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

Our town meeting is conducted in accordance with the Town By-laws and also with regard to the traditions 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.
- 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 ten (10) minutes for the first time or for more than five (5) 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, however, 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.
- 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.
- Action under **Article 6**, our budget article, will not be considered final, so as to require a two-thirds vote for reconsideration or any other procedures applicable to reconsideration, until all action under the Article has been completed.
- **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.
- A **quorum** for the transaction of business is **300**. 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 desire 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.

Any citizen who has any questions about procedures at town meeting is encouraged to get in touch with me at my office (617-951-7455) or home (781-749-2888) or to see me prior to the start of town meeting.

Thomas L. P. O'Donnell
Moderator

April, 2006

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.

FREE CASH - The excess of assets over liabilities, minus uncollected taxes of prior years, also referred to as "available cash". The amount is certified annually by the Massachusetts Department of Revenue. Free Cash may be appropriated by vote of a town meeting.

GENERAL FUND - The major town owned fund which is created with town receipts and which is charged with expenditures payable from such revenues.

GRANT - A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal government. Grants are usually made for specific purposes.

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.

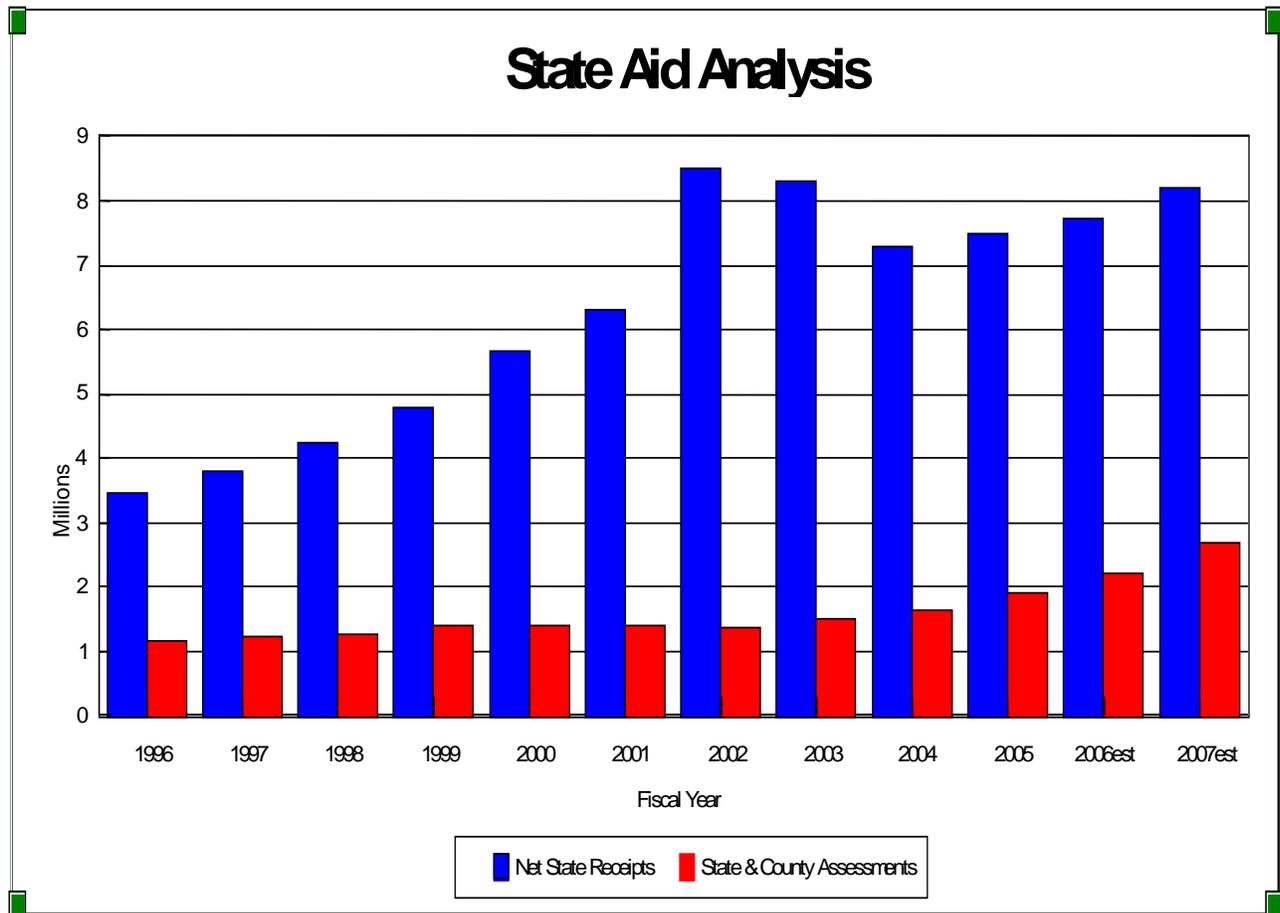
RESERVE FUND - Money set aside by Town Meeting to be allocated by the Advisory Committee for extraordinary or unforeseen expenditures.

