham voters at the 2015 Town Meeting (Article 30), where \$400,000 was appropriated. The proponents believe that this request will satisfy the funding necessary to complete the design and permitting process to ultimately advance the project through the Transportation Improvement Program process to seek State funds for construction. The early construction estimate for the project is approximately \$9,000,000.

The DOT has identified both the Rotary and the Summer Street / North Street intersection as high crash locations. The crash rate at both the Rotary and North Street exceed the State crash rate average. The injury to accident rate along the Summer Street section is approximately 30-35%. Studies that were undertaken recommend improvements that include updated signals, improved signage, lane markings, yield markings, sidewalk improvements, curbing, redesign, traffic islands, and redesign alternatives for the Rotary. These changes are intended to introduce pedestrian- and bicycle-friendly accommodations, while also establishing traffic-calming measures. In 2018 a "road diet" test was undertaken which eliminated one lane from Summer Street to the rotary in both directions. This test was successful in moderating traffic flow and is part of the current design plan. The overall plan is available for viewing on the Route 3A Task Force website at <https://www.hingham-ma.gov/DocumentCenter/View/6606/Route-3A-Corridor-Improvements-Summer-StreetGeorge-Washington-Boulevard>.

In addition to resolving significant traffic and safety issues, the modifications contemplated by this and other harbor-related Warrant Articles will support improved pedestrian access along this corridor which is considered essential to a vital harbor-downtown-neighborhood link. The modifications also will serve to enhance the recreational, educational, and commercial opportunities in this area.

Positive action on this Article would demonstrate that this continues to be a high priority for Hingham citizens and will enable the Town to complete a necessary prerequisite to receiving State funding. It is anticipated that the engineering work will be completed over a 2+ year period under the direction

of the Town of Hingham Engineering Department and will not become outdated over a multi-year implementation period.

Although the funding of engineering services better positions the Town for State programming, and ultimately construction funding, it does not guarantee State subsidized construction funding. Moreover, it is important to recognize that the process for project programming, including being put on the list for construction funding and approval of construction funding, can take several years depending on the complexity and cost of the project and other statewide transportation priorities.

The final limits of work, including the extent of impacted roadways, environmental issues, potential for the taking of land, as well as extensive redesign and/or reconfiguration, etc., will be derived through interaction with State officials along with local input.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town appropriate an amount not in excess of \$195,000 from available reserves for civil engineering services to finalize development of plans and specifications for Route 3A / Rotary / Summer Street corridor roadway improvements and all incidental costs.

ARTICLE 38: Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: By amending Section I-C.3. by deleting "100.00" in the second sentence and deleting "100" in the fourth sentence and inserting "300" in both locations;

or act on anything related thereto?
(Inserted at the request of the Planning Board)

COMMENT: This Article changes the penalty fee structure and penalty fee amount for violations of the provisions of the Zoning By-law. During the Planning Board's public comment and deliberation sessions on this Article, the board decided to revise the enforcement fee structure to implement a step enforcement procedure, rather than just increasing the penalty for any violation. Currently the penalty is a flat fee of \$100 each day of violation. This Article proposes changing the penalty to \$100 for the first offense; \$200 for the second offense; and \$300 for the third and each subsequent offense. Each day that

the violation exists shall be deemed a separate offense.

The intent of this change is to further deter violations, to encourage those out of compliance to remedy quickly, and to give the Building Commissioner the most appropriate tools available to support his enforcement efforts. This change brings Hingham's penalties in line with many surrounding South Shore towns, including but limited to: Hanover, Norwell, Rockland, and Weymouth.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Planning Board voted unanimously in support of this Article.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: By amending Section I-C.3. by deleting the second sentence and inserting "Any person who violates the provisions of this By-Law may be subject to a penalty of \$100 for the first offense; \$200 for the second offense; and \$300 for the third and each subsequent offense if, after receiving written notice of the violation(s) from the Zoning Enforcement Officer, the person fails to correct the violation(s) within seven (7) days of receipt of such notice, or within such longer time as the Zoning Enforcement Officer may grant in appropriate circumstances.";

Item 2: By amending Section I-C.3. by deleting the fourth sentence and inserting "In the alternative, any person who violates the provisions of this By-Law, or who refuses or neglects to comply with a stop work order or notice of violation by the Zoning Enforcement Officer issued under the provisions of M.G.L. Chapter 40A or the provisions of this By-Law, shall be subject to the enforcement provisions of M.G.L. Chapter 40A, including a fine of \$100 for the first offense; \$200 for the second offense; and \$300 for the third and each subsequent offense."

ARTICLE 39: Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: By amending Section III-A.4.18 to delete "Intentionally left blank" and insert "Retail Sale of Alcoholic Beverages.", to be permitted by Special

Permit A2 (“A2”) in Business District A, Business District B, and Waterfront Business and (“O”) in all other zoning districts;

or act on anything related thereto?
(Inserted at the request of the Planning Board)

COMMENT: This Article proposes changes to the way Hingham’s Zoning By-Law treats package stores.

The Zoning By-Law regulates package stores for land use purposes. (Package stores are separately regulated under the Massachusetts Liquor Control Act.) Currently, the Zoning By-Law treats package stores just like any other retail store, such that package stores are: (1) allowed of-right in the Business A and Business B zoning districts; (2) allowed by special permit in the Waterfront Business districts; (3) allowed to comprise part of a shopping center, which in turn is allowed by special permit in the Industrial and Industrial Park districts; (4) allowed to comprise part of the mixed-use development in the Industrial district (i.e., the shipyard); (5) allowed by special permit to comprise an accessory use of up to 15% of the gross floor area of any single building in the Office Park, Industrial, Industrial Park, and Limited Industrial Park districts; and (6) elsewhere (and otherwise) prohibited.

This Article, as initially submitted, proposed to make far-reaching changes to the places, and ways, in which package stores would be allowed to operate. Following further discussion at its hearings, however, the Planning Board chose to endorse a more modest set of amendments to the Zoning By-Law, which is set forth in the recommended motion below.

Specifically, if adopted, the recommended motion would continue to allow package stores to operate in the same districts, and in the same ways, as the current By-Law does. If the recommended motion is adopted, however, a new package store, or one that seeks to expand its operations, would be required to seek and obtain an appropriate special permit from the Planning Board relative to the store’s off-street parking. This new requirement is motivated by a perception that package stores generate vehicular traffic of a different quantity and quality than other retail stores.

Although the amendments contained in the recommended motion speak of the “retail sale of alcoholic beverages,” they are intended to apply only to retail sales of alcoholic beverages for off-premises consumption—that is, package stores. (In the vocabulary of the Massachusetts Liquor Control Act, bars and similar outlets are considered retail establishments for on-premises consumption.) Because of this limitation on the scope of the amendments, their adoption will have no impact on one-day liquor licenses.

Approval of this Article requires a two-thirds vote of Town Meeting.

The Advisory Committee and the Planning Board each voted unanimously in support of the Article as revised.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

By amending Section III-A.4.18 to delete “Intentionally left blank” and insert “Retail sale of Alcoholic Beverages.”, to be permitted (“P”) in Business District A and Business District B, and to be allowed by Special Permit A2 (“A2”) in Waterfront Business and prohibited (“O”) in all other zoning districts;

By amending Section III-A.4.17 to insert “4.18,” after “4.16”;

By amending Section III-A.4.25 to delete “Retail” and to insert “Retail Store, Retail Sale of Alcoholic Beverages,”; and

By amending Section V-A.2 to insert “Store” after “Retail” in the sixth line of the “Use” column in the parking requirements table.

ARTICLE 40: Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: revise the “Hingham, Massachusetts Zoning Parts A and C” map by removing from the Residence A District and including in the Official and Open Space District the land shown on Assessors Map 37 as Lot 37;

Item 2: revise the “Hingham, Massachusetts Zoning Parts A and C” map by removing the following parcels from the Residence B District and including them in the Official and Open Space District: the land shown on (a) Assessors Map 64 as Lot 43; (b) Assessors Map 190 as Lot 24 and Lot 75; (c) Assessors Map 167 as Lots 48 and 49; (d) Assessors Map 197 as Lots 3, 4 and 5;

Item 3: revise the “Hingham, Massachusetts Zoning Parts A and C” map by removing the following parcels from the Residence C District and including them in the Official and Open Space District: the land shown on (a) Assessors Map 42 as Lot 65; (b) Assessors Map 64 as Lot 41; (c) Assessors Map 65 as Lot 30; (d) Assessors Map 75 as Lots 3 and 3B; (e) Assessors Map 91 as Lot 79; (f) Assessors Map 137 as Lot 1, Lot 18 and Lot 50; and (g) Assessors Map 147 as Lot 6; and

Item 4: revise the “Hingham, Massachusetts Zoning Parts A and C” map by removing the portions of Assessors Map 65, Lots 26, 27, 28 and 29 that are currently zoned Residence C District from that zone and including them in the Official and Open Space District;

or act on anything related thereto?
(Inserted at the request of the Planning Board)

COMMENT: This Article seeks to rezone 21 parcels of land owned by the Hingham Conservation Commission from various residential zoning districts to the Official and Open Space district. The parcels are currently used as open space (and two of them also contain a house and outbuildings used by the caretaker of the Trustees of Reservations’ land on Turkey Hill). All of the parcels are subject to conservation restrictions; thus, the rezoning will accurately reflect their existing use. Given the conservation restrictions, the rezoning will not create any new protection for the open space use or result in the loss of protection.

The Article also proposed to similarly rezone two small landlocked parcels owned by the Trustees of Reservations on Turkey Hill. During its public hearing, the Planning Board deleted those two parcels from the proposed rezoning at the request of the landowner.

Approval of this Article requires a two-thirds vote of Town Meeting.

The Advisory Committee and the Planning Board each voted unanimously to support the Article as revised.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: revise the “Hingham, Massachusetts Zoning Parts A and C” map by removing from the Residence A District and including in the Official and Open Space District the land shown on Assessors Map 37 as Lot 37;

Item 2: revise the “Hingham, Massachusetts Zoning Parts A and C” map by removing the following parcels from the Residence B District and including them in the Official and Open Space District: the land shown on (a) Assessors Map 64 as Lot 43; (b) Assessors Map 190 as Lot 24 and Lot 75; (c) Assessors Map 167 as Lots 48 and 49; (d) Assessors Map 197 as Lots 3, 4 and 5;

Item 3: revise the “Hingham, Massachusetts Zoning Parts A and C” map by removing the following parcels from the Residence C District and including them in the Official and Open Space District: the land shown on (a) Assessors Map 42 as Lot 65; (b) Assessors Map 64 as Lot 41; (c) Assessors Map 65 as Lot 30; (d) Assessors Map 91 as Lot 79; (e) Assessors Map 137 as Lot 1, Lot 18 and Lot 50; and (f) Assessors Map 147 as Lot 6; and

Item 4: revise the “Hingham, Massachusetts Zoning Parts A and C” map by removing the portions of Assessors Map 65, Lots 26, 27, 28 and 29 that are currently zoned Residence C District from that zone and including them in the Official and Open Space District.

