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

Welcome to the 2016 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.
- 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.

April 2016

Michael J. Puzo
Moderator

REPORT OF THE ADVISORY COMMITTEE

The Advisory Committee recommends the proposed Fiscal Year ("FY") 2017 budget (Articles 4, 5, and 6) for Town Meeting approval.

While the financial position of the Town is solid, balancing the budget was particularly challenging this year. The trend of slower revenue growth continues, and unavoidable higher expense increases are embedded in the budget. This trend is likely to continue in the future.

The Town's FY 2017 operating budget (Articles 4, 5, and 6, less employee benefits, insurance and debt service) will increase 5.34% over the FY 2016 budget. This increase results primarily from wage inflation as personnel expenses represent 75% of the Town's operating budget.

Budgeted expenditures for employee benefits are 7.97% above FY 2016, with an 11.91% increase in group insurance being partially offset by a reduction in Other Post Employment Benefit (OPEB) liability. Debt service is budgeted to decrease by 1.03%. In May 2015, the Town took advantage of historically low interest rates by refinancing approximately \$39 million of short-term debt into long-term bonds at an interest rate of 3.027%.

The increase in expenditures for FY 2017 will be funded by a 2.5% increase in the tax levy, new growth of approximately \$550,000, modest increases in state aid and local receipts (including \$720,000 in meals tax revenue), and an additional \$450,000 of meals tax revenue that will be transferred from the Meals Tax Stabilization Fund. Additionally, a Fund Balance disbursement of \$1,793,109 (primarily from FEMA reimbursements and a projected FY 2016 budget surplus) plus a transfer of Excess Overlay funds amounting to \$238,428 are recommended to balance the budget.

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 FY 2017 budget, the Advisory Committee has been mindful of 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.

1. In constructing the FY 2017 budget, the Advisory Committee was mindful of the Town's revenue outlook. The five-year forecast reflects decelerating revenue growth, driven by a decrease in new growth and an assumption that local aid will be flat for the next five years.
2. The budget presented for Town Meeting consideration is based on "level services", i.e., FY 2016 service levels adjusted for FY 2017 costs. The Board of Selectmen, Personnel Board, and School Committee have worked diligently this past year to ensure that Town employees are compensated fairly. The cost of employee payroll accounts for approximately 55% of the Town's total FY 2017 budget.
3. The Town is committed to providing for its capital needs primarily within the tax levy or operating budget of the Town. Rebounding from a low in capital spending in FY 2010, there has been a slow, but 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, with all of the other pressures on operating revenues. For the more regular capital items for FY 2017, the Capital Outlay budget (excluding Sewer, Recreation, and the South Shore Country Club, which are funded from rate charges and user fees) is \$2,163,037, which is within the range set forth in the

Town Financial Policy. The requested Library roof and HVAC repair of \$1,135,303 is larger than a normal capital request. This item is being financed by Fund Balance. In addition, as with the prior year budgets, money is included in the FY 2017 Department of Public Works budget to continue road repair, leveraging state road funds for this purpose. The Warrant also includes an Article to authorize the Town to borrow up to \$2,242,000 to accelerate this program.

- The Advisory Committee continues to monitor the ratio of the Town's Fund Balance to the Town's Total Annual Expenditures - 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 reduces the tax burden for Hingham households. In May 2015, all three rating agencies affirmed their Aaa rating for Hingham's general obligation debt, reflecting their continued confidence in the Town's financial condition and fiscal management.

The FY 2017 Article 4, 5, and 6 budgets for the Town (net of the Sewer and South Shore Country Club budgets, which are financed by rate charges and user fees) will change relative to the FY 2016 budget as follows:

	<u>FY 2016</u>	<u>FY 2017</u>	<u>% CHANGE</u>
Municipal Departments:	\$24,294,536	\$24,802,307	2.09%
School Department:	\$45,413,720	\$47,613,721	4.84%
Capital Outlay:	\$2,168,460	\$3,298,340	52.11%
Employee Benefits:	\$12,154,630	\$13,122,801	7.97%
Debt Service:	\$9,661,182	\$9,562,032	-1.03%
Insurance and Incidentals:	<u>\$560,950</u>	<u>\$615,950</u>	9.80%
TOTAL	\$94,253,478	\$99,015,151	

The \$507,771 increase in Municipal Department budgets reflects wage and cost inflation, along with modest increases in services. All budgets have been closely scrutinized by each department head, the Town Administrator, the Board of Selectmen, and the Advisory Committee. With respect to the School Department FY 2017 operating budget, the Advisory Committee is recommending an appropriation that is \$2,200,001 (4.84%) greater than the FY 2016 funding authorization. This increase represents wage inflation, modest increases in service, and an increase in Special Education costs. It should be noted that 100% of the costs associated with Full-Day Kindergarten will continue to be funded through tuitions. Prior to submitting its budget request to the Advisory Committee, the School Committee and School Administration undertook a thorough process to develop a needs-based budget, including joint hearings with the Board of Selectmen and the Advisory Committee and other public hearings.

The FY 2017 budgets presented to Town Meeting do not reflect the full requested amounts from several departments. However, the Advisory Committee believes 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 no significant disruption and minimal erosion 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.

One of the most visible unfunded mandates is the special education portion of the School Department budget. Special Education costs account for \$858,318 (39%) of the total increase in the Education budget. To manage the risk of additional unanticipated and unbudgeted tuitions, the School Committee is proposing a Warrant Article to transfer \$100,000 in Committed Fund Balance to the Special Education Reserve Fund authorized by the April 2014 Annual Town Meeting and signed into law by the Governor in January 2015.

While this Fund gives the Town greater flexibility to address unbudgeted costs, a statewide solution is still necessary. The Advisory Committee remains concerned about the chronic underfunding and delayed reimbursement from the Commonwealth of special education out-of-district tuition and transportation costs.

Another major factor contributing to the high level of increased expenses is Employee Benefits. An increase of \$968,171 (7.96%) is largely attributed to Employee Health Insurance premiums. While these premiums have been relatively stable over the recent past, the Town can expect the rate of increase to be high in the future.

The resulting impact of the proposed budget will result in an increase of approximately 1.92%, or \$172.82 to the average homeowner.

FINANCIAL POLICY CONFORMANCE

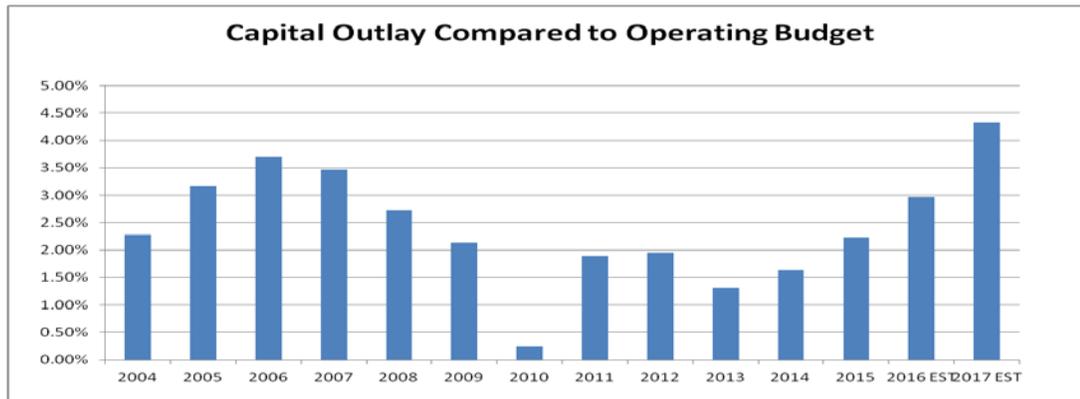
Expenditures in the proposed FY 2017 Article 6 budget conform to the Town's Financial Policy guidelines as follows:

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.
- Our Financial Policy calls for maintaining Unassigned Fund Balance at a level no less than 16% and as high as 20% of TAE.
- Total Fund Balance has increased from 8.9% of TAE at the end of FY 2009 to 32.61% at the end of FY 2015 (the most recently completed Fiscal Year). As of the end of FY 2015, total Fund Balance equalled an historic high of \$31,370,797. Approximately \$10,176,265 (32.44%) is "reserved" for particular future uses per GASB 54.
- As of the end of FY 2015, Unassigned Fund Balance equaled \$21,194,532, or 23.29% of TAE. However, several Warrant Articles under consideration by the 2016 Annual Town Meeting seek funding from Fund Balance, perhaps as much as \$2,100,000. It is expected, that despite these important initiatives, the balance at 6/30/2016 will remain within the guideline. The Advisory Committee has carefully assessed the impact of each of these Articles on Fund Balance and on the Unassigned Fund Balance ratio to TAE in making its recommendations.

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

- The proposed capital expenditures to be funded from the tax levy or available reserves account for 4.34% of the proposed FY 2017 operating budget. While this is the third consecutive year that capital spending has been within the limits set forth in the Town Financial Policy, the Advisory Committee recognizes there is still a backlog in capital projects due to capital underfunding in previous years.
- The Capital Outlay Committee (“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, as is the case for FY 2017 with the proposed borrowing of \$2,242,000 for the road-building project.



- For FY 2017, the COC reviewed and evaluated departmental capital requests using the following six criteria, in descending order of importance:
 - If lack of the capital item puts citizens or Town employees 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 in excess of \$8,850,194, the COC recommended a FY 2017 capital budget of \$3,263,340 to be funded from the tax levy and available funds plus \$35,000 to be funded from mooring permit revenue in Committed Fund Balance.
- In addition, the Advisory Committee recommended that the Town spend an additional amount of \$295,903 for design and engineering services for the North Fire Station and for site evaluation for stations in North and South Hingham, to be funded with borrowing, if approved by Town Meeting. Subsequent to a Capital Assessment review, the Lincoln School Apartments management deemed it necessary to obtain approximately \$1,000,000 for funding capital improvements. The Advisory Committee recommended that the Town loan the Hingham Affordable Housing Trust these funds, which will be repaid from the cash flow of the apartments.

- The Advisory Committee and COC also recommended that \$361,000 be expended on capital outlays for the Sewer Department (\$195,000) Recreation Department (\$75,000), and South Shore Country Club (\$91,000)—all funded by user fees and/or rate charges.

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.
- In FY 2015, Reserve Fund transfers were made as follows:

<u>DEPARTMENT</u>	<u>AMOUNT</u>
Town Engineering-Expenses	\$9,500
Bathing Beach-Expenses	\$4,813
Legal-Water Study Committee	\$75,000
Fire-Hydrants	\$20,000
Snow and Ice-Roads	\$1,411,957
Schools-Snow Removal Expenses-Excluding PRS	\$244,223
South Shore Country Club	\$128,000
South Shore Country Club	\$45,000
Legal-Water Study	\$85,000
Legal	\$70,000
TOTAL APPROVED TRANSFERS-6/30/15	<u>\$2,093,493</u>

- As in the prior year, the harsh winter greatly affected the draw on the Reserve Fund.
- 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 FY 2017 Reserve Fund is of the .72% operating budget and .53% of total budgeted appropriations.

Long-term financial obligation and liability funding

- Contributory Retirement and OPEB are each funded as required by law. The FY 2017 budget recommends funding each at 100% of the Annual Required Contribution so as not to burden future generations with unsustainable or disproportionate financial obligations.
- The FY 2017 OPEB contribution is a reduction of \$85,669 from FY 2016. This reflects a revaluation of our OPEB liability and the Town's adoption of new health insurance plans.

Caution in incorporating long-term revenue-growth assumptions

- The projection of New Growth revenue for FY 2017 and beyond is based on the extrapolation of building-permit activity and other indicators of the local economic outlook. As previously noted, the Town is currently forecasting New Growth to decline from FY 2016 to FY 2017 and to remain flat in future years.

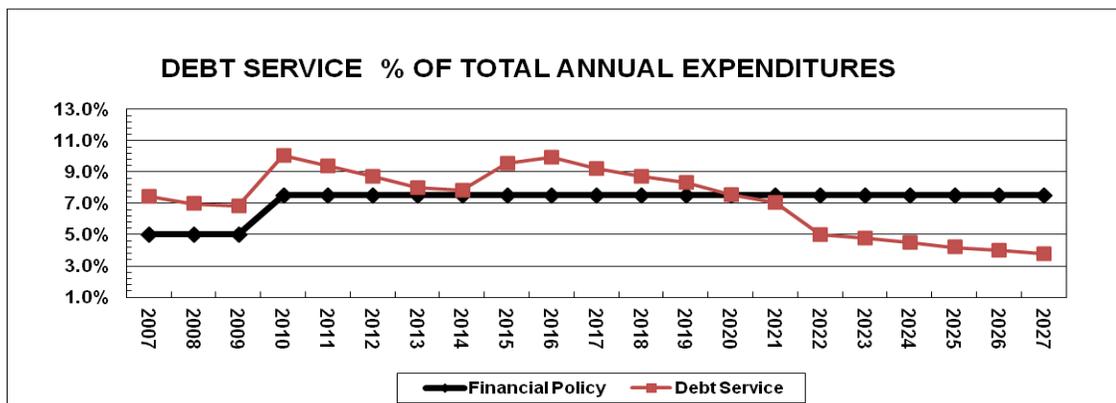
- Similarly, future Local Receipts revenue - primarily from Motor Vehicle Excise taxes—is tracked carefully and forecasted conservatively.

Non-recurring revenues and long-term costs

- Non-recurring revenues are deposited in Fund Balance unless Town Meeting directs otherwise.
- The Board of Selectmen and Advisory Committee continue to require full life-cycle cost projections for incorporation in budget forecasts whenever new operating and/or capital funding requests are presented.

Debt service between 5% and 7.5% of Total Annual Expenditures

- Debt service represents 9.18% of FY 2017 TAE - a slight decrease from FY 2016.
- During 2015, the Town refinanced approximately \$39 million in short-term borrowings into long-term bonds to both take advantage of historically low long-term interest rates and ensure predictability in future debt service. The interest rate obtained was 3.027% low due to the Town's Aaa bond rating.
- The graph below shows currently authorized debt only:



- The graph indicates that, assuming no additional borrowing, debt service would conform to Financial Policy guidelines by FY 2020. However, the Advisory Committee notes that the Town is contemplating several projects that could be financed through the issuance of additional debt. The road-building Article seeks authorization to borrow \$2,242,000. For FY 2017, as previously mentioned, the Advisory Committee and COC recommend that the Town spend an additional \$295,903 for further design and engineering services for the North Fire Station to be funded with borrowing.
- Additional projects could be brought forward 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.

FY 2017 TAX RELIEF

As in previous years, the FY 2017 budget includes tax relief for the benefit of all taxpayers. Pursuant to Article 14 of the April 2013 Annual Town Meeting, \$450,000 of meals tax receipts from prior years, currently held in the Meals Tax Stabilization Fund, will be transferred for the purposes of FY 2017 tax relief. In addition, \$720,000 of FY 2017 meals tax receipts (now part of local receipts) will fund FY 2017 tax relief. By using meals tax receipts to offset some of the borrowing costs associated with the Middle School construction project, the Town can reduce the amount of property tax it will raise under the October 2011 debt exclusion. The tax rate for FY 2017 will still be higher than in FY 2016; however, the amount of increase will be less than it would be otherwise.

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. Further, it is important to note that by choosing not to raise taxes to the maximum level in FY 2016, the Town created \$500,000 in unused levy capacity. Adoption of the FY 2017 budget will 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 could make tax relief permanent by enacting a property tax "override" to permanently reduce the property tax base. This would require both a Town Meeting vote and a ballot vote. No such proposal is contemplated at this time.

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 proposal.

REVENUE SOURCES AND USES

For 2017, total budgeted revenue Uses include Article 4, 5, and 6 appropriations of \$104,021,038 and amounts reserved for State Assessments, Overlay and Other Expenses totaling \$1,428,774.

The aggregate budget Uses for FY 2017 of \$105,449,812 balance to the forecasted revenue sources of \$105,463,753, resulting in a projected Excess (i.e., surplus) of \$13,941.

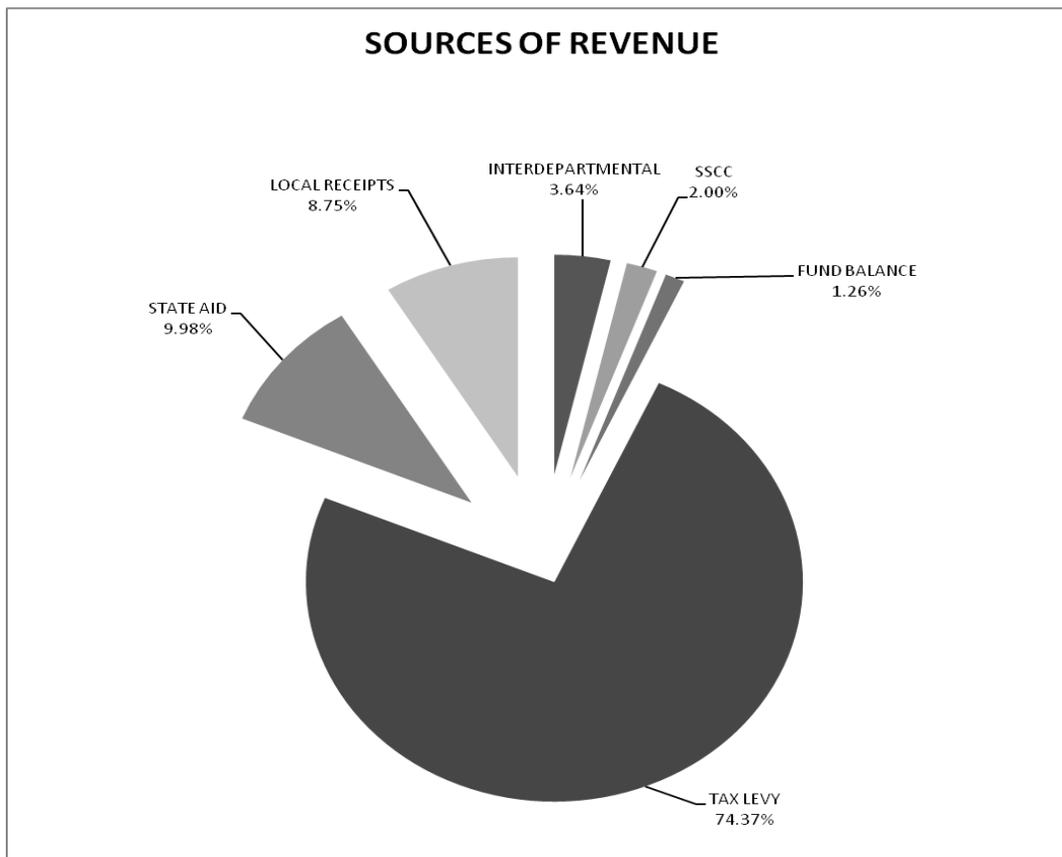
	ACTUALS	ESTIMATE	FORECAST	FORECAST	FORECAST	FORECAST	FORECAST
	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021
SOURCES							
Tax Levy							
Levy	66,131,397	68,832,769	71,732,082	74,075,384	76,477,269	78,939,201	81,462,681
2 1/2 % increase	1,653,285	1,720,819	1,793,302	1,851,885	1,911,932	1,973,480	2,036,567
New growth	1,048,087	1,178,494	550,000	550,000	550,000	550,000	550,000
Debt exclusions	4,755,700	4,786,120	4,504,621	4,150,752	3,869,745	3,855,828	3,605,731
Unused Levy Capacity	(400,000)	(500,000)	(500,000)	(500,000)	(500,000)	(500,000)	(500,000)
Total Tax Levy	73,188,469	76,018,202	78,080,005	80,128,021	82,308,945	84,818,509	87,154,978
Other Revenue							
State Aid	10,015,948	10,195,338	10,476,586	10,476,586	10,476,586	10,318,120	10,318,120
Local Receipts	8,776,471	9,075,642	9,189,454	9,419,191	9,654,670	9,896,037	10,143,438
Fund Balance	2,704,947	71,000	1,793,109	0	0	0	0
SSCC	2,292,643	2,231,877	2,103,614	2,103,614	2,103,614	2,103,614	2,103,614
Sewer	2,502,648	2,603,206	2,632,556	2,837,178	3,060,504	3,304,351	3,570,716
Light Plant	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Meals Tax Reserves	450,000	450,000	450,000	450,000	450,000	0	0
Excess Overlay		325,000	238,428				
Total Other Revenue	27,242,657	25,452,063	27,383,747	25,786,569	26,245,375	26,122,122	26,635,888
Total Sources	100,431,126	101,470,265	105,463,753	105,914,590	108,554,320	110,940,631	113,790,866
USES							
State Assessments	809,719	850,205	978,774	1,027,713	1,079,099	1,133,053	1,189,706
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	1,159,719	1,300,205	1,428,774	1,477,713	1,529,099	1,583,053	1,639,706
Appropriations							
Capital Outlay	1,584,110	2,327,460	3,298,340	2,300,000	2,400,000	2,500,000	2,600,000
Article 6	95,431,123	96,979,213	100,453,121	102,302,653	104,600,455	106,592,475	109,139,052
Article 4&5	0	25,581	269,577	636,868	1,011,504	1,393,633	1,783,405
Other articles	14,111	0	0	0	0	0	0
Total appropriation	97,029,344	99,332,254	104,021,038	105,239,521	108,011,959	110,486,108	113,522,456
Total Uses	98,189,063	100,632,459	105,449,812	106,717,234	109,541,058	112,069,162	115,162,163
EXCESS (Shortfall)	2,242,063	837,806	13,941	(802,644)	(986,738)	(1,128,531)	(1,371,296)

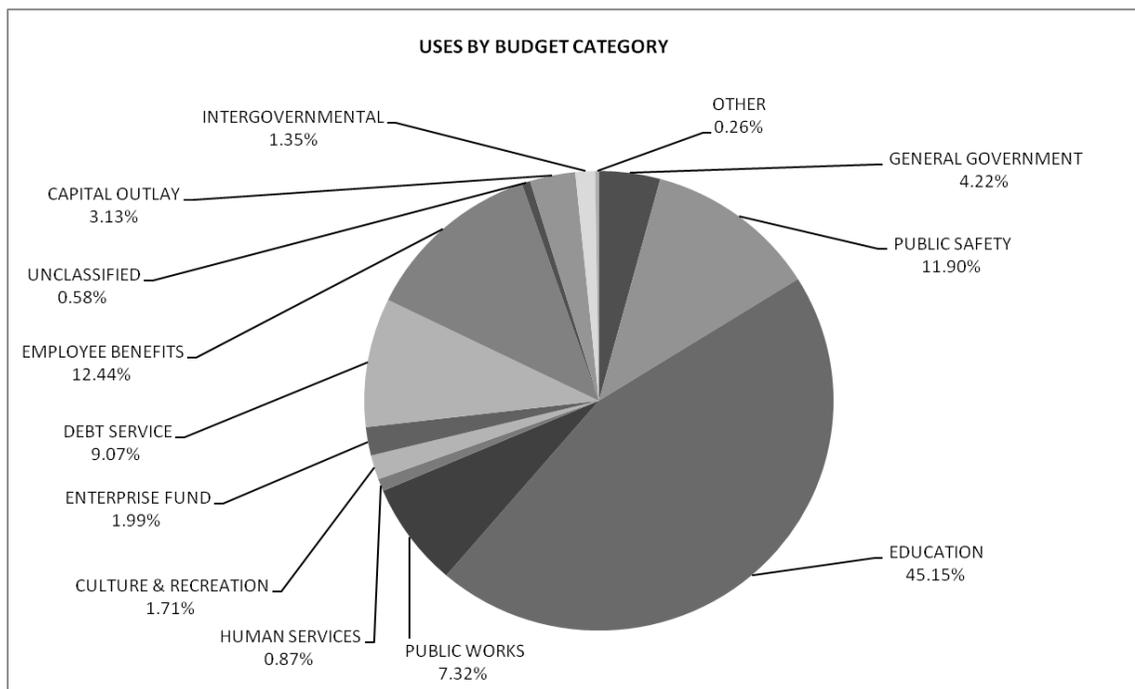
As indicated in the chart, New Growth—the amount by which the property tax base increases due to new development or improvement to existing properties—is forecast to be approximately \$628,494 less in 2017 than in 2016. The forecast remains flat in the foreseeable future. While there are opportunities 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 Other Revenue line items:

- Fund balance (\$1,793,109) includes \$35,000 from Committed Fund Balance to fund Harbormaster capital outlay. Advisory Committee recommends using the expected surplus from FY16 in the amount of \$837,806 along with an expected \$450,000 from FEMA reimbursements. The balance comes from Unassigned Fund Balance.
- SSCC (South Shore Country Club) revenues of \$2,103,614 fully offset operating expenses, capital expenses, and employee benefit costs, all of which are included in the Article 6 Uses total.
- Sewer revenues of \$2,632,556 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 the reduction in new growth will make it increasingly difficult to fund future new services or initiatives, noting the structurally high levels of growth in the Education (estimated 4-5%) and Health Insurance (estimated 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 deficits of the future. The Town would benefit from a public discourse on priorities of revenue initiatives and service levels, being mindful of taxpayer and rating agencies impacts.





ADVISORY COMMITTEE RECOMMENDATIONS

The Advisory Committee is a proxy for Town Meeting—the legislative body of the Town. The Advisory Committee has studied, discussed, and recommended. Town Meeting will make the final decisions regarding the proposed FY 2017 budget and the Warrant’s other Articles.

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.

The Advisory Committee is most grateful for the assistance and support of Town Administrator Ted Alexiades, Assistant Town Administrator Betty Foley, Town Accountant Sue Nickerson, Sharon Perfetti, and the Committee’s administrative point-person, Lynn Phillips. Their diligence and timely support has enabled the Advisory Committee to better represent and serve you.

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, 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

Thomas J. Pyles, Chair
James W. Taylor, Vice-Chair
Lucy N. Hancock, Secretary
David Anderson
Victor Baltera
Thomas E. Belyea
Daniel J. Coughlin
Eric Haskell
Eryn Kelley
Linda K. Kutsch
Craig D. MacKay
Christopher Reale
James A. Sharkansky
Donna M. Smallwood

REPORT OF THE BOARD OF SELECTMEN

2015 in Hingham ushered in an unprecedented winter season with over 100 inches of snow. Our community rose to the challenge and our residents, Town employees and contractors alike all worked tirelessly to weather the snow. Our special thanks to the Police and Fire departments for their great work during this difficult time.

Our Town's Aaa bond rating remains intact and we continue to exercise prudence in our spending. We have seen earlier periods of expansive growth leveling off along with the underlying revenues. In the face of continued expectations for the high level of services that Hingham has come to expect, the Board of Selectmen has sent an unequivocal message of heightened fiscal restraint in the budget process. Faced with looming capital improvements to replace aging infrastructure, the Board has encouraged a town-wide conversation to examine how best to address and prioritize the growing needs of the Fire Department, the Schools, the Senior Center, the Police Department, as well as the needs of the Recreation Department and Town Hall. As always, we're optimistic about the future, but recognize the need to approach these matters realistically.

To that end, in November 2015, we revived the Town Forum and provided a platform for the conversation on how best to approach these growing infrastructure needs. The discourse was respectful and thoughtful. Issues of consequence were addressed and a free exchange of views gave all of our citizens the opportunity to weigh in with their concerns and questions.

In line with this, and in response to a steadily growing chorus of concerns raised by our residents on the condition of our roadways, the Board has proposed an aggressive initiative designed to increase the number of streets to be repaired and upgraded by the Department of Public Works. Working with contractors to upgrade existing subsurface utility, our goal overall is to provide a network of streets within Hingham that are safe to travel on, both for vehicular and pedestrian traffic.