ARTICLE 41: Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: By amending Section III-G.2 to insert “f. To preserve and/or complement the visual context of the streetscape.”;

Item 2: By amending Section III-G.5.b. by deleting the first sentence and inserting “The building permit, site plan review and or special permit applications shall include a narrative description of the proposed work affecting the exterior of the building or structure, including a description of the materials to be used.”;

Item 3: By amending Section III-G.5.b. to insert "Photographs of the existing condition shall be provided also." at the end of the paragraph;

Item 4: By amending Section III-G.5.c. by deleting the existing paragraph and inserting in its place "In connection with its review of such work, the Planning Board and/or the Board of Appeals will request advisory design review comments on the proposal from the Hingham Historic Districts Commission. If the Hingham Historic Districts Commission is not able to provide advisory design review comments the Planning Board and/or the Board of Appeals may engage other professional consultants, experts or assistance consistent with the provisions of Section I-F,3 of this By-Law to ensure the proposal is architecturally and aesthetically consistent with the historic character of the Overlay District.";

Item 5: By amending Section III-G.6.c.i. by deleting the word "level" and inserting "floor" in its place in each sentence;

Item 6: By amending Section III-G.6.c.iii. by inserting "Dumpsters shall be screened and the top of the dumpster shall not be higher than the top of the enclosure." as a second sentence;

Item 7: By amending Section III-G.6.c. by inserting "iv. The Board of Appeals may permit a roof deck with a Special Permit A2 if in addition to the criteria in Section I-F,2. the Board finds that the following criteria are met: (a) the roof deck is not already considered a "story" by the by-law; (b) potential impacts to abutters including but not limited to noise, sight and sound have been mitigated to the extent possible.";

Item 8: By amending Section III-G.6.c. by inserting "v. All mechanicals placed on the roof must be screened so as to not be visible from the way and shall be located as far away from the adjacent residences as possible. Mitigation of noise shall be provided using enclosures or best available technology.";

Item 9: By amending Section III-G.6.c. by inserting "vi. Applicant is encouraged to include street trees and other landscape material in the site design as possible.";

or act on anything related thereto?
(Inserted at the request of the Planning Board)

COMMENT: The Planning Board seeks to amend Section III-G of the Zoning By-law of the Town of

Hingham, which pertains to the Downtown Hingham Overlay District (DHOD). The purpose of the DHOD is to protect and promote the viability and value of business and residential properties located in the DHOD in a manner consistent with Hingham's historic character.

The DHOD consists of parcels in Business District A extending from the intersection of South Street and Bates Way to the west and the intersection of Summer Street, Green Street and Chief Justice Cushing Highway to the east.

This Article would add the requirement of an advisory design review by the Hingham Historic Districts Commission for any development in the DHOD that is not already in the Hingham Historic District. Due to the increased public demand for Roof Decks in the DHOD, this Article also includes specifications for the renovation and development of Roof Decks in the DHOD.

During the Planning Board's public comment and deliberation sessions, the Board added specifics to the Article and its requirements. Decks in the DHOD will be regulated in terms of Access, Visibility, Structures upon the Roof, Lighting and Sound. If the Roof Deck is above the third story, there must be an internal staircase and roof hatch. For buildings that are 2.5 stories or less, the Roof Deck may be accessed via a roof hatch or an enclosed habitable space below the 2.5 story. Roof Decks are currently regulated through state building codes. Those codes require fencing or guardrails around Roof Decks. These fences or guardrails shall not be visible from the opposite side of the street. Additionally, no vertical structures or light fixtures shall be placed in excess of the minimum height of the guardrail or fence as required by the state building code. Lastly no amplified live music nor amplified sound fixtures can be installed on a Roof Deck.

A Roof Deck will require a Special Permit A2. The Article specifies what materials and advisory input will be required in order for the special permit to be issued. The submittal requirements include: a building permit, the site plan review and/or special permit application which must have photographs of existing exterior structures, a narrative of the proposed work, and how it will affect the exterior of the building. The Planning Board also may require additional professional submissions reflecting the effects of adding a Roof Deck, such as the total square footage of the building, perspective renderings, and exterior architectural features of the building.

The Article also defines the term "Roof Deck", eliminates the "and/or Board of Appeals" from Section III-G.5.d., and changes "ground level" to "ground floor," as it is a defined term in the Hingham Zoning By-law in III-G.6.i.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Planning Board voted unanimously in support of this Article.

RECOMMEND: That the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: By amending Section III-G.2 to insert "f. Preserve and/or complement the visual context of the streetscape.";

Item 2: By amending Section III-G.4 to insert the following:

"c. A Roof Deck may be allowed by a Special Permit A2, subject to the following criteria. If proposed in combination with another use that requires a Special Permit A2, the special permit process shall be combined.

i. Access:

(A) If the proposed Roof Deck is above the third story, access shall be limited to an internalized staircase and roof hatch. In no event shall any enclosed habitable space, nor Roof Deck access structures, other than a roof hatch, be permitted above the third story.

(B) For buildings with a height of 2.5 stories or less, the Roof Deck may be accessed either by roof hatch or from enclosed habitable space within the roof form on the ½ story level or lower story level.

ii. The Roof Deck and any guardrail or fence required by the state building code that is not a design element of the building shall not be visible from the opposite side of the public way(s) that abuts the structure. Proposed roof decks on existing structures shall demonstrate

compliance with this standard by installing mock-ups/story poles with yellow tape strung between the poles at a height of 36" from the decking or at the proposed elevation of the guardrail or fence if greater than 36". Roof Decks on proposed buildings will be required to demonstrate how this criterion will be satisfied during the approval process with the submittal of perspective views and/or any other submissions deemed necessary by the Planning Board.

iii. No vertical structures in excess of the minimum height of guardrail or fence required by the state building code shall be permitted on the Roof Deck, including without limitation, trellises, privacy screens or the like, provided that this provision shall not prohibit natural plantings for screening approved pursuant to site plan or design review. Temporary, seasonal umbrellas shall be permitted provided the same are anchored in weighted stands to prevent umbrellas from become flying projectiles in windy weather.

iv. Lighting of the Roof Deck shall be dark sky compliant and foot candles shall not exceed zero at the building edges. No light fixtures shall be placed at a height greater than the minimum height of guardrail or fence required by the state building code.

v. No amplified live music shall be permitted, nor amplified sound fixtures installed, on a Roof Deck.";

Item 3: By replacing Section III-G.5 subsections b and c in their entirety with the following:

"b. Submittal Requirements. The building permit, site plan review and or special permit applications shall include photographs of the existing condition of the exterior of existing structure(s), and a narrative description of the proposed work affecting the exterior of the building or structure, including a description of the materials to be used. Building elevations shall include detail regarding treatment of the roof,

including placement and type of mechanicals, projections and any proposed Roof Deck. The Planning Board may also require additional submittals, including plans prepared by qualified registered professionals showing the total square footage and dimensions of all buildings, the building elevations and perspective renderings, and detailing the exterior architectural features of the buildings and the exterior materials to be used.”;

“c. In connection with its review of such work, the Planning Board shall request advisory design review comments on the proposal from the Hingham Historic Districts Commission, and may engage other professional consultants, experts or assistance consistent with the provisions of Section I-F,3 of this By-Law to ensure the proposal is architecturally and aesthetically consistent with the historic character of the Overlay District. Simultaneously with the submission of an application subject to this Section 5, the applicant shall submit a copy of the application and plans to the Historic District Commission. The Planning Board shall not act until the Commission or its designated staff has reported its recommendations or 21 days have passed from the filing of the application and no report has been received.”;

Item 5: By amending Section III-G.5.d. to delete the words “and/or the Board of Appeals”;

Item 6: By amending Section III-G.6.c.i. to delete the term “ground level” where it appears in this paragraph and inserting “ground floor” in its place; and

Item 7: By amending Section VI to add the following definition after the definition of “Recorded or Of Record”: “Roof Deck. An uncovered flat surface on the roof of a structure for use for outdoor passive recreation. Uncovered shall mean that no covering structures of any kind, including a roof trellis, shall be permitted.”

ARTICLE 42: Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: By amending Section I-F.3 by deleting “nor shall they exceed the greater of \$10,000 or one percent (1%) of the total projected cost of the project (inclusive of engineering, architectural, and legal fees and other soft costs)” from the second sentence;

Item 2: By amending Section I-G by inserting “If the building permit includes no outside work the boards’ staff designee may waive site plan review administratively, at his/her discretion.” after the first sentence;

Item 3: By amending Section I-I.2 by deleting the first two sentences in their entirety and inserting in their place “Applicants for site plan approval shall submit seven (7) hard copies and an electronic file of the site plan and submittal materials to the Planning Board for review, except that only two hardcopies of the drainage report are required. The department staff shall notify the Board of Health, Building Commissioner, Conservation Commission, Department of Public Works, HMLP, Water Company, Sewer Department, Fire Department and Police Department of the application and request their advisory review and comments.”;

Item 4: By amending Section I-I.4.f. by inserting “estimated net import/export of material,” after “grading plan,”;

Item 5: By amending Section I-I.4.h. by inserting “including the Massachusetts Stormwater Handbook” after the word “Standards”;

Item 6: By amending Section I-I.4.h. by inserting “Specifically required is an erosion control plan and an Operations and Management Plan for both the construction activities as well as ongoing post-construction maintenance and reporting requirements. Applicants are encouraged to consider low impact design and green infrastructure solutions to the maximum extent feasible” after the word “Guidelines”;

Item 7: By amending Section I-I.6. by inserting “or inspections during construction” in the third sentence after “performance guarantees”;

Item 8: By amending Section I-I.6.e. by inserting “including but not limited to discarded building material, concrete truck wash out, chemicals, litter and sanitary wastes” after “site”;

Item 9: By amending Section I-I.6.g. by inserting “including the Massachusetts Stormwater Handbook” after the word “Standards”;

Item 10: By amending Section I-I.6.g. by inserting after the word “Guidelines” “Assurance that appropriate Best Management Practices have been designed and incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites when projects are complete or

operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and have a regular inspection of stormwater controls at consistent intervals specified on the plans.” after the word “Guidelines”;

Item 11: By amending Section I-I.7 to renumber it to “I-I.8” and by inserting “A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required as a condition of approval for all projects. Projects that disturb one or more acres individually, or cumulatively if phased development is proposed, shall be required as a condition of any approval to provide a Stormwater Pollution Prevention Plan for review prior to the start of any work.” into Section I-I.7;

Item 12: By amending Section I-I.8. “Regulations” to renumber it to “I-I.10”;

Item 13: By amending Section I-I. by inserting “As Built Plan Requirement

Upon project completion an as-built plan must be submitted to the Building Department for use during inspection prior to the issuance of a certificate of occupancy, and in no case later than two years after the completion of construction. The as built plan must demonstrate substantial conformance with the approved project plans.” into Section I-I.9;

Item 14: By amending Section IV-B.6.b. to change “20,000” to “5,000”;

Item 15: By amending Section IV-B.6.b. to change “2500” to “1000”;

or act on anything related thereto?
(Inserted at the request of the Planning Board)

COMMENT: The proposed amendments concern Section I (“Administration and Procedure”) and Section IV (“Intensity Regulations”). More specifically, the changes affect certain of the provisions of the Zoning By-Law that govern Special Permits and Site Plan Review.

The majority of the amendments make changes necessary for the Town to comply with the Town’s Municipal Separate Storm Sewer System Permit (“MS4 Permit”). The MS4 Permit is jointly issued by the United States Environmental Protection

Agency and the Massachusetts Department of Environmental Protection pursuant to federal and state laws and regulations that require municipalities with storm drain systems, such as Hingham, to manage and control stormwater discharges. Pursuant to the requirements of its MS4 Permit, the Town has committed to complete a number of actions by June 2019, including amending its regulations pertaining to stormwater discharges and construction management to comply with applicable regulations. In order to meet the Town’s obligations, the Planning Board has drafted, reviewed, and approved these amendments to the Zoning By-Law that pertain to Special Permit and Site Plan Review Requirements. Additionally, the amendments include provisions that would enable the Planning Board to adopt a more expeditious administrative process for certain site plan review applications. Finally, the amendments make some minor edits to clarify the meaning of existing provisions.

During its public hearings, the Board decided not to change at this time the size of a land disturbance or alteration of a drainage pattern that would trigger site plan review and deleted the language that would have amended Section IV-B.6.b to change 20,000 square feet to 5,000 square feet, and 2,500 square feet to 1,000 square feet. The Board noted that Town agencies have identified locations where construction or land alterations that had not undergone site plan review have created stormwater drainage problems on public ways or abutting properties. The Board decided it would study further the most appropriate means to address these problems to prevent the occurrence of such stormwater drainage problems in the future.

Approval of this Article requires a two-thirds vote of Town Meeting.

The Advisory Committee and the Planning Board voted unanimously to recommend this Article as revised.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: By amending Section I-F.3 to delete “nor shall they exceed the greater of \$10,000 or one percent (1%) of the total projected cost of the project (inclusive of engineering, architectural, and legal fees and other soft costs)” from the second sentence;

Item 2: By amending Section I-I.2 to delete the first sentence and inserting in its place the following: “Applicants for site plan approval shall submit seven (7) hard copies and an electronic file of the site plan and submittal materials to the Planning Board for review, except that only two hardcopies of the drainage report are required. The Applicant shall at the same time also submit a copy of the of the application and request for advisory review and comments to each of the following: Board of Health, Building Commissioner, Conservation Commission, Department of Public Works, Hingham Municipal Light Plant, Water Company, Sewer Department, Fire Department, and Police Department.”;

Item 3: By amending Section I-I.4.f to delete the existing text and insert the following:

“f. grading plan, estimated net import/export of material, drainage analysis, and traffic analysis, as applicable;”;

Item 4: By amending Section I-I.4.h to delete the existing text and insert the following:

“h. analysis of compliance of the construction activities and the proposed project, including the extent the project incorporates low impact design and green infrastructure solutions, with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Policy and Standards including (i) the Massachusetts Stormwater Handbook, (ii) Massachusetts Erosion Sediment and Control Guidelines, and (iii) if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town’s municipal stormwater system;”;

Item 5: By amending Section I-I.4 to insert a new subsection j as follows and to re-letter the subsequent subsection accordingly:

“j. an erosion control plan and an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements;”;

Item 6: By amending Section I-I.4.j to delete the period at the end thereof and insert in its place “; and”;

Item 7: By amending Section I-I to replace subsection 5 in its entirety with the following:

5. “Waiver; Minor Site Plans; Administrative Review;

a. Upon written request of the applicant, the Planning Board may waive any of the submittal requirements set forth in Section I-I.6 deemed by the Planning Board to be not necessary for its review of the application. In addition, the Planning Board may waive other such requirements of this Section I-I, including the requirement for a public hearing, where the Planning Board determines that the project constitutes a minor site plan.

b. in order to constitute a minor site plan, the proposed work must be limited to (i) interior renovations to a building or structure that do not include a change of use or parking demand for which a Special Permit A2 or A3 is required and/or (ii) modifications to the site which, in the Planning Board’s determination, do not materially or adversely affect conditions governed by the site plan review standards set forth in Section I-I.6 below.

c. The Planning Board may, by a majority vote of the Board, establish an administrative process for site plan review of certain site plan review applications. Pursuant to administrative review, the Planning Board may delegate to the town planner and/or to a designated Board member the authority to determine whether a project constitutes a minor site plan pursuant to subsection 5.b(i) above and, if so, to waive site plan review therefor. The Planning Board designee may refer any minor site plan review application to the Planning Board for its review in lieu of administrative review if, in such designee’s discretion, the scope of the project merits review by the Board. In addition, any applicant may request site plan review by the Planning Board in lieu of administrative review at the time of application, or any applicant aggrieved by a minor site plan review decision of the designee may reapply for site plan review by the Planning Board, and such review shall be considered a new application for site plan review, except that a separate fee shall not be required.”

Item 8: By amending Section I-I.6 to delete the word “with” from the first sentence;

Item 9: By amending Section I-I.6.e to delete the existing text and to insert the following:

“e. adequacy of the methods of disposal of refuse and other wastes during construction and resulting from the uses permitted on the site including, but not limited to, discarded building materials, concrete truck wash out, chemicals, litter and sanitary wastes; provided, that discharge of refuse or other wastes into the municipal stormwater system shall be expressly prohibited;”;

Item 10: By amending Section I-I.6.g to delete the existing text and to insert the following:

“g. assurance of positive stormwater drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and stormwater pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection’s Stormwater Management Policy and Standards including the Massachusetts Stormwater Handbook, the Massachusetts Erosion and Sediment Control Guidelines and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town’s municipal stormwater system;”;

Item 11: By amending Section I-I.6 to insert a new subsection h as follows and to re-letter the subsequent subsections accordingly:

“h. assurance that appropriate Best Management Practices have been incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites when projects are complete or operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and to provide for regular inspection of stormwater controls at consistent intervals;”;

Item 12: By amending Section I-I to insert a new subsection 8 as follows and to renumber existing subsection 8 to subsection 9:

“8. Conditions of Approval

In addition to such other conditions as may be imposed by the Planning Board under this Section I-I, all site plan approvals shall be subject to the following conditions:

a. Pre-Construction Meeting

A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required as a condition of approval for all projects. Projects that disturb one or more acres individually, or cumulatively if phased development is proposed, shall be required as a condition of any approval to provide a Stormwater Pollution Prevention Plan for review by the Planning Board or their designee not less than three weeks prior to the start of any work.

b. Inspections

Inspections shall be required during construction, and prior to issuance of a certificate of occupancy, of all elements of the project related to or affecting erosion control during construction and the approved drainage and stormwater system installed for the project. The Planning Board may require, at the applicant’s expense, the establishment of a consultant fee account pursuant to Massachusetts General Laws Chapter 44, Section 53G, to fund the cost of such inspections.

c. As-Built Plan Requirement

Upon project completion an as-built plan must be submitted to the Building Commissioner prior to the issuance of a certificate of occupancy, and in no event later than two years after the completion of construction. In addition to such other requirements as are imposed by the Building Commissioner, the as-built plan must demonstrate substantial conformance with the stormwater system design and performance standards of the approved project plans.”

Item 13: By amending Section IV-B.6 to insert “and may be subject to professional consultant review consistent with Section I-F.3” after “designee,” in the first sentence;

Item 14: By amending Section IV-B.6 to delete subsection b in its entirety and to insert the following:

“b. all projects that 1) create a land disturbance or an alteration of drainage patterns over an area greater than 20,000 square feet; or 2) create a land

disturbance of more than 2500 square feet in areas with slopes greater than 10%;

c. all projects that are part of a larger common plan of development or sale that would disturb more than one acre in the aggregate;

d. notwithstanding the foregoing, the following types of projects shall be exempt from site plan review under subsection b:

- i. normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act, Massachusetts General Laws Chapter 131, Regulation 310 CMR 10.04;
- ii. routine maintenance of existing landscaping, gardens or lawn areas;
- iii. the construction of fencing that will not alter existing terrain or drainage patterns;
- iv. installation of utilities other than drainage (gas, water, electric, telephone, etc.) which will not alter terrain, ground cover, or drainage patterns;
- v. projects wholly within the jurisdiction of the Conservation Commission and requiring an Order of Conditions under the Wetlands Protection Act, Massachusetts General Laws Chapter 131, Section 40, the Town of Hingham Wetlands Protection By-Law, and/or the Rivers Protection Act.; or
- vi. road widening or improvement projects; provided that road projects that (i) increase the amount of impervious area by greater than or equal to a single lane width, (ii) disturb more than one acre, and (iii) discharge to the Town's municipal stormwater system, shall meet the applicable requirements of the Town of Hingham MS4 Permit."

ARTICLE 43: Will the Town vote to amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, by replacing the reference to "six (6) months" where it appears in the last sentence in Section I-C, 1. with "twelve (12) months", or act on anything related thereto? (Inserted at the request of the Zoning Board of Appeals)

COMMENT: This Article proposes to update the Town's Zoning By-Law to make it consistent with mandatory state law concerning the time in which a permittee may commence a permitted use or construction that has become nonconforming.

Section I-C, 1, of the Zoning By-Law requires (among other things) a permit for all building construction and for all uses of land or buildings.

It sometimes happens that, after a permit is issued, but before the permittee commences the permitted use or construction, the Zoning By-Law is amended in a way that causes the permitted use or construction to no longer conform to the By-Law. In that circumstance, Section I-C, 1, grants the permittee a grace period during which it may commence the permitted use or construction without having to conform to the newly-amended By-Law. (In that circumstance, Section I-C, 1, also requires construction to proceed "through to completion as continuously and expeditiously as is reasonable," thereby ensuring that a permittee cannot obtain the benefit of the grace period if it fails to promptly complete the construction.)

The existence and duration of that grace period are both mandated by state statute, specifically Massachusetts General Laws Chapter 40A, section 6. That statute previously mandated a grace period of 6 months. The Legislature, however, amended the statute as of August 10, 2016, to instead mandate a grace period of 12 months. See Mass. St. 2016, c. 219, § 29.

Section I-C, 1, of the Zoning By-Law currently reflects the old version of the statute by providing a grace period of 6 months. This Article proposes to update Section I-C, 1, to instead reflect the new version of the statute by providing a grace period of 12 months. Because the duration of the grace period is mandated by the statute, the Town does not have the ability to select a different duration. This Article does not propose to change any aspect of the Zoning By-Law other than the duration of the grace period.

Because this Article seeks to change the Zoning By-Law, its enactment requires approval by a two-thirds vote of Town Meeting.

The Advisory Committee, the Planning Board, and the Zoning Board of Appeals each voted unanimously in support of this Article.

RECOMMENDED: That the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as

heretofore amended, be amended by replacing "six (6) months" where it appears in the last sentence of Section I-C, 1, with "twelve (12) months".

ARTICLE 44: Will the Town vote to amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, by replacing the reference to "two (2) year period" where it appears in the last sentence in Section I-D, 2.b. with "three (3) year period", or act on anything related thereto? (Inserted at the request of the Zoning Board of Appeals)

COMMENT: This Article would amend the Hingham Zoning By-Law by changing the lapse time for a Special Permit from two years to three years.

In August 2016, the Massachusetts Legislature amended Massachusetts General Laws chapter 40A by modifying the maximum lapse period that a municipality may impose in connection with the grant of a special permit. M.G.L. c. 40A, § 9, ¶ 14, as it was amended by the Acts of 2016, M.G.L. c. 219, § 30, now states that: "Zoning ordinances or by-laws shall provide that a special permit granted under this section shall lapse within a specified period of time, not more than 3 years."

The Hingham Zoning By-Law presently specifies in Section I-D, 2.b the previously effective maximum lapse period of two years. The Article would change that to three years. The Hingham Zoning Board of Appeals initiated this proposed By-Law amendment so that the Board would have the option to provide applicants with a longer period of time to exercise special permits issued under its jurisdiction. Under the Article, applicants would have a lapse time of three years unless the Board otherwise specified a shorter period of time. Such additional time would be appropriate for more complex projects that also require permits from other regulatory bodies.

Approval of this Article requires a two-thirds vote of Town Meeting.

The Planning Board and Zoning Board of Appeals voted unanimously to approve this Article. The Advisory Committee voted unanimously in support of this Article.

RECOMMENDED: That the Town vote to amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, by replacing the reference to "two (2)

year period" where it appears in the last sentence in Section I-D, 2.b. with "three (3) year period."

ARTICLE 45: Will the Town authorize, but not require, the Board of Selectmen to accept grants of easements for streets, water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Board deems in the best interest of the Town, or act on anything relating thereto? (Inserted by the Board of Selectmen)

COMMENT: The Town benefits from many easements over private property throughout Hingham. From time to time, the Town, particularly its Department of Public Works, requires new easements in order to complete roadway and other public works projects. At times, the Town receives requests from private property owners to relocate easements held by the Town on their property. Under Massachusetts law, Town Meeting approval is required for the Board of Selectmen to accept such easements.