We have likewise engaged Design Consultants Inc. to provide a detailed engineering study on the Summer Street Corridor with an eye towards moving forward on changes to vehicle and pedestrian traffic in the Harbor area. The Town also continues to examine the consequences of the 2012 FEMA flood maps which speak to potential adverse impacts to residents, commercial businesses and Town properties. We are in the process of examining a study speaking to the seawalls in our harbor's waterfront areas, examining both resiliency and restoration.

Consistent with the 2015 ATM vote, the Board continues to work towards executing a long term lease with the Hingham Maritime Center for Barnes Wharf. We anticipate a warrant article at this year's 2016 ATM for approval of a building at the waterfront calculated to enhance the beneficial use of the waterfront for our citizenry. We are pleased to announce that substantial grant funding has been secured for this initiative. Our special thanks to the hard work of the Engineering Department, Roger Fernandes, the Harbor Development Committee, the Bathing Beach Trustees and our Town Administrator.

The development potential in the Derby Street Corridor area continues to be examined by the South Hingham Working Group. Formed in 2013, the SHWG has held numerous public meetings and has solicited the input of the stakeholders and interested residents. Interest in this issue is robust and all interested parties have substantively contributed to the consideration of the issues. The examination reveals both the constraints and the opportunities that exist for future development. The Massachusetts Department of Transportation (MA DOT) has also approved the proposed work on the Derby Street corridor, as well as the Whiting/Derby Street intersection. It is anticipated that the construction work will be concurrent so as to minimize the disruptive effect of this undertaking. Our thanks to Roger

Fernandes for his dedication and effort on this, as well as the support from our legislative contingent for the Derby Street corridor improvements, harbor improvements and other projects.

As the Town approached an annual budget of one hundred million dollars, the Board continues to keep a promise made to taxpayers to employ meals tax revenues and unused levy capacity to mitigate the impact of tax increases arising out of earlier voter approval of the new Middle School and other Town projects. The Board continues to look for opportunities to provide tax relief to the neediest citizens – seniors as well as all property owners. The Capital Budget for FY2016 addresses a number of projects including the long awaited replacement of the roof at the Hingham Public Library.

Costs for “snow and ice” removal continue to exceed the money set aside in our budget for this. As has been done in the past, excess over the budgeted amount will be taken from Fund Balance but it is clear that more money needs to be dedicated to this going forward on a regular basis. The Board has reacted cautiously in evaluating short term spending that involves decreasing the Fund Balance level, seen as a yardstick in assessing the strength supporting the Town’s continued Aaa rating. The current fund balance stands at 23 percent which facilitated a more aggressive revenue forecast for FY2017.

Hingham’s litigation effort to determine the price of owning its municipal water company continues. In a thoughtful and well-reasoned opinion released in November 2015, the court has made a number of positive rulings consistent with the town’s position in this lawsuit and has invited the parties to submit a proposed figure consistent with the court’s findings. That has occurred and the matter is under advisement by the Court. Once the decision as to price is arrived at by the court, the Town will have the opportunity to decide if such ownership is in our best interests. There is a warrant article slated to be heard at this year’s 2016 ATM seeking additional funding calculated to pay the legal costs necessary to defend an anticipated Aquarion appeal of the superior court’s decision.

As part of our ongoing effort to maintain and safeguard good government, in September 2015, the Board of Selectman adopted a Code of Conduct setting out standards of civility, exercise of Board authority, conducting Town business, its relations with the Town Administrator and other Town employees as well as relations with members of the public. We thank the Town Administrator By-Law Committee for their good work in crafting the language of the Code subsequently adopted by the Board. In conjunction with that effort, there is a warrant article proposed for this year’s 2016 ATM seeking approval to petition the General Court to enact a special act relating to the Town Administrator so as to ensure that future candidates for this position will be only the most highly qualified to fill this critically important role in town government.

Our public safety personnel continue to serve with great professionalism. We saw the retirements of two highly respected chiefs in 2015, Police Chief Michael Peraino and Fire Chief Mark Duff. Both men served their departments and our community with professionalism and distinction for their entire careers. We wish them well in their retirement and thank them for a job well done.

We welcome Police Chief Glenn Olsson and Fire Chief Robert Olsson to their new roles as chief. It is with pleasure that we continue to be able to promote from within and succession planning continues to remain a priority in any promotional consideration. We enjoy the distinction of having two brothers serving in key roles within our community. The transition of leadership has been seamless and each has actively engaged in positive ways with our community in their public safety functions. This includes participating in planning efforts underway with respect to future fire station siting/design, and an examination of the growing needs of the police department.

Hingham was privileged to be the only small town in the United States of America to be awarded the coveted Freedom Award in August 2015. The Freedom Award is given to those employers whose

support for its employees who also serve our nation as reservists or guardsmen is considered to be exceptional. We welcomed back our veteran service officer Chief Petty Officer Keith Jermyn, who returned from Djibouti after completing his sixth overseas deployment. As a group we traveled to the Pentagon in August for the award ceremony hosted by Deputy Secretary of Defense Robert Work. Our efforts at recognizing opportunities for new and enhanced programs remains unabated. Our Flag For Soldiers Campaign honoring our residents serving in uniform that render selfless service to our country is seen throughout town and has become a tradition going forward.

It is with great sadness that we mourn the loss of United States Marine Corps Corporal Christopher Orlando, who perished on a training mission in Hawaii on January 14, 2016. It is a sobering reminder of the price we pay in blood and treasure for freedom. The outpouring of prayers and sympathy shown by our community and other towns nearby highlight that even in sadness, we are one with each other. Our thoughts remain with the Orlando Family.

We wish to thank Betty Foley for her dedication, loyalty and stellar service to Hingham in her role as Assistant Town Administrator. Only those whom she served truly know the value she brought to her position and we will sorely miss her. We wish Betty and her husband Tom a long and pleasant retirement and deep thanks for a job well done.

The Board of Selectmen report would not be complete if it did not recognize the invaluable contributions made by volunteers who unselfishly give their time and talent to our Town's many committees and boards. Our way of life would not be what it is without their investment of their time and considerable abilities. A special note of thanks to our colleagues at the School Committee and School Department, the Advisory Committee members who tirelessly dedicated their efforts to our good governance, and all other elected and appointed Boards serving our Town. Finally, but not lastly, the dedication and commitment of our town employees, whose service to the town is seen in every aspect of its operation. Without it, this would not be the town that it is.

Paul K. Healey, Chairman
Paul J. Gannon
Mary M. Power

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-fifth day of April 2016 at SEVEN O’CLOCK in the evening, Then and thereto act on the following Articles:

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

- 1. One member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years,
- 2. One trustee of the Bathing Beach to fill a vacancy in accordance with Chapter 75 of the Massachusetts Acts of 1934, 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, 2015, the fund assets totaled \$15,231 of which \$231 was available for distribution. The principal of \$15,000 is held in trust and is not available for distribution.

Trustees of the Bathing Beach are elected at town meeting and serve for an "indeterminate tenure." The vacancy being filled resulted from the resignation of Joan Williams, who had served as a Trustee for many years.

RECOMMENDED: 1. That Pauline Munroe, 16 Pilgrim 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; and 2. That Christopher Daly, 3 Button Cove Road, be elected a Trustee of the Bathing Beach in accordance with Chapter 75 of the Massachusetts Acts of 1934.

ARTICLE 2: Will the Town assume liability in the manner provided by General Laws, Chapter 91,

Section 29, as amended, 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, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth, 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.

RECOMMENDED: That the Town, in accordance with, and to the extent only 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 indemnity to the Commonwealth assuming such liability.

ARTICLE 3: To hear 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; Memorial Bell Tower Committee; Open Space Acquisition Committee; Scholarship Fund Committee; 2006 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.

RECOMMENDED: That the reports, if any, of the 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, Memorial Bell Tower Committee, Open Space Acquisition Committee, Scholarship Fund Committee, 2006 School Building Committee, Wastewater Master Planning Committee, and Water Supply Committee be received; and that all of said bodies and posts of government be continued.

ARTICLE 4: To hear 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: This Article provides funds to pay for as yet undetermined financial obligations of the Town relating to salary increases, fringe benefit changes, and job reclassifications for non-School Department employees who either are not in a collective bargaining unit or who are covered by a collective bargaining agreement not yet concluded.

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 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, 2016, or as otherwise specified in said report or agreements; that the Town raise and appropriate the sum of \$269,577 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, viz:

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.

RECOMMENDED: That, subject to the proviso below, the salary from July 1, 2016 through June 30, 2017, 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 each such Officer except Selectman, Assessor, and Municipal Light Board Member 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, 2016, or act on anything relating thereto?

(Inserted by the Board of Selectmen)

RECOMMENDED: That the Town raise and appropriate for each of the following purposes, for the Fiscal Year beginning July 1, 2016, 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 2015 <u>Expended</u>	Fiscal 2016 <u>Appropriated</u>	Advisory Fiscal 2017 <u>Recommended</u>
GENERAL GOVERNMENT			
122 SELECTMEN			
Payroll	473,983	458,173	479,500
Expenses	24,456	33,590	34,090
Capital Outlay	0	24,295	0
Total	498,439	516,058	513,590
132 RESERVE FUND	2,093,493	550,000	550,000
135 TOWN ACCOUNTANT			
Payroll	366,306	371,381	398,498
Expenses	9,671	12,555	12,555
Capital Outlay	78,372	210,500	88,700
Audit	55,000	55,000	61,500
Information Technology	160,221	204,755	228,608
Total	669,570	854,191	789,861
141 ASSESSORS			
Payroll	218,501	229,746	237,942
Expenses	6,428	11,587	11,510
Consulting	98,311	67,000	67,000
Map Maintenance	5,990	6,000	6,000
Total	329,230	314,333	322,452
145 TREASURER/COLLECTOR			
Payroll	322,882	323,898	329,217
Expenses	41,566	44,808	45,338
Capital Outlay	0	0	0
Tax Titles	5,793	10,000	10,000
Total	370,241	378,706	384,555

	Fiscal 2015 <u>Expended</u>	Fiscal 2016 <u>Appropriated</u>	Advisory Fiscal 2017 <u>Recommended</u>
151 LEGAL SERVICES	408,739	232,000	232,000
159 TOWN MEETINGS			
Payroll	207	2,692	2,692
Expenses	24,086	27,300	27,700
Total	24,293	29,992	30,392
161 TOWN CLERK			
Payroll	168,535	178,822	182,054
Expenses	5,177	7,866	7,866
Capital Outlay	0	0	50,500
Total	173,712	186,688	240,420
162 ELECTIONS			
Payroll	14,227	12,150	20,850
Expenses	16,761	14,795	19,845
Total	30,988	26,945	40,695
173 COMMUNITY PLANNING			
Payroll	643,798	714,978	738,761
Expenses	70,230	57,885	57,297
Total	714,028	772,863	796,058
177 BARE COVE PARK			
Payroll	16,852	16,954	17,228
Expenses	3,247	7,833	7,370
Total	20,099	24,787	24,598
192 TOWN HALL			
Payroll	216,537	218,653	220,571
Expenses	380,140	426,776	427,701
Capital Outlay	53,388	60,185	78,482
Total	650,065	705,614	726,754
193 GRAND ARMY MEMORIAL HALL			
Expenses	11,464	14,846	14,500
Capital Outlay	26,527	5,000	6,200
Total	37,991	19,846	20,700
TOTAL GENERAL GOVERNMENT	5,994,362	4,612,023	4,672,075

	Fiscal 2015 <u>Expended</u>	Fiscal 2016 <u>Appropriated</u>	Advisory Fiscal 2017 <u>Recommended</u>
PUBLIC SAFETY			
210 POLICE DEPARTMENT			
Payroll (Overtime \$451,378)	4,906,072	5,146,548	5,164,273
Expenses	339,156	346,550	312,500
Capital Outlay (\$35,000 from Mooring Permits)	248,073	130,500	358,000
Total	5,493,301	5,623,598	5,834,773
220 FIRE DEPARTMENT			
Payroll (Overtime \$450,990)	4,560,147	4,577,186	4,994,702
Expenses	379,928	403,258	404,445
Capital Outlay	1,116,080	123,000	132,000
Total	6,056,155	5,103,444	5,531,147
240 DISPATCH SERVICES			
Expenses	775,368	813,750	854,438
Total	775,368	813,750	854,438
292 ANIMAL CONTROL			
Payroll	52,134	52,384	61,646
Expenses	3,569	4,300	5,300
Total	55,703	56,684	66,946
295 HARBORMASTER			
Payroll	135,184	151,700	155,716
Expenses	50,650	55,250	56,975
Total	185,834	206,950	212,691
299 PUBLIC SAFETY UTILITIES			
Emergency Water	267,015	364,424	352,977
Street Lighting	183,000	183,274	183,274
Total	450,015	547,698	536,251
TOTAL PUBLIC SAFETY	<u>13,016,376</u>	<u>12,352,124</u>	<u>13,036,246</u>

	Fiscal 2015 <u>Expended</u>	Fiscal 2016 <u>Appropriated</u>	Advisory Fiscal 2017 <u>Recommended</u>
EDUCATION			
300 SCHOOL DEPARTMENT			
Payroll	35,777,344	37,239,250	38,643,488
Expenses	7,759,327	8,174,470	8,970,233
Capital Outlay	620,482	988,480	867,155
TOTAL EDUCATION	<u>44,157,153</u>	<u>46,402,200</u>	<u>48,480,876</u>
PUBLIC WORKS AND FACILITIES			
405 TOWN ENGINEERING			
Payroll	236,436	237,848	241,350
Expenses	20,397	35,475	33,350
Capital Outlay	13,687	0	0
Road Bldg/Construction	299,002	300,000	300,000
Total	569,522	573,323	574,700
420 HIGHWAY/RECREATION/TREE & PARK			
Payroll (Overtime \$55,300)	1,881,488	1,967,668	1,972,788
Expenses	349,546	434,897	414,314
Capital Outlay (\$238,428 from Excess Overlay)	425,908	404,500	292,000
Snow Removal	1,916,282	504,325	504,325
Road Maintenance	288,137	303,246	303,246
Total	4,861,361	3,614,636	3,486,673
430 LANDFILL/RECYCLING			
Payroll (Overtime \$25,798)	453,433	490,356	498,057
Expenses	816,100	861,946	819,128
Capital Outlay	69,342	117,000	200,000
Total	1,338,875	1,469,302	1,517,185
440 SEWER COMMISSION			
Payroll (Overtime \$22,708)	290,111	314,966	327,175
Expenses	213,770	269,278	271,166
Capital Outlay	82,048	159,000	195,000
Engineering	6,546	10,000	10,000
MWRA Charges	1,651,545	1,688,876	1,794,940

	Fiscal 2015 <u>Expended</u>	Fiscal 2016 <u>Appropriated</u>	Advisory Fiscal 2017 <u>Recommended</u>
Hull Intermunicipal Agreement	143,489	161,086	229,415
Total	<u>2,387,509</u>	<u>2,603,206</u>	<u>2,827,696</u>
The sum of \$2,827,696 shall be funded from Sewer revenue.			
TOTAL PUBLIC WORKS	<u>9,157,267</u>	<u>8,260,467</u>	<u>8,406,254</u>
HUMAN SERVICES			
510 HEALTH DEPARTMENT			
Payroll	281,593	303,923	303,271
Expenses	18,404	20,285	23,335
Total	299,997	324,208	326,606
540 ELDER SERVICES			
Payroll	197,672	203,333	206,377
Expenses	19,317	21,558	17,383
Capital Outlay	0	0	50,000
Tax Work-Off Program	35,360	60,000	0
Total	252,349	284,891	273,760
543 VETERANS' SERVICES			
Payroll	85,939	89,762	95,610
Expenses	4,095	5,779	5,679
Benefits	225,947	282,733	259,185
Total	315,981	378,274	360,474
545 HEALTH IMPERATIVES	2,500	2,700	2,700
546 SOUTH SHORE WOMEN'S CENTER	<u>3,500</u>	<u>3,700</u>	<u>3,700</u>
TOTAL HUMAN SERVICES	<u>874,327</u>	<u>993,773</u>	<u>967,240</u>

	Fiscal 2015 <u>Expended</u>	Fiscal 2016 <u>Appropriated</u>	Advisory Fiscal 2017 <u>Recommended</u>
CULTURE AND RECREATION			
610 LIBRARY			
Payroll	1,240,347	1,298,890	1,336,866
Expenses	245,581	314,682	324,534
Capital Outlay (from available reserves)	46,790	105,000	1,175,303
Total	1,532,718	1,718,572	2,836,703
630 RECREATION COMMISSION			
Payroll	86,015	89,681	91,725
Total	86,015	89,681	91,725
650 TRUSTEES OF BATHING BEACH			
Payroll	17,688	17,727	18,081
Expenses	7,585	22,145	21,145
Capital Outlay	0	0	0
Total	25,273	39,872	39,226
692 CELEBRATIONS	<u>9,349</u>	<u>11,210</u>	<u>11,719</u>
TOTAL CULTURE & RECREATION	<u><u>1,653,355</u></u>	<u><u>1,859,335</u></u>	<u><u>2,509,070</u></u>
ENTERPRISE FUND			
720 COUNTRY CLUB	<u>2,066,793</u>	<u>2,231,877</u>	<u>2,103,614</u>
The sum of \$2,103,614 shall be funded from Country Club revenue.			
TOTAL ENTERPRISE FUND	<u><u>2,066,793</u></u>	<u><u>2,231,877</u></u>	<u><u>2,103,614</u></u>
DEBT SERVICE			
DEBT SERVICE	<u>9,011,736</u>	<u>9,661,182</u>	<u>9,562,032</u>
(\$4,504,621 IS EXCLUDED FROM PROPOSITION 2 1/2)			
TOTAL DEBT SERVICE	<u><u>9,011,736</u></u>	<u><u>9,661,182</u></u>	<u><u>9,562,032</u></u>

	Fiscal 2015 <u>Expended</u>	Fiscal 2016 <u>Appropriated</u>	Advisory Fiscal 2017 <u>Recommended</u>
EMPLOYEE BENEFITS			
900 GROUP INSURANCE	6,039,866	6,429,881	7,195,455
903 OTHER POST EMPLOYMENT BENEFITS	1,090,196	880,732	795,063
910 CONTRIBUTORY RETIREMENT	3,845,487	3,839,017	4,029,783
912 WORKER'S COMPENSATION	415,000	300,000	330,000
913 UNEMPLOYMENT	34,694	30,000	30,000
914 MANDATORY MEDICARE	<u>711,474</u>	<u>675,000</u>	<u>742,500</u>
TOTAL EMPLOYEE BENEFITS	<u>12,136,717</u>	<u>12,154,630</u>	<u>13,122,801</u>
UNCLASSIFIED			
901 Property and Liability Insurance Fire, Public Liability, Property Damage, etc.	569,312	550,000	605,000
940 CLAIMS AND INCIDENTALS	<u>5,365</u>	<u>10,950</u>	<u>10,950</u>
TOTAL UNCLASSIFIED	<u>574,677</u>	<u>560,950</u>	<u>615,950</u>
GRAND TOTAL	<u>98,642,763</u>	<u>99,088,561</u>	<u>103,476,158</u>

ARTICLE 7: Will the Town raise and appropriate, or transfer from available funds, a sum of money for transfer into the Stabilization Fund to offset future tax increases, or act on anything relating thereto?
(Inserted by the Board of Selectmen)

COMMENT: In Fiscal Year 2015, the Town received \$2,046,471 in premiums as a result of issuance of bonds for school projects. As of June 30, 2015, this premium amount resides in Committed General Fund Balance. The cost of debt service for the school projects will be borne by the taxpayers per Article 5 at the Special Town Meeting on October 24, 2011. It is the intent of the current Article to set aside the premiums received to offset this debt service cost. The Town transferred similar funds into the Stabilization Fund at prior Annual Town Meetings. The sum of \$2,046,471 will be transferred from available reserves to the Stabilization Fund.

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

RECOMMENDED: That the Town transfer from available reserves the sum of \$2,046,471 into the Stabilization Fund.

ARTICLE 8: Will the Town appropriate a sum or sums of money from the Stabilization Fund and/or from available reserves for the purpose of reducing the tax rate or act on anything related thereto?
(Inserted by the Board of Selectmen)

COMMENT: Pursuant to a prior Town Meeting vote, 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 2017 tax rate.

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

RECOMMENDED: That the Town appropriate a sum of \$65,413 from the Stabilization Fund for the purpose of reducing the Fiscal Year 2017 tax rate.

ARTICLE 9: Will the Town transfer from available funds a sum of money from the Meals Tax

Stabilization Fund for the purpose of reducing the FY 2017 tax rate or act on anything related thereto?
(Inserted by the Board of Selectmen)

COMMENT: This Article seeks to appropriate \$450,000 from the Meals Tax Stabilization Fund to reduce the Fiscal Year 2017 tax rate. The remaining amount in the Fund will remain available to reduce tax rates in future years.

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

RECOMMENDED: That the Town transfer the sum of \$450,000 from the Meals Tax Stabilization Fund for the purpose of reducing the Fiscal Year 2017 tax rate.

ARTICLE 10: 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, 2016, pursuant to Sections 57 and 57A of Chapter 164 of the 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. This payment is based on a formula that is tied closely to the sales of the Plant. The agreement calls for a PILOT of no less than \$450,000, but, based on sales for the last several years, it is estimated that this payment will be at least \$500,000.

RECOMMENDED: That, with the exception of \$500,000, which is hereby transferred to the General Fund to reduce the tax rate, all funds received by the Municipal Lighting Plant during the Fiscal Year commencing July 1, 2016, 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 11: Will the Town accept the provisions of Massachusetts General Laws, Chapter 44, Section 53E 1/2, so as to establish and define the terms of a departmental revolving fund for the Building Department, or act on anything thereto? (Inserted by the Board of Selectmen)

COMMENT: The purpose of this Article is to continue the "Building Department Revolving Fund", which provides payments to the Assistant Building Inspectors for performing electrical, gas, and plumbing inspections. For the Fiscal Year ended June 30, 2015, the Fund had \$219,681.20 in revenues and \$170,810.17 in expenditures. For the six-month period ended December 31, 2015, the Fund had \$102,201.00 in revenues and \$77,324.90 in expenditures. The balance in the Fund as of June 30, 2015, was \$535,202.82.

RECOMMENDED: That, in accordance with the provisions of Massachusetts General Laws chapter 44, section 53E 1/2, which allows the Town to establish departmental revolving funds, the Town authorize the continuation of such a fund for the Building Department. Departmental receipts for building inspections performed by the Assistant Building Inspectors shall be credited to the Fund. Monies shall be spent primarily to compensate such inspectors for their services. The Building Commissioner, or functional equivalent, shall be authorized to spend monies from the Fund. The amount that may be spent from the fund shall be limited to \$250,000 during Fiscal Year 2017.

ARTICLE 12: Will the Town accept the provisions of Massachusetts General Laws, Chapter 44, Section 53E1/2, so as to establish and define the terms of a departmental revolving fund for the Council on Aging, or act on anything relating thereto? (Inserted at the request of the Council on Aging)

COMMENT: The purpose of this Article is to continue the "Elder Services Revolving Fund", which is credited with all fees and charges received from Senior Center programs and to authorize the expenditure of such funds to be expended under the direction of the Director of Elder Services for Senior Center programs. For the Fiscal Year ended June 30, 2015, the Fund had \$37,089.61 in revenues and \$32,238.34 in expenditures. For the six-month

period ended December 31, 2015, the Fund had \$21,967.15 in revenues and \$18,544.82 in expenditures. The balance in the Fund as of June 30, 2015, was \$9,059.83.

RECOMMENDED: That, in accordance with the provisions of Massachusetts General Laws chapter 44, section 53E 1/2, which allows the Town to establish departmental revolving funds, the Town authorize the continuation of such a fund for the Department of Elder Services. Departmental receipts for all fees and charges received from Senior Center programs shall be credited to the Fund. Monies shall be spent for Senior Center programs and related expenses. The Director of Elder Services, or functional equivalent, shall be authorized to spend monies from the Fund. The amount that may be spent from the Fund shall be limited to \$60,000 during Fiscal Year 2017.

ARTICLE 13: 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 2016, or act on anything relating thereto? (Inserted by the Board of Selectmen)

COMMENT: This Article is included each year in the event the existing Reserve Fund is not adequate to cover unbudgeted and unanticipated expenses for the balance of the current Fiscal Year (FY 2016). The specific amount will be reported at Town Meeting.

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

ARTICLE 14: Will the Town (1) authorize the Fire Station Building Committee established by Article 14 of the 2015 Annual Town Meeting to (a) consider and evaluate sites other than 230 North Street for a fire station to service the north side of Town, replacing the current North Fire Station and (b) consider and evaluate sites other than 847 Main Street for a fire station to service the south side of Town, either as a replacement to the current South Fire Station or to establish a fourth fire station in the Town and (2) increase the current amount authorized to be raised and appropriated, borrowed or transferred from available funds for the Fire Station Building Committee and authorize that such funds be expended as needed for any expenses related to the consideration and evaluation of sites as described above and for design and engineering services for construction of fire stations to serve the

Town on any such sites, or act on anything relating thereto?

(Inserted at the request of the Fire Station Building Committee)

COMMENT: The North Fire Station is the primary station serving northwestern Hingham, a territory that includes the Shipyard, the commuter boat terminal, Hingham Square, portions of several historic districts, and an 800-foot railroad tunnel. North Station, however, has seen only minimal upgrades since it opened in 1942. It still uses many original systems, has no sprinkler system, and lacks adequate space to accommodate the mission of a modern Fire Department.

In view of those needs, the 2015 Annual Town Meeting appropriated \$500,000 for design costs for the renovation of North Station and created a Fire Station Building Committee ("FSBC") to oversee the design and construction process. The expectation at the 2015 Annual Town Meeting was that the FSBC would develop a design to be submitted to the 2016 Annual Town Meeting, along with a request for approximately \$4 Million to fund the construction of a renovation of North Station.

During the past year, however, the FSBC uncovered a significant hurdle to any renovation of North Station. Specifically, analysis of the soils beneath North Station revealed a combination of peat and fill that is unfavorable for building a modern fire station, which would be required to survive an earthquake or other natural disaster. (Indeed, the FSBC learned that the current North Station is stable largely because it is built on caissons penetrating nearly twenty feet below grade.) Although construction techniques are available to mitigate the soil conditions and ensure that the renovated North Station would comply with modern building codes, those techniques would have added significantly to the cost of a renovation. In addition, because the preliminary plan of renovation contemplated preserving part of the existing North Station, while using new construction to build another part, different mitigation techniques would have been required for different parts of the renovated structure.

The unforeseen complication and expense led the FSBC to reconsider the costs and benefits of renovating North Station. Although handsome and historic, North Station is small by modern fire service standards. In addition, the lot on which North Station sits permits little space for expansion, a circumstance that would limit the Fire Department's

flexibility to deploy its equipment and staff to meet future needs — for example, to adapt to continued development in the Shipyard and Beal Street areas. With the cost of a renovation (previously estimated at \$4 Million) rapidly approaching the cost of new construction (now estimated at \$6 Million), the FSBC concluded that the more prudent course was to explore the construction of a larger, more modern, "new" North Station on an alternate site. In that event, the existing North Station could become available for a repurposed use appropriate to the historic district in which it is located.

This Article accordingly asks Town Meeting for two things. First, the Article requests an expansion of the FSBC's authority. Specifically, the Article would authorize the FSBC to consider alternate sites for North Station and sites for fire station(s) to serve the southern portion of Hingham, including the site of the existing South Station at 847 Main Street. The consideration of sites for South Hingham is important because the geographic location of one fire station necessarily affects the location of others. That is, even though "new" North Station would mostly serve the same territory as the current North Station, the specific site chosen for the "new" North Station may well allow it to cover parts of central Hingham, e.g., the High Street area. That would in turn affect the appropriate siting of fire station(s) to serve South Hingham, including the existing South Station site. Indeed, shifting "new" North Station to an alternate site raises the possibility of continuing to use three, rather than four, stations to serve the entire Town. That possibility, which would save the Town both capital and operating costs over time, is one that the FSBC will study as part of its consideration of sites for fire service in both the north and south sides of Town.