This Article would allow the Board of Selectmen to accept such easements during the coming year and thus avoid potentially expensive delays and inconvenience to projects that benefit the Town. This Article is intended solely to cover easements voluntarily granted to the Town and would not allow the Board of Selectmen to accept easements that require funds to acquire them. Furthermore, the authority conferred by this Article is not unlimited in time; it is limited to the coming year. If continuing authority is required, the next Annual Town Meeting may be asked to approve it.

The Advisory Committee and the Board of Selectmen voted unanimously in support of this Article.

RECOMMENDED: That the Town authorize, but not require, for a period through April 30, 2020, the Board of Selectmen to accept grants of easements for purposes of streets, sidewalks, or pedestrian walkways, or water, drainage, sewage, or utility facilities on terms or conditions that the Board deems in the best interests of the Town.

You are hereby also directed to notify and warn the inhabitants of the Town of Hingham qualified to vote in Town affairs to meet at three designated polling places in said Town of Hingham according to their precinct, to wit: Precinct 1, 2, 3 and 4: High School, 17 Union Street; Precincts 5 and 6: Middle School, 1103 Main Street; and Precinct 5a: Willard Square at Linden Ponds on SATURDAY, the twenty-

seventh day of April at EIGHT O'CLOCK in the forenoon, then and there to give their votes on the official ballot for:

A Moderator to serve one year, a Selectman to serve three years; an Assessor to serve three years; one member of the Board of Health to serve three years; three members of the School Committee to serve three years; a member of the Planning Board to serve five years; a member of the Sewer Commission to serve three years; a member of the Recreation Commission to serve five years; a member of the Housing Authority to serve five years; and a member of the Municipal Light Board to serve three years.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk on or before the 28th day of March 2019.

Given under our hands at Hingham this 26th day of March 2019.

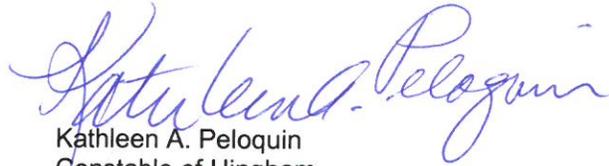






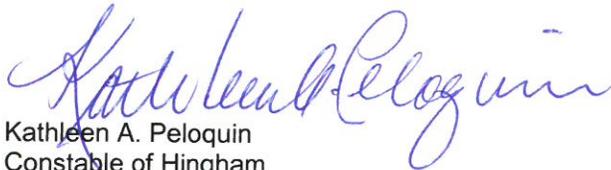
BOARD OF SELECTMEN

By virtue of the within warrant I hereby certify that I have noticed and warned the inhabitants of the Town of Hingham, qualified to vote in Town affairs to meet at the time and place indicated in the above warrant by causing an attested copy thereof to be published in The Hingham Journal seven days at least before the day appointed for said meeting. It was presented and posted by the Town Clerk in the Town Hall of this date.



Kathleen A. Peloquin
Constable of Hingham
March 28, 2019

A true copy
Attest:



Kathleen A. Peloquin
Constable of Hingham
March 28, 2019

REPORT OF THE CAPITAL OUTLAY COMMITTEE

I. OVERVIEW

The Capital Outlay Committee (“COC”) is charged with:

- A. Ascertaining the capital outlay requirements of various Town departments, boards, and committees over the next five years. Capital assets considered by COC typically have a useful economic life of more than five years and cost more than \$10,000 or are otherwise classified as fixed assets on the Town's financial statements.
- B. Analyzing and evaluating proposed capital expenditures for all Town departments, boards, and committees and making recommendations to the Board of Selectmen (“Selectmen”) and the Advisory Committee (“Advisory”). COC recommendations are developed as follows:
 1. Departments submit requests for the next five years.
 2. COC reviews requests with the department heads, boards, and committees.
 3. Needs are determined and possible alternatives are discussed.
 4. COC makes its recommendations to Selectmen and Advisory.
 5. Selectmen accept, alter, or reject COC’s recommendations and forward them to Advisory.
 6. Advisory makes the final capital recommendations to Town Meeting.

COC reviewed \$4,208,812 of capital requests from the various Town departments for Fiscal Year (“FY”) 2020 and herein submits its recommendations for FY 2020, as well as general projections of capital needs for the following four fiscal years.

COC’s recommendations for FY 2020 are based on the assessment of need. Capital items, for the most part, consist of the Town’s infrastructure and the equipment to support that infrastructure. Over the long run, most capital spending on infrastructure is not discretionary. The Five-Year Capital Plan includes all proposed capital projects, including buildings and capital equipment that may require funding via borrowing.

At the start of the budget process, each department was requested to produce a realistic five-year capital outlay plan. The plan was compared to the prior year’s five-year capital outlay plan, and departments were asked to explain significant changes.

COC’s recommendations for FY 2020 Funding Sources are summarized below:

RECOMMENDED

Tax Levy*	\$ 2,279,535
Fund Balance (Mooring Permits)	\$ 0
Available Reserves	\$ 350,000
User Rates/Charges	\$ 363,000
Other Funding Sources	<u>\$ 1,465,160</u>
Total:	<u>\$ 4,457,695</u>

* The COC had originally recommended an additional \$128,216 to replace a Public Works: Highway Department three-quarter ton truck (\$44,000) and for Town Hall roof repairs (\$84,216). These capital expenditures were removed from the FY 2020 Capital Plan and accelerated to FY 2019 capital using surplus operating funds.

II. NOTABLE RECOMMENDATIONS

Below are the notable COC recommendations for FY 2020 (see the FY 2020 Five Year Capital Plan for full detail by department):

Police Department

\$191,000 to replace six police vehicles.

Fire Department

\$370,000 to replace the 2007 Medic ambulance.

Public Works - Highway/Tree & Park

\$177,000 to replace an International heavy-duty dump truck with a sander and plow.

School Department

In accordance with Massachusetts General Law, Chapter 71, Section 34, the total capital appropriations made to the School Department are under the School Committees authority and can be allocated to capital expenditures at their discretion. As such, the COC's capital recommendations for the School Department can be reallocated to other capital expenditures as ultimately determined by the School Committee.

High School: \$82,000 to upgrade the Fire Alarm.

Plymouth River Elementary School: \$80,555 to upgrade the playground to be in compliance with MA Department of Public Safety, Architectural Access Board (AAB) regulations.

School/System Wide: \$233,580 for school baseline technology replacements, \$158,900 for major infrastructure (\$65,400) and Chromebook replacements (\$93,500)

III. LONG-RANGE CAPITAL PLANNING

Capital funding is required for operating assets, building infrastructure subsystems and new buildings and facilities:

- Operating Assets: The primary funding source for the Five-Year Capital Plan included with this report is the Tax Levy, which comes from the Operating Budget. Since these funds are limited, historically, the Five-Year Capital Plan has focused on operating assets such as information technology, security, vehicles, equipment, public safety and some building infrastructure (major repairs, replacements and upkeep).
- Building Infrastructure Subsystems: The Town has yet to embrace past COC recommendations for a Study of Town-Owned Buildings and Facilities. This study will provide an inventory of all key components in existing Town buildings and facilities, identifying the current age and condition of each subsystem, which will result in a long-term replacement plan of ten to twenty years. This will provide Town management and citizens a more proactive quantitative and qualitative approach to the Town's capital requirements. Some of these subsystem replacements are included in operating asset funding but this is usually when the component is experiencing significant failure and in desperate need of replacement. COC realizes that some of this is due to budget limitations but the Town must identify and plan for these expenditures in advance.

- **New Buildings and Facilities:** Funding for larger building and infrastructure capital projects is typically requested through a Warrant Article since amounts exceed the COC's operating funding capacity, will be funded by sources other than the Tax Levy (Borrowing, Available Reserves, etc.) and require approval at Town Meeting. Over the last few years, as several major projects have been proposed, COC determined that the best practice for reporting and disclosure is as follows:
 - If a project is at the Feasibility Study stage, then only the study amount will be included on the Five-Year Capital Plan with a footnote about the project since including the actual project presumes it will proceed.
 - If a project is at the Design & Bid stage, then an estimated project cost will be included, if reasonably determinable, on the Five-Year Capital Plan. A footnote may be included to provide additional information.
 - If a project is at the Renovation/Construction stage, then the project cost will be included on the Five-Year Capital Plan. A footnote may be included to provide additional information.
 - If a project is being contemplated but it is too premature for estimates, then a footnote will be included describing the project and the amount will be "To Be Determined".

Note: all large-scope projects of this nature would likely be accompanied by a Warrant Article and subject to approval at Annual Town Meeting.

If a project is in the pre-feasibility stage or in between the above stages, it may create a reporting gap. In an effort to close this gap and provide a more long-term and complete picture of the Town's capital needs, COC is including the following summary of building and facility needs by department:

<u>Department</u>	<u>Need</u>	<u>Preliminary Estimate</u>
Fire Department	New North Fire Station	\$7,000,000
Fire Department	New South Fire Station	\$7,000,000
<u>Town Hall</u> (may be offset by \$2M from State capital improvement plan):		
Recreation Center	Major renovation of existing space or new building	\$2,500,000
Police Department	Expansion and major renovation of existing Town Hall space	\$2,300,000
Senior Center	Expansion and major renovation of existing Town Hall space	\$4,500,000
Information Technology	Data Center Upgrade (on 5 Year Capital Plan)	\$200,000
Harbor Improvements	Repair and restoration of Town-owned Wharves (may be offset by some grant money)	\$9,000,000
Library	Renovation and expansion	To be determined
South Shore Country Club	New Pool and Maintenance Facility (may be offset by some SSCC revenues and private donations)	\$10,000,000
<u>School Department:</u>		
Foster Elementary	New school (net of MSBA funding grant being pursued to qualify for reimbursement of up to an estimated 31% of expended costs of \$50M)	\$34,500,000
Plymouth River Elementary	Window replacement (net of \$1M funding from Broadstone Bare Cove Alliance)	\$1,500,000
High School	Boiler replacement	To be determined
High School	Expansion and renovation of Health and Wellness Center	To be determined

Disclaimer: The amounts noted above are preliminary estimates and may be subject to significant change.

IV. COMMENTS AND RECOMMENDATIONS

Several years ago, COC recommended that additional funds be made available in future years for replacement of capital items, in order to prevent a significant negative impact to the Town's capital base. The Town committed an additional \$100,000 in funding per year beginning in FY 2016 and for the four subsequent years, resulting in a projected capital outlay budget of \$2,500,000 in FY 2020. During this time actual funding was increased \$400,000 so it will take one more year to reach the original goal of \$2,500,000 from the tax levy. This additional funding eliminated the backlog created during previous years of capital underfunding and brought the capital plan in compliance with the Town's Financial Policy, which states capital expenditures (excluding those financed by debt or user rates/charges) should be between 2% and 5% of the Town's Operating Budget. From FY 2015 to FY 2020, expenditures are within this range, but, in four of the last ten years, this percentage was below the 2% required minimum.

Adequate capital funding is necessary in order to properly manage replacement and maintenance of Town-owned assets. A lack of sufficient capital funding may result in increased repairs and ultimately higher costs when those capital items are replaced. It is preferable to be proactive instead of risking the failure of one or more systems and spending more funds to remedy an emergency situation.

The Town must continue increasing capital funding in order to keep pace with the operating budget, allow for proper maintenance of the Town's significant capital base and comply with the Town's Financial Policy. There are numerous building and renovation projects planned for the future and COC is concerned that while the Town may have the debt capacity to fund these projects, there will be an increased capital funding requirement to maintain assets, putting additional pressure on capital funding from the operating budget. The Town's long-term capital needs will continue to be discussed but we must balance our long-term needs with our current capital funding limitations.