Second, the Article requests an appropriation of \$295,903, which would be added to the \$500,000 appropriated by the 2015 Annual Town Meeting to design a renovation of the current North Station. The additional appropriation is intended to pay for consideration and evaluation of all sites, as well as for architectural, engineering, and other services related to design through issuance of bid documents for the "new" North Station. Over 80% of the original \$500,000 appropriation remains unspent. Moreover, a significant portion of what was spent to develop a design to renovate the current North Station can be re-oriented to apply to the design of a "new" North Station. Nonetheless, the additional appropriation is needed because design funding depends largely on the size of the structure. The contemplated "new" North Station is larger than the current North Station.

The FSBC likely will ask a future Town Meeting to consider a request for funds to pay for the construction of "new" North Station. This request is currently expected to be in the neighborhood of \$6 Million, although any estimate of the actual cost of construction is at best preliminary and is subject to revision based on actual design decisions, market conditions at time of bid, inflation, and other factors. Town Meeting will be provided with the actual cost of construction in connection with any additional request.

The FSBC likely will also propose to a future Town Meeting a plan for the provision of fire service to South Hingham. This plan is likely to call for construction of a "new" South Station, renovation of the current South Station, or both. As with the sum appropriated by the 2015 Annual Town Meeting, the requested \$295,903 appropriation will be financed, at least in part, by non-excluded debt. Approval of this Article thus requires a two-thirds vote by Town Meeting.

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

RECOMMENDED: That the Town: (1) authorize the Fire Station Building Committee established by Article 14 of the 2015 Annual Town Meeting to: (a) consider and evaluate sites other than 230 North Street for a fire station to service the north side of Town, replacing the current North Fire Station; and (b) consider and evaluate sites other than 847 Main Street for a fire station to service the south side of Town, either as a replacement for the current South Fire Station or to establish a fourth fire station in the Town; and (2) appropriate \$295,903 to be expended under the direction of the Fire Station Building Committee for the consideration and evaluation of sites as described above and for design costs, including architectural and engineering services, as well as other professional fees, for the construction of a replacement for the current North Fire Station. 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(21), or any other enabling authority and to issue bonds or notes of the Town therefor.

ARTICLE 15: Will the Town vote to transfer the following amounts that were previously appropriated and raised by borrowing under the following votes of the Town:

Amount to be Transferred	Warrant Article	Meeting Date	Original Purpose
\$2,449	Various	Various	Landfill Capping
\$89,756	Various	Various	Central Fire Station
\$29,601	Article 15	2003	DPW Building

as such amounts are no longer needed to complete the projects for which they were initially borrowed and will be used to pay costs of Article 14 of the 2015 Annual Town Meeting, North Fire Station Renovation, as permitted by Massachusetts General Laws chapter 44, section 20, or act on anything relating thereto?

COMMENT: During the audit of the financial statements of the government activities of the Town of Hingham for the year ended June 30, 2015, the auditors, Powers & Sullivan, LLC, Certified Public Accountants, identified areas of opportunity that, although not deficiencies or material weakness, could strengthen internal controls and operating efficiency. These are not new matters, but matters previously reported.

This opportunity relates to monitoring old capital projects. The town has approximately 20 capital funds set up on its accounting ledgers. Most are still active and valid with respect to the original purpose of the fund. During Fiscal Year 2015, old capital funds were reviewed to determine if they should be continued or not. If a capital fund is not to be continued, any balance in the fund is to be distributed in accordance with statutory accounting requirements. The inactive funds listed in this Article have been selected to be closed, and the remaining monies are to be properly distributed.

Statutory accounting requirements for 2015 require that any funds remaining in a now closed capital fund be transferred to currently active capital funds. Massachusetts General Laws chapter 44, section 20, in summary, states that the proceeds of any sale of bonds or notes, except premiums and accrued interest, shall be used only for the purposes specified in the authorization of the loan and may also be used for costs of preparing, issuing, and marketing such bonds or notes, except as otherwise authorized by this section. If a balance remains after the completion of the project for which the loan was authorized, such balance may at any time be appropriated by a city, town, or district for any purposes for which a loan may be incurred for an

equal or longer period of time than that for which the original loan, including temporary debt, was issued. Any such balance not in excess of one thousand dollars may be appropriated for the payment of the principal of such loan. If a loan has been issued for a specified purpose, but the project for which the loan was authorized has not been completed, and no liability remains outstanding and unpaid on account thereof, a city by a two-thirds vote of all of the members of the city council, or a town or district by a two-thirds vote of the voters present and voting thereon at an annual town or district meeting, may vote to abandon or discontinue the project and the unexpended proceeds of the loan may thereupon be appropriated for any purpose for which a loan may be authorized for an equal or longer period of time than that for which the original loan, including temporary debt, was issued. Any premium received upon such bonds or notes, less the cost of preparing, issuing, and marketing them, and any accrued interest received upon the delivery of said bonds or notes shall be paid to the city, town, or district treasury.

Notwithstanding the provisions of this section, no appropriation from a loan or balance thereof shall be made which would increase the amount available from borrowed money for any purpose to an amount in excess of any limit imposed by general law or special act for such purpose. In this instance, the sum total of \$121,806, the total balance of the three projects listed in the Article, is to be used as authorized by the recommended motion.

RECOMMENDED: That the sum of \$121,806 is hereby transferred from amounts previously appropriated and borrowed under the following Warrant Articles for the purposes set forth below:

Amount to be Transferred	Warrant Article	Meeting Date	Original Purpose
\$2,449	Various	Various	Landfill Capping
\$89,756	Various	Various	Central Fire Station
\$29,601	Article 15	2003	DPW Building

These amounts are no longer needed to complete the projects for which they were initially borrowed and will be used to pay costs of the North Fire Station renovation (Article 14, ATM 2015), as permitted by Massachusetts General Laws chapter 44, section 20.

ARTICLE 16: Will the Town appropriate a sum of money from available reserves to the Hingham Affordable Housing Trust Fund, which funds are expected to be expended by the Hingham Affordable Housing Trust, to make capital improvements to the Lincoln School Apartments located at 86 Central Street, Hingham, MA and to authorize the Board of Selectmen to amend the Lease for said Lincoln School Apartments to provide for increased rent payments to the Town in amount sufficient to repay said appropriation back to the Town over a period of time and under terms and conditions as determined by the Board of Selectmen, or act on anything related thereto?
(Inserted at the request of Hingham Affordable Housing Trust)

COMMENT: This Article seeks money from the Town to make capital improvements to the Town-owned Lincoln School Apartments (“LSA”) located at 86 Central Street in Hingham. The Hingham Affordable Housing Trust (“HAHT”) leases the property from the Town. The monies provided pursuant to this Article would be drawn down by HAHT as needed for capital improvement projects and repaid with interest to the Town over a period of years via increased lease payments to the Town. Note that this refers only to increased payments to the Town by HAHT under its ground lease of LSA from the Town. It does not refer to a change in the rent payments made by residents of LSA.

Town Meeting approved the Town’s purchase of LSA from Glastonbury Abbey under Article 1 of the Special Town Meeting held October 27, 2008. The Town financed the purchase of LSA via the issuance of \$7,000,000 of bonds. The Town retains ownership of the apartment building, but leases the property to the HAHT. Lease payments to the Town from HAHT cover interest and principal payments on the aforementioned bonds.

LSA is a 60-unit apartment building centrally located within walking distance to downtown and Town Hall. LSA limits tenants in all 60 units to those who are elderly and/or disabled. A five-member board named Board of Managers of Lincoln Apartments, LLC (“Board of Managers”), appointed by the Town Moderator, Board of Selectmen and HAHT, oversees the property and its management.

The Board of Managers recently completed a Capital Needs Assessment (“CNA”) for the apartment building, as required by the lease with the Town, which assessed the physical condition and needs of LSA and recommended strategies for

appropriate responses to the needs over the next 20 years. The CNA provides the Board of Managers with a road map as to the timing and cost of capital investments to ensure that this valuable Town-owned asset remains in good working condition for its residents.

HAHT has made all required LSA lease payments to the Town since its acquisition and, as a result, has enabled the Town to pay off a significant portion of the debt incurred to fund the 2008 purchase. However, given the amortization schedule of the acquisition bonds, there are insufficient funds currently available from LSA cash flow and in the LSA reserve accounts to make the necessary investments outlined in the CNA. As a result, HAHT seeks to borrow from the Town only those funds needed to make necessary improvements in future years. These borrowings will be made not in a lump sum, but as needed by HAHT in consultation with the Board of Managers. As funds are borrowed, HAHT lease payments to the Town will increase in an amount sufficient to repay the borrowing with interest over a mutually agreed upon term. The funds will come from the Town's Unassigned Fund Balance. Additionally, the Board of Selectmen will need to approve each borrowing by HAHT under this agreement. Other borrowing mechanisms were explored, such as refinancing the current bonds, but it was determined that borrowing from the Town would be the most cost-effective means of financing the LSA capital projects.

The Board of Selectmen approved this Article by a unanimous vote of 3-0.

RECOMMENDED: That the Town appropriate a sum of money from available reserves to the Hingham Affordable Housing Trust Fund as and when requested by the HAHT until June 30, 2026, and in an aggregate amount not to exceed \$1,000,000, which funds are to be expended by the Hingham Affordable Housing Trust to make capital improvements to the Lincoln School Apartments located at 86 Central Street, Hingham, MA, and authorize the Board of Selectmen to amend the Lease for said Lincoln School Apartments to provide for increased lease payments to the Town in amounts sufficient to repay said aggregate appropriation to the Town over a period of time and under terms and conditions as determined by the Board of Selectmen.

ARTICLE 17: Will the Town vote to amend its acceptance of Massachusetts General Law, Chapter

59, Section 5K by adopting the 125 hour maximum limit, or act on anything relating thereto?
(Inserted at the request of the Council on Aging)

COMMENT: This statute allows towns to provide a Senior Tax Work-Off Program that can be based either on a maximum benefit of \$1,000 or 125 hours per year at minimum wage. Hingham has previously used the \$1,000 maximum. With the minimum wage increasing, the Town has a choice to leave the maximum work-off amount at \$1,000 per senior or increase the maximum work-off amount using 125 hours worked at the minimum wage. The minimum wage will be increasing over the next two years from \$10/hour to \$11/hour in 2017 (increasing the maximum Tax Work-Off benefit to \$1,375) and to \$12/hour in 2018 (increasing the maximum Tax Work-Off benefit to \$1,500). This program, which had 39 participants last year, is funded from the Assessors' Overlay Account and capped at \$60,000 per year. The Council on Aging believes this adjustment will enhance the Tax Work-Off Program's value to seniors at little additional cost to the Town.

RECOMMENDED: That the Town amend its acceptance of Massachusetts General Laws chapter 59, section 5K, by adopting the 125 hour maximum limit.

ARTICLE 18: Will the Town renew its acceptance of Clause 56 of Massachusetts General Laws Chapter 59, Section 5, to allow members of the Massachusetts National Guard or military reservists who are on active duty to obtain a reduction of all or part of their real and personal property taxes for any fiscal year in which they are serving in a foreign country, or act on anything relating thereto?

(Inserted at the request of the Veterans' Council)

COMMENT: If renewed, Clause 56 of Massachusetts General Laws chapter 59, section 5 ("M.G.L. c. 59, s. 5"), will continue to allow property-owning members of the Massachusetts National Guard or military reservists who are on active duty to obtain a reduction of all or part of their real and personal property taxes for any fiscal year in which they are serving in a foreign country.

The Town unanimously approved this exemption under Article 17 at the 2012 Annual Town Meeting, but that authorization has since expired. This Article seeks to extend the authorization for an additional two years.

Future costs of this exemption can only be estimated, but actual costs to date have been substantially lower than estimates provided at the time of 2012 Annual Town Meeting. In fact, the cumulative impact since 2012 has been less than \$1.00 per Hingham taxpayer.

The Veterans' Council unanimously supports this article and believes that extension of Clause 56 of M.G.L. c. 59, s. 5, entails a modest collective financial contribution by the Town to recognize the enormous contribution that qualifying veterans make to the cause of freedom. The financial relief that the program provides to a veteran is substantial.

The Board of Selectmen and the Advisory Committee approved this article unanimously.

RECOMMENDED: That Town renew its acceptance of Clause 56 of Massachusetts General Laws chapter 59, section 5, to allow members of the Massachusetts National Guard or military reservists who are on active duty to obtain a reduction of all or part of their real and personal property taxes for any fiscal year in which they are serving in a foreign country.

ARTICLE 19: Will the Town raise and appropriate, borrow, or transfer from available funds, a sum of money to be used by the Board of Selectmen for professional fees and costs, including, but not limited to, engineering services, financial services, valuation services, legal services, consulting services and administrative services to continue its investigation into the feasibility of acquisition of the corporate property, and all rights and privileges, including the assets of the Town's water company, now known as Aquarion Water Company of Massachusetts, Inc. and/or affiliated related companies, including Aquarion Water Capital of Massachusetts, Inc., pursuant to St. 1879, c. 139, or through any other method of acquisition, including any negotiation or litigation, including the currently pending Suffolk Superior Court case, or any appeal thereof, the Board of Selectmen may determine to be necessary or advisable in order to determine whether the acquisition is feasible and advisable for further Town Meeting consideration, or act on anything relating thereto?

(Inserted by the Board of Selectmen)

COMMENT: This Article requests funds to continue exploring the feasibility of Hingham purchasing the corporate property and all the rights and privileges of the Hingham Water Company, now known as Aquarion Water Company of

Massachusetts, Inc., by completing the litigation process. While considering the merits of this Article, it is important to revisit the history of this process.

The Hingham Water Company was incorporated in 1879 and has always been privately owned. Today, it is owned by the Aquarion Water Company of Massachusetts, Inc., which through several parent corporations is owned by an investment fund ultimately tied to Macquarie, an Australian bank. The 1879 statute incorporating the Water Company granted the Town the right to purchase it at any time if approved by a 2/3 affirmative vote at Town Meeting. The statute further defined how a purchase cost would be determined. However, since the 1879 statute did not discuss factors such as changes in ownership, the existence of a regulatory body to set rates, or accounting and tax concepts such as depreciation, the statute's interpretation in 2016 is complex.

The 2012 Annual Town Meeting ("2012 ATM") was initially presented with an appropriation request for \$500,000 to study the feasibility and advisability of the Town acquiring the Water Company. The Board of Selectmen reduced the request to \$320,000 based on the possibility of avoiding litigation. The Article also authorized the Board of Selectmen to enter into negotiations or, if needed, litigation with the current owner to determine a potential purchase price. Town Meeting approved this Article.

The decision to study Town acquisition of the Water Company was driven primarily by four factors: water rates (the fifth highest in the Commonwealth in 2012), concerns over maintenance of the water-delivery infrastructure, the opportunity to eliminate costs borne by ratepayers for which they did not receive benefits, and a greater voice regarding water-supply management. Following the 2012 ATM, the Board of Selectmen appointed five citizens to serve on the Water Company Acquisition Study Committee ("Water Committee"). The Water Committee first met on May 30, 2012, when it reviewed its charge and determined its principles of operation. Shortly after, it established a webpage on the Town website, which contains many Committee documents, including historical documents and analyses, meeting agendas and minutes, updates, committee reports, press releases, legal documents, and frequently-asked questions. This website has been continually updated throughout the last four years as new material has become available.

On June 25, 2013, having identified no "show-stoppers" during its 13-month study of feasibility and

advisability, the Water Committee recommended that the Board of Selectmen take the steps necessary to begin a potential acquisition of the Water Company. Following a lack of response from Aquarion regarding a negotiated purchase price, the Town filed a complaint on July 3, 2013, naming Aquarion Water Company of Massachusetts, Inc. ("Aquarion Mass"), and Aquarion Water Capital of Massachusetts, Inc. ("Aquarion Capital"), as the defendants and requested a court determination of the purchase price for the Water Company. The case is currently being heard in the Suffolk County Superior Court Business Litigation Session.

Following written discovery and non-expert depositions by both the Town and Aquarion during early 2014, the Town's expert, Mr. Carl Jenkins of Duff & Phelps, LLC, delivered his Expert Report on June 30, 2014. Mr. Jenkins' opinions calculated the purchase price of the entire Hingham Water System (including the water treatment plant) to be between \$51,700,000 and \$58,700,000, depending upon the calculation method utilized. Aquarion's Expert Report, delivered on September 15, 2014, calculated the purchase price to be approximately \$192,100,000. In August 2014, Aquarion served a Motion for Partial Summary Judgment, requesting the Court to find that certain terms of the 1879 statute must be interpreted in their favor. The Town opposed that motion. In October 2014, the Judge denied Aquarion's Motion for Partial Summary Judgment. The Court concluded that interpretation of the 1879 statute's terms could only be resolved at trial.

From February 23 through March 2, 2015, Suffolk County Superior Court Judge Christine M. Roach presided over the trial of the Town's Complaint. Closing arguments by both parties were delivered on May 28, 2015. Judge Roach issued a 32-page Memorandum and Order of Findings and Rulings on November 20, 2015. The Court's decision addressed specific issues in dispute between the parties regarding the Town's potential purchase of the Water Company, including the definition of corporate property and the formula for calculating a purchase price. The Court also directed that the parties cooperate to submit a Proposed Final Judgment with respect to the appropriate purchase price for the assets of Aquarion Mass and Aquarion Capital.

Since the Town and Aquarion were unable to reach an agreement on a purchase price, each side filed additional pleadings on February 5, 2016. It is expected that a Final Judgment will be issued by the

court in 2016. It is the Town's expectation that the Final Judgment will include a specific formula to determine the purchase price for Aquarion Mass and Aquarion Capital. Once the Final Judgment is issued, the Board of Selectman will decide what further action to take, including any appeal if necessary. Aquarion has already indicated in its legal pleadings its intention to appeal. This Article contemplates funding a potential appeal, or a response to an appeal by Aquarion, through completion.

Litigation expense and expert fees to date total \$1,190,000. This has been funded from Fund Balance through 2012 and 2014 Town Meeting articles (totaling \$795,000) and Reserve Fund Transfers (totaling \$395,000).

Similar to decisions made by the 2012 ATM and 2014 ATM, if approved, funds will be sourced from the Town's Fund Balance. Should a future Town Meeting authorize purchase of the Water Company, all funds expended for litigation would be included in a debt issuance that would be borne by all ratepayers, including customers in Hull, Cohasset (309), and Norwell (4). This would effectively allow the Town to replenish its Fund Balance. However, if the Town were to decide not to proceed with purchasing the Water Company, such expended funds would not be restored. (If all requested funds were expended and not replenished for any reason, Unassigned Fund Balance would still be within the range set forth by the Town Financial Policy.)

The main advantage of the Town continuing to pursue potential acquisition of the Water Company is significant cost elimination that would result in lower and slower future rate increases, greater and more efficient capital investment, and more direct management of the water supply, including unaccounted-for-water and the attendant relief of the stressed Weir River watershed. An additional advantage is stability in ownership, thereby eliminating the inherent conflict between a private company's investor goals and municipal ratepayers' needs.

Disadvantages of the Town continuing to pursue a potential acquisition of the Water Company include the potential for possibly unsuccessful litigation and the philosophical question of whether the Town should own and operate the Water Company or any utility.

The Board of Selectman voted 2-0 and the Advisory Committee voted 12-0 in support of this Article. The

potential system-wide 20-year cost elimination, combined with the additional advantages previously outlined, along with the lack of identified “show-stoppers”, suggest that the Town should continue and complete the litigation process.

RECOMMENDED: That the Town appropriate from available funds up to \$300,000 to be used by the Board of Selectmen for professional fees and costs, including, but not limited to, financial services, valuation services, legal services, consulting services, and administrative services, to continue its investigation into the feasibility of acquisition of the corporate property, and all rights and privileges, including the assets of the Town’s Water Company, now known as Aquarion Water Company of Massachusetts, Inc., and/or affiliated related companies, including Aquarion Water Capital of Massachusetts, Inc., pursuant to St. 1879, c. 139, or through any other method of acquisition, including any negotiation or litigation, including the currently pending Suffolk Superior Court case, or any appeal thereof, the Board of Selectmen may determine to be necessary or advisable in order to determine whether the acquisition is feasible and advisable for further Town Meeting consideration.

ARTICLE 20: Will the Town raise and appropriate, borrow or transfer from available funds a sum of money to be expended under the direction of the Board of Selectmen for the purpose of improving and resurfacing various roads within the town, or act on anything relating to?
(Inserted by the Board of Selectmen)

COMMENT: This is a request to authorize \$2,242,000 in funding to accelerate the Town’s road building plan. In addition to anticipated annual Town appropriated funds of \$300,000 and State Chapter 90 funds of \$750,000, the \$2.242 Million request would apply \$1.852 Million to road infrastructure and \$390,000 for staffing needs over a five-year period. The plan is to hire a contractor to oversee implementation of the road-building schedule. At the end of five years, the Engineering Department may request a permanent position, depending upon fiscal climate and Town need.

Public demand for road maintenance in Town neighborhoods has increased after extreme snowfall events in Winter 2015 and the resulting accelerated asphalt degradation. Ongoing citizen concerns regarding roadway conditions include accounts of personal injury and vehicle damage. Citizens have voiced that, although current annual funding has

addressed high traffic thoroughfares and major arteries, some neighborhood roads remain unfunded or are given low priority.

The infusion of additional funds requested in this Article will reduce the Town’s inventory of “poor to fair” roads and will result in 92% of Town roads being in “good to excellent” condition by year 2020. Thereafter, it is projected that expense savings will offset price increases. Deteriorated roadways are more costly to “reclaim and rebuild” than “level and seal”. An accelerated program is likely to be more cost effective in the long run.

The funding solution for this project must be fiscally sound and must have minimal impact on Town taxpayers. The plan is to issue bonds matching the annual draws for this project. Increasing the Town’s debt service is a concern, but the Advisory Committee prefers to limit expending Unassigned Fund Balance on projects of this size. Roadways are long-term assets with a useful life that will exceed the length of the debt for the paving cost. The quality of roadway surfaces impacts all citizens.

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

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

RECOMMENDED: That the Town appropriate \$2,242,000 to be expended under the direction of the Board of Selectmen for the purpose of improving and resurfacing various roads within the Town over the next five years. 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(21), or any other enabling authority and to issue bonds or notes of the Town therefor.

ARTICLE 21: Will the Town authorize, but not require, the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation relating to the Town Administrator 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:

SECTION 1 – Notwithstanding any provision of any general or special law or Town of Hingham General By-law to the contrary, the Board of Selectmen of the Town of Hingham shall appoint a town

administrator for a term of one or three years or any such longer term as may hereafter be authorized by law and, in its discretion, for successive terms thereafter, and to remove him or her at its discretion. The town administrator shall act by and for the selectmen in any matter which the selectmen may assign to him or her relating to the administration of the affairs of the town or of any town office or department under the supervision and control of the selectmen, and, with the approval of the selectmen, may perform such other duties as may be requested of him or her by any other town officer, board, committee or commission. A town administrator appointed under the provisions of this section shall be sworn to the faithful performance of his or her duties. During the time he or she holds office, he or she shall devote full time to the position of town administrator and shall not engage in any other business or occupation and shall not hold elective town office, but may be appointed by the selectmen or, with their approval, by any other town officer, board, committee or commission, to any other town office or other position consistent with this office.

The town administrator shall be appointed solely on the basis of executive and administrative qualifications and shall be a person of proven professional ability fitted by education, training and previous full-time employment in a responsible public or business administrative position. No appointee shall have held elective office within the town for a period of 12 months prior to his or her appointment as town administrator.

The position of town administrator shall not come within the Personnel By-law. The board of selectmen shall enter into an employment contract with the town administrator.

The board of selectmen shall provide the town administrator with an annual review of his or her job performance with input from department heads, employees and members of elected and appointed boards. As part of its annual review, the selectmen shall evaluate the town administrator's performance, including his or her ability to supervise municipal employees properly, administer town government effectively, effectuate policy and accomplish established goals.

SECTION 2 – The town administrator shall be the Chief Administrative Officer of the town and is responsible for (i) the administration and supervision of all town departments and appointed personnel under the jurisdiction of the board of selectmen and as otherwise provided by law or these By-laws; (ii)

directing the overall activity of the municipality when exercising his/her authority for finances, operations and oversight; and (iii) implementing town policies.

Notwithstanding any provision of any general or special law or Town of Hingham General By-law to the contrary, the powers and duties of the town administrator shall include, but not be limited to, the following:

A. The authority and responsibility to exercise overall responsibility for human resources for the town, including but not limited to (i) authority for hiring, supervision, evaluation, discipline and removal of town employees under the jurisdiction of the board of selectmen, and (ii) the responsibility to assist the personnel board in the implementation and administration of the Personnel By-law and salary and classification plan and in that regard:

With respect to the appointment of the chief of police, the fire chief and the superintendent of public works, the town administrator shall coordinate the recruitment and screening of suitable candidates for consideration and appointment by vote of the board of selectmen. The town administrator shall provide the selectmen with relevant materials for the evaluation of no more than five such candidates. In the event that the selectmen do not appoint any of the candidates, the town administrator will continue to present one or more candidates until one is appointed. Any of the chief of police, the fire chief and the superintendent of the department of public works may be removed by vote of the board of selectmen after consultation with the town administrator.

With respect to the appointment of department heads under the jurisdiction of the board of selectmen other than the chief of police, the fire chief and the superintendent of public works and except as may otherwise be provided by law, the town administrator shall appoint and remove all such department heads. The town administrator shall consult with the appropriate elected or appointed board, commission, committee or official as well as the board of selectmen prior to making these department head appointments or undertaking their removal. Prior to finalizing such a department head appointment, the town administrator shall provide notice to the board of selectmen of the anticipated appointment and the terms and conditions of employment for the appointment. The board of selectmen shall approve or disapprove the appointment and the terms and conditions of employment within 14 days of such notice. A failure

of the board of selectmen to act within this 14-day period shall be deemed approval of the appointment and the terms and conditions thereof. Any termination or removal of such department heads shall be subject to the same notice and approval requirements for appointments as set forth in this paragraph.

The town administrator or his or her designee shall appoint and remove all other town employees under the jurisdiction of the board of selectmen except for civil service employees in the police department.

The town administrator shall be responsible for the supervision, management, evaluation and discipline of all other town employees under the jurisdiction of the board of selectmen. The town administrator annually shall be responsible for performance evaluations of all department heads and shall oversee the performance evaluation program conducted by department heads for employees within their respective departments. The town administrator shall act as hearing officer for appeals of Civil Service disciplinary suspensions of five days or less and act on behalf of the board of selectmen in the grievance process under collective bargaining agreements.

B. The authority and responsibility to, in a timely manner, prepare, develop and assemble the town budget for all non-school departments and accounts and following the development of the budget, the town administrator shall submit the entire budget document to the board of selectmen for review. The town administrator shall forward the budget document, including any alterations approved and incorporated therein by the board of selectmen, to the Advisory Committee.

C. The authority and responsibility to act as the Chief Procurement Officer for the town. In that regard, the town administrator shall exercise full authority for procurement as provided under chapter 30B of the Massachusetts General Laws. The town administrator shall be responsible for the purchase of all supplies, materials, services and equipment, and shall have the authority to award and sign all contracts up to \$50,000, in addition to all Mass Highway contracts and state and federal grants. Any contract over \$50,000 shall require the approval of the board of selectmen. The town administrator shall have the authority to sign all contracts approved by the board of selectmen on behalf of the town. All contracts and grants signed by the town administrator shall be promptly reported, in writing, to the board of selectmen.

D. The authority and responsibility to:

1. Attend all regular and special meetings of the board of selectmen, unless unavailable for reasonable cause, where he or she shall have a voice, but no vote, in all of its proceedings and keep full and complete records of the same;
2. Keep the board of selectmen fully informed as to the needs of the town and make recommendations to the board with regard thereto;
3. Keep the board of selectmen fully informed on departmental operations, fiscal matters, administrative actions and provide regular reports to the board on all such matters and provide special reports to the board at its request;
4. Coordinate collective bargaining negotiations under the jurisdiction of the board of selectmen, on behalf of and at the direction of the board of selectmen;
5. Administer and enforce collective bargaining agreements and other employment agreements under the jurisdiction of the board of selectmen at the direction of and on behalf of the board of selectmen;
6. Manage all real and personal property of the town under the jurisdiction of the board of selectmen;
7. Oversee the purchase of all supplies, materials, services and equipment, and approve the award of all contracts for all town departments exclusive of the schools, subject to Section C above;
8. Determine the compensation of all non-school employees within the limits of the town's salary and classification plan and/or collective bargaining agreements and other employment agreements and subject to the personnel By-law;
9. Coordinate the activities of all appointed and elected boards, committees and commissions and have the authority to require such bodies and individuals to meet with and provide information to the town administrator, at reasonable times for the purpose of coordination and financial planning. In addition, the town administrator shall be a resource to all elected and appointed boards and departments;

10. Reorganize, abolish, consolidate or establish any department or position under the town administrator's authority as the town administrator deems appropriate from time to time, subject to the approval of the board of selectmen before implementation and funding by town meeting, if needed;

11. Supervise, direct and be responsible for the efficient administration of all town departments under the jurisdiction of the board of selectmen and for all functions for which the town administrator is given responsibility, authority or control by the board of selectmen;

12. Delegate, authorize or direct any employee appointed under the jurisdiction of the board of selectmen to exercise any power, duty or responsibility which the office of the town administrator is authorized to exercise;

13. Administer and enforce either directly or through a person or persons supervised by the town administrator, all provisions of the laws of the Commonwealth applicable to the town, all By-laws, and all regulations and policies established by the board of selectmen;

14. Investigate or inquire into the affairs of any town department under the jurisdiction of the board of selectmen and have access to all books and records of the same;

15. Attend all sessions of town meeting, whether regular or special, unless unavailable for reasonable cause and answer all questions addressed to the town administrator, particularly those questions that are related to town finances, warrant articles and matters under the general supervision of the town administrator; and

16. Coordinate the prosecution, defense and/or compromise of all litigation to which the town is a party solely at the direction of and on behalf of the board of selectmen.

E. The town administrator shall exercise such additional authority and perform such other duties as are lawfully assigned by the board of selectmen.

SECTION 3 - In the event of a vacancy in the position of town administrator, the board of selectmen shall appoint an interim town administrator to serve until such time as the next town administrator is appointed but not for a period longer than eight (8) months.

SECTION 4 - This act shall take effect upon its passage.

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

COMMENT: The 2015 Annual Town Meeting unanimously adopted amendments to the General By-laws of the Town that set forth the duties and responsibilities that the Board of Selectmen ("BOS") can delegate to the Town Administrator ("TA"). The duties and responsibilities described in the By-law reflect 25 years of administrative practices in the Town of Hingham. Both the Town Administrator By-law Committee ("TABC") report and the Advisory Committee comment noted that, while this local By-law was an important first step in codifying the role of the TA in Hingham, the Town should consider formalizing this important role in a special act.

The Advisory Committee comment in the 2015 Warrant included the following statement: "State statute restricts the further delegation of the administrative responsibilities [to the TA under a local By-law]. Most Aaa bond rated communities in the Commonwealth have adopted either a special act or a charter to solidify professional administration." In a word, the difference between our local By-law and a special act is "certainty". The special act would define the role and not rely on the potentially changing delegation of responsibilities by various Boards of Selectmen.

The hiring of the TA is one of the most vital responsibilities of the BOS, impacting the citizens and employees of the Town as well as all parties providing services or financing to the Town. Attracting and retaining the highest qualified candidate is key to efficient operations of community affairs. The By-law established the responsibilities of the position. The codification by the special act will insure that the Town is able to attract and retain highly qualified candidates for this position.

This past fall, the TABC was charged with drafting a TA special act. In undertaking this task, members of the TABC, building on their prior work, interviewed members of the BOS as well as the Police Chief, the Fire Chief, and our current TA. They also participated in a conference call with the Town's financial advisor. Finally, the TABC conducted research and benchmarking with other comparable towns and Aaa rated communities to determine governmental structures and hiring practices. The result is a proposed special act that, with limited

exceptions, tracks the language of the current By-law. The special act sets out the role of the TA in concrete terms and does not rely on discretionary delegation by the BOS.

There are four reasons for the Town to adopt a special act at this time. First, based on the research conducted by the TABC, a special act would put the Town in the best position to hire a high caliber TA in the event of a vacancy in the position. Several years ago, Hingham retained a consultant to advise the Town on the definition of the TA role. The consultant advised the Town that highly qualified candidates would not be drawn to the position without a firm definition of the role and responsibilities pursuant to either a special act or a charter. The Town's experience has supported this point. Second, the adoption of a special act would be viewed as a "credit-positive" move by the agencies that rate the Town's debt. Our financial adviser has indicated that the rating agencies are now looking more closely at the stability of a town's financial management team as an important factor in analyzing the town's credit. Third, the continuity of the role will not be impacted by a change in the BOS. Finally, factoring out towns with mayors, 15 out of 17 of our competitor communities have adopted a TA special act or charter as the best practice for the organization of administrative responsibilities.

Why is it important for the Town to take this action now, especially when the By-law was just adopted? The answer is that, in order to address the hiring and financial management concerns, we need to have a more formal codification of the TA role in place before we have a vacancy in the position. The adoption of a special act takes time. It must be approved by Town Meeting and then approved by the State Legislature. In addition, the special act tracks, with limited exceptions, the language of the By-law that captured how Hingham has operated over the last 25 years. The special act would make only three departures from the By-law: (i) it would require that the BOS enter into an employment contract with the TA, which has been the practice in Hingham for a number of years; (ii) it would place the responsibility for civil service hiring in the Fire Department with the TA (the Fire Chief would be hired by the BOS, but the TA would have hiring responsibility for firefighters and EMTs, which is consistent with the TA's overall and other hiring responsibilities); and (iii) it would allow the BOS to hire an interim TA on a temporary basis, pending the appointment of a TA in the normal course as is common in most other special acts.

The special act, if adopted by the Great and General Court, will formally codify the executive and administrative best practices relating to the operational and administrative responsibilities of the Town Administrator, while reinforcing the Board of Selectmen's current policy-making role.

For adoption, the special act will require the approval of the Commonwealth's Senate and House of Representatives and will take effect immediately upon adoption.

The TABC voted unanimously to recommend this Article to the BOS for presentation at the 2016 Annual Town Meeting. The BOS voted two to one in support of the Article, while the Advisory Committee voted ten to one in support of the Article.

RECOMMENDED: That the Town authorize, but not require, the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation relating to the Town Administrator in substantially the form provided, recognizing that the Great and General Court may reasonably vary the form and substance of the requested legislation within the scope.

ARTICLE 22: Will the Town raise and appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Committee for architectural and engineering design development for a renovation and expansion project known as HAWC (Health and Wellness Center) to support the High School health, wellness, physical education and athletic curricula while providing increased and improved space for such purposes, or act on anything relating thereto? (Inserted at the request of the School Committee)

COMMENT: This Article contemplates approving the engineering and design services necessary to renovate an existing space and construct an addition for an envisioned 6,000 square foot Health and Wellness Center (HAWC) adjacent to the High School. Student health instruction and wellness and fitness needs are different today from when the High School was constructed, and the spaces currently used for these purposes were retrofitted over 15 years ago.

Expansion of the scope of the Health and Physical Education ("PE") Programs, coupled with the enrollment growth expected over the next several years at the High School, will result in inadequate

facilities for delivery of the curriculum and fitness needs of the student body. The High School curriculum has been modified to require additional health requirements starting in 2017. This request is for funds to develop the architectural and engineering design for the base project, including renovation of discrete existing spaces and construction of an addition to house health classrooms and a fitness center, together with options / alternatives.

The scope of the design would include the following:

- Storage for PE equipment, health class materials, and athletic equipment
- ADA accessibility
- Separate sound system
- Multi-use spaces (e.g., wrestling, CPR education, yoga, team meeting rooms)
- Access to existing amenities (lavatories, locker rooms, elevator)
- A space for both boys and girls to participate in fitness activities, during PE class time and after school

Notwithstanding the expanded scope of health and fitness programs, the School Department feels that the current facilities are inadequate. The weight room is an old boiler room, with low clearance height and very limited equipment storage space. The health classroom is cramped and doubles as a team meeting room. Both rooms have inadequate ventilation systems and significant mechanical system infrastructure in full view and obstructing optimal use. It is believed that final construction costs for the HAWC may be in the neighborhood of \$2 Million to \$5 Million. The construction of new and renovated facilities would require a further affirmative Town Meeting vote.

Some people are concerned that committing capital for design is imprudent unless there is a reasonable expectation that the Town would fund such a project in the near future. The likelihood of this project proceeding in the near term is hampered by the number of competing projects under consideration.

The minority of the Advisory Committee (2 out of 12 voting members) believes that the HAWC proposal has merit and would address an acute need at the High School. Further, during the Advisory Committee's discussions on this project, the proponents suggested initially funding only a schematic study at a cost of approximately \$89,000. The minority believes that this alternative presents an affordable opportunity to further refine this project

so that it would be ready to proceed if additional funding were to become available in the future.

The School Committee unanimously approved this Article. The Board of Selectmen did not support any action on this Article. The Advisory Committee voted 10-2 to take no action on this Article.

RECOMMENDED: That no action be taken on this Article.

ARTICLE 23: Will the Town transfer a sum of money from available funds to the Special Education Reserve Fund, or act on anything related thereto? (Inserted at the request of the School Committee)

COMMENT: This Article will transfer \$100,000 from Fund Balance into the Special Education Reserve Fund for use by the School Committee for unanticipated or unbudgeted special education expenses.

Article 31 of the 2014 Annual Town Meeting authorized the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to allow the Town to create a reserve fund for the purpose of defraying unanticipated or unbudgeted special education expenses. The Governor signed this petition into law on January 7, 2015, thereby authorizing the Fund.

Establishment of this Reserve Fund was in response to an unforeseeable escalation of the Special Education (SPED) budget for Fiscal Year 2013 due to three SPED students moving into Hingham with combined out-of-district tuition costs of \$533,000, excluding transportation. This Reserve Fund will help mitigate any future unanticipated, unbudgeted, and/or extraordinary costs that may occur in the future.

Article 31 stated that monies may be appropriated or transferred to the Fund by the School Committee, the Board of Selectmen, or Town Meeting. Article 24 of the 2015 Annual Town Meeting transferred \$250,000 into the newly established SPED Reserve Fund. At the close of Fiscal Year 2015, the School Committee returned \$226,466 in surplus funds to the Town. Transferring \$100,000 into the SPED Reserve Fund will result in a SPED Reserve Fund balance of \$350,000. The balance in this Reserve Fund shall not exceed 2% of annual net School spending for the prior Fiscal Year, as defined by chapter 70 of the Massachusetts General Laws. 2% of 2015 net School spending is \$755,752.

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

RECOMMENDED: That the Town transfer \$100,000 from available funds to the Special Education Reserve Fund.

ARTICLE 24: Will the Town authorize but not require the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to allow the Town to create a reserve, trust, or stabilization fund, or any other funding mechanism for the purpose of defraying unanticipated or unbudgeted special education expenses, or act on anything relating thereto? (Inserted by the Board of Selectmen)

COMMENT: The vote under Article 31 of the 2014 Annual Town Meeting authorized the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to allow the Town to create a reserve fund for the purpose of defraying unanticipated or unbudgeted special education (SPED) expenses.

The law was passed by the Legislature and signed by Governor Patrick on January 7, 2015, thereby authorizing the fund. However, the legislation differed significantly from the Town Meeting Article and did not correctly represent the vote of the 2014 Town Meeting, which unanimously supported the Article. The law as enacted permitted the School Committee ("SC") to transfer funds to establish a reserve fund but did not provide the SC the ability to continue to fund said reserve fund in future years, nor did the law permit the SC to pay, without further appropriation, for unanticipated, unbudgeted, and/or extraordinary costs of SPED out-of-district tuitions and/or transportation using disbursements from this fund as was intended. The exclusion of the provisions providing for the SC's ongoing funding of and disbursements from the reserve fund was an inadvertent error that occurred during the drafting process. Representative Garrett Bradley has agreed to propose amended legislation (to correct the differences) in the current legislative session, but there is a possibility that the session may end before this can be accomplished. House rules on legislative matters require a current Town Meeting vote for action. This Article will reaffirm the vote of the 2014 Town Meeting and provide the Legislature with a legislative vehicle to move forward with the amended legislation reflecting the vote of the 2014 Town Meeting.

As approved by the 2014 Town Meeting, to fund the reserve fund account, monies may be appropriated or transferred to said account by the SC, the Board of Selectmen, or Town Meeting. Monies may be utilized only to pay unanticipated, unbudgeted, extraordinary costs associated with SPED out-of-district tuitions and/or transportation. These extraordinary costs may occur at any time during the fiscal year due to new families moving into Town, a change in SPED placement for an existing student, or a reduction in reimbursement due to the Commonwealth failing to appropriate sufficient funds for expenses incurred. Monies may be distributed from the account by the SC without further appropriation.

Establishment of this reserve fund was in response to an unforeseeable escalation of the SPED budget for Fiscal Year 2013 due to three SPED students moving into Hingham with combined out-of-district tuition costs of \$533,000, excluding transportation. This reserve fund will help mitigate any future unanticipated, unbudgeted, and/or extraordinary costs that may occur in the future.

The vote under Article 24 of the 2015 Annual Town Meeting authorized the transfer of \$250,000 into the Special Education Reserve Fund, and the 2016 Annual Town Meeting is being asked to transfer \$100,000 into the Fund.

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

RECOMMENDED: Notwithstanding any general or special law to the contrary and 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, that the Town of Hingham authorize, but not require, its Board of Selectmen to petition the General Court of Massachusetts for a special act to allow the Town of Hingham School Committee to establish a reserve fund to be utilized in the current or upcoming fiscal year or years by the Town of Hingham School Committee to pay, without further appropriation, for unanticipated, unbudgeted and/or extraordinary costs of special education out-of-district tuitions and/or transportation. Further, that the Town of Hingham School Committee may appropriate or transfer in the current or upcoming fiscal year or years from the school department budget in order to fund said reserve fund. Further, that the

Board of Selectmen may appropriate or transfer in the current or upcoming fiscal year or years from the town budget in order to fund said reserve fund. Said appropriations or transfers shall be in addition to any appropriation or transfers that may be approved by Town Meeting from time to time to said reserve fund. In any event, the balance in said reserve fund shall not exceed 2% of annual net school spending as defined in Chapter 70 of the Massachusetts General Laws for the prior fiscal year.

ARTICLE 25: Will the Town transfer a sum of money from the Receipts Reserved for Appropriation Fund: Insurance Recovery in Excess of \$20,000 for use by the School Department, or act on anything relating thereto?
(Inserted at the request of the School Committee)

COMMENT: Massachusetts General Laws chapter 44, section 53, requires the expenditure of insurance recoveries in excess of \$20,000 be subject to a vote of Town Meeting prior to final expenditure.

As a result of the heavy snowfall in the winter of 2015, a section of the roof at Plymouth River School was damaged. The Town received \$25,239 from the insurance company as reimbursement of costs associated with the repairs to the library, office, and corridor roof.

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

RECOMMENDED: That the Town transfer \$25,239 from the Receipts Reserved for Appropriation Fund: Insurance Recovery in Excess of \$20,000 for use by the School Department.

ARTICLE 26: Will the Town authorize, but not require, pursuant to M.G.L. c. 40, § 15A and all other applicable laws, the Board of Selectmen to enter into an agreement to transfer, in part, the care, custody, management and control, from the Board of Selectmen to the Hingham Municipal Lighting Plant of a portion of a parcel of land consisting of the surface of the capped landfill being located on Town of Hingham Assessor's Map 106-0-7, and to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary to effect said partial transfer of said parcel of land, on such terms and conditions as the Board of Selectmen deems in the best interest of the town, for the limited purpose of allowing the

Hingham Municipal Lighting Plant to enter into a License, Lease and/or other Agreement with a third party for the construction, operation and maintenance of a solar generating facility on said parcel of land to generate electricity for distribution by the Hingham Municipal Lighting Plant, or act on anything relating thereto?
(Inserted at the request of the Hingham Municipal Lighting Plant)

COMMENT: This Article would authorize the transfer of care, custody, management, and control of approximately 2 acres of land on the top surface (not the sloped sides) of the capped Town landfill from the Board of Selectmen to the Hingham Municipal Lighting Plant ("HMLP") for the sole purpose of the development of a solar generating facility. This is land that is currently not in use and generates no revenues from taxes or any other source. With control of this land, HMLP would seek to enter into a contractual relationship with a third party developer to permit, design, construct, operate, and maintain a solar generating facility. The land would be licensed or leased to the developer, allowing it to locate the solar facility on the landfill. All electricity generated from the facility would be sold exclusively to HMLP under a Power Purchase Agreement ("PPA"), with a term of 20 to 30 years, and distributed to customers throughout Town. Customers in the Town would pay for the electricity generated by the solar facility in the same manner they currently pay for electricity from other sources, i.e., based on the price contained in the PPA executed by HMLP. It is anticipated that the total cost for the power generated by the solar facility will be competitive with other renewable sources with which HMLP has contracts. For the use of the land surface on top of the landfill, the third party would pay the Town an amount to be determined under a Payment In Lieu of Taxes (PILOT) agreement. In terms of responsibilities, the HMLP would be liable for any damage to the landfill and the cap caused by the solar facility, and the Town would continue to operate and maintain the capped landfill.

HMLP will select a solar developer through a competitive solicitation process. A Request for Proposals ("RFP") will be issued which will define the requirements for the facility. In responding to the RFP, the developers will be required to address all aspects of the project including permitting, design, construction, operation, maintenance, and disposition at the conclusion of the contract. Respondents will also need to provide information concerning their experience and their ability to

finance the project. Obtaining all required Town and State permits and approvals will be the sole responsibility of the developer. If HMLP is unable to come to an agreement with the developer, or if the developer is unable to obtain the necessary permits and the project does not move forward, this authorization will expire within two (2) years of 2016 Annual Town Meeting.

For a project of this magnitude that involves the use of Town lands, the Advisory Committee believes it is important for the Town and public to have continued input and involvement beyond that provided by the normal land use permitting process. Therefore, the Advisory Committee suggests that the agreement between the Town and HMLP provide that:

1. The RFP require the successful developer to provide visual simulations of the proposed facility from abutters' properties and also address proposed mitigation as part of the Town's permitting process.
2. In its negotiation of a lease or other agreement, the Selectmen shall address safety, security, and liability, as well as avoidance of interruption of the Town's operation of the Transfer Station.
3. There be an opportunity for public review of the proposed Agreement between the Town and HMLP before it is finalized.
4. The Board of Selectmen be provided with project updates both before and after installation.

Some citizens of the Town have indicated that they feel that this may not be an appropriate location for a solar generation facility due to its proximity to certain residences. The Advisory Committee believes that this issue is best addressed as part of the RFP and review process discussed above.

The proposed use of land on top of the capped landfill for solar power generation represents a unique opportunity not only to generate revenues from an unused Town asset but also to create a renewable power generation facility for the Town that will contribute to the reduction of greenhouse gas emissions. The Board of Selectmen and Advisory Committee both unanimously support this Article.

RECOMMENDED: That the Town authorize, but not require, pursuant to M.G.L. c. 40, § 15A, and all other applicable laws, the Board of Selectmen to enter into an agreement to transfer, in part, the care, custody, management, and

control, from the Board of Selectmen to the Hingham Municipal Lighting Plant of a portion of a parcel of land consisting of the surface of the capped landfill being located on Town of Hingham Assessor's Map 106-0-7, and to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary to effect said partial transfer of said parcel of land, on such terms and conditions as the Board of Selectmen deems in the best interest of the Town, for the limited purpose of allowing the Hingham Municipal Lighting Plant to enter into a License, Lease, and/or other Agreement with a third party for the construction, operation, and maintenance of a solar generating facility on said parcel of land to generate electricity for distribution by the Hingham Municipal Lighting Plant. This authorization shall expire if the Board of Selectmen, the Hingham Municipal Lighting Plant, and a third party do not enter into acceptable Agreements within two (2) years of the 2016 Annual Town Meeting.

ARTICLE 27: Will the Town authorize, but not require, the Board of Selectmen (a) pursuant and subject to M.G.L. Chapter 40, Sections 3, 15 and 15A, as applicable, and Article 5, Section 4A of the Town of Hingham General By-laws, to dispose of a parcel of land, known as and numbered 2 Beal Street, and shown as Lot 50 on Assessor Map 69, for a minimum of \$1.00 and on such other terms and conditions as the Board of Selectmen deem in the best interests of the Town, for use as an assisted living facility that includes units that qualify under Massachusetts law for inclusion in Hingham's Subsidized Housing Inventory, and (b) in the event the above-described use of such parcel of land is not undertaken, to proceed as to said parcel of land pursuant to the authorization provided under Article 42 of the 2005 Annual Town Meeting, or act on anything related thereto?
(Inserted by the Board of Selectmen)

COMMENT: This parcel of land, known as the "Selectmen's Parcel", consists of approximately 10 acres owned and controlled by the Town of Hingham and is located at 2 Beal Street. The Hingham Affordable Housing Trust ("HAHT") has been reviewing alternative uses for this property, with the hope of maximizing the number of affordable housing units that this parcel will support.

The HAHT was formed by Town Meeting and is described in Article 39 of the Town By-laws. The objective of the HAHT is to propose, support, and

develop affordable housing that contributes positively to the character of the Town, considering both Hingham's history and its future. Funding for the HAHT comes from a number of sources including the Community Preservation Committee ("CPC"), the sale of affordable housing, property donations, and State programs. The HAHT is governed by 9 trustees who are appointed by the Board of Selectmen ("BOS"). It is primarily charged with managing and improving real property, selling said property, and providing grants and loans to assist low and moderate-income homebuyers to purchase or rehabilitate a dwelling unit in the Town of Hingham. The HAHT has successfully contributed to and sponsored a number of projects in the Town, including the Commander Anderson House, the Lincoln School Apartments, and a multi-unit development at 80 Beal Street.

The 2005 Annual Town Meeting authorized funds to engage in negotiations with architects and developers for the design, permitting, and marketing of 20 to 40 affordable units. Consistent with this plan, pre-development work was begun by the Hingham Housing Partnership ("HHP"). Development was delayed as the "Great Recession" affected construction projects of all types. The HAHT assumed control of this project and has worked with architects and environmental engineers to start the development work, including environmental site assessment "21-E".

The initial plan for this parcel was the development of single-family homes to meet the needs of low and moderate-income families. The demographics have shifted since 2005, and a recent UMass study of Town demographics shows a substantial increase in the elderly population. Currently 26.4% of the population is younger than 18 years old, and 26.1% of the Town population is over 60 years old. In addition, a study completed by the Metropolitan Area Planning Council ("MAPC"), a State regional planning agency, concluded that the greatest housing need is among elderly and disabled individuals with low and moderate incomes. As a result of the increased need for affordable housing for elderly and disabled individuals, this Article advocates that the use of the Selectmen's Parcel be changed to accommodate approximately 60 to 80 assisted living units with 25% qualifying as affordable. Under this structure, the entire project would be considered affordable housing.

Recently, the Town was approached by multiple developers interested in constructing such a facility. This Article authorizes the BOS to issue a Request

for Proposals ("RFP") that would include selling this property to a developer for construction of an assisted living facility that includes units that qualify under Massachusetts law for inclusion in Hingham's Subsidized Housing Inventory. This program would meet an existing need and provide more units of housing than the previously envisioned single-family ownership program.

In summary, if adopted, this Article would allow the BOS to develop an RFP for this expanded revised concept, and, in their discretion, to enter into an agreement to sell this land to a developer who would construct an assisted living facility with a minimum of 25% affordable units. If this alternative is not successful, the HAHT will pursue the original plans for a single-family development for low and moderate-income families.

The Board of Selectmen voted 2-0 in favor of this Article, and the Advisory Committee voted 11-0 in favor of this Article.

RECOMMENDED: That the Town authorize, but not require, the Board of Selectmen (a) pursuant and subject to Massachusetts General Laws chapter 40, sections 3, 15, and 15A, as applicable, and Hingham General By-laws article 5, section 4A, to dispose of a parcel of land, known as and numbered 2 Beal Street, and shown as Lot 50 on Assessor Map 69, for a minimum of \$1.00 and on such other terms and conditions as the Board of Selectmen deem in the best interests of the Town, for use as an assisted living facility that includes units which qualify under Massachusetts law for inclusion in Hingham's Subsidized Housing Inventory, and (b) in the event the above-described use of such parcel of land is not undertaken, to proceed as to said parcel of land pursuant to the authorization provided under Article 42 of the 2005 Annual Town Meeting.

ARTICLE 28: Will the Town authorize, but not require, the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts, pursuant to M.G.L. Chapter 45, Section 7, for approval to erect a building that exceeds six hundred square feet in area on the ground on the parcel known as 0 Otis Street and shown as Lot 50 on Assessor Map 50, or act on anything related thereto?

(Inserted at the request of the Trustees of the Bathing Beach and the Harbor Development Committee)

COMMENT: This Article, proposed by the Bathing Beach Trustees and the Harbor Development Committee, is part of a continuing effort to explore feasible alternatives to utilize the harbor, in line with the Harbor Master Plan, developed in 2007. This Article would authorize the building of a new snack/refreshment stand and bathhouse ("Building") on the parcel of land known as 0 Otis Street, which is under the care and control of the Board of Selectmen ("BOS"). Proponents are exploring this alternate location for the Building in response to concerns that the cost to construct the Building on the site of the existing bathhouse may not be feasible due to the location of existing utilities and other site considerations.

The Town has been awarded a State grant in the amount of \$700,000 by the Seaport Economic Council to be applied to the proposed development of the Building. The proponents are seeking a matching commitment of \$150,000 from the Town's Community Preservation Committee as a stipulation of receipt of the funds from the Seaport Economic Council. The Seaport Economic Council requires that the Building provide more than one use, and the proponents are exploring educational and historical elements to be featured in the Building. (See Project #11 in Article 30.)

The dimensions of the Building have not been determined, but the proponents anticipate that the Building will exceed 600 square feet in area. As a result, the construction of the Building will require approval by the State Legislature pursuant to Massachusetts General Laws chapter 45, section 7. Further engineering studies will be necessary to determine if this alternate location is feasible for development of the Building. All required State and Town approvals and permits will be sought by the proponents if and when this is determined to be an acceptable location. The reuse or demolition of the existing bathhouse will be considered as part of the continuing feasibility analysis. The BOS and the Advisory Committee approved this article unanimously.

Note that Article 29 would authorize the BOS to execute a long-term lease with a food-service vendor for the Building, if it is in fact placed on the Selectmen's parcel.

RECOMMENDED: That the Town authorize, but not require, the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts, pursuant to Massachusetts General Laws chapter 45, section 7, for approval

to erect a building that exceeds 600 square feet in area on the ground on the parcel known as 0 Otis Street and shown as Lot 50 on Assessor Map 50.