Further, with an increase in the Town's capital base there will be a greater need to establish a formal system to track and monitor building assets and sub-systems. It is critical for the Town to accurately identify and quantify the ongoing capital needs of all Town-owned assets, including facilities and their related subsystems, so that these expenditures can be anticipated and included in long-range plans. COC continues to be concerned that expenses related to all capital assets of the Town have not been reflected in the Five-Year Capital Plan. This issue was first mentioned in the Report of the Capital Outlay Committee in the 2012 Warrant. Specifically, COC was concerned that major expenditures, such as the repair/refurbishment of all Town-owned real estate, were not in the capital budget. As a result, COC recommended an externally prepared comprehensive multi-phase Study of Town-Owned Buildings and Facilities and subsequently a Town Facilities Manager to oversee these assets. Neither recommendation was followed.

At a minimum, COC encourages the Town to develop a comprehensive survey of all components (e.g., roofs, windows, heating, ventilation, air conditioning, plumbing, etc.) of each facility. This information could be used to create a database containing the repair/replacement schedule for all facilities and the related subsystems. Town department heads and committees could use this data to understand the ongoing capital requirements related to the facilities for each year and to proactively manage the repair/replacement process on a comprehensive basis.

The Capital Outlay Committee thanks the Advisory Committee, Board of Selectmen, Town Administrator, Assistant Town Administrator, and Town department heads for their support. Their contributions are critical to the budget process, and we extend our appreciation for their dedication and hard work.

Eric Valentine, Chair
Mike Donovan
Matt Goulet

Libby Claypoole, Advisory Committee
Ed Gaydos, Advisory Committee
Jean Montgomery, Treasurer-Collector *ex-officio member* (non-voting)

FY2020 Five Year Capital Plan

Department/Category	FY2020	FY2021	FY2022	FY2023	FY2024
<u>INFORMATION TECHNOLOGY:</u>					
Information Technology Assets (20% replacement)	\$104,000	\$106,000	\$110,000	\$113,000	\$116,000
Fiber Optic Network Purchase & Upgrade (new) (Footnote #1)	\$500,000	\$0	\$0	\$0	\$0
Data Center Upgrade (new) (Footnote #2)		\$200,000	\$0	\$0	\$0
TOTAL INFORMATION TECHNOLOGY	\$604,000	\$306,000	\$110,000	\$113,000	\$116,000
<u>TREASURER/COLLECTOR:</u>					
Postage Machine (replacement)		\$6,000	\$0	\$0	\$0
TOTAL TREASURER/COLLECTOR	\$0	\$6,000	\$0	\$0	\$0
<u>BUILDING DEPARTMENT:</u>					
F150 4x4 Pick-up (new, new, replacement)	\$35,000	\$35,000	\$35,000	\$0	\$0
TOTAL BUILDING DEPARTMENT	\$35,000	\$35,000	\$35,000	\$0	\$0
<u>BARE COVE PARK:</u>					
Utility Tractor w/Mower & Sickle Bar (new)		\$25,000	\$0	\$0	\$0
TOTAL BARE COVE PARK	\$0	\$25,000	\$0	\$0	\$0
<u>TOWN HALL:</u>					
Town Hall (renovations & repairs)	\$26,784	\$25,000	\$25,000	\$25,000	\$25,000
Heat Pumps (12) (replacement)		\$12,000	\$12,000	\$24,000	\$24,000
Carpeting: Police, Selectmen; Town Hall Staircase (replacement)		\$24,000	\$12,000	\$20,000	\$0
Heating - Make-up Air Units for Gym (replacement)		\$18,000	\$0	\$0	\$0
Bathroom: (partition/fixtures & vanities) (3) (replacement)		\$18,000	\$40,000	\$0	\$0
HVAC Control Panel (replacement)				\$30,000	\$0
Parking Lot & Driveway (replacement)					\$71,000
TOTAL TOWN HALL	\$26,784	\$97,000	\$89,000	\$99,000	\$120,000
<u>POLICE DEPARTMENT:</u>					
Vehicles (6) (7) (0) (8) (7) (replacement)	\$191,000	\$240,000	\$0	\$255,000	\$265,000
Bullet Proof Vests (15) (15) (15) (15) (15) (replacement)	\$17,000	\$17,000	\$17,000	\$17,000	\$17,000
Rifles Less Lethal 40 mm (5) (new)	\$10,000	\$0	\$0	\$0	\$0
Critical Incident Equipment (new)	\$15,000	\$0	\$0	\$0	\$0
AFIS Fingerprint Machine (replacement)	\$25,000	\$0	\$0	\$0	\$0
Video Editing System (new)	\$15,000	\$0	\$0	\$0	\$0
Station Internal Video/Security update (replacement)		\$15,000	\$0	\$0	\$0
In Cruiser Radar Units (11) (replacement)		\$33,000	\$0	\$0	\$0
Automated Defibrillators (12) (replacement)		\$24,000	\$0	\$0	\$0
Boat Engines: Harbormaster (2) (2) (replacement)		\$50,000	\$0	\$50,000	\$0
Radios: Portable (30) (30) (replacement)			\$135,000	\$135,000	\$0

Department/Category	FY2020	FY2021	FY2022	FY2023	FY2024
Police Car Dash Cams (11) (replacement)			\$80,000	\$0	\$0
Body Cameras (54) (new)			\$80,000	\$0	\$0
Furniture Upgrade (replacement)			\$20,000	\$0	\$0
Dinghy Dock - Harbormaster			\$18,000	\$0	\$0
Police Sidearms (70) (replacement)				\$32,000	\$0
Animal Control Incinerator (new)					\$20,000
Boat Marine II Harbormaster (1) (replacement)					\$250,000
TOTAL POLICE DEPARTMENT	\$273,000	\$379,000	\$350,000	\$489,000	\$552,000
<u>FIRE DEPARTMENT:</u>					
Station 2 (North/Torrent) Renovation (replacement) (Footnote #3)	TBD				
Turnout Gear: (16 sets per year) (replacement)	\$48,000	\$48,000	\$48,000	\$48,000	\$48,000
Fire Hydrants (replacement)	\$36,000	\$66,000	\$36,000	\$36,000	\$36,000
Medic Ambulance (2007) (replacement)	\$370,000	\$0	\$0	\$0	\$0
Command Vehicle C-2012 (replacement)		\$42,000	\$0	\$0	\$0
Station 1 Painting/Carpet (replacement)		\$12,000	\$0	\$0	\$0
Station 2 Roof Repair (replacement)		\$8,000	\$0	\$0	\$0
Station 3 (South) Renovation (replacement) (Footnote #3)		TBD	\$0	\$0	\$0
Cardiac Monitors (3) (replacement)		\$110,000	\$0	\$0	\$0
Stair Chair (1) (replacement)		\$5,000	\$0	\$0	\$0
Fire Helmets (56) (replacement)		\$26,000	\$0	\$0	\$0
Thermal Imager Cameras (3) (replacement)		\$37,500	\$0	\$0	\$0
Utility 2011 (replacement)		\$52,000	\$0	\$0	\$0
Command Vehicle C-2013A (replacement)		\$43,500	\$0	\$0	\$0
Command Vehicle C-2013B (replacement)		\$52,000	\$0	\$0	\$0
Stretcher (replacement)			\$15,000	\$0	\$0
Engine 2002 (replacement)			\$600,000	\$0	\$0
Station 1 Jockey Heater (new)				\$50,000	\$0
Medic Ambulance (2013A) (replacement)				\$380,000	\$0
Command Vehicle C-2016 (replacement)					\$47,000
TOTAL FIRE DEPARTMENT	\$454,000	\$502,000	\$699,000	\$514,000	\$131,000
<u>PUBLIC WORKS AND FACILITIES:</u>					
HIGHWAY/TREE & PARK:					
# 7 - IH Dump 7400DP w/S&P (2008) (replacement)	\$177,000	\$0	\$0	\$0	\$0
#41 - Chevrolet 2500HD w/Plow (2003) (replacement)	\$44,000	\$0	\$0	\$0	\$0
#38 - GMC Sierra 2500 P/U w/P (2010) (replacement)		\$44,000	\$0	\$0	\$0
#29 - John Deere F1148 Tractor (2005) (replacement)		\$66,000	\$0	\$0	\$0
#31 - Groundmaster 4000D (2006) (replacement)		\$76,000	\$0	\$0	\$0

Department/Category	FY2020	FY2021	FY2022	FY2023	FY2024
TP-2 - 48" SCAG Mower Walk Behind (replacement)		\$6,000	\$0	\$0	\$0
TP-2 - 48" SCAG Mower Walk Behind (replacement)		\$6,000	\$0	\$0	\$0
#54 - Giant Leaf Blower (2002) (replacement)		\$7,500	\$0	\$0	\$0
#24 - Bombardier Sidewalk Tractor (1993) (replacement)		\$157,000	\$0	\$0	\$0
#13 - IH Dump 7400DP w/S&P (2009) (replacement)		\$159,500	\$0	\$0	\$0
#2 - Chevrolet 2500 HD P/U w/P (2012) (replacement)		\$44,000	\$0	\$0	\$0
#22 - Elgin Sweeper (2008) (replacement)		\$114,000	\$0	\$0	\$0
#52 - Drum Roller 1.5 Ton (2002) (replacement)		\$12,000	\$0	\$0	\$0
#50 - Gorman Rupp Trash Pump (2002) (replacement)		\$25,000	\$0	\$0	\$0
#34 - Chevrolet 3500 HD 1 Ton (2011) (replacement)		\$63,000	\$0	\$0	\$0
Trackless Arm Mower Attachment (new)		\$27,000	\$0	\$0	\$0
#23 - Elgin Sweeper (Pelican) (2011) (replacement)			\$124,000	\$0	\$0
#15 - Chevrolet 2500 4WD P/U w/P (2012) (replacement)			\$44,000	\$0	\$0
#44 - Sewer Rodder (2001) (replacement)			\$30,000	\$0	\$0
#42 - Gilson Cement Mixer (1965) (replacement)			\$5,000	\$0	\$0
#28 - Silverado 3500 1 Ton Dump w/P (2012) (replacement)			\$63,000	\$0	\$0
#12 - Catch Basin Cleaner (replacement)				\$165,000	\$0
#35 - Compressor (replacement)				\$18,000	\$0
#51 - Gallion Roller 7/8 Ton (1996) (replacement)				\$50,000	\$0
#26 - Chevrolet 2500 Quad Cb 4WD P/U w/P (2013) (replacement)				\$44,000	\$0
#18 - Silverado 3500 4WD 1 Ton Dump w/P (2013) (replacement)				\$63,000	\$0
#20 - Bucket Truck (2014) (replacement)				\$160,000	\$0
# 8 - SFA Dump Truck 7400 (2013) (replacement)					\$170,000
#46 - Vermeer Stump Grinder 602 18 Ton (2013) (replacement)					\$32,000
#11 - IH Dump w/ Hinderson Sander w/Plow (2014) (replacement)					\$170,000
TOTAL HIGHWAY/TREE & PARK	\$221,000	\$807,000	\$266,000	\$500,000	\$372,000
TRANSFER STATION/RECYCLING:					
Trailer Tires (36 per year) & Undercarriage Repair (replacement)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
#T2 - Open Top Trailer (2000) (replacement) - (Footnote #4)	\$75,000	\$0	\$0	\$0	\$0
Baler Maintenance/Reline Hopper (1997) (replacement)	\$65,000	\$0	\$0	\$0	\$0
#L31 - 2010 544K John Deere Front End Loader (replacement)		\$120,000	\$0	\$0	\$0
#L37 - 2003 Mitsubishi Diesel Fork Truck (replacement)		\$18,000	\$0	\$0	\$0
Trash Compactor Control Booth 1-8 (2/yr.) (replacement)		\$10,000	\$10,000	\$10,000	\$10,000
#L21 - 2005 410G John Deere Backhoe (replacement)			\$90,000	\$0	\$0
00-LC1 - Stationary Compacting Unit #1 (replacement)				\$50,000	\$0
TOTAL TRANSFER STATION/RECYCLING:	\$165,000	\$173,000	\$125,000	\$85,000	\$35,000