ARTICLE 29: Will the Town authorize, but not require, the Board of Selectmen to (1) petition the General Court of the Commonwealth to permit a long-term lease within a building to be erected on the parcel known as 0 Otis Street and shown as Lot 50 on Assessors Map 50, and (2) to enter into a long-term lease for all or a portion of said building for the purpose of a snack/refreshment stand and bathhouse on such other terms and conditions as the Board of Selectmen deem in the best interests of the Town, or act on anything related thereto?

(Inserted at the request of the Trustees of the Bathing Beach and the Harbor Development Committee)

COMMENT: This Article, proposed by the Bathing Beach Trustees and the Harbor Development Committee, is in furtherance of the proponents' petition in Article 28 to construct a snack/refreshment stand and bathhouse ("Building") on the parcel known as 0 Otis Street, which is under the care and control of the Board of Selectmen. (See also Project #11 in Article 30.)

The Trustees of the Bathing Beach previously explored leasing the existing bathhouse to a food-service vendor through a public bidding process. The existing facilities were deemed inadequate by several prospective vendors, and the redevelopment of an adequate facility on the site of the existing bathhouse is not economical for potential vendors, given the challenging site conditions.

Based on feedback from vendors and discussions with the Town Engineer, the proponents are hopeful that construction on 0 Otis Street is feasible and will enable a vendor to operate all or a portion of the Building under a mutually agreeable long-term lease. Any lease with a private party will require State Legislative approval if erected on 0 Otis Street. The terms and conditions of the lease will have to be further defined in a request for proposals and then negotiated with the potential vendor. It is anticipated that lease payments will cover most of the operating expenses for the Building.

RECOMMENDED: That the Town authorize, but not require, the Board of Selectmen to (1) petition the General Court of the Commonwealth to permit a long-term lease within a building to be erected on the parcel known as 0 Otis Street

and shown as Lot 50 on Assessors Map 50, and (2) to enter into a long-term lease for all or a portion of said building for the purpose of a snack/refreshment stand and bathhouse on such other terms and conditions as the Board of Selectmen deem in the best interests of the Town.

ARTICLE 30: 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 to be used by the Hingham Affordable Housing Trust for the HAHT Opportunity Funding Program;
- 3) Appropriate a sum of money from the Community Preservation Community Housing Reserve to be used by the Hingham Affordable Housing Trust to create an affordable housing unit at 302 Whiting Street, Map 187/Lot 24;
- 4) Appropriate a sum of money from the Community Preservation Community Housing Reserve and a sum of money from the Community Preservation General Fund to be used by the Hingham Housing Authority for a feasibility study and consultant services regarding a parcel of land on Beal Street, Map 58/Lot 23;
- 5) Appropriate a sum of money from the Community Preservation General Fund to be used by the Hingham Historical Commission for the preservation of Town maps, photos, monuments and markers throughout the Town;
- 6) Appropriate a sum of money from the Community Preservation General Fund to be used by the Second Parish Church Association for the Second Parish ADA Compliance Project located at 685 Main Street, Map 126/Lot 047;
- 7) Appropriate a sum of money from the Community Preservation General Fund to be used by the Hingham Community Center for restoration of the front exterior of and leaded glass sidelights in the building located at 70 South Street, Map 61/Lot 163;
- 8) Appropriate a sum of money from the Community Preservation General Fund to be used by the Recreation Commission for the renovation and

repurposing of Kress Field Playground located at 1 Off-Gardner Street, Map 203/Lot 0;

9) Appropriate a sum of money from the Community Preservation General Fund to be used by the Harbor Development Committee to install lighting along the Whitney Wharf Pedestrian Bridge, Map 51/Lot 01;

10) Appropriate a sum of money from the Community Preservation General Fund to be used by the Community Planning Department for installation of signage kiosks and trail materials for the Comprehensive Trails Plan; and

11) Appropriate a sum of money from the Community Preservation General Fund to be used by the Hingham Bathing Beach Trustees to develop a Maritime Facility (Bath House/Multipurpose Maritime Building);

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 matching funds from the Commonwealth) to maintain their character by supporting open space, affordable housing, recreation lands, and historic preservation 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 \$1,423,285. That includes local tax revenue from FY16, existing reserves from last year, and a State grant of \$277,401. In addition to the specific reserve funds, the CPC now has a Rainy Day Fund that is the repository of monies not spent on completed CPA projects.

In 2016, the CPC is recommending approval of funding for 12 projects for a total of \$1,214,242. An additional \$209,043 of CPA funds will be set aside in anticipation of debt payments for the Hingham Heritage Museum. The Museum project was approved by the Annual Town Meeting in 2013 and will require debt payments from CPA funds for no more than 10 years. To date, \$176,000 has been retained for this purpose. Funding of the 2016 projects will deplete the three reserve funds, the General Fund, and the Rainy Day Fund.

Note that this Article contains 11 of the CPA projects. The 12th project (Lehner Property) is contained in a separate Article and requests the expenditure of current CPA funds (\$500,000 of the \$1,214,242 mentioned above) plus a bond issuance of \$4,500,000.

The Board of Selectmen and the Advisory Committee recommend favorable action on this Article. 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 annual Town Meeting, and the salaries of part-time staff. In the past, Hingham's administrative appropriations have averaged 3.3% of annual CPA revenues compared to the 5% allowed by the CPA. This year's contribution to the CPC Administrative Fund equals \$45,000 and represents 3.7% of the annual CPA revenues.

2) The Hingham Affordable Housing Trust ("HAHT") requests \$100,000 from the Community Housing Reserve to place in the Opportunity Fund established by Town Meeting in 2014. This fund is for the sole purpose of responding quickly to potentially short-lived opportunities to purchase sites with major potential for development / preservation of affordable housing within the Town. Should there be a need to borrow funds or mortgage assets to complete a purchase, approval by the majority of the Board of Selectmen is required. If, however, a potential purchase is of a smaller nature, the HAHT can act on its own and acquire the property independently 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 \$275,000 of CPA funds in the Opportunity Fund since the Fund was established in 2014.

In 2015, the HAHT used funds from the Opportunity Fund to purchase a condominium in Beal's Cove Village. When the HAHT purchases such a property, the Trust applies for an affordability restriction from the State Department of Housing and Community Development. Once the restriction is in effect, the HAHT sells the property (for less than its purchase price) and places the proceeds back into the Opportunity Fund for future purchases.

3) The Hingham Affordable Housing Trust ("HAHT") requests \$60,000 from the Community Housing Reserve for interior and exterior renovations to a single-family home, located at 302 Whiting Street. The property was donated to the Town in 2014. After completion of the renovations, the HAHT will seek State approval to add the home to the Town's affordable housing inventory and then will market the property for sale. Proceeds from the sale will be used for future affordable housing opportunities. This project will help to increase the number of affordable properties and spread them throughout different areas of Town.

4) The Hingham Housing Authority ("HHA") requests \$30,000 to fund a feasibility study, consultant services, and an architectural design to develop three acres of a 15-acre parcel at 100 Beal Street (Map 58/Lot 23) for construction of 20-40 affordable rental apartments. The Town will not be responsible for development or construction costs, and rental fees will cover future maintenance and capital expenses.

If granted funding, the HHA will administer CPA funds via invoicing for services. Consultant services are projected to cost \$10,000. The Women's Institute for Housing and Economic Development ("WIHED"), an experienced non-profit agency whose mission is to develop affordable, transitional, and supportive housing in Massachusetts, is being considered for consultant services. The architectural design is projected to cost \$20,000 and will be solicited through the public bidding process.

The development of 20-40 affordable rental units will add significantly to the Town's affordable housing inventory. Tenant selection will give priority to veterans and Hingham residents, to the extent allowed by law. The HHA's mission is to create, develop, and maintain affordable housing in perpetuity.

5) The Hingham Historical Commission requests \$41,387 in CPA funding to preserve, protect, and restore significant landmarks that are part of our local and national history. Foremost in need of restoration are the bronze sculptures of seated Abraham Lincoln in Fountain Square and the Pro Patria et Gloria War Memorial (Iron Horse) at Hingham Harbor. Their condition has deteriorated due to environmental factors and human defacement. Restoration of these memorials includes removal of existing degraded protective coatings, metal cleaning, color clarity revitalization,

and application of new protective coatings to preserve metal integrity.

Four remaining milestones along the former stagecoach route between Boston and Plymouth mark the distances from Hingham to Boston and from Hingham to Plymouth. Proximity to widened roadways has contributed to their deterioration. Funding would move the granite markers back and reset, restore, and protect them. The boundary marker at 1095 Main Street is also included in this funding request.

Four significant Town maps in need of restoration are on full display at Town Hall. Intervention by a document conservator to repair wear, aging, tears, and folds will preserve these documents of our past for future generations.

6) The Second Parish Church, built in 1742, is located on Main Street in the historic Glad Tidings Plain and abuts the Tower-Wilder Historic District. This beautiful and historically significant structure has been a religious and social service center in South Hingham for 272 years. Second Parish is home to a vibrant congregation, but also is the host for the Hingham Food Pantry and weekly meetings of community recovery groups. Second Parish sponsors multiple church and community events, including regular and special church services, the annual art show, concerts, and a holiday fair. Church and community members (not limited to the townspeople of Hingham) also make use of the church for weddings, funerals, and memorial services.

In 2013, the Second Parish congregation expressed the desire to build a handicapped accessible (ADA compliant) entrance that would be historically appropriate and would facilitate travel between the two primary levels of the church. The project was projected to be done in two phases. Annual Town Meeting 2014 approved the use of \$10,000 in CPA funds for planning and design of an enclosed structure on the south side of the church that would allow dual access into Cushing Hall and the sanctuary.

The design of the handicapped entrance is now complete, and the Historic Districts Commission has approved the plans. The second phase (construction) is anticipated to start in June 2016 and be complete in the fall of 2016. The cost of this phase is \$175,000. The Second Parish fundraising campaign has generated \$90,000 in private funds and requests \$85,000 in CPA funds for this project.

If funding is granted, the church will look at other resources for historic preservation to help defray the cost of maintenance items, such as exterior painting and window restoration. Once the entrance renovations are complete, members of the congregation can better utilize the church in concert with their mission of serving their neighbors and the Hingham community at large.

7) The Hingham Community Center, Inc. ("HCC") seeks \$15,650 to restore the building's front exterior and two leaded glass sidelights flanking the front entrance. Built in 1685 and on the National Register of Historic Places, the structure's prominent location at the corner of South and Central Streets makes it a frequent destination for community activities and an iconic contributor to Hingham Square's historic character.

HCC, a non-profit corporation, has maintained this historical resource, while offering a multitude of programs geared to all age groups. Community members experience the building's historic interior while participating in its dance, art, exercise, and karate classes, along with meetings, celebrations, and performances occurring there. HCC is funding over 40% of the project's \$26,525 current total cost, along with any additional expense for necessary unanticipated repairs uncovered during the project.

This restoration work will repair significant deterioration to a prominently located Hingham historical resource, supporting its continued active use by the community in the future.

8) The Recreation Commission requests \$132,243 to rehabilitate Kress Field Playground on upper Gardner Street to provide the underserved South Hingham area with a viable playground and to build the Town's first universally-accessible playground with specific structures targeted to children with special needs.

Town-owned Kress Field currently has no commercial grade playground structures, nor are there any Town-run playgrounds in the area. Residents of South Hingham have no real playground options, in contrast with other parts of the community. The playground's design, including swings accommodating wheelchairs, sensory boards, and other inclusive play equipment, will result in the Town's first play space where children with special needs can play safely alongside their friends.

The Recreation Commission has received a \$50,000 State reimbursement grant toward the playground's construction. While the grant's terms require that Hingham appropriate the project's full cost up front, the grant will reduce the project's net cost, and \$50,000 will be returned to the CPC for use on future projects.

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The neighboring Farm Hills Civic Association supports the project, pledging volunteers for a community build, which is projected to save as much as \$18,000 on construction, along with future fundraising for additional playground amenities. The Recreation Commission will assume responsibility for the playground's ongoing maintenance.

9) The Harbor Development Committee requests \$35,000 for supplemental funding to complete the previously approved Whitney Wharf Bridge. Of the requested amount, \$25,000 will be used to install lights for the bridge and \$10,000 will provide a contingency against cost overruns on the bridge project.

In 2012 and 2014, Town Meeting appropriated CPA funds totaling \$315,000 to construct a 120-foot long footbridge from the park on Whitney Wharf to the area behind Red Eye Roasters. As envisioned in the Town's 2007 Harbor Master Plan, the bridge, which is an important part of the contemplated shoreline walk between the Bathing Beach and Steamboat Wharf, will create a safe and convenient route for pedestrians, allowing them to avoid the narrow sidewalk and dangerous conditions along Route 3A.

After delays for permitting and acquisition of an easement from a private landowner, bridge construction is finally scheduled to get underway this spring. However, the prior appropriations do not cover the cost of lighting for the bridge, which is needed to insure safety after dark. The requested amount will cover the cost for four lights along the bridge and one tall light pole behind Red Eye Roasters, including electrical wiring and labor for installation. Given the length of the bridge and the desire that it provide a safe alternative to the Route 3A sidewalk, it is important to include adequate lighting. The appropriation will also provide a small reserve against construction overruns on the bridge.

10) The Department of Community Planning requests \$19,962 in CPA funds to purchase signage kiosks, trail supplies, and tools to improve existing trails, thus improving public accessibility and providing an enhanced user experience. Kiosks will

provide: maps; park rules; directional, location specific, property, environmental, and historic information; interpretive displays; and contact numbers. Kiosks installed at trailheads will contain Quick Response Codes for trail users to link to maps, to help with way finding, and to provide security.

Equipment purchased will help volunteers provide a standardized trail blaze marker system as a guide to clearly mark the way for users to stay on designated footpaths or change direction. Trail maintenance tools purchased will be used for pitch construction and ground grading, surface preparation, footpath clearing, seasonal overgrowth and debris removal, erosion control, natural barrier integration, and other routine trail rehabilitation. Labor provided to install kiosks and maintain the trail system will be voluntary.

Annual Town Meeting 2014 approved \$50,000 in CPA funds to develop the Town of Hingham Comprehensive Trails Plan that implemented elements of the Town's Master Plan and Open Space Plan. The consultant hired with these funds was instrumental in identifying, evaluating, linking, and mapping the Town's open space and recreation land inventory and documenting a trail network that was finalized in Fall 2015. The Trail Improvement Project is based on recommendations in the 2015 Comprehensive Trails Plan.

11) The Trustees of the Bathing Beach ("Trustees") request \$150,000 to be used for architectural and engineering design of a multi-purpose maritime building ("Building") to replace the existing bathhouse at the Town Bathing Beach. The total project cost, including demolition and construction, is estimated at \$850,000. The Town has received approval from the Seaport Economic Council for a FY 2017 grant in the amount of \$700,000 for the project, and the requested \$150,000 of CPA funds would serve as the Town's required 20% match.

The existing bathhouse, which was constructed in the early 1960s, is in a dilapidated condition and in need of renovation or replacement. It is just 860 square feet in size and of limited use. Although it has restrooms, these are open only during the swimming season and only for restricted hours. In contrast, the proposed Building, which is expected to be on the order of 2,200 to 2,600 square feet and 1½ to 2 stories, would include expanded times for restrooms, showers, a seasonal restaurant or snack shop, educational exhibits relating to Hingham's maritime history, and possibly a meeting room.

Past efforts by the Town to find a tenant to renovate the bathhouse and provide food service have been unsuccessful. Therefore, the Trustees want to determine whether a Town-sponsored project is feasible. Of the requested amount, the Trustees estimate that approximately \$7,500 would be used for a "proof of concept" to evaluate the feasibility of the project. Among the issues that must be addressed are availability and cost of providing utilities, impacts on storm water from increased impervious cover, floodplain concerns, engineering and architectural constraints, and zoning and permitting requirements. In addition, the feasibility analysis will select the best location for the Building, which may turn out to be on land controlled by the Board of Selectmen, rather than the Trustees. The balance of the requested funds includes approximately \$60,000 for engineering, \$75,000 for architectural work, and \$7,500 for contingencies.

A modernized bathhouse with food service (to be run by a private lessee) and expanded restroom hours is an important part of the Trustees' vision for the Harbor and a recommendation of Hingham's 2007 Harbor Master Plan. The project, which would attract more people to the Harbor and the Bathing Beach, is also supported by the Harbor Development Committee.

Note that this project is related to two other Articles. Article 28 would authorize placing the Building on land controlled by the Board of Selectmen, in case the feasibility analysis determines that to be the best location. Article 29 would authorize the Board of Selectmen to execute a long-term lease with a food-service vendor for the Building, if it is in fact placed on the Selectmen's parcel.

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

- 1) Appropriate \$45,000 from the Community Preservation General Fund for addition to the Community Preservation Committee's Administrative Fund;
- 2) Appropriate \$100,000 from the Community Preservation Community Housing Reserve to be used by the Hingham Affordable Housing Trust for the HAHT Opportunity Funding Program;
- 3) Appropriate \$60,000 from the Community Preservation Community Housing Reserve to be used by the Hingham Affordable Housing Trust

to create an affordable housing unit at 302 Whiting Street, Map 187/Lot 24;

4) Appropriate \$6,651 from the Community Preservation Community Housing Reserve and \$23,349 from the Community Preservation General Fund to be used by the Hingham Housing Authority for a feasibility study and consultant services regarding a parcel of land on Beal Street, Map58/Lot 23;

5) Appropriate \$41,387 from the Community Preservation General Fund to be used by the Hingham Historical Commission for the preservation of Town maps, photos, monuments and markers throughout the Town;

6) Appropriate \$85,000 from the Community Preservation General Fund to be used by the Second Parish Church Association for the Second Parish ADA Compliance Project located at 685 Main Street, Map 126/Lot 047;

7) Appropriate \$15,650 from the Community Preservation General Fund to be used by the Hingham Community Center for restoration of the front exterior of and leaded glass sidelights in the building located at 70 South Street, Map 61/Lot 163;

8) Appropriate \$132,243 from the Community Preservation General Fund to be used by the Recreation Commission for the renovation and repurposing of Kress Field Playground located at 1 Off-Gardner Street, Map 203/Lot 0;

9) Appropriate \$35,000 from the Community Preservation General Fund to be used by the Harbor Development Committee to install lighting along the Whitney Wharf Pedestrian Bridge, Map 51/Lot 01; and for contingency costs in completing said bridge project.

10) Appropriate \$19,962 from the Community Preservation General Fund to be used by the Community Planning Department for installation of signage kiosks and trail materials for the Comprehensive Trails Plan; and

11) Appropriate \$150,000 from the Community Preservation General Fund to be used by the Hingham Bathing Beach Trustees and/or the Board of Selectmen to develop a Maritime Facility (Bathhouse/Multipurpose Maritime Building).

ARTICLE 31: Will the Town authorize the Board of Selectman to file and accept grants from the Executive Office of Energy and Environmental Affairs for the reimbursement of 54% of the total project cost of \$120,000 up to the grant award maximum of \$50,000 to be paid for through the Community Preservation Act funds appropriated for the renovation of Kress Field Playground, a playground dedicated to active recreation purposes under M.G.L. c. 45, 14, pursuant to the Parkland Acquisitions and Renovations for Communities Grant Program under 301 CMR 5.00, and all other applicable laws, and to authorize the Board of Selectmen to take such other actions as are necessary to carry out the terms, purposes and conditions of said grant to be administered by the Town of Hingham Recreation Department, or act on anything relating thereto?

(Inserted at the request of the Recreation Commission)

COMMENT: The Recreation Commission is seeking \$132,243 in Community Preservation Act funds to rehabilitate Kress Field Playground on upper Gardner Street, both to provide the underserved South Hingham area with a viable playground and to build the Town's first universally accessible playground with specific structures targeted to children with special needs. To offset the costs of the renovations of the Kress Field Playground, the Town of Hingham Recreation Department applied for a grant offered through the Massachusetts Parkland Acquisitions and Renovations for Communities ("PARC") Program.

The PARC Program (formerly the Urban Self-Help Program) was established in 1977 to assist cities and towns in acquiring and developing land for park and outdoor recreation purposes. Any town with a population of 35,000 or more year-round residents, or any city regardless of size, that has an authorized park and recreation commission is eligible to participate in the Program. Communities that do not meet the population criteria listed above may still qualify under the "small town," "regional," or "statewide" project provisions of the Program. Only projects that are to be developed for suitable outdoor recreation purposes, whether active or passive in nature, shall be considered for funding. Grants are available for the acquisition of land and the construction or renovation of park and outdoor recreation facilities. Access by the general public is required.

The PARC Program's reimbursement rates are calculated based on each community's equalized

valuation per capita decile ranking. This ranking is based on property valuation and town population. Reimbursement rates range from 52% to 70% and increase by 2% for each decile. The Town of Hingham's reimbursement rate is set at 54%. The grant's terms set a maximum project cost for reimbursement consideration at \$120,000, and the maximum reimbursement amount is \$50,000.

The PARC Program has awarded a grant totaling \$50,000 to the Town of Hingham. The grant's terms require that Hingham appropriate the project's full cost up front. The grant will reduce the project's net cost. If the Town accepts the grant, the awarded money will be used to refund the Hingham Community Preservation Committee and placed in the Community Preservation General Fund for future projects.

RECOMMENDED: That the Town authorize the Board of Selectman to file and accept grants from the Executive Office of Energy and Environmental Affairs for the reimbursement of 54% of the total project cost of \$120,000 up to the grant award maximum of \$50,000, which project cost is to be paid for through the Community Preservation Act funds appropriated for the renovation of Kress Field Playground, a playground dedicated to active recreation purposes under M.G.L. c. 45, s. 14, pursuant to the Parkland Acquisitions and Renovations for Communities Grant Program under 301 CMR 5.00, and all other applicable laws, and to authorize the Board of Selectmen to take such other actions as are necessary to carry out the terms, purposes, and conditions of said grant to be administered by the Town of Hingham Recreation Department.

ARTICLE 32: Will the Town: (i) appropriate the sum of Five Million Dollars (\$5,000,000) to be used by the Hingham Conservation Commission under M.G.L. c. 40, § 8C to purchase the parcels of land comprised of Assessors' Map 137, Lot 1, Lot 18, Lot 21.B and a portion of Lot 23 and Assessors' Map 147, Lot 6, and to meet such appropriation (a) expend Two Hundred Eleven Thousand Eight Hundred Sixty One (\$211,861) Dollars from the Community Preservation Open Space Reserve and Two Hundred Eighty Eight Thousand One Hundred Thirty Nine Dollars (\$288,139) from the Community Preservation General Reserve and (b) authorize the Town Treasurer; with approval of the Board of Selectmen, to borrow up to Four Million Five Hundred Thousand (\$4,500,000), together with costs of the borrowing, under the provisions of MGL

Chapters 44, and 44B and any other enabling authority upon such terms as the Town Treasurer and Board of Selectmen shall determine, provided that the source of repayment of such principal indebtedness and interest accrued thereon shall be the Hingham Community Preservation Fund established and maintained pursuant to the provisions of MGL, Chapter 44B; (ii) authorize, but not require, the Conservation Commission with the approval of the Board of Selectmen, to grant a conservation restriction that meets the requirements of sections 31 to 33, inclusive, of MGL chapter 184 as required pursuant to section 12 of the Community Preservation Act (MGL chapter 44B) to a nonprofit organization; and (iii) to authorize the Conservation Commission to seek reimbursement under the LAND program, (formerly known as the Self-Help Program), Chapter 132 A §11 and enter contracts therefor; or (iv) act on anything related thereto? (Inserted at the request of the Community Preservation Committee)

COMMENT: The 49+ acres, owned by members of the Lehner family, represent the largest remaining piece of undeveloped residential land in Hingham. Comprised of grasslands, mixed forest, wetlands, and streams, the property abuts other protected lands providing outstanding wildlife habitat, scenic streetscape, and protection for several historic features. Its preservation is a high priority in the Town's Open Space Plan. Approximately 90% of the property lies within the Town of Hingham's Aquifer Protection District, and all of it is in the Zone II Wellhead Protection Area for the Free Street wells that supply 57% of the Town's drinking water.

Initially, the Open Space Acquisition Committee ("OSC") requested that the Community Preservation Committee ("CPC") set aside \$500,000 to potentially acquire the property. The OSC expected to explore how The Trust for Public Land might assist the Town in areas such as private fundraising, grant applications, and acquisition financing, prior to making a firm commitment to acquire the property.

Recently, the owners have been approached by a number of developers who would like to develop the property into either a 40B affordable housing project or single-family estate lots or a combination thereof. The owners would prefer to sell to the Town at a price reportedly below the developers' offers and below their outside third-party appraisal. Project proponents see this acquisition as a one-time opportunity because of the property's value as water supply protection, open space, historic resource conservation, and overall contribution to the Town's

character. Others express concern about the project's eventual cost at a time of many competing demands on the Town's finances.

The OSC has been simultaneously exploring the acquisition of the property and sourcing funds through The Conservation Land Trust, Massachusetts Local Acquisitions for Natural Diversity (LAND) Program, and, potentially Community Preservation bonding. The process of securing these sources is protracted, and the sellers would like to agree on terms with the Town at this point or they will pursue the higher proceeds that developers offer. The Town cannot close on an acquisition and still be eligible for reimbursement through the State LAND grant program. An executed contract with the LAND grant program must come before closing. The OSC would like to commit to buy this land and to simultaneously pursue the funding alternatives.

The OSC is cognizant of the many capital needs of the Town and therefore approached the CPC to see if the CPC would be willing to commit up to \$5,000,000 to acquire this property. Any Grants or other source of funding would reduce the funding obligation of the CPC. Closing costs, based upon the potential LAND grant and transaction costs, will be funded from existing CPC and Conservation Commission funds.

The Community Preservation Act ("CPA") legislation was intended to provide for open space, historic preservation, community housing, and recreational needs. A recent survey, completed by the Hingham CPC, showed that preservation of open space was the highest priority of the respondents. The CPC asked the OSC to identify and rank future priorities. The Lehner property was identified as a highest priority. The CPA requires towns to reserve 10% of their annual CPA funding for open space acquisitions. In cases of significant projects, a town's CPC is empowered to finance the project, pledging to repay the loan from future receipts. This opportunity is for truly unusual projects that are core to the CPA mission. This has been done in a number of cities and towns, but only once in Hingham - for the Heritage Museum.

Hingham currently has an unallocated open space reserve from prior years. That amount plus the 2016 reserve allocation totals \$211,861. The Article proposes that this reserve, along with \$288,139 from the CPC General Fund, (total of \$500,000) be used as a deposit for the acquisition of the approximately 49 acre parcel. The balance of the purchase price,

\$4.5 Million, less any grants the Town might receive, would be funded from a loan bearing an estimated interest cost of 3% for 20 years, the cost of which would be repaid from future Community Preservation Fund collections. If there were no grants or outside funding and the full loan were made, the annual debt service, including principal and interest, would start at 29.7% of expected annual Community Preservation Fund collections and end at 11%, for an average annual allocation of about 20%. Consequently, substantial CPA funds would remain available for other projects. The borrowing by the CPC would have no additional taxpayer impact.

The Town received \$18,514 in property taxes from this property during the last Fiscal Year. Any premium associated with the offering of the CPC supported Bond would be returned to the Town's Fund Balance, and the CPC obligation would be for the coupon rate of the Bond, projected to be at 3%, as noted above.

The Lehner family is willing to enter into a Purchase and Sale Agreement ("PSA") for a total price of \$5,000,000 on the following terms, subject to the transaction being authorized by Town Meeting:

- \$500,000 cash deposit after Town Meeting Approval. The Town will then have a 60-day due diligence period for inspection of the property, including title, survey, and a Phase I environmental report. At end of the due diligence period, the Town will either terminate the PSA (e.g., due to a major contamination issue), with the deposit refunded, or proceed, and the deposit will be non-refundable.
- The Town agrees to submit a complete LAND grant application to the State prior to the application deadline and diligently fulfill all application requirements of the grant program. The closing will occur within one week after the Town and State enter into a grant contract. (Per the grant program, the Town is prohibited from closing before such contract is completed.) The outside closing date will be December 30, 2016. The Town is obligated to purchase the property at the full purchase price even if the Town is not awarded the LAND grant.

After acquisition, the Conservation Commission, with the approval of the Board of Selectmen, will grant a conservation restriction that meets the requirements of sections 31 to 33, inclusive, of Massachusetts General Laws chapter 184, as required pursuant to

section 12 of the CPA. If the LAND grant is awarded, the Town is required under that program to make the land available to the public for passive recreation, such as walking trails. In addition, the Conservation Commission hopes to contract with a local entity to hay the field on the property and otherwise maintain the property.

The OSC is pleased that this very important piece of land can be acquired at a price lower than the Town's commissioned appraisal and substantially lower than the sellers' appraisal, which is supported by third-party review. The sellers are willing to cooperate with the Town as we seek other capital sources, but they require unconditional commitment to acquire the property.

The OSC has unanimously recommended this acquisition, and the CPC has unanimously recommended the acquisition and the financing as described. The Board of Selectmen voted in favor of this Article 3-0. The Advisory Committee voted 13-0 in favor of this Article.

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

RECOMMENDED: That the Town (i) appropriate the sum of Five Million Dollars (\$5,000,000) to be used by the Hingham Conservation Commission under M.G.L. c. 40, § 8C, to purchase the parcels of land comprised of Assessors' Map 137, Lot 1, Lot 18, Lot 21.B and a portion of Lot 23 and Assessors' Map 147, Lot 6, and to meet such appropriation (a) expend Two Hundred Eleven Thousand Eight Hundred Sixty One Dollars (\$211,861) from the Community Preservation Open Space Reserve and Two Hundred Eighty Eight Thousand One Hundred Thirty Nine Dollars (\$288,139) from the Community Preservation General Fund and (b) authorize the Town Treasurer, with approval of the Board of Selectmen, to borrow up to Four Million Five Hundred Thousand Dollars (\$4,500,000), together with costs of the borrowing, under the provisions of M.G.L. chapters 44 and 44B and any other enabling authority upon such terms as the Town Treasurer and Board of Selectmen shall determine, provided that any grants received by the Town would reduce the borrowing by a like amount and that the source of repayment of such principal indebtedness and interest accrued thereon shall be the Hingham Community Preservation Fund established and maintained pursuant to the provisions of M.G.L.

c. 44B; (ii) authorize, but not require, the Conservation Commission, with the approval of the Board of Selectmen, to grant a conservation restriction that meets the requirements of sections 31 to 33, inclusive, of M.G.L. c. 184 as required pursuant to section 12 of the Community Preservation Act (M.G.L. c. 44B) to a nonprofit organization; and (iii) to authorize the Conservation Commission to seek reimbursement under the LAND program, (formerly known as the Self-Help Program), Chapter 132 A §11 and enter contracts therefor.

ARTICLE 33: Will the Town amend Article 38 of the Hingham By-laws by deleting Section 1 thereof, and inserting in its place:

Section 1. Establishment

In accordance with M.G.L. Chapter 44B, known as the Community Preservation Act, there is hereby established a Community Preservation Committee ("the Committee") consisting of nine members. The term of office of each member of the Committee shall be three years. In case of a vacancy, the designating or appointing authority for that seat shall designate or appoint a new member to fill the remainder of the unexpired term. The composition of the Committee and the methods of appointment of the members of the Committee shall be as follows:

One (1) member of the Conservation Commission as designated by that Commission;

One (1) member of the Historical Commission as designated by that Commission;

One (1) member of the Planning Board as designated by that Board;

One (1) member of the Housing Authority as designated by that Authority;

One (1) member of the Recreation Commission as designated by that Commission;

Two (2) members to be appointed by the Selectmen; and

Two (2) members to be appointed by the Moderator.

So that, as amended, Article 38 shall read as follows:

ARTICLE 38 Community Preservation Committee Section 1. Establishment

In accordance with M.G.L. Chapter 44B, known as the Community Preservation Act, there is hereby established a Community Preservation Committee ("the Committee") consisting of nine members. The term of office of each member of the Committee shall be three years. In case of a vacancy, the designating or appointing authority for that seat shall designate or appoint a new member to fill the remainder of the unexpired term. The composition of the Committee and the methods of appointment of the members of the Committee shall be as follows:

One (1) member of the Conservation Commission as designated by that Commission;

One (1) member of the Historical Commission as designated by that Commission;

One (1) member of the Planning Board as designated by that Board;

One (1) member of the Housing Authority as designated by that Authority;

One (1) member of the Recreation Commission as designated by that Commission

Two (2) members to be appointed by the Selectmen; and

Two (2) members to be appointed by the Moderator.

Section 2. Amendments

This Article 38 may be amended from time to time by a majority vote of Town Meeting, provided that no such amendment may cause this Article to conflict with the Community Preservation Act.

Section 3. Severability

In case any section, paragraph or other part of this Article shall be for any reason declared invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph and part hereof shall continue in full force and effect.

Section 4. Effective Date

This Article shall take effect immediately upon approval of the Attorney General of the

Commonwealth and proper posting by the Town Clerk in accordance with Section 32. Each of the appointing authorities designated in Section 1 shall have thirty (30) days after such approval to make their initial appointments. Should any such appointing authority other than the Board of Selectmen fail to make its initial appointment within such time, the Board of Selectmen shall make such appointment. Should the Board of Selectmen fail to make any of its initial appointments within such time, the Moderator shall make such appointments. or act on anything related thereto?
(Inserted by the Board of Selectmen)

COMMENT: This Article amends the composition of Hingham's Community Preservation Committee ("CPC") by restoring the number of at-large members appointed by the Board of Selectmen ("BOS") to two and removing the permanent seat currently held by the BOS.

The Community Preservation Act ("CPA") requires that a town's CPC include one member each appointed by and from the Conservation Commission, the Historical Commission, the Planning Board, the Housing Authority, and the Board of Park Commissioners. Hingham no longer has a Board of Park Commissioners, having abolished its former Board of Tree and Park Commissioners and transferred its functions and employees to the Highway Department (now the Department of Public Works) in 1991. The BOS has therefore held that seat.

Hingham General By-laws article 38, section 1, was amended in 2013 to grant a permanent CPC seat to a representative of the Recreation Commission (appointed by that body) and to reduce the number of at-large seats appointed by the Selectmen from two to one. As a result, the By-law currently provides that the CPC shall consist of the five permanent members referred to above (including the Selectman serving in the absence of a Board of Park Commissioners), a member of the Recreation Commission, one at-large member appointed by the Board of Selectmen, and two at-large members appointed by the Moderator, for a total of nine, the maximum allowed by the CPA.

Last fall, members of the current CPC asked the Selectmen to consider making a change that would give the Selectmen the flexibility to appoint a member to serve on their behalf. They cited pressing demands on Selectmen's time, making it challenging for a Selectman to participate fully in a second committee's deliberations. Respectful of

Selectmen's other responsibilities, CPC does not ask the Selectmen designee to serve as a Committee officer or as a project manager to guide proposals through the review process. As a result, the Committee has a smaller group of members available to complete its work. The CPC emphasized that this change would still allow the Selectmen to hold a seat if they so choose.

In September 2015, the BOS appointed the Community Preservation Act Task Force ("Task Force"). The Task Force was charged with examining the entire composition of the CPC and recommending possible changes to the BOS.

After researching applicable law, reviewing practice in neighboring towns, and consulting State and local officials, the Task Force recommended the Town adopt the change proposed by the CPC and make no other changes at this time. To effect this change, the Task Force concluded that, for the purposes of CPC business only, it is appropriate for the Recreation Commission to hold the fifth mandated seat. Town Counsel has affirmed this conclusion.

The Task Force's Report first noted that the CPA, when read together with the chapter of the Massachusetts General Laws governing park commissions and giving effect to the legislative purpose of the CPA, does not require a member of the Town's Board of Selectmen to occupy a permanent seat on the CPC in the absence of a Board of Park Commissioners. Under the CPA, the Town has the flexibility to designate any Town board "*acting in the capacity of or performing like duties of*" the former Board of Tree and Park Commissioners to fill that permanent seat.

The Task Force's Report also noted that several Town bodies now perform portions of duties and functions like those of the former Board of Tree and Park Commissioners, including the Bare Cove Park Committee, the Board of Selectmen, the Department of Public Works, the Harbor Development Committee, the Open Space Acquisition Committee, the Recreation Commission, and the Weir River Estuary Committee. The Task Force concluded that for the purposes of CPC business the Recreation Commission (that already has a permanent seat on the CPC by virtue of the 2013 amendment to Article 38 of the Town By-laws) is the most appropriate entity to be represented on the CPC in place of the former Board of Tree and Park Commissioners.

The Task Force also recommended eliminating original By-law language setting term lengths for the

first CPC committee members. The language is no longer necessary, since staggered terms are currently in effect.

After reviewing the Task Force Report and obtaining the opinion of Town Counsel, the BOS submitted this Article to achieve the aforementioned benefits. The BOS believes this change provides additional flexibility that can be beneficial to both itself and the CPC. The Advisory Committee and CPC support this amendment.

RECOMMENDED: That the Town amend Article 38 of the Hingham By-laws by deleting Section 1 thereof and inserting in its place:

“Section 1. Establishment

In accordance with M.G.L. Chapter 44B, known as the Community Preservation Act, there is hereby established a Community Preservation Committee (“the Committee”) consisting of nine members. The term of office of each member of the Committee shall be three years. In case of a vacancy, the designating or appointing authority for that seat shall designate or appoint a new member to fill the remainder of the unexpired term. The composition of the Committee and the methods of appointment of the members of the Committee shall be as follows:

One (1) member of the Conservation Commission as designated by that Commission;

One (1) member of the Historical Commission as designated by that Commission;

One (1) member of the Planning Board as designated by that Board;

One (1) member of the Housing Authority as designated by that Authority;

One (1) member of the Recreation Commission as designated by that Commission;

Two (2) members to be appointed by the Selectmen; and

Two (2) members to be appointed by the Moderator.”

ARTICLE 34: 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, 3.6A by deleting the current use and inserting "Reserved"

Item 2: By amending Section III-A, 4 by inserting a new use "4.27 Media broadcasting or production studio"; inserting a "O" for the Residence A, B, C, D, and E districts, as well as Waterfront Business and Waterfront Recreation; inserting a "P" for the Business A, Business B, Office Park, Industrial, Industrial Park, and Limited Industrial Park districts; and, inserting a "A2" for the Business Recreation and Official and Open Space districts.

Item 3: By amending Section VI by inserting the following definition: "Media broadcasting or production studio: An establishment which engages in production or broadcast of content for television, cable, internet, or other media."
or act on anything related thereto?
(Inserted at the request of the Planning Board)

COMMENT: This proposed amendment would replace the current “Local Cable Access Broadcasting Studio” use with the new use category of “Media broadcasting or production studio” and provide a definition for this use that is not restricted to local cable access. In addition, these revisions place the media broadcasting use in the Commercial section of the Use Table, rather than the Institutional section and increase the number of districts in which the use is permitted. Under the amendment, media broadcasting or production studios would be permitted in Office Park, Industrial, Industrial Park, and Limited Industrial Park districts, as well as the Business A & B districts (the two districts where local cable access broadcasting studio is currently allowed by right). The use would also be permitted in the Business Recreation and Official and Open Space Districts with a Special Permit from the Board of Appeals.

During its public hearing, the Planning Board made minor revisions to the amendment’s language and then unanimously approved this Article. The Advisory Committee also voted unanimously in support of this Article, which requires a two-thirds vote by Town Meeting for adoption.

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 III-A by deleting the current use 3.6A.

Item 2: By amending Section III-A, 4 by inserting a new use "4.27 Media broadcasting or production studio"; permitted as of right (P) in Business A, Business B, Office Park, Industrial, Industrial Park, and Limited Industrial Park, allowed with a Special Permit A2 (A2) in Business Recreation and Official and Open Space, and prohibited (O) in all other zoning districts.

Item 3: By amending Section VI by inserting the following definition: "Media broadcasting or production studio: An establishment which engages in production or broadcast of content for television, cable, internet, or other media."

ARTICLE 35: 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 the Title of Section III-C "FloodPlain and Watershed Protection District" by deleting it and replacing it with "Floodplain Protection Overlay District",

Item 2: By amending Section III-C, 1 by deleting from the first sentence the following text: "Zoning Map of the Town of Hingham, Massachusetts Part B Flood Plain and Watershed Protection District dated 2012, as may be amended from time to time." and inserting the following text: "Zoning Part B: Floodplain Protection Overlay District" ,

Item 2: By deleting the words " Flood Plain and Watershed Protection District" from the following Sections: Table of Contents Section III-C; II-B,1; II-C,2; III-C, subsections 1, 5, 6, 7, 8, 9 and 10; IV-B, subsections 12 and 13; IV-F, subsection 1; the Index; and anywhere else it may appear in the By-law, and replacing it with "Floodplain Protection Overlay District";

Item 3: By deleting "25023C0018J, 25023C0019J, 25023C0038J, 25023C0081J, 25023C0082J" after the word "numbers".

Item 4: By inserting ", and panel numbers 25023C0018J, 25023C0019J, 25023C0038J, 25023C0081J, 25023C0082J revised to August 14, 2015." after "July 17, 2012".

Item 5: By inserting "The 2015 Letter of Map Revision is on file with the Conservation Commission." at the end of the first paragraph,

Item 6: By amending Section II-C, 2 by deleting "The Zoning Map of the Town of Hingham Massachusetts, Part B (1975), as amended" and inserting "Zoning Part B: Floodplain Protection Overlay District",

Item 7: By deleting the map "Zoning Part B Flood Plain and Watershed Protection 2014" and replacing it with the updated map that shows the updated FEMA information and is titled " "Zoning Part B: Floodplain Protection Overlay District";

Item 8: By amending Section III-C, 1., by replacing the second paragraph in its entirety as follows:

"The Floodplain Protection Overlay District (FOD) is established as an overlay district to all other districts for the following purposes:

1. to protect public health, safety and general welfare;
2. to protect human life and property from hazards of periodic flooding;
3. to prevent the occurrence of public health emergencies resulting from water quality contamination and pollution due to flooding;
4. to preserve natural flood control characteristics and the flood storage capacity of the floodplain; and
5. to regulate development in floodplains in a manner that, at a minimum, meets the requirements of FEMA for participation in the NFIP."

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

COMMENT: This proposed amendment renames the former "Flood Plain and Watershed Protection District" to the more accurate "Floodplain Protection Overlay District" throughout the Zoning By-law. In addition, it updates references to Federal Emergency Management Agency (FEMA) map panels to their revised versions and inserts a new Zoning Map Part B depicting the updated flood zones. Finally, it inserts new language outlining the purposes of the Floodplain Protection Overlay District.

As part of its ongoing map modernization, FEMA updated flood risk maps for Hingham that the Town adopted in 2012. Subsequently, the Town sponsored an in-depth analysis of Hingham's coastal flood hazard areas, which resulted in verification that the 2012 boundaries were more extensive than necessary. FEMA's acceptance of

these conclusions resulted in changes to some map panels that became effective August 14, 2015.

Analysis of the revised maps finds 290 Hingham parcels positively impacted, meaning the floodplain area is either reduced or removed entirely. Only one parcel that was not previously regulated is now identified in the floodplain.

The Planning Board proposes these revisions to ensure that Hingham floodplain regulations reflect the new (2015) FEMA flood maps. In addition, these updates enable the Town to remain in compliance with the federal program making flood insurance available to residents.

During its public hearing, the Planning Board made minor revisions to the amendment's language and then unanimously approved this Article. The Advisory Committee also voted unanimously in support. This Article requires a two-thirds vote by Town Meeting for adoption.

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 the Title of Section III-C "Flood Plain and Watershed Protection District" by deleting it and replacing it with "Floodplain Protection Overlay District";

Item 2: By amending Section III-C, 1 by deleting from the first sentence the following text: "Zoning Map of the Town of Hingham, Massachusetts Part B Flood Plain and Watershed Protection District dated 2012, as may be amended from time to time." and inserting the following text: "Zoning Map Part B Floodplain Protection Overlay District";

Item 3: By deleting the words "Flood Plain and Watershed Protection District" from the following Sections: Table of Contents Section III-C; II-B,1; II-C,2; III-C, subsections 1, 5, 6, 7, 8, 9 and 10; IV-B, subsections 12 and 13; IV-F, subsection 1; the Index; and anywhere else it may appear in the By-law, and replacing it with "Floodplain Protection Overlay District";

Item 4: By deleting "25023C0018J, 25023C0019J, 25023C0038J, 25023C0081J, 25023C0082J" after the word "numbers", and inserting "

and panel numbers 25023C0018J, 25023C0019J, 25023C0038J, 25023C0081J, 25023C0082J revised to August 14, 2015." after "July 17, 2012" in Section III-C,1;

Item 5: By inserting "The 2015 Letter of Map Revision is on file with the Conservation Commission." at the end of the first paragraph in Section III-C,1;

Item 6: By amending Section II-C, 2 by deleting "The Zoning Map of the Town of Hingham Massachusetts, Part B (1975), as amended" and inserting "Zoning Map Part B Floodplain Protection Overlay District",

Item 7: By deleting the map "Zoning Part B Flood Plain and Watershed Protection 2014" and replacing it with the updated map that reflects the revised FIRM panels listed in Item 4 above and is titled "Zoning Map Part B Floodplain Protection Overlay District";

Item 8: By amending Section III-C, 1., by replacing the second paragraph in its entirety as follows:

"The Floodplain Protection Overlay District is established as an overlay district to all other districts for the following purposes:

- a. to protect public health, safety and general welfare;
- b. to protect human life and property from hazards of periodic flooding;
- c. to prevent the occurrence of public health emergencies resulting from water quality contamination and pollution due to flooding;
- d. to preserve natural flood control characteristics and the flood storage capacity of the floodplain; and
- e. to regulate development in floodplains in a manner that, at a minimum, meets the requirements of FEMA for participation in the NFIP."

ARTICLE 36: 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 inserting a new Section "Section V-I Common Driveways

1. Purpose

The purpose of this Section is to provide guidelines

for the Planning Board to permit Common Driveways in order to reduce the number of access points on public or private streets; to protect wetlands and sensitive natural areas from disturbance; and to preserve historic streetscapes in the Town, when these driveways meet reasonable construction and design standards.

2. Applicability and Scope

A Common Driveway provides common access, extending from a street, to more than one but not more than three lots. All lots served by the Common Driveway shall satisfy the frontage requirements specified in Section IV-A for the zoning district in which the development is located as defined in Section VI. Frontage must be actual and not illusory. Common driveways may be allowed by Special Permit A3 issued by the Planning Board in any zoning district when the applicant is able to demonstrate that the proposed development could otherwise be developed in full conformance with applicable zoning, wetland By-laws, Board of Health rules and regulations, and all other applicable rules and regulations of the Town of Hingham. Where the proposed development constitutes a subdivision under the Subdivision Control Law, this By-law shall not apply.

3. Construction and Design Standards

All Common Driveways shall conform to the following minimum standards:

- a. Common Driveways shall provide the following minimum easement widths and minimum paved surface widths as applicable:

Use Served	Minimum Easement Width	Minimum Paved Surface Width
Residential	20-feet	20-feet
Non-residential	40-feet	24-feet

With the agreement of the Fire Department, the minimum paved surface width of a Common Driveway serving residential lots may be reduced to twelve feet. The minimum paved surface width of a Common Driveway serving nonresidential lots may be increased based on the type and volume of traffic projected to be generated by the proposed development. If no development is proposed with the application for the Common Driveway, the

minimum standard shall be required. There shall also be provided a 18" cape cod berm on each side of the Common Driveway serving nonresidential uses.

- b. Common Driveways shall not exceed 400' in length in residential districts and 800' in all other districts, measured from the street line to the end of the shared portion of the Common Driveway. Where a Common Driveway exceeds 150' in length, turnarounds for emergency vehicles shall be provided in locations approved by the Fire Department.

- c. No Common Driveway shall be allowed to be constructed off any cul-de-sac or dead end of a public or private way. No Common Driveway shall be connected or attached to any other Common Driveway. No Common Driveway shall be extended without prior approval of the Planning Board.

- d. Sight distances at the entrance of a Common Driveway along the intersecting road should conform to current American Association of State Highway and Transportation Officials (AASHTO) standards.

- e. To provide better traffic safety and reduce the visual impacts of traffic on abutting properties, the Planning Board may require Common Driveways to be set back a minimum of 15' from lot lines and/or be screened with a buffer of trees and/or shrubs.

- f. Common Driveways shall be constructed using a minimum 12" thick sorted gravel subbase. The base course shall be a minimum of 2" binder and the top course for paved driveways shall each be a minimum 1 1/2 "thickness. Surfacing with gravel, crushed stone, or another permeable or semi-permeable surface may be proposed for use within one hundred feet of a wetland or in other sensitive areas.

- g. Runoff draining onto abutting properties shall not exceed that which existed prior to construction of the Common Driveway, or concentrated at any one point of discharge. Runoff shall not discharge into the public way.

- h. Common Driveways easements may allow space for installation of water lines and other utilities as needed. Utilities shall be shown on

the Common Driveway Plan. Underground utilities are required for all lots served by the Common Driveway.

- i. No portion of a common driveway or turning area shall be located above major components of a septic system, including septic tanks, leaching fields, and distribution boxes, except where approved by the Board of Health, unless the Planning Board determines that there will be no negative impact on access for the lots served by the Common Driveway during future maintenance or replacement of these components.

4. Common Driveway Easement and Agreement

Proposed documents shall be submitted to the Planning Board with an application for a Common Driveway Special Permit A3 demonstrating through easements, restrictive covenants, or other appropriate legal devices that the maintenance, repair, snow removal, and liability for the common driveway shall remain perpetually the responsibility of the private parties, or their successors-in-interest. Easement areas shall be shown on the Common Driveway Plan. Approved legal documents shall be recorded prior to issuance of a building permit for any new development served by the Common Driveway.”

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

COMMENT: This Article would create a new section of the Zoning By-law governing common driveways serving two or three lots. A common driveway provides access from the street to multiple lots. By limiting the number of access points on the street, a common driveway can help protect sensitive natural areas from unnecessary disturbance and preserve historic streetscapes. It can also improve aesthetics and save a proponent the cost of constructing multiple driveways on difficult terrain. Under the proposal, common driveways would be allowed in any zoning district, but only with a special permit A-3 from the Planning Board, and could serve no more than three lots. The provision would not apply to subdivisions, which are subject to Planning Board regulations under the Massachusetts Subdivision Control Law.

Currently, the Town does not regulate common driveways, and the lack of standards has resulted in safety concerns and neighbor disputes and has

raised questions whether such driveways are an illegal use under the Town’s Zoning By-law. This Article would authorize the use and establish a set of requirements to guide the Planning Board’s special permit decision. Common driveways would only be permitted where each lot served by the driveway had the frontage required for the zoning district and such frontage provided appropriate physical access to the lot. For example, if wetlands precluded access to an individual lot, then that lot would not qualify for a common driveway. In other words, common driveways are not intended to allow development of otherwise undevelopable land, although they could make development easier or less costly in some cases. Furthermore, common driveways would be subject to specific construction and design standards.

The amendment also provides that common driveways are the responsibility of the individual property owners, not the Town. Thus, an applicant for a common driveway would need to submit, with the application, easements or other legal documents assigning responsibility to the private landowners for maintenance and repair, snow removal, and liability.

Both the Fire and Police Chiefs have reviewed the Article, and their comments directed at safety matters have been incorporated.

The Planning Board modified the Article in response to concerns raised at the public hearing and clarifications suggested by Town Counsel, and voted unanimously to approve the Article as revised. The Advisory Committee voted unanimously to support this Article, approval of which requires a two-thirds vote of Town Meeting.

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

By inserting a new Section “Section V-I Common Driveways

Section V-I Common Driveways

1. Purpose

The purpose of this Section is to provide guidelines for the Planning Board to permit Common Driveways in order to reduce the number of access points on public or private streets; to protect wetlands and sensitive natural areas from disturbance; and to preserve historic streetscapes in the Town, when these driveways

meet reasonable construction and design standards.

2. Applicability and Scope

Common driveways may be allowed by Special Permit A3 issued by the Planning Board. A Common Driveway provides common vehicular and pedestrian access, extending from a street, to more than one but not more than three lots. All lots served by the Common Driveway shall satisfy the frontage requirements as defined in Section VI and specified in Section IV-A for the zoning district in which the lots are located. Without limiting the foregoing, access over the frontage must be actual and not illusory. The Planning Board may find frontage to be illusory if the frontage would fail to provide acceptable physical access as contemplated by MGL Chapter 41, Section 81M. Such failure may include, but is not limited to, the inability of the applicant to obtain an order of conditions under applicable state or local wetlands regulations for construction of the access, the presence of distinct physical impediments to threshold access, or extreme lot configurations. Where the proposed development constitutes a subdivision under the Subdivision Control Law, this By-law shall not apply.

3. Plan Requirements

A plan shall be prepared and wet stamped with the original signature of a Massachusetts professional civil engineer (the "Design Engineer") at a scale of 1"=20' or 1"= 40', providing sufficient detail to demonstrate conformance to the Construction and Design Standards detailed below. The plan must clearly depict zoning requirements and potential driveway locations for all lots. Upon completion of construction a certified as-built must be submitted.

4. Construction and Design Standards

All Common Driveways shall conform to the following minimum standards:

a. Common Driveways shall provide the following minimum easement widths and minimum paved surface widths as applicable:

Use Served	Minimum Easement Width	Minimum Paved Surface Width
Residential	24-feet	20-feet
Non-residential	40-feet	24-feet

Access roads serving individual lots off of Common Driveways shall comply with 527 CMR 1.00, Chapter 18. The Planning Board may require that the Minimum Paved Surface width of a Common Driveway serving residential multi-family dwellings, non-residential lots or any combination thereof be increased based on the type and volume of traffic projected to be generated by the proposed development, provided that the Minimum Easement Width must at all times be at least 4' greater than the Minimum Paved Surface Width. If no development is proposed with the application for the Common Driveway, the minimum non-residential standard shall be required. There shall also be provided an 18" cape cod berm on each side of the Common Driveway serving non-residential uses.

b. Common Driveways shall not exceed 400' in length in residence zoning districts and 800' in all other zoning districts, measured from the street line to the end of the shared portion of the Common Driveway. Where a Common Driveway exceeds 150' in length, turnarounds for emergency vehicles shall be provided in locations approved by the Fire Department. There must be adequate directional signage provided identifying the addresses served by the Common Driveway for emergency vehicle response, as well as routine traffic.

c. No Common Driveway shall be allowed to be constructed off any cul-de-sac or dead end of a public or private way. No Common Driveway shall be connected or attached to any other Common Driveway. No Common Driveway shall be extended without prior approval of the Planning Board pursuant to this Section V-I.

d. Sight distances at the entrance of a Common Driveway along the intersecting street shall conform to current American Association of State Highway and Transportation Officials (AASHTO) standards and be indicated on the plan.

e. To provide better traffic safety and reduce the visual impacts of traffic on abutting properties,

the Planning Board may require Common Driveways to be set back a minimum of 15' from lot lines and/or be screened with a buffer of trees and/or shrubs.

f. Common Driveways shall be constructed using a minimum 12" thick sorted gravel sub-base. The base course shall be a minimum of 2" binder and the top course for paved driveways shall each be a minimum 1 1/2 " thickness. Surfacing with gravel, crushed stone, or another permeable or semi-permeable surface may be proposed, especially for use within one hundred feet of a wetland or in other sensitive areas.

g. Runoff draining onto abutting properties shall not exceed that which existed prior to construction of the Common Driveway, or be concentrated at any one point of discharge. Runoff shall not discharge into the public way. The Design Engineer shall provide a drainage statement and sufficient analysis to support the proposed storm water drainage system, including pre and post construction flows.

h. Common Driveway easements may allow space for installation of water lines and other utilities as needed. Utilities shall be shown on the Common Driveway Plan. The Planning Board may require that utilities be installed underground.

i. No portion of a Common Driveway or turning area shall be located above major components of a septic system, including septic tanks, leaching fields, and distribution boxes, except where approved by the Board of Health, and only upon a finding by the Planning Board that there will be no negative impact on access for the lots served by the Common Driveway during future maintenance or replacement of these components.