Department/Category	FY2020	FY2021	FY2022	FY2023	FY2024
SEWER COMMISSION:					
Service Replacements	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Inflow & Infiltration Investigation and Remediation	\$100,000	\$100,000	\$200,000	\$200,000	\$200,000
Pump Station (renovations & repairs) South Street	\$41,000	\$0	\$0	\$0	\$0
Night Soil Plant Building Study		\$100,000	\$0	\$0	\$0
Weir River Inflow & Infiltration Study #S3 - Chevy Silver P/U Utility Body w/Plow (2013) (replacement)			\$70,000	\$0	\$0
					\$33,000
TOTAL SEWER COMMISSION	\$191,000	\$250,000	\$320,000	\$250,000	\$283,000
ELDER SERVICES:					
Automobile (2013) (replacement)		\$27,000	\$0	\$0	\$0
Van (2011) (replacement)			\$65,000	\$0	\$0
TOTAL ELDER SERVICES	\$0	\$27,000	\$65,000	\$0	\$0
LIBRARY:					
Computers (replacement 20%)	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Furniture (replacement)	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Exterior Security Camera Installation (new)	\$20,000	\$0	\$0	\$0	\$0
Renovation & Expansion of Library (Footnote #5)	TBD	\$0	\$0	\$0	\$0
Paint Children's Area (replacement)		\$15,000	\$0	\$0	\$0
Paint Adult Collection Areas (replacement)		\$15,000	\$0	\$0	\$0
Roof Trusses Repair Phase 2 (replacement)		\$20,000	\$0	\$0	\$0
Exterior Storage Shed (replacement)		\$20,000	\$0	\$0	\$0
Parking Lot expansion (50 additional spaces) (new)		\$345,000	\$0	\$0	\$0
HVAC component (replacement)		\$75,000	\$0	\$0	\$0
Carpet (replacement)		\$80,000	\$0	\$0	\$0
Single pane windows (replacement)		\$100,000	\$0	\$0	\$0
Exterior Wooden door (replacement)		\$20,000	\$0	\$0	\$0
Septic System Design (replacement)			\$15,000	\$0	\$0
Lighting Interior (replacement)			\$80,000	\$0	\$0
Generator Installation				\$85,000	\$0
Septic System (replacement)				\$100,000	\$0
Roof Repairs - Connector (replacement)					\$10,000
Bathroom Renovations/Repairs (3) (replacement)					\$60,000
TOTAL LIBRARY	\$60,000	\$730,000	\$135,000	\$225,000	\$110,000
RECREATION COMMISSION:					
Fitness equipment (replacement)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Field rehab (replacement)	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Facility rehab (replacement)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000

Department/Category	FY2020	FY2021	FY2022	FY2023	FY2024
Playground rehab (replacement)	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
East Street Skate House (Footnote #6)		\$150,000	\$0	\$0	\$0
Cronin - Street Hockey Court (replacement) (Footnote #6)			\$20,000	\$0	\$0
Cronin - Basketball Court (replacement) (Footnote #6)				\$20,000	\$0
Plymouth River Tennis Courts (replacements) (Footnote #6)					\$90,000
TOTAL RECREATION COMMISSION	\$85,000	\$235,000	\$105,000	\$105,000	\$175,000
<u>SOUTH SHORE COUNTRY CLUB:</u>					
Golf Course Maintenance Equipment (Footnote #7)	\$415,000	\$35,000	\$105,000	\$124,500	\$34,000
Golf Course & Facility Improvements	\$52,000	\$60,000	\$115,000	\$150,000	\$66,000
TOTAL SOUTH SHORE COUNTRY CLUB	\$467,000	\$95,000	\$220,000	\$274,500	\$100,000
<u>SCHOOL DEPARTMENT:</u>					
<u>EAST ELEMENTARY SCHOOL:</u>					
Improve Exterior PA Sound System	\$8,000	\$0	\$0	\$0	\$0
Fence Along Field Perimeter		\$21,800	\$0	\$0	\$0
Flag Pole Lighting		\$5,000	\$0	\$0	\$0
Inspection Waste Water Pumps		\$8,000	\$0	\$0	\$0
LED Lighting Upgrade		\$20,000	\$0	\$0	\$0
Stage Refinished		\$10,000	\$0	\$0	\$0
Building Repairs and Improvements		\$50,000	\$50,000	\$50,000	\$50,000
EAST ELEMENTARY TOTALS	\$8,000	\$114,800	\$50,000	\$50,000	\$50,000
<u>FOSTER ELEMENTARY SCHOOL:</u>					
FOB Station for Presentation Room Door	\$8,000	\$0	\$0	\$0	\$0
Extraordinary Maintenance (Footnote #8)	\$350,000				
Building Repairs and Improvements		\$50,000	\$50,000	\$50,000	\$50,000
Electrical Quick Connect to Mobile Generator (Footnote #8)		\$55,000	\$0	\$0	\$0
Power Wash Exterior		\$10,000	\$0	\$0	\$0
Playground - AAB Compliance (new) Min: Window/Door Replacement/Max: New Building (Footnote #9)			\$84,000	\$0	\$0
			TBD	\$0	\$0
FOSTER ELEMENTARY TOTALS	\$358,000	\$115,000	\$134,000	\$50,000	\$50,000
<u>HIGH SCHOOL:</u>					
Gymnasium Glass Block Windows (replacement) (Footnote #10)	\$550,160	\$0	\$0	\$0	\$0
Energy Mgmt. System - Upgrade parts to ONA (years 5 - 8)	\$20,000	\$20,000	\$20,000	\$20,000	\$0
Fire Alarm Upgrade	\$82,000	\$0	\$0	\$0	\$0
Sprinkler Head Replacement - Phases 2 and 3 of 3	\$33,000	\$33,000	\$0	\$0	\$0
Speaker Announcement PA and Clock System	\$20,000	\$0	\$0	\$0	\$0
Build Wall in Guidance between Learning Spaces		\$10,000	\$0	\$0	\$0
Energy Efficiency - Interior LED Lighting Upgrade		\$10,000	\$10,000	\$10,000	\$10,000

Department/Category	FY2020	FY2021	FY2022	FY2023	FY2024
Grounds - Parking Lot - Remove Island		\$16,000	\$0	\$0	\$0
Irrigation Shed Replacement & Install Pump Variable Frequency Drive		\$26,000	\$0	\$0	\$0
HVAC, EMS, and Electrical systems - Preventative Maintenance		\$45,000	\$0	\$0	\$0
Rebuild Mechanical Pumps, (1) Chill Water (1) Regular Water		\$24,000	\$16,000	\$0	\$0
Rooftop Air Handler 4 Replacement		\$60,000	\$60,000	\$60,000	\$0
Courtyard Improvements		\$8,960	\$0	\$0	\$0
Painting - Hallway Ceilings/Café Stone Hall & Cross Link Stone Hall		\$12,924	\$0	\$0	\$0
Gym Bleacher Maintenance		\$7,500	\$0	\$0	\$0
Boiler - Heat - Removal of Underground Oil Tank		\$40,000	\$0	\$0	\$0
Building Repairs and Improvements		\$75,000	\$75,000	\$75,000	\$75,000
Sewer Grade Repair - Guidance office		\$80,000	\$0	\$0	\$0
Resurface Tennis Courts		\$50,000	\$0	\$0	\$0
Roof Concession Building		\$15,000	\$0	\$0	\$0
HVAC, Electrical, Mechanical - Unanticipated Major Repairs		\$25,000	\$0	\$0	\$0
Ventilation Fans for Crawl Space Tunnel		\$6,450	\$0	\$0	\$0
Exterior - Replace Steps Cafeteria		\$12,000	\$0	\$0	\$0
Gym Bleacher Maintenance		\$10,000	\$0	\$0	\$0
Wrestling Room Floor - (replacement)			\$34,438	\$0	\$0
Boiler Replacement - Heat - Feasibility Study				\$38,245	
Counter Tops in Art Lab (replacement)					\$45,000
Floors - Refinish All Locker Room Floors					\$75,859
Boiler Replacement - Heat - Bidding and Construction					\$889,152
HIGH SCHOOL TOTALS	\$705,160	\$586,834	\$215,438	\$203,245	\$1,095,011
MIDDLE SCHOOL:					
Shades on First Floor for Sun Glare	\$7,500	\$0	\$0	\$0	\$0
Building Repairs and Improvements	\$15,000	\$20,000	\$20,000	\$20,000	\$20,000
Lime Stone in Acid Neutralization Tank					\$15,000
MIDDLE SCHOOL TOTALS	\$22,500	\$20,000	\$20,000	\$20,000	\$35,000
PLYMOUTH RIVER ELEMENTARY SCHOOL:					
Playground - AAB compliance - Poured-in-place surface (Footnote #11)	\$80,555	\$0	\$0	\$0	\$0
Build Security Vestibule	\$50,000	\$0	\$0	\$0	\$0
HVAC Roof Top Air Handler End of Life (2)		\$40,000	\$0	\$0	\$0
Parking Lot Camera		\$8,000	\$0	\$0	\$0
Replace Rubber Flooring with VCT (replacement)		\$13,448	\$0	\$0	\$0
Walls (2/Year) - Replace Accordion Walls w Permanent Structures		\$16,000	\$16,000	\$16,000	\$0
Building Repairs and Improvements		\$50,000	\$50,000	\$50,000	\$50,000

Department/Category	FY2020	FY2021	FY2022	FY2023	FY2024
Synchronize Clock System		\$10,000	\$0	\$0	\$0
Exterior - Cement Pole Repair		\$14,000	\$0	\$0	\$0
Lighting - Update Interior Lighting to LED		\$15,000	\$0	\$0	\$0
Water Pumps - Repair/Rebuild		\$18,000	\$0	\$0	\$0
Restore Restroom Floors		\$15,000	\$0	\$0	\$0
Access Door from Staff Room to Back Garden		\$8,000	\$0	\$0	\$0
Widen Paved Bus Loop		\$8,000	\$0	\$0	\$0
Install FOB Station to Back Garden		\$6,000	\$0	\$0	\$0
Windows Replacement - (replacement) (Footnote #12)		TBD			
Remove Out of Service Generator			\$8,900	\$0	\$0
Replace Classroom Exterior Doors (5)			\$15,000	\$0	\$0
PLYMOUTH RIVER ELEMENTARY TOTALS	\$130,555	\$221,448	\$89,900	\$66,000	\$50,000
SOUTH ELEMENTARY SCHOOL:					
Build Wall with doors between LMC and office in Main Hall	\$20,000	\$0	\$0	\$0	\$0
Flooring - Replace VCT in Hall	\$8,000	\$0	\$0	\$0	\$0
Temperature Control in classroom (former TV Studio)	\$8,500	\$0	\$0	\$0	\$0
Add Glycol to Heating System		\$10,000	\$0	\$0	\$0
Heat - Rebuild Water Distribution Pumps/Install VFD		\$28,000	\$0	\$0	\$0
Interior Upkeep - Refinish cabinets and door trim		\$30,000	\$30,000	\$20,000	\$0
Ventilation - Ceiling Fans for Gym		\$8,000	\$0	\$0	\$0
AC Unit (1) (replacement)		\$11,000	\$0	\$0	\$0
Add loads to existing generator		\$28,500	\$0	\$0	\$0
Blinds for Cafeteria (replacement)		\$8,000	\$0	\$0	\$0
Building Repairs and Improvements		\$50,000	\$50,000	\$50,000	\$50,000
Exterior - Paint outside trim doors and railings		\$30,000	\$0	\$0	\$0
Lighting - Update Interior Lighting to LED		\$20,000	\$0	\$0	\$0
Cover Over Concrete Steps to Parking Lot			\$60,000	\$0	\$0
Storage- Install door and ramp under eaves					\$12,000
SOUTH ELEMENTARY TOTALS	\$36,500	\$223,500	\$140,000	\$70,000	\$62,000
SCHOOL SYSTEM WIDE:					
Area Carpet (replacement plan)	\$13,500	\$14,000	\$14,500	\$15,000	\$15,500
Copiers (2 per year) (replacement)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Gymnastics Equipment (new)	\$14,021	\$0	\$0	\$0	\$0
Instructional Equipment	\$50,000	\$62,161	\$62,161	\$62,161	\$62,161
Maintenance Equipment	\$14,450	\$14,450	\$14,450	\$14,450	\$14,450
Roof repairs all buildings	\$25,000	\$50,000	\$50,000	\$50,000	\$50,000
Security - Additional Surveillance Cameras / Radio Replacements	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000