5. Common Driveway Easement and Agreement

Proposed documents shall be submitted to the Planning Board with an application for a Common Driveway Special Permit A3 demonstrating to the satisfaction of the Board through easements, restrictive covenants, or other appropriate recordable instruments that the maintenance, repair, snow removal, and liability for the Common Driveway shall remain perpetually the responsibility of one or more of the record owners of the lots served by the Common Driveway, or their successors-in-

interest. Easement areas shall be shown on the Common Driveway Plan. Approved legal documents shall be recorded prior to issuance of a building permit for any building to be served by the Common Driveway.

ARTICLE 37: 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, V-G.1.a. to delete "residential and business" and insert "Residence A, Residence B, Residence C, Residence D, Residence E, Business A and Business B",

Item 2: By amending Section III-A,1. to add use "1.8.8 Bed and Breakfast Establishment"; and, insert an "A2" for zoning districts RA, RB, RC, RD, RE, and Business A & B, and insert an "O" for all other zoning districts,

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

COMMENT: This proposed amendment would clarify the districts where Bed and Breakfast Establishments may be permitted, but would make no substantive changes to the current regulations. Under the existing Zoning By-law, Bed and Breakfasts are addressed only in Section V-G. The amendment would treat these establishments like other uses by adding them to the Schedule of Uses (Section III-A) and would further specify that they are allowed in Residence districts A, B, C, D, and E and Business districts A and B. As under the existing regulations, a Bed and Breakfast requires a special permit from the Board of Appeals, is subject to a site plan review, and must be in conjunction with a single-family dwelling.

During its public hearing, the Planning Board slightly revised the amendment's language and then unanimously approved this Article, which was also unanimously approved by the Advisory Committee. This Article requires a two-thirds vote by Town Meeting for adoption.

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 V-G, 1.a. to delete "in districts zoned as residential and business".

Item 2: By amending Section III-A, 1. to add use "1.8.8 Bed and Breakfast Establishment in conjunction with a single-family dwelling only (subject to Section V-G)"; permitted with a Special Permit A2 (A2) in Residence A, Residence B, Residence C, Residence D, Residence E, Business A and Business B, and prohibited (O) in all other zoning districts.

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 deleting "(April 2, 1983)" and "(November, 1986)" from Section II-C,1.

Item 2: By inserting "Watershed" after the word "Pond" in Section II-C 1.

Item 3: By deleting "(1975)" from Section II-C, 2,

Item 4: By deleting Sections II-C, 3; II-C, 4; and II-C, 5 in their entirety.

Item 5: By inserting "s A and" after "Part" in Section III-D, 2, so that text will read "Zoning Maps Parts A and C".

Item 6: By deleting from Section III-D, 2. "Accord Pond Watershed and Hingham Aquifer Protection District, Town of Hingham, Massachusetts" Dated November, 1986,".

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

COMMENT: The Article does not make any substantive changes to the By-law's requirements. The Article merely makes corrections, and it edits and relocates language to provide accuracy and clarity to these sections of the By-law.

This zoning Article will remove date references from the map titles, correct naming conventions for consistency within the By-law, and remove the overlay district language from Section "II-C Zoning Maps". The date references being deleted are not correct. Sections II-C, 3, 4 and 5 are not needed because the overlay districts are already listed in Section II-B, and these sections are redundant. Language from Section II-C,3 is being relocated to Section III-E,3 to make this section consistent with other sections of the By-law. Section II-C, 5 is being relocated to Section III-G, 3 to make this section consistent with other sections of the By-law.

During its public hearing, the Planning Board slightly revised the amendment's language and then unanimously approved this Article, which was also unanimously approved by the Advisory Committee. This Article requires a two-thirds vote by Town Meeting for adoption.

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 deleting "(April 2, 1983)" and "(November, 1986)" from Section II-C,1.

Item 2: By inserting "Watershed" after the word "Pond" in Section II-C, 1.

Item 3: By deleting "(1975)" from Section II-C, 2.

Item 4: By deleting Sections II-C, 3; II-C, 4; and II-C, 5 in their entirety.

Item 5: By deleting from Section III-D, 2. "Zoning Map - Part C, Accord Pond Watershed and Hingham Aquifer Protection District, Town of Hingham, Massachusetts" Dated November, 1986," and replacing it with "Zoning Map Parts A and C".

Item 6: By inserting into Section III-E, 3 "Industrial Park- and Office Park-zoned land in Hingham south of Whiting Street (Route 53)" after "Only", and deleting "areas zoned Industrial Park or Office Park shown on the Hingham Zoning Map Parts A and C and within the South Hingham Development Overlay District".

Item 7: By inserting into Section III-G, 3, after "Applicability" the following "The Downtown Hingham Overlay District 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, as shown on the map "Zoning Map Parts A and C."

Item 8: By inserting into Section II-B after "regulations." the following "The Overlay Districts are shown on the Zoning Maps."

ARTICLE 39: To see if the Town will vote to amend the Town of Hingham Zoning By-laws by making the following changes:

Item 1. Replace Section IV-C, 10. in its entirety as follows:

10. Lot Shape

In addition to the minimum lot area and frontage requirements, lots shall be laid out in such a manner so that a circle, with a diameter equal to eighty (80) percent of the minimum frontage requirement for the zoning district in which it is located, can be placed tangent to the front and within all other lot lines with no portion of the circle extending beyond the boundaries of the lot.

Item 2. Delete from the definition of Frontage in Section VI the words "and tangent to which and within all other lot lines a circle, the diameter of which is not less than 80 percent of the minimum lot size frontage set forth in Section IV-A of this By-law may be located."

or act on anything related thereto.
(inserted at the request of the Zoning Board of Appeals.

COMMENT: The current definition of frontage includes a circle requirement stating that all lots laid out in a way that allows a circle, with a diameter equal to eighty-percent of the linear frontage requirement, are to be located tangent to the street line and within all other property bounds. This circle requirement amounts to a dimensional regulation and would be more appropriate in the General Intensity Provisions under Section IV-C of the By-law, not in the definitions under Section VI. This Article would relocate the circle requirement to the General Intensity Provisions section.

Section IV-C already contains a separate "Lot Shape Factor" requirement for residential lots. This Article, in the original proposed amendment, would have replaced the lot shape factor in Section IV-C, 10 with a lot shape requirement modeled after the circle requirement being relocated. However, during the public hearings held by the Planning Board and the Board of Appeals it was determined that both the circle requirement and the Lot Shape Factor were integral components of frontage. Therefore, the recommended motion does not delete Section IV-C. It relocates the circle requirement to paragraph two of Section IV-C and renumbers subsequent paragraphs accordingly.

This Article hopes to standardize the shape requirements across all zoning districts. The Article

does not change the requirement; it merely relocates it to a more appropriate section of the By-law.

The Planning Board and the Advisory Committee support this Article. This Article requires a two-thirds vote by Town Meeting for adoption.

RECOMMENDED: That the Town vote to amend the Town of Hingham Zoning By-law by making the following changes:

Item 1. Delete Section IV-C, 10. in its entirety, insert a new Section IV-C, 2. as follows, and renumber existing subsections 2 through 9 of Section IV-C (General Intensity Provisions) sequentially as Subsections 3 through 10:

2. Lot Shape

a. In addition to the minimum lot area and frontage requirements, all lots shall be laid out in such a manner so that a circle, with a diameter equal to eighty (80) percent of the minimum frontage requirement for the zoning district in which it is located, can be placed tangent to the front and within all other lot lines with no portion of the circle extending beyond the boundaries of the lot.

b. In addition to complying with subsection 2.a above, to meet the minimum lot shape requirement in residential districts, for lots created after April 1, 2000, a lot must also be a closed parcel of land having a defined area and perimeter, and additionally provide a shape factor not exceeding the numerical value of twenty-two (22). Shape factors shall be calculated using the following formula:

$$P^2 / A = S$$

P = perimeter in linear feet
A = land area in square feet
S = shape factor not exceeding 22

A lot may have a shape factor exceeding twenty-two (22) if a contiguous portion of the lot:

- i. meets the minimum area requirement for the zoning district; and
- ii. has a shape factor not exceeding twenty-two (22); and

- iii. is accessible within the property boundaries for purposes of ingress, egress and location of utilities; and
- iv. is located at a depth not more than two (2) lots removed from the street on which the lot's frontage is located.

Item 2. Delete from the definition of Frontage in Section VI the words "and tangent to which and within all other lot lines a circle, the diameter of which is not less than 80 percent of the minimum lot size frontage set forth in Section IV-A of this By-law may be located."

ARTICLE 40: Will the Town raise and appropriate, borrow, or transfer from available funds a sum of money for engineering, permitting, submissions and construction of safety improvements at the intersection of North Street, Main Street and Fearing Road, or act on anything relating thereto?
(Inserted at the request of Deborah Edmundson and others).

COMMENT: This Article appears as a result of a citizens' petition submitted by various residents living in the Fearing Road / Cottage Street area. As indicated in the Article, the group would like to see safety improvements made at the subject intersection. Subsequent to the Article being submitted, the Hingham Traffic Committee met and discussed possible improvements that could be made at this intersection, including converting the intersection from two-way stop control to all-way stop control. At the conclusion of their meeting, the Traffic Committee voted to recommend to the Board of Selectmen that they fund an engineering study of this intersection. The Board of Selectmen agreed to fund said study, and CHA Consulting, Inc. ("CHA"), was hired to do the work.

In a report dated March 7, 2016, CHA provided the results of their study. In the study, they evaluated the following:

- Existing Conditions
 - Traffic Volume and Speed Data
 - Traffic Capacity Analysis
 - Crash Data
 - Sight Distance
- All-Way Stop Evaluation
 - Applicability of 2009 Manual on Uniform Traffic Control Devices ("MUTCD") Criteria, including Massachusetts Amendments
 - Implementation Considerations

In their "Summary of Findings" they stated:

- The existing two-way stop controlled intersection has several deficiencies including: offset alignment, poor intersection sight distance, and poor peak hour level of service for stop controlled legs.
- A review of the crash history of the intersection found a total of seven reported crashes over a five-year period. All crashes involved property damage only, with no injuries reported.
- The intersection meets one of the three primary MUTCD criteria for installation of all-way stop control. It meets the minimum volume criteria for eight hours of the day. It also meets some of the secondary criteria, including high left turn and pedestrian conflicts. Therefore, an all-way stop can be considered for this location per the Massachusetts Amendments to the MUTCD.
- Installation of a four-way stop would reduce delays and shorten queues on Fearing Road and Main Street, but would increase delays on North Street.
- The offset alignment of Fearing Road and Main Street is a concern with respect to implementing all-way stop control. The length of the intersection could result in drivers misidentifying the intended direction of other vehicles.
- The presence of on-street parking on North Street would impact visibility of stop signs. Curb bump-outs and removal of parking spaces would be required to provide proper visibility of stop signs.

In summary, there are both benefits and concerns associated with the installation of all-way stop control at the intersection of Fearing Road and Main Street at North Street. The accident history indicates that the intersection is not a high crash location despite the deficiencies related to sight distance and capacity. Due to the potential issues regarding the intersection alignment and stop sign visibility, changing the intersection to an all-way stop condition may not result in the intended safety benefit and is therefore not recommended. If the Town chooses to implement all-way stop control, geometric improvements, such as curb bump-outs, should be installed to improve stop sign and pedestrian visibility.

Based on CHA's study and their findings discussed above, the Advisory Committee recommends that No Action be taken on this Article. However, we would encourage the interested citizens who submitted the petition for this Article to re-engage with the Board of Selectmen and Traffic Committee to more fully discuss the range of potential safety improvements that might be considered. This

approach would be consistent with the mission and direction found on the Traffic Committee page on the Town's website, which states:

"The Traffic Committee exists to assist Hingham residents and business owners with ways to alleviate traffic concerns in all areas of the Town. The Traffic Committee does not have the power to implement changes but rather recommends proposals to the Board of Selectmen. Should a resident or merchant have a topic to bring before the Traffic Committee, they should make a written request to the Board of Selectmen."

The Board of Selectmen and Advisory Committee both unanimously voted No Action on this Article.

RECOMMENDED: That no action be taken on this Article.

ARTICLE 41: Will the Town amend the General By-laws of the Town of Hingham, adopted March 13, 1939, as heretofore amended, by amending Article 23, entitled "Sewer Appropriation By-law", by adding after subsection (b)(iii) new subsections (c), (d), and (e) as follows:

- "(c) The Board of Health may, but is not required to, submit an advisory statement indicating the public health and environmental needs for said project;
- (d) The Board of Sewer Commissioners may, but is not required to, submit an advisory statement indicating the scope and constraints of said project;
- (e) Such other information as the Advisory Committee deems appropriate;"

or act on anything related thereto?

(Inserted by the Hingham Sewer Commission and Hingham Board of Health)

COMMENT: The 1983 Annual Town Meeting adopted a Sewer Appropriation By-law ("By-law"). This By-law required any Warrant Article submitted to Town Meeting seeking a Town appropriation to fund a proposed sewer construction or maintenance project to include certain informational disclosures. Those disclosures included a list of the affected roads, a financial impact statement, and reports by the Board of Health, Board of Sewer Commissioners, and Advisory Committee. Due to a clerical error, however, a portion of that By-law was not submitted on a timely basis to the Office of the Attorney General for approval. Specifically, the omitted portion concerned the reports to be made by the Board of Health, Board of Sewer Commissioners, and Advisory Committee. Under

State law, this error prevented the omitted portion of the By-law from coming into effect. Although the Town attempted in 2013 to re-submit the complete By-law, the Office of the Attorney General responded that it no longer had authority to approve the By-law due to, among other reasons, the lengthy passage of time.

This Article proposes to re-enact a slightly updated version of the omitted portion of the 1983 By-law. Specifically, this Article replaces the omitted portion by defining the scope of the reports that are to be submitted to Town Meeting by the Board of Health, Board of Sewer Commissioners, and Advisory Committee. It also updates the omitted portion by giving the Board of Health more flexibility as to its report and by more clearly defining the respective contributions of the Board of Health and Board of Sewer Commissioners.

The Board of Selectmen and Advisory Committee both voted unanimously to approve this Article.

RECOMMENDED: That the Town amend the General By-laws of the Town of Hingham, adopted March 13, 1939, as heretofore amended, by amending Article 23, entitled "Sewer Appropriation By-law", by adding after subsection (b)(iii) new subsections (c), (d), and (e), as follows:

- "(c) The Board of Health may, but is not required to, submit an advisory statement indicating the public health and environmental needs for said project;**
- (d) The Board of Sewer Commissioners may, but is not required to, submit an advisory statement indicating the scope and constraints of said project; and**
- (e) Such other information as the Advisory Committee deems appropriate."**

ARTICLE 42: Will the Town of Hingham duly establish the "Hingham Art Commission"? The Hingham Art Commission would advocate for the creation and integration of public art into Hingham's civic spaces. "Art" is defined as painting, sculpture, fountains, murals, photography, landscape, hardscape, site design, plaques, and monuments.

The Art Commission would actively foster the community's engagement in Hingham's cultural landscape, from siting temporary art on Town property to reviewing and recommending proposals for permanent public art. The Commission, appointed by the Selectmen, shall consist of at least

five Hingham residents experienced in design and the arts. The Art Commission would have oversight and control of all art works sited on public property.

The Mission Statement of the Hingham Art Commission is: To advocate for the creation and integration of public art into Hingham's landscape for the enjoyment and enrichment of the community.

The Role of the Hingham Art Commission is:

- To identify and conserve the Town's inventory of public art.
- To act as an advisory group to the Selectmen to guide and monitor the design process through reviews at various stages to ensure artistic and design quality, integration with the site, and relevance to the community.
- To advise the proponent requesting a public art project on issues concerning the site, the commissioning of the artist, and the permitting process.
- To approve the artwork at each stage:
 1. Design
 2. Fabrication
 3. Installation

or act on anything relating thereto?
(Inserted at the request of Rebecca L. Wetzel)

COMMENT: This citizens' petition Article seeks to establish a Hingham Art Commission to work with citizen groups, other committees, and individual citizens to promote public art located on Town-owned property or inside Town-owned buildings.

Commission responsibilities may include the following:

1. Inventory existing art in Hingham and update as new art is added.
2. Promote the arts in Hingham by providing a process and necessary expertise to take an art concept from idea to execution. This may include activities such as identifying an artist and finding funding.
3. Advise the Board of Selectmen on citizens' art initiatives.
4. Provide process, structure, and accountability to ensure proper installation and placement of selected art.
5. Consider the opportunity cost of installing art in Hingham's open spaces.

It is envisioned that this commission may consist of at least five, but not to exceed nine members. At inception, one-third of the members would be appointed for a one-year term, one-third for a two-year term, and one-third for a three-year term. The desired make-up of the board is a group of artists whose medium is varied. The membership may include traditionally trained artists, graphic designers, craftsmen, and those who are artistically inclined.

The Board of Selectmen and Advisory Committee support further study of the proposed Hingham Art Commission to further define the possible role of this body as it pertains to other committees under the Board of Selectmen's purview.

Several Advisory Committee members feel that, at the conclusion of further study, this Article should be resubmitted to a future Town Meeting. Other members feel that the Board of Selectmen should create the Hingham Art Commission without a Warrant Article. Either route is possible, but, generally speaking, the Advisory Committee prefers that permanent commissions and committees be created by Town Meeting vote.

The proponent of this Article is supportive of referring it to the Board of Selectmen.

RECOMMENDATION: That Article 42 be referred to the Board of Selectmen for further study.

ARTICLE 43: 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, and 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, to 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. Finally, because the phrase "any public purpose" might be considered vague and indefinite, the Advisory Committee is recommending a more specific description of the purposes of accepted easements.

RECOMMENDED: That the Town authorize but not require, for a period through April 30, 2017, 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 and 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 at the Oakleaf Clubhouse at Linden Ponds on SATURDAY, the thirtieth 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 Planning Board to serve three 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 one year; 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 8th day of April 2016.

Given under our hands at Hingham this 7th day of April 2016.

Paul K. Healey
Paul J. Gannon
Mary M. Power

BOARD OF SELECTMEN

A true copy
Attest:

Kathleen A. Peloquin
Constable of Hingham
April 8, 2016

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
April 8, 2016

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 an economic useful life of more than five years and cost \$10,000 or more 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 \$8,850,194 of capital requests from the various Town departments for Fiscal Year ("FY") 2017 and herein submits its recommendations for FY 2017, as well as general projections of capital needs for the following four fiscal years. This total included \$4,808,000 from the Fire Department for building design of Constitution Fire Station and renovation of North Fire Station. Since the scope of these projects is undetermined, the respective amounts were eliminated from the Five-Year Capital Plan, and COC will reconsider these projects in FY 2018.

COC's recommendations for FY 2017 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 2017 Funding Sources are summarized below:

RECOMMENDED

Tax Levy	\$ 1,889,609
Excess Overlay	\$ 238,428
Fund Balance (Mooring Permits)	\$ 35,000
Available Reserves	\$ 1,135,303
User Rates/Charges	\$ 361,000
Borrowing	<u>\$ 295,903</u>
Total:	<u>\$ 3,955,243</u>

II. SPECIFIC RECOMMENDATIONS

COC makes the following recommendations for FY 2017:

Accounting / MIS

\$88,700 for information technology replacement.

Town Clerk

\$50,500 for eight new voting machines.

Town Hall

\$25,000 for renovations and repairs and \$53,482 to repaint the exterior of Town Hall. The painting appropriation will be encumbered at the end of FY 2017, and the final appropriation, to fully fund the project, will be recommended for FY 2018 when the project is performed.

GAR Hall

\$6,200 to replace the parking lot asphalt.

Police Department

\$213,000 to replace seven police vehicles, \$65,000 to replace forty-two Non-Lethal Weapons (Tasers), \$32,000 to purchase ten police car dash cams and \$13,000 to replace twelve bullet proof vests. Harbormaster capital recommendations are \$5,000 to refit the pump-out boat and \$30,000 for a new Harbormaster vehicle. Funding for Harbormaster expenditures will come from mooring permit fees.

Fire Department

\$21,000 for replacement of nine sets of fire-fighting turnout gear, \$29,000 for replacement of fire hydrants, \$62,000 to replace fifty-six Self Contained Breathing Apparatus (SCBA) bottles and face pieces, and \$20,000 to repaint the exterior of Station 1 (Central). COC also recommends \$295,903 for Fire Station Site Evaluation and Station 2 (North/Torrent) Architectural and Engineering Fees. This amount will be funded from borrowing if the related Warrant Article is approved.

Public Works/Highway

\$143,000 for a new full size dump truck with plow to replace a mid size truck, \$100,000 for replacement of a backhoe, and \$39,000 to replace a ¾ ton pickup truck with plow. COC also recommends \$5,000 in upgrades to the old vehicle #L-1 that will become vehicle #17T and \$5,000 in upgrades to the old vehicle #S-2 that will become vehicle #33.

Public Works/Transfer Station

\$75,000 for a closed top trailer, \$25,000 for replacement of tires and undercarriage repair on trash trailers, \$35,000 for a new pickup truck with plow (the old vehicle #17T will be traded in toward the purchase of this new vehicle), and \$65,000 for a new yard donkey tractor to transport recyclables to the respective drop-off sites. Purchase of the yard donkey is expected to save \$56,900 per year in operating expenses, since the Town will no longer need to outsource transporting of recyclables.

Sewer Department

\$145,000 for renovations and repairs of pump stations and \$50,000 for service replacements. Funding for these expenditures will come from Sewer rates and/or fees.

Elder Services

\$50,000 to replace a transportation van.

Library

\$20,000 for replacement of information technology equipment and \$20,000 for replacement of furniture. COC also recommends a total of \$1,135,303 to replace the roof and HVAC system on the original part of the Library. This total consists of \$440,627 for phase 2 of the roof replacement, including two skylights and general contractor fees, and \$694,676 for replacement of the rooftop air-handling units, including ceiling fans and general contractor fees.

Recreation Department

\$25,000 for replacement of fitness room equipment, \$15,000 for playground rehabilitation, \$15,000 for field rehabilitation, and \$20,000 for building rehabilitation. Funding for these expenditures will come from Recreation cash flow.

South Shore Country Club

\$16,000 for replacement of golf course maintenance equipment and \$75,000 for golf course and facility improvements. Funding for these expenditures will come from South Shore Country Club cash flow.

School Department

East Elementary School: \$25,000 to replace two kitchen chillers and \$6,800 to resurface the playground.

Foster Elementary School: \$54,600 to replace the phone system and intercom.

High School: \$20,000 to upgrade the energy management system (phase two of eight), \$11,622 to replace the auditorium lighting, and \$84,000 to replace the phone system.

Plymouth River Elementary School: \$15,000 to replace the office ceiling and recessed lighting and \$15,500 to upgrade exterior light poles to LED.

South Elementary School: \$8,000 to replace exterior gutters, \$10,500 to refinish the cafetorium stage floor and woodwork, \$45,000 to replace two air conditioner compressors, \$15,500 to upgrade exterior light poles to LED, and \$19,600 to replace the fire sprinkler heads.

School/System Wide: \$193,000 for school technology replacements, \$100,000 for technology enhancements and new initiatives, \$25,000 for replacement of two copiers, \$38,045 for instructional equipment, \$12,500 for the area carpet replacement plan, \$50,000 for roof repairs, \$20,000 for cameras and other security items, \$12,248 for interior and exterior maintenance equipment, \$37,800 for replacement of a school transportation van, and \$36,000 to replace a heavy duty truck with plow.

School/Town Wide: \$11,440 for new garage doors at the depot.

III. COMMENTS AND RECOMMENDATIONS FOR SUBSEQUENT YEARS

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 from the tax levy in FY 2020. This additional funding will allow for a continued reduction in the backlog, created during previous years of capital underfunding, as well as the approval of new requests. The backlog has been greatly reduced for all departments, but the Department of Public Works/Highway still has some deferrals to address. The additional funding is also required to comply with the Town's Financial Policy for Capital Outlay. Capital expenditures (excluding those financed by debt) should be between 2% and

5% of the Town's Operating Budget. From FY 2015 to FY 2017, expenditures are within this range, but, in five of the last ten years, this percentage was below the 2% required minimum.

Adequate capital funding is necessary in order to better 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.

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, heating, ventilation, air conditioning, plumbing) 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. COC recommends that the School Department Facilities Manager, hired in FY 2016, increase his scope of work to oversee such a survey and manage the resulting database.

Finally, over the last few years, 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 that all large-scope projects of this nature would likely be accompanied by a Warrant Article and subject to approval at Annual Town Meeting.

The Capital Outlay Committee thanks the Advisory Committee, Board of Selectmen, 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.