Department/Category	FY2020	FY2021	FY2022	FY2023	FY2024
Technology - Baseline	\$233,580	\$243,580	\$253,580	\$263,580	\$273,580
Technology - Major Infrastructure & Chromebook Replacements	\$158,900	\$194,550	\$166,500	\$192,600	\$132,900
Transportation - Replace School Transport Van	\$41,305	\$0	\$42,544	\$42,544	\$42,544
Abate Asbestos in Building 179	\$8,000	\$0	\$0	\$0	\$0
Unanticipated Major Repairs		\$35,000	\$35,000	\$35,000	\$35,000
Vehicle - Dump Truck - Replacement		\$60,000	\$0	\$0	\$0
Digital Radio System		\$35,000	\$0	\$0	\$0
Energy Efficiency Projects		\$20,000	\$0	\$0	\$0
Website Development		\$30,000	\$0	\$0	\$0
Technology - Enhancements & New Initiatives		\$100,000	\$100,000	\$100,000	\$100,000
Bldg. 179 - New Pad for Loading Dock		\$8,000	\$0	\$0	\$0
Maintenance Vehicle - Replacement		\$42,000	\$44,100	\$44,100	\$44,100
Shield Camera for Buses		\$7,200	\$0	\$0	\$0
Additional Hookups for Emergency Generator at Depot		\$6,800	\$0	\$0	\$0
Z-Bldg. 179 Sprinklers					\$145,200
Z-Bldg. 179 Renovations (excludes sprinklers)					\$110,000
SCHOOL SYSTEM WIDE TOTALS	\$603,756	\$967,741	\$827,835	\$864,435	\$1,070,435
SCHOOL TOWN WIDE:					
Depot - Replace Bus Garage Doors (2)	\$11,440				
SCHOOL TOWN WIDE TOTALS	\$11,440	\$0	\$0	\$0	\$0
TOTAL SCHOOL	\$1,875,911	\$2,249,323	\$1,477,173	\$1,323,680	\$2,412,446
Total Capital Projects	\$4,457,695	\$5,916,323	\$3,996,173	\$3,978,180	\$4,406,446

Funding Sources	FY2020	FY2021	FY 2022	FY 2023	FY 2024
Tax Levy	\$2,279,535	\$5,251,323	\$3,298,173	\$3,298,680	\$3,598,446
Fund Balance (Mooring Permits)	\$0	\$50,000	\$18,000	\$50,000	\$250,000
Available Reserves (Footnote #8)	\$350,000	\$0	\$0	\$0	\$0
User Rates/Charges	\$363,000	\$615,000	\$680,000	\$629,500	\$558,000
Other Funding Sources (Footnotes #1, 7, 10)	\$1,465,160	\$0	\$0	\$0	\$0

Total Funding	\$4,457,695	\$5,916,323	\$3,996,173	\$3,978,180	\$4,406,446
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Total Capital Projects	\$4,457,695	\$5,916,323	\$3,996,173	\$3,978,180	\$4,406,446
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DEFINITIONS:

Fund Balance (Mooring Permits) funds the Police Department/Harbormaster

Available Reserves reduces the tax levy source

User Rates/Charges provide funding for the Sewer Commission, South Shore Country Club, Recreation Commission and Building Department

Other Funding Sources will be raised and appropriated, borrowed, or transferred from available funds

Borrowing is subject to approval at Annual Town Meeting

TBD indicates amounts are to be determined

FOOTNOTES:

1 **Information Technology (Fiber Optic Network):**

The IT department is requesting up to \$500,000 to install a fiber optic municipal area network in and between all Town-owned buildings to replace the existing Comcast network as well as create redundancy in the fiber optic network. Refer to the Installation of a Fiber Optic Municipal Area Network Warrant Article for additional information. This project is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

2 **Information Technology (Data Center):**

The Data Center Upgrade has been deferred for several years and will likely be done in conjunction with any future Town Hall renovations.

3 **Fire Department:**

The Fire Station Building Committee is evaluating alternative sites for Station 2 (North/Torrent) and Station 3 (South). The preliminary cost estimate for each Fire Station project is \$7,000,000 and subject to change. These projects are subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

4 **Transfer Station:**

The FY2020 trailer request is the last in a series of annual purchases that needs to be replaced. Based on a 15 year useful life, no trailers will need to be replaced through FY2024. Beginning around FY2025, a ~\$75k/year trailer replacement request is likely to restart and continue for 9 years to replace the existing trailers.

5 **Library:**

The Library Board of Trustees continues to evaluate the Hingham Public Library's capital needs, including options for renovation and expansion. Funding options include Town financing, the Library endowment, a capital campaign, and a possible grant available from the Massachusetts Public Library Construction Program. Any future project using Town funds is subject to approval at Annual Town Meeting with the source(s) of funds to be determined.

6 **Recreation Commission:**

These projects are subject to approval at Annual Town Meeting with the source(s) of funds to be determined.

7 **South Shore Country Club ("SSCC"):**

The SSCC is requesting \$415,000 for replacement of golf course maintenance equipment to be financed through town debt, which will be repaid to the Town from the operating revenues of the SSCC in five annual payments commencing in Fiscal Year 2020 if the related Warrant Article is approved. Refer to the Equipment for the South Shore Country Club Warrant Article for additional information. This project is subject to approval at Annual Town Meeting.

8 **Foster Elementary School:**

Refer to the Foster School Extraordinary Maintenance Capital Warrant Article for additional information. In light of the heating system failure in 2018 resulting in the school closure and relocation of students to other schools, the School Department is requesting \$350,000 to cover unanticipated repairs and improvements that arise until a permanent solution is decided for Foster Elementary School. The Article funding would also cover the \$55,000 Electrical Quick Connect to Mobile Generator capital request from FY2020 that was subsequently deferred to FY2021. This funding is subject to approval at Annual Town Meeting and would be funded from Available Reserves.

9 Foster Elementary School (New Building):

The School Department is pursuing Massachusetts School Building Authority (MSBA) funding to replace Foster Elementary School. Any future project is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

10 High School:

Refer to the High School Clerestory Window Project Warrant Article for additional information on the gymnasium glass block windows replacement project. The School Department is requesting up to \$550,160 for this project which is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

11 Plymouth River Elementary School (Playground):

The total estimated cost quoted to make the Plymouth River School playground compliant with MA Department of Public Safety, Architectural Access Board (AAB) regulations is \$105,000. The Community Preservation Committee has recommended \$24,445 be appropriated from Community Preservation General Fund to be used by Hingham School Committee to assist with making Plymouth River School Playground AAB compliant. Refer to the Community Preservation Committee Warrant Article for additional information, including the criteria that must be met in order for any Community Preservation funds to be expended.

12 Plymouth River Elementary School:

The School Department is evaluating replacement of windows at Plymouth River Elementary School. The preliminary cost estimate for the project is \$2,500,000 and subject to change. Broadstone Bare Cove Alliance, LLC agreed to pay \$1,000,000 to the Town for the window replacement project costs. One-third has been paid to date. The remaining two-thirds is payable upon issuance of the first and last Certificates of Occupancy, no later than 6 months apart. Any future project is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

REPORT OF THE PERSONNEL BOARD

In anticipation of the 2019 Annual Town Meeting, the Personnel Board is pleased to submit this report of its activities since the 2018 Annual Town Meeting.

COLLECTIVE BARGAINING UNITS

Following the 2018 Annual Town Meeting, the Personnel Board concluded negotiations on a new Collective Bargaining Agreement with the Fire Department employees Union and Public Works employees Union. The Board will begin Collective Bargaining Agreement negotiations with the Police Superiors and Public Works Supervisor Unions whose Agreements will expire on June 30, 2019. Public Works, Police Patrol, Firefighter and Library Unions Agreements will expire on June 30, 2020.

Firefighters Unit

On recommendation of the Board, the Town has entered into an agreement for a successor contract with the Hingham Permanent Firefighters Association, IAFF, Local 2398 providing for a three year agreement from July 1, 2017 to June 30, 2020. The salary scale in effect on June 30, 2016 has been increased by 2% effective July 1, 2017; by 2% effective July 1, 2018; and by 2% effective July 1, 2019.

The uniform allowance shall be increased as follows:

Effective:

July 1, 2017	\$750
July 1, 2018	\$800
July 1, 2019	\$850

Effective July 1, 2017 an increase to the shift differential from 3.9% to the following rate based on the FS 2 – Step D weekly pay rate.

July 1, 2017	4.5%
July 1, 2018	4.7%
July 1, 2019	4.9%

A new Health and Wellness program was added. A stipend of \$1,000 per year will be paid to any firefighter who successfully completes the Health and Wellness program and his/her physical fitness assessment meets the Cooper Physical Standards. Additionally, a health and wellness reimbursement shall be given up to a maximum of \$125 per year, in excess of the reimbursement provided by the employee's medical insurance, for membership at a gym or health club, provided that employee has delivered to the Town satisfactory evidence of such membership and payment.

Public Works Department Unit

On recommendation of the Board, the Town has entered into a one year agreement for a successor contract with the Hingham Public Works Teamsters Association, Local 25 from July 1, 2016 to June 30, 2017 and then a three year successor agreement from July 1, 2017 to June 30, 2020. The salary scale in effect on June 30, 2015 has been increased by 2% effective July 1, 2016; by 2% effective July 1, 2017 plus a 1.4% equity adjustment for a total increase of 3.4%; by 2% effective July 1, 2018; and by 2% effective July 1, 2019. Effective July 1, 2018, weekend bonus pay will increase to \$35.00 and the meal allowance will increase to \$35.00. Effective July 1, 2017 longevity pay shall increase in the annual amount of two hundred and fifty dollars (\$250) for each continuous full-time employment category. A new Class A License Stipend of \$400 per year was established.

OTHER TOWN EMPLOYEES AND TOWN OFFICERS

The Board recommended a general wage increase of 2% effective July 1, 2019, for employees who are not covered by collective bargaining agreements. The Board approved the reclassifications of the following positions: Administrative Assistant in Elder Services position from Grade 8 to Grade 9 in the Salary Schedule and placed the employee at Step 4; Recreation Director from Grade 15 to Grade 17 and placed the employee at Step 6. The board approved a job description for a newly created position of Social Worker and approved the placement of the Social Worker position on the salary scale at Grade 11. Also, the Board approved the following requests to hire: the Assistant Conservation Officer at Grade 11, Step 3 on the salary scale and approved the granting of one additional week of vacation time; the Human Resources Director at Grade 17, Step 3 and approved the granting of one additional week of vacation time; and the Inspector of Wires at Grade 11, Step 4. The Personnel Board approved a revised job description and changed the title from Director of Operations/Golf Course Superintendent to Executive Director South Shore Country Club to reflect the new responsibilities. In the event of an affirmative vote at the 2019 Annual Town Meeting to approve the purchase of the water system, the Personnel Board voted to approve the job description for a new Water Superintendent/Managing Director on the salary scale at Grade 20.