Libby Claypoole, Chair
Brendan Kiernan
Tim Finnerty
Lucy Hancock, Advisory Committee
Craig MacKay, Advisory Committee
Jean Montgomery, Treasurer-Collector *ex-officio member* (non-voting)

FY2017 Five Year Capital Plan

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
ACCOUNTING/MIS:					
Information Technology Assets (20% replacement)	\$88,700				
Video Cameras - Skate park (new) ¹		\$44,000			
Information Technology Assets (20% replacement)		\$92,000			
Document Management System (replacement)		\$80,000			
Data Center Upgrade (new)		\$200,000			
Information Technology Assets (20% replacement)			\$94,000		
Fiber Network Redundancy (new)			\$150,000		
Information Technology Assets (20% replacement)				\$96,000	
Information Technology Assets (20% replacement)					\$98,500
TOTAL ACCOUNTING/MIS	\$88,700	\$416,000	\$244,000	\$96,000	\$98,500
ASSESSORS:					
Vehicle		\$13,000			
TOTAL ASSESSORS	\$0	\$13,000	\$0	\$0	\$0
SELECTMEN:					
No Requests					
TOTAL SELECTMEN	\$0	\$0	\$0	\$0	\$0
TOWN CLERK:					
Voting Machines (8) (replacement)	\$50,500				
TOTAL TOWN CLERK	\$50,500	\$0	\$0	\$0	\$0
TREASURER/COLLECTOR:					
Postage Machine (replacement)			\$6,000		
TOTAL TREASURER/COLLECTOR	\$0	\$0	\$6,000	\$0	\$0
TOWN HALL:					
Town Hall (renovations & repairs)	\$25,000				
Exterior Painting #1 (replacement)	\$53,482				
Exterior Painting #2 (replacement)		\$53,482			
Carpeting, School Department (replacement)		\$30,000			
Video Cameras - Town Hall		\$42,695			
Town Hall (renovations & repairs)		\$25,000			
Stair Treads, Recreation (replacement)		\$22,000			
Stair Treads, Game Room (replacement)		\$11,850			
Town Hall (renovations & repairs)			\$25,000		
Interior Painting & Wallpaper (replacement)			\$20,000		
Bathroom partition/fixtures (replacement)			\$20,000		
Make-up Air Units for Gym/Auditorium (replacement)			\$40,000		
Staircase, TH (replacement)				\$16,900	

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
Town Hall (renovations & repairs)				\$25,000	
Town Hall (renovations & repairs)					\$30,000
TOTAL TOWN HALL	\$78,482	\$185,027	\$105,000	\$41,900	\$30,000
<u>GAR HALL:</u>					
Parking Lot - Asphalt (replacement)	\$6,200				
TOTAL GAR HALL	\$6,200	\$0	\$0	\$0	\$0
<u>VETERANS SERVICES:</u>					
No Requests					
TOTAL VETERANS SERVICES	\$0	\$0	\$0	\$0	\$0
<u>POLICE DEPARTMENT:</u>					
Police Vehicles (7) (replacement)	\$213,000				
Non-Lethal Weapons (42) (replacement)	\$65,000				
Police Car Dash Cams (10) (new)	\$32,000				
Bullet Proof Vests (12) (replacement)	\$13,000				
Refit Pump-out Boat (replacement)	\$5,000				
Harbormaster Vehicle (new)	\$30,000				
Recording System for phones (new)		\$10,000			
Motor Cycles (2) (replacement)		\$36,000			
Cordless Radar Units (5) (replacement)		\$15,000			
Police Vehicles (7) (replacement)		\$218,000			
Animal Control - Portable Incinerator (new)		\$17,000			
Bullet Proof Vests (7) (replacement)		\$7,500			
Re Deck Town Pier (replacement)		\$10,000			
Police Vehicles (7) (replacement)			\$223,000		
Bullet Proof Vests (30) (replacement)			\$35,000		
Boat Engine - Harbormaster (1) (replacement)			\$20,000		
Police Vehicles (6) (replacement)				\$181,000	
Bullet Proof Vests (13) (replacement)				\$16,000	
Station Repair and Update (replacement)				\$30,000	
Finger Print Machine (1) (replacement)					\$40,000
Bullet Proof Vests (13) (replacement)					\$13,000
Body Cameras (53) (new)					\$100,000
Boat Engine - Harbormaster (1) (replacement)					\$23,000
TOTAL POLICE DEPARTMENT	\$358,000	\$313,500	\$278,000	\$227,000	\$176,000
<u>FIRE DEPARTMENT:</u>					
SCBA Bottles/Face Pieces (56) (replacement)	\$62,000				
Fire Hydrants (replacement)	\$29,000				
Turnout Gear (9 sets) (replacement)	\$21,000				
Station 1 (Central) Exterior Painting (replacement)	\$20,000				

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
Fire Station Site Evaluation/Station 2 (North) A&E ²	\$295,903				
Station 2 (North/Torrent) Renovation (replacement) ²		TBD			
Quint 1 (1999) (replacement)		\$1,295,000			
C-4 (2009) (replacement)		\$34,000			
Boat (1970) (replacement)		\$60,000			
Fire Hydrants (replacement)		\$30,000			
Turnout Gear (9 sets) (replacement)		\$21,000			
SAED (6) (replacement)		\$7,200			
Station 3 (South) Design & Bid (replacement) ²			TBD		
Medic (2007) (replacement)			\$247,500		
Fire Hydrants (replacement)			\$31,000		
Turnout Gear (9 sets) (replacement)			\$21,000		
Station 2 Ramp (replacement)			\$10,000		
Stair Chairs (2) (replacement)			\$10,000		
Stretcher (replacement)			\$15,000		
Station 3 (South) Renovation (replacement) ²				TBD	
C-2 (12) (replacement)				\$35,000	
Cardiac Monitors (replacement)				\$110,000	
Fire Hydrants (replacement)				\$32,000	
Turnout Gear (9 sets) (replacement)				\$21,000	
SCBA Units (30) (replacements)				\$180,000	
Station 1, 2, 3 Painting (replacement)				\$60,000	
Stair Chair (1) (replacement)				\$5,000	
Portable radios (60) (replacement)				\$120,000	
Utility (11) (replacement)					\$45,000
C-2 (13) (replacement)					\$35,500
C-3 (13) (replacement)					\$40,000
Fire Hydrants (replacement)					\$32,000
Turnout Gear (9 sets) (replacement)					\$21,000
Stretcher (replacement)					\$15,000
TOTAL FIRE DEPARTMENT	\$427,903	\$1,447,200	\$334,500	\$563,000	\$188,500
<u>PUBLIC WORKS (ENGINEERING):</u>					
Road Building ³	TBD				
Martins Lane Wall Reconstruction (replacement)		\$325,000			
TOTAL PUBLIC WORKS (ENGINEERING)	\$0	\$325,000	\$0	\$0	\$0
<u>PUBLIC WORKS (HIGHWAY):</u>					
#16 - Full size Dump w/Plow (2002 mid) (replacement)	\$143,000				
#21 - Case 580SL Backhoe (2000) (replacement)	\$100,000				

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
#17 - 4 Wheel Dr 3/4 PU w/Plow 2500HD (2005) (replacement)	\$39,000				
#17T - 3/4 Ton Truck (1998) (upgrade)	\$5,000				
#33 - E150 Ford Van (upgrade)	\$5,000				
#30 - Groundmaster 4000D (replacement)		\$72,500			
#14 - Full size Dump w/S&P (2003 full) (replacement)		\$154,000			
#31 - Groundmaster 4000D (replacement)		\$72,000			
#42 - Giant Leaf Blower (2002) (replacement)		\$5,000			
#24 - Bombardier Sidewalk Tractor (1993) (replacement)		\$92,000			
# 6 - IH 7400 Dump w/S&P (2008) (replacement)		\$172,500			
#36 - Bombardier Sidewalk Tractor (1993) (replacement)			\$92,000		
TP2 - Walk Behind 48" Mower (2003) (replacement)			\$5,500		
TP2 - Walk Behind 48" Mower (2003) (replacement)			\$5,500		
# 4 - Chevrolet 3500 1 Ton Dump (2003) (replacement)			\$44,000		
#13 - IH 6 Wheel Dump w/S&P (replacement)			\$130,000		
#35 - John Deere F1148 Tractor (1996) (replacement)				\$33,000	
# 7 - IH Dump 7400DP w/S&P (2009) (replacement)				\$162,000	
#25 - Trackless MT (replacement)				\$44,000	
#12 - Catch Basin Cleaner (replacement)				\$140,000	
#10P - Wright Sensor Mower (replacement)				\$6,800	
#11P - Wright Sensor Mower (replacement)				\$6,800	
#28 - 1 Ton Dump w/P (2012) (replacement)					\$30,000
#2 - Chevrolet 2500 HD PU w/P (2012) (replacement)					\$40,000
#38 - GMC Sierra 2500 PU w/P (replacement)					\$40,000
#13 - IH Dump 7400DP w/S&P (2008) (replacement)					\$168,000
TOTAL PUBLIC WORKS (HIGHWAY)	\$292,000	\$568,000	\$277,000	\$392,600	\$278,000
PUBLIC WORKS (TRANSFER STATION):					
#T8 - Closed Top Trailer (2000) (replacement)	\$75,000				
#L1 - Chevrolet 2500HD PU w/P (2003) (replacement)	\$35,000				
Trailer Tires (36) & Undercarriage Repair (2000) (replacement)	\$25,000				
#L-5 - Tractor (Yard Donkey) (1990) (replacement)	\$65,000				
#T3 - T-3 Open Top Trailer (2000) (replacement)		\$75,000			
Trailer Tires (36) & Undercarriage repair (2000) (replacement)		\$25,000			
#T2 - T-2 Open Top Trailer (2000) (replacement)			\$75,000		
Trailer Tires 36 & Undercarriage repair (2000) (replacement)			\$25,000		
Baler Maintenance (reline hopper)			\$65,000		
L32 - 244J John Deere Mini Loader (2008) (replacement)				\$60,000	
#T1 - T-1 Open Top Trailer (2000) (replacement)				\$75,000	

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
Trailer Tires (36) & Undercarriage repair (2000) (replacement)				\$25,000	
L-21 - John Deere Backhoe (2008) (replacement)					\$67,000
Trailer Tires (36) & Undercarriage repair (2000) (replacement)					\$25,000
TOTAL PUBLIC WORKS (TRANSFER STATION)	\$200,000	\$100,000	\$165,000	\$160,000	\$92,000
<u>SEWER DEPARTMENT:</u>					
Pump Station (renovations & repairs)	\$145,000				
Service Replacements	\$50,000				
Pump Station (renovations & repairs)		\$43,000			
Service Replacements		\$50,000			
#S1 - Chevy PU w/P (2006)			\$41,000		
Pump Station (renovations & repairs)			\$12,000		
Service Replacements			\$50,000		
Pump Station (renovations & repairs)				\$25,000	
Service Replacements				\$50,000	
Service Replacements					\$50,000
TOTAL SEWER DEPARTMENT	\$195,000	\$93,000	\$103,000	\$75,000	\$50,000
<u>ELDER SERVICES:</u>					
Van (2007) (replacement)	\$50,000				
Automobile (2013) (replacement)			\$30,000		
Van (2011) (replacement)				\$68,000	
TOTAL ELDER SERVICES	\$50,000	\$0	\$30,000	\$68,000	\$0
<u>LIBRARY:</u>					
Roof Phase 2 (replacement)	\$440,627				
Roof-top air handling units (replacement)	\$694,676				
Computers (replacement 20%)	\$20,000				
Furniture (replacement)	\$20,000				
Repaint Children's Wing (replacement)		\$15,000			
Building Feasibility Study		\$30,000			
Computers (replacement 20%)		\$20,000			
50 space parking lot expansion (new)		\$285,000			
Furniture (replacement)		\$20,000			
Exterior wooden door (replacement)		\$20,000			
Generator Installation (new)		\$85,000			
Computers (replacement 20%)			\$20,000		
Single pane windows (replacement)			\$100,000		
Furniture (replacement)			\$20,000		
Computers (replacement 20%)				\$20,000	
HVAC component (replacement)				\$75,000	

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
Furniture (replacement)				\$20,000	
Exterior storage shed (replacement)				\$10,000	
Carpet (replacement)					\$80,000
Septic System Assessment					\$15,000
Computers (replacement 20%)					\$20,000
Furniture (replacement)					\$20,000
Auto Floor Scrubber (replacement)					\$7,000
TOTAL LIBRARY	\$1,175,303	\$475,000	\$140,000	\$125,000	\$142,000
<u>RECREATION DEPARTMENT:</u>					
Fitness equipment (replacement)	\$25,000				
Field rehab (replacement)	\$15,000				
Facility rehab (replacement)	\$20,000				
Playground rehab (replacement)	\$15,000				
Fitness equipment (replacement)		\$25,000			
Field rehab (replacement)		\$15,000			
Facility rehab (replacement)		\$20,000			
Playground rehab (replacement)		\$15,000			
Fitness equipment (replacement)			\$25,000		
Field rehab (replacement)			\$15,000		
Facility rehab (replacement)			\$20,000		
Playground rehab (replacement)			\$15,000		
Fitness equipment (replacement)				\$25,000	
Field rehab (replacement)				\$15,000	
Facility rehab (replacement)				\$20,000	
Playground rehab (replacement)				\$15,000	
Fitness equipment (replacement)					\$25,000
Field rehab (replacement)					\$15,000
Facility rehab (replacement)					\$20,000
Playground rehab (replacement)					\$15,000
TOTAL RECREATION DEPARTMENT	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
<u>SOUTH SHORE COUNTRY CLUB:</u>					
Golf Course Maintenance Equipment	\$16,000				
Golf Course & Facility Improvements	\$75,000				
Golf Course Maintenance Equipment		\$66,000			
Golf Course & Facility Improvements		\$35,000			
Golf Course Maintenance Equipment			\$85,000		
Golf Course & Facility Improvements			\$35,000		
Golf Course Maintenance Equipment				\$144,000	
Golf Course & Facility Improvements				\$110,000	

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
Golf Course Maintenance Equipment					\$92,000
Golf Course & Facility Improvements					\$160,000
TOTAL SOUTH SHORE COUNTRY CLUB	\$91,000	\$101,000	\$120,000	\$254,000	\$252,000
SCHOOL DEPARTMENT:					
EAST ELEMENTARY SCHOOL:					
Chiller Replacement (2)	\$25,000				
Playground - Blue surface (replacement)	\$6,800				
Energy Recovery Unit, computer and software (new)		\$16,500			
Landscape - Playground area retaining wall for erosion control (new)		\$8,500			
Building Repairs and Improvements		\$50,000			
Floors - Stage floor and replace treads			\$5,000		
Building Repairs and Improvements			\$50,000		
				\$50,000	
Building Repairs and Improvements					\$50,000
EAST ELEMENTARY TOTALS	\$31,800	\$75,000	\$55,000	\$50,000	\$50,000
FOSTER ELEMENTARY SCHOOL:					
Phone System and Intercom (replacement)	\$54,600				
Paint Outside Trim (replacement)		\$16,500			
Play Shed (restore)		\$80,000			
Feasibility Study - Windows ⁴		TBD			
Building Repairs and Improvements		\$50,000			
Window/Door Replacement Plan ⁴			TBD		
Building Repairs and Improvements			\$50,000		
Building Repairs and Improvements				\$50,000	
Building Repairs and Improvements					\$50,000
FOSTER ELEMENTARY TOTALS	\$54,600	\$146,500	\$50,000	\$50,000	\$50,000
HIGH SCHOOL:					
Energy Mgmt System - Open NW Architecture (replacement) 2 of 8	\$20,000				
Lighting - Auditorium (replacement)	\$11,622				
Phone System (replacement)	\$84,000				
Health and Wellness Center - Schematic Design ⁵		TBD			
Carpet - Asst Prin Office, LMS, Front Lobby (replacement)		\$30,000			
Lighting - CYC lighting for auditorium (replacement)		\$5,772			
Energy Mgmt System - Open NW Architecture (replacement) 3 of 8		\$20,000			
Floors - All boys' locker rooms (refinish)		\$30,000			
Concession building - Roof (replacement)		\$15,000			
Building Repairs and Improvements		\$75,000			

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
Health and Wellness Center - Construction 5			TBD		
Boiler- Heat (2) - Feasibility Study (replacement)			\$38,245		
Energy Mgmt System - Open NW Architecture (replacement) 4 of 8			\$20,000		
Building Repairs and Improvements			\$75,000		
Underground Oil Tank Removal				\$40,000	
Boiler - Heat (2) - Bidding and Construction (replacement)				\$889,152	
Energy Mgmt System - Open NW Architecture (replacement) 5 of 8				\$20,000	
Track Resurface (replacement)				\$50,000	
Building Repairs and Improvements				\$75,000	
Energy Mgmt System - Open NW Architecture (replacement) 6 of 8					\$20,000
Building Repairs and Improvements					\$75,000
HIGH SCHOOL TOTALS	\$115,622	\$175,772	\$133,245	\$1,074,152	\$95,000
MIDDLE SCHOOL:					
Building Repairs and Improvements	\$0				
Building Repairs and Improvements		\$35,000			
Building Repairs and Improvements			\$35,000		
Building Repairs and Improvements				\$50,000	
Building Repairs and Improvements					\$50,000
MIDDLE SCHOOL TOTALS	\$0	\$35,000	\$35,000	\$50,000	\$50,000
PLYMOUTH RIVER ELEMENTARY SCHOOL:					
Office - Ceilings and recessed lighting (replacement)	\$15,000				
Lighting - Exterior Light poles (upgrade to LED)	\$15,500				
Feasibility Study - Windows ⁶		TBD			
Window Shades - 10 Rooms and Cafeteria (replacement)		\$18,000			
Building Repairs and Improvements		\$50,000			
Windows - ten year master plan (replacement) ⁶			TBD		
Building Repairs and Improvements			\$50,000		
Building Repairs and Improvements				\$50,000	
Building Repairs and Improvements					\$50,000
PLYMOUTH RIVER ELEMENTARY TOTALS	\$30,500	\$68,000	\$50,000	\$50,000	\$50,000
SOUTH ELEMENTARY SCHOOL:					
Exterior/Gutter Repairs	\$8,000				
Cafetorium - Stage Floor and Woodwork (refinish)	\$10,500				
HVAC - AC Compressors (2)	\$45,000				
Lighting - Exterior Light Poles (upgrade to LED)	\$15,500				
Sprinkler Head (replacement)	\$19,600				
Building Repairs and Improvements		\$50,000			

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
Building - Paint Outside Trim (replacement)			\$30,000		
Building Repairs and Improvements			\$50,000		
Interior Upkeep - Refinish cabinets and door trim				\$70,000	
Building Repairs and Improvements				\$50,000	
Cover Over Concrete Steps to Parking Lot (new)					\$60,000
Building Repairs and Improvements					\$50,000
SOUTH ELEMENTARY TOTALS	\$98,600	\$50,000	\$80,000	\$120,000	\$110,000
SCHOOL SYSTEM WIDE:					
Area Carpet (replacement plan)	\$12,500				
Copiers (2) (replacement)	\$25,000				
Instructional Equipment	\$38,045				
Maintenance Equipment	\$12,248				
Roof repairs all buildings	\$50,000				
Cameras & other security items to enhance security (new)	\$20,000				
School Technology (new & replacements)	\$193,000				
Technology Enhancements & New Initiatives - Plan	\$100,000				
School Transportation Van (replacement)	\$37,800				
Heavy Duty Truck with Plow (replacement)	\$36,000				
Equipment - Baseball Field Grooming and Maintenance Groomer (new)		\$18,500			
Business Office - Payable File Maintenance System		\$26,642			
Exterior - Parking Lot Line Painting (replacement)		\$10,000			
Truck - Facilities & Procurement Manager (new)		\$30,000			
Area Carpet (replacement plan)		\$13,000			
Copiers (2) (replacement)		\$25,000			
Facilities Master Plan - Update 10 Year Plan		\$90,000			
Gym Floors - Annual Upkeep (refinishing)		\$10,000			
Instructional Equipment		\$50,000			
Lighting Projects		\$20,000			
Maintenance Equipment		\$15,000			
Roof repairs all buildings		\$50,000			
Asbestos Abatement		\$10,000			
Cameras & other security items to enhance security (new)		\$15,000			
School Technology (new & replacement)		\$203,000			
Technology Enhancements & New Initiatives - Plan		\$100,000			
School Transportation Van (replacement)		\$38,934			
Building 179 - Sprinklers		\$145,200			
Building 179 Traces Program (renovation)		\$110,000			
Area Carpet (replacement plan)			\$13,500		

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
Copiers (2) (replacement)			\$25,000		
Gym Floors - Annual Upkeep (refinishing)			\$10,000		
Instructional Equipment			\$50,000		
Maintenance Equipment			\$15,000		
Roof Repairs All Buildings			\$50,000		
Asbestos Abatement			\$10,000		
Cameras & other security items to enhance security (new)			\$10,000		
School Technology (new & replacement)			\$213,000		
Technology Enhancements & New Initiatives - Plan			\$100,000		
School Transportation Van (replacement)			\$40,102		
Area Carpet (replacement plan)				\$14,000	
Copiers (2) (replacement)				\$25,000	
Gym Floors - Annual Upkeep (refinishing)				\$10,000	
Instructional Equipment				\$50,000	
Maintenance Equipment				\$15,000	
Roof repairs all buildings				\$50,000	
Asbestos Abatement				\$10,000	
Cameras & other security items to enhance security (new)				\$10,000	
School Technology (new & replacement)				\$223,000	
Technology Enhancements & New Initiatives - Plan				\$100,000	
School Transportation Van (replacement)				\$41,305	
Area Carpet (replacement plan)					\$14,500
Copiers (2) (replacement)					\$25,000
Gym Floors - Annual Upkeep (refinishing)					\$10,000
Instructional Equipment					\$50,000
Maintenance Equipment					\$15,000
Roof Repairs All Buildings					\$50,000
Asbestos Abatement					\$10,000
School Technology (new & replacement)					\$233,000
Technology Enhancements & New Initiatives - Plan					\$100,000
School Transportation Van (replacement)					\$42,544
SCHOOL SYSTEM WIDE TOTALS	\$524,593	\$980,276	\$536,602	\$548,305	\$550,044
SCHOOL/TOWN WIDE:					
Depot garage doors (replacement)	\$11,440				
Camera Surveillance System at Depot (new)		\$8,500			
Building Repairs and Improvements		\$15,000			
Building Repairs and Improvements			\$15,000		
Building Repairs and Improvements				\$15,000	

Department/Category	FY2017	FY2018	FY2019	FY2020	FY2021
Building Repairs and Improvements					\$15,000
SCHOOL/TOWN WIDE TOTALS	\$11,440	\$23,500	\$15,000	\$15,000	\$15,000
TOTAL SCHOOL	\$867,155	\$1,554,048	\$954,847	\$1,957,457	\$970,044
Total Capital Projects	\$3,955,243	\$5,665,775	\$2,832,347	\$4,034,957	\$2,352,044
Tax Levy	\$1,889,609	\$4,091,775	\$2,514,347	\$3,630,957	\$1,952,044
Excess Overlay	\$238,428	\$0	\$0	\$0	\$0
Fund Balance (Mooring Permits)	\$35,000	\$10,000	\$20,000	\$0	\$23,000
Available Reserves	\$1,135,303	\$0	\$0	\$0	\$0
User Rates/Charges	\$361,000	\$269,000	\$298,000	\$404,000	\$377,000
Borrowing	\$295,903	\$1,295,000	\$0	\$0	\$0

Total Funding	\$3,955,243	\$5,665,775	\$2,832,347	\$4,034,957	\$2,352,044
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Total Capital Projects	\$3,955,243	\$5,665,775	\$2,832,347	\$4,034,957	\$2,352,044
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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 Department, South Shore Country Club and Recreation Department
- Borrowing is subject to approval at Annual Town Meeting
- TBD indicates amounts are to be determined

FOOTNOTES:

1. Video cameras for the skate park would likely be done in conjunction with any future Building 179 and renovations.

2. Fire Department:

The Fire Station Building Committee is requesting \$295,903 in a Warrant Article to augment the \$500,000 appropriated at the 2015 Annual Town Meeting. These additional funds would be used to (a) evaluate alternative sites for Station 2 (North/Torrent) and (b) evaluate alternative sites for either replacement of Station 3 (South) or to establish a fourth fire station. The funds would be used for site evaluation and design costs, including architectural and engineering services, for construction of a replacement of the current Station 2 (North/Torrent). Refer to the Fire Station Building Committee Warrant Article for additional information. This capital request is subject to approval at Annual Town Meeting and would be funded from Borrowing.

3. Public Works (Engineering):

Refer to the Road Building Warrant Article for additional information on road improvements and resurfacing. The requested appropriation would be expended over the next five years. This project is subject to approval at Annual Town Meeting and would be funded from Borrowing.

4. Foster Elementary School:

The School Department is evaluating replacement of windows and doors at Foster Elementary School. Estimates are "To Be Determined". In the future the School Department may pursue a larger project. Any future project is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

5. High School:

The School Department is evaluating expansion and renovation of the newly named Health and Wellness Center at the High School. Estimates are "To Be Determined". Any future project is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

6. Plymouth River Elementary School:

The School Department is evaluating replacement of windows at Plymouth River Elementary School. Estimates are "To Be Determined". 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 2016 Annual Town Meeting, the Personnel Board is pleased to submit this report of its activities since the 2015 Annual Town Meeting.

COLLECTIVE BARGAINING UNITS

Following the 2015 Annual Town Meeting, the Board has begun conducting Collective Bargaining Agreement negotiations with the Police Patrol, Police Superiors, and Public Works Unions whose Agreements will expire on June 30, 2016. Firefighter and Library Unions' Agreements will expire on June 30, 2017.

OTHER TOWN EMPLOYEES AND TOWN OFFICERS

The Board recommends a general wage increase of 2% effective July 1, 2016, for employees who are not covered by collective bargaining agreements. The Board approved job descriptions for the following new positions: Associate Librarian – Young Adult Services, Deputy Fire Chief– Administration and Deputy Fire Chief-Operations. The Board approved the reclassification of the position of Systems Analyst at Grade 14 and the Human Resources Director at Grade 17. The Board approved the revised job description of the Library Director. Also, the Board approved the requests that the newly hired Assistant Library Director, Library Custodian, and Senior Planner: Conservation Officer/GIS, and three promoted Police Superior Officers be placed at a higher step on the applicable salary scale based on prior experience. The Board voted to increase the South Shore Country Club Range/Car Attendant (X-18) salary schedule to reflect the State mandated minimum wage. Seven vacation carry-over requests were approved by the Board.

RECOMMENDATIONS FOR CHANGES TO THE PERSONNEL BY-LAW

The Personnel Board recommends that the Town, at the 2016 Annual Town Meeting, amend the Personnel By-law, effective July 1, 2016, so that, as amended and restated, it will be in the form on file in the Town Clerk's office immediately preceding Town Meeting.

To amend the By-law, pursuant to Section 52E of Chapter 149 of the Massachusetts General Laws, by adding a new sub-section (9) to Section 15. Leaves of Absence: Domestic Violence Leave Policy, and to renumber the subsequent sub-section.

To amend the By-law by changing the current schedule in Section 16. Sick Leave, sub-section d(1) and replacing it with:

Accumulated unused sick leave will be paid to all employees at normal retirement only, according to the following schedule:

<u>Accumulated Sick Days</u>	<u>Payment</u>
1-149	\$8.00 per day
150-199	\$1,200, plus \$9.00 per day for each day over 150
200 & over	\$1,900 plus 10.00 per day for each day over 200

THE PERSONNEL BOARD
David Pace, Chairman
Russell Conn
Marie Harris
Jack Manning
Mary Jane O'Meara

REPORT OF THE SCHOOL COMMITTEE

The initial School Department-proposed FY'17 Operating Budget reflected a "needs-based" philosophy, with attention to mandated programs and required support services, provisions for transportation, maintenance and facilities requirements and other requests for programs and resources to meet the unique academic, health, physical, and social/emotional needs of HPS students. The recommended budget does fund contractual obligations, anticipated market increases for goods and services, and projected costs for maintaining existing programs and services included in the base budget.

As well, several additional requests were proposed by the Administration for School Committee consideration to meet identified needs due to evolving student demographics, growing social and emotional issues and other needs not met by the proposed base budget. However, most of these requests cannot be funded at this time and further consideration of them will be deferred to the FY '18 budget. As in the past, the School Committee and School Department have continued to advocate for school funding that represents a reasonable balance between achieving and maintaining the Town's long term financial objectives and providing an adequate level of financial support for important Town and School Department services. We acknowledge the leadership and collaboration of the Chairs of the Board of Selectmen, the Advisory Committee and its Education Subcommittee, and the administration; and we recognize the work and cooperation of their respective memberships and staff in striking the compromise that the ultimately recommended FY '17 budget represents.

Town Meeting is asked by the Advisory Committee to approve an appropriation of \$47,613,721 to operate the schools for next year, an increase of 4.84% from the FY '16 allocation. The recommended Capital Budget for the HPS is \$867,155 including funds to maintain buildings and replace infrastructure components, to meet technology needs and to replace furnishings and equipment.

The FY '17 School Department-proposed budget included funding for the first phase of a two year adoption process for a new elementary reading program and for additional staffing, such as for elementary math tutoring and a shared technology support technician. Also included was funding for a new bus lease previously deferred due to funding constraints.

While the state's Circuit Breaker reimbursement offset is anticipated to be greater in FY '17, net special education costs are projected to be up for the same period. The proposed increase was due to a combination of higher out of district tuitions, the need for an additional shared elementary special education teacher and for administrative support in the Student Services office.

Full Day Kindergarten personnel costs will be offset again next fall by parent paid tuitions, as is the case in this first year of the program's implementation. Tuitions that are on a state approved, income-based sliding scale support the incremental costs of expanding the previous 2 hour 35 minute offering to the full school day option that now exists.

More detailed information about the proposed budget for FY '17 is available on the HPS website (hinghamschools.com); click on Administration and then select Business Operations from the pull down menu.

HINGHAM SCHOOL COMMITTEE

Andy Shafter, Chair
Liza O'Reilly, Vice Chair
Aylene Calnan, Secretary
Raymond C. Estes

Carol M. Falvey
Cynthia Galko
Edward Schreier, D.D.S.

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
781-741-1400 • 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: _____