The Board approved a temporary step increase during which an officer served as Acting Lieutenant the step temporarily from PS-5 bottom to PS-5 middle effective July 1, 2018 and extending through the period in which an officer served as Acting Lieutenant. The Board began a Wage and Classification Study for non-union personnel and the Town retained a consultant to conduct the study.

The Personnel Board recommends that the Town, at the 2019 Annual Town Meeting, amend the Personnel By-Law, effective July 1, 2019, so that, as amended and restated, it will be in the form on file in the Town Clerk's office immediately preceding Town Meeting.

THE PERSONNEL BOARD
David Pace, Chairman
Russell Conn
Marie Harris
Jack Manning
Smayra Million

REPORT OF THE PLANNING BOARD

In anticipation of the 2019 Town Meeting the Planning Board proposed five potential Zoning Articles and the Board of Appeals proposed three potential Zoning Articles. During the duly noticed public hearing process changes were made to the original text of the articles submitted, one of the articles was withdrawn, and the other seven were then unanimously supported by the Planning Board. A summary of the seven Zoning Articles follows. The Planning Board has also advanced two articles related to the proposed update of the Comprehensive Master Plan which are summarized after the Zoning Articles.

If you have any questions about these articles you are invited to call the office of the Planning Board at (781) 741-1419 and speak to the Director of Community Planning during office hours.

SUMMARY of ZONING ARTICLES

A summary of the seven Zoning Articles advanced for Town Meeting follows below. The full text of each article can be found in the body of the warrant (see index) and as such they are not all repeated in this report.

ZONING ARTICLE 38: Section I-C Enforcement

The intent of this Article is to modify the enforcement provisions of the By-law to further deter violations and to encourage those out of compliance with the By-law to remedy their violations quickly. The proposed change is to the enforcement fee. Currently the penalty is a flat \$100 each day of violation. This article proposes changing the penalty to \$100 for the first day; \$200 for the second day; and \$300 for the third and each subsequent day of the violation, at the discretion of the Building Commissioner. This change brings Hingham's process in line with many surrounding south shore towns including Hanover, Norwell, Rockland, Marshfield and Weymouth.

ZONING ARTICLE 39: Section III-A Retail Sale of Alcoholic Beverages

The intent of this Article is to ensure that the appropriate level of review occurs when a new location for the retail sale of alcoholic beverages is proposed. The Article takes this use out of the general retail category and creates a separate category in the use table for it. Package stores, or the retail sale of alcoholic beverages, will still be permitted in the same zoning districts, but new package stores or substantial expansions of existing stores will be required to get a Special Permit A3 for parking from the Planning Board. This will ensure that the proposed use has sufficient parking and will allow the Board to review vehicular and pedestrian circulation within the site and entering/exiting the site. The Special Permit A3 is a duly noticed public hearing process with abutter notifications and an opportunity for public comment during the process.

ZONING ARTICLE 40: Rezone Conservation Land as Official and Open Space

The intent of this Article is to simply rezone 21 parcels of land that are currently owned by the Hingham Conservation Commission from their existing residential zoning designation to the Official and Open Space district. These parcels are all currently open space and subject to conservation restrictions so the rezoning doesn't add or take away any protection or uses to the land, it simply will change the zoning to reflect their existing use. We consider this to be a clean-up article for the zoning map.

ZONING ARTICLE 41: Section III-G Downtown Hingham Overlay District

The intent of this Article is to clarify the submittal requirements and design review process for projects in this district, provide design parameters for roof decks, and add a definition for "Roof Decks" to the by-law. The term "ground level" was also changed to "ground floor" to be consistent with defined terms in the by-law. As development increases in the downtown area, the need to improve the language in this section has been highlighted. This change does not add any new uses to the downtown area it just clarifies the language to better guide applicants and the Boards.

ZONING ARTICLE 42: Special Permit and Site Plan Review Requirements

The intent of this Article is primarily to make changes necessary for Town compliance with the Municipal Separate Storm Sewer Permit (MS4). These changes are specific to stormwater management, erosion control and construction management requirements and procedures. There are also some minor edits to existing provisions to clarify the language, as well as a new provision that would allow the Planning Board to adopt an administrative process for certain more simple, low impact site plan review applications within their rules of procedure.

ZONING ARTICLE 43: Timeframe to Commence Permitted Use or Construction that becomes Nonconforming

The intent of this Article is simply to update the Zoning By-law to be consistent with state law concerning the time frame in which a person may start a permitted use or project that has become nonconforming.

ZONING ARTICLE 44: Timeframe to Commence Use or Construction under a Special Permit

The intent of this Article is to change the lapse time for a Special Permit from two years to three years. State law now allows for up to three years and more complex projects sometimes require more time to get through the approval processes. This change enables the Board of Appeals to have the option to provide applicants with a longer period of time to exercise special permits issued under their jurisdiction.

ARTICLE 35: Comprehensive Master Plan

The intent of this Article is to update the Town’s Comprehensive Master Plan, last formally revised in 2001. A Comprehensive Master Plan is a statement of public policy that guides future development. Chapter 41, Section 81D of the General Laws of Massachusetts charges planning boards to create a master plan “to provide a basis for decision making regarding the long-term physical development of the Municipality.” Public participation plays a critical role in the process, as the law requires an “interactive public process” to determine the Town’s goals and policies. Through a robust public engagement process, the plan will produce a shared community vision for our Town and ensure that Hingham is prepared for the future with a plan to manage and facilitate appropriate growth and address its needs and challenges, all while maintaining the historic qualities that makes our Town a special place.

Comprehensive Master Plans are typically updated every ten years, so the Town is overdue. A great deal of planning and analysis has been done in recent years by a variety of boards and committees. The Planning Board believes it is now time to build on this work with a formal, professionally conducted effort to prepare for Hingham’s future and manage growth while preserving the Town’s character and all the things that make Hingham a desirable place to live and work.

ARTICLE 36: Master Plan Committee

The intent of this Article is to establish a Master Plan Committee to help support and guide the work on the Comprehensive Master Plan update. The goal in establishing the Committee is to have a cross section citizens with broad perspectives and expertise to help guide the Master Planning process. The Master Plan Committee will report to the Planning Board on all matters referred to them by the Planning Board relative to the development of an updated Comprehensive Master Plan. It will be the responsibility of the Planning Board to adopt the Master Plan once completed.

Gordon Carr, Chairman
Gary Tondorf-Dick, Clerk
William Ramsey
Jennifer Gay Smith
Judith Sneath

REPORT OF THE SCHOOL COMMITTEE

The initial proposed School Department FY'20 Operating Budget reflected a "level-services" approach with attention to growing needs for special education services, increasing high school enrollment, crucial facility needs, as well as resources required to meet state DESE and other legislative mandates. In addition, the request included additional Central Office Human Resources support in light of increased enrollment and staff, expanding complexities of employment law, and additional state mandates. The School Committee decreased the Administration's original budget request by \$620,624 to mirror the Advisory Committee's recommended budget, which will support many, but not all, of the requested additional needs of the School Department.

School Committee funding priorities include, but are not limited to: Special Education funding, such as positions at the High School and Middle School to better facilitate inclusion services, introduction of two in-district programs to reduce costs, and a pilot program to revamp Home Services that will offset contracted costs; much needed Central Office support; and partial funding of requests for additional high school and middle school core subject instructional positions. We expect the Special Education pilot programs will improve the quality of service and enhance the District's ability to control costs in future years, as well. Additionally, the district will take over three expensive special education transportation runs by leasing vans and delivering the service in-house at a lower cost.

As in the past, the School Committee and School Department have advocated for school funding that allows for continued educational improvements, represents a reasonable balance between maintaining important Town services and achieving the Town's long-term financial objectives, while also recognizing limited sources of revenue. We acknowledge the collaboration and leadership of the School Administration, the Board of Selectmen, the Advisory Committee and its Education Liaisons, and the Town Administrator in reaching consensus on the proposed budget.

Town Meeting is asked by the Advisory Committee to approve an appropriation of \$54,319,826 to operate the Hingham schools for next year, an increase of 4.45% over the FY'19 appropriation. It is important to note that the proposed Hingham Public Schools operating budget is "net" of grants from state and federal governments and other offsets from fees, tuitions and other revenue generating operations. Grants include federal and state entitlement grants, as well as state program grants. Other offsets include fees for athletics and activities, use of school property such as building and grounds, and tuitions generated from Kids-in-Action, the Integrated Pre-K program, and Full Day Kindergarten. Grants and revenue generating programs and activities reduce the gross budget costs by nearly \$4.3 Million in FY'20.

The largest funding grant/offset in FY'20 is the state's Circuit Breaker reimbursement of \$1,781,419. The amount of the Circuit Breaker reimbursement fluctuates from year-to-year, with a nearly \$350,000 increased offset in FY'20. Full Day Kindergarten personnel costs will continue to be partially offset in FY'20 by parent paid tuitions. Tuition has been increased by \$100 to \$3,750, which equates to a 2.74% increase. The district offers a sliding scale tuition formula based on household income to ensure that income is not a deterrent for families to participate in Hingham's program.

In addition to the operating budget, the Advisory Committee and Capital Outlay Committee have recommended a Capital appropriation for the Hingham Public Schools of \$975,971 versus the \$1,869,793 requested by the School Committee. This appropriation includes funds to maintain buildings and update infrastructure components, meet technology needs, replace aging furnishings and obsolete equipment, and enhance safety and security within the schools. In addition to the capital appropriation, the School Department is requesting funding in a separate warrant article for the High School Clerestory windows replacement in the amount of \$550,160, and a special warrant article for Foster School Extraordinary Maintenance in the amount of \$350,000.

The High School window project was recognized last year with Town Meeting authorizing \$60,000 to design and bid the project so that a firm price to complete the project could be introduced at the April 2019 Town Meeting. The current article reflects a confirmed bid amount plus a contingency for the replacement of the Clerestory Windows in the gym, which will be completed in the summer of 2019 pending Town Meeting Approval.

The Foster School Extraordinary Maintenance warrant will be used to fund extraordinary maintenance that will be required until a permanent solution for the aging Foster School building is determined. We note that the MSBA did not select Hingham's Foster School to participate in the Core Program for the second year in a row and the Extraordinary Maintenance funding is necessary to ensure the viability of the building as we await the decision of our third SOI application to the MSBA filed this month. Results of the 2019 SOI application can be expected by the end of calendar year 2019.

More detailed information about the proposed budget for FY'20 is available on the HPS website (hinghamschools.org); click on Administration and then select Business Operations from the pull-down menu.

HINGHAM SCHOOL COMMITTEE

Michelle Ayer, Chair
Liza O'Reilly, Vice Chair
Kay Praschma, Secretary
Edward Schreier, D.D.S

Carlos Da Silva
Libby Lewiecki
Kerry Ni

SUPERINTENDENT OF SCHOOLS

Dorothy Galo, Ph.D.

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.

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

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.

FISCAL YEAR - A 12-month period, commencing on July 1, to which the annual budget applies.

FUND BALANCE - The unencumbered cash remaining in a fund at the end of a specified time period, usually the end of the fiscal year.

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.

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 or unforeseen expenditures.

TALENT BANK APPLICATION

Board of Selectmen
Town Hall
210 Central Street
Hingham, MA 02043-2757
781-741-1451 • 781-741-1454 (Fax)

Date _____

Name _____

Home Address _____

Business Address _____

Telephone _____ (home) _____ (business)

Fax _____

E-mail _____

Occupation _____

Educational Background _____

Civic, Charitable and Educational Activities

Town Committees or Offices _____

I am interested in the following Committees _____

NOTES

NOTES

**Office of the Selectmen
Town Hall
210 Central Street
Hingham, MA 02043-2757**

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