REPORT OF THE ADVISORY COMMITTEE

OVERVIEW

The Advisory Committee is pleased to recommend the enclosed Fiscal Year 2007 budget (Articles 4, 5 and 6) for Town Meeting approval.

After two declining years in FY 2003 and 2004, the level of state aid stabilized in FY 2005 and 2006. We are projecting a moderate increase in state aid going forward in the FY2007 budget. However, state and county assessments continue to increase significantly due to a sharp rise in the amount passed through by the state to the town for retired teacher's healthcare, resulting in a level of net state aid roughly equal to FY 2006. Net state aid equals gross state receipts, net of amounts which the state requires to be dedicated for specific purposes, less state and county assessments.



The FY 2007 regular operating budget for the municipal operations of the Town (net of capital) will increase by 5.1%, while the recommended education operating budget (net of capital) will increase by 6.4%, resulting in a total operating budget increase of 5.74%

Labor costs are the most significant expense to the Town, amounting to 69.1% of the FY 2007 operating budget. The bulk of the Town's labor costs are determined as a result of collective bargaining. Having concluded contracts with most of the Town's collective bargaining units in fiscal 2005, the 2007 budget reflects only inflationary changes and step increases pursuant to those contracts. For Fiscal 2008 we will need to address a new round of collective bargaining agreements to be negotiated by the Personnel Board. The rising costs of health care, retirement funding and energy-both fuel and utilities-remain a concern, since the Town has only limited ability to control such charges.

We are grateful for the cooperation and restraint shown by Town employees and department heads who, through several difficult years, proposed and accepted largely "level-services" budgets, which have allowed the Town to meet the recent fiscal challenges and still carry out its mission. In FY 2007, with the benefit of larger than expected new growth (principally a result of strong appraisal values for Derby Street Shoppes, and the Black Rock Development), this budget reflects **some** allowance for the large backlog of departmental needs built up during the recent years of fiscal restraint. The new initiatives proposed for FY 2007 affect many town departments in small ways. The largest proposed increases in the operating budget are in Public Safety.

- 1) The appointment of a new administrative lieutenant to complete the Police Department reorganization begun last year at a total cost of about \$28,000.

- 2) Additional training for both Police and Fire Department personnel for which \$25,000 has been added to 2007's budget.

Other recommended large additions include a) setting aside \$37,000 more for snow removal to limit future deficits in that account, b) \$32,000 for the Library to fund a new half time library technician, more books and periodicals and an increase in the Old Colony Library Network assessment, c) \$17,500 for consulting and plant materials for restoration of the Downtown Business Improvement District as the train construction winds down, d) \$11,000 for added maintenance at the no longer new Town Hall building and e) \$10,000 for an additional seasonal worker for Bare Cove Park maintenance.

In the schools, the property tax increase made possible by the override passed at 2005's Town Meeting and at the polls allowed the hiring of staff to meet the needs of growing enrollment, and prevent a rise in class size. For FY2007, the Advisory Committee is recommending a school budget which reflects the continued need to meet the challenge of growing enrollment and is supported by the School Board. That budget includes seven new teaching positions, adoption of a new elementary level mathematics textbook and some increased extracurricular offerings.

The need for capital spending grows apace, as many projects have been delayed and deferred in recent years. Recommendations for capital spending are discussed below.

The Town's financial position currently is sound but bears continued vigilance given the state's somewhat volatile economic and budget situation. As the Town addresses the school facility 10 year long range plan, we expect that the next several years will continue to be fiscally challenging. We stand ready to deal with any effects from these challenges, including the difficult balancing of new revenues from future development in the Town with increased demand for services required by that growth, to maintain Hingham as the unique and treasured place it is.

THE BUDGET PROCESS

At the 1991 Annual Town Meeting, the General By-laws of the Town of Hingham were amended to specifically assign responsibility for the preparation of the budget (Articles 4, 5 and 6) to the Board of Selectmen assisted by the Town Administrator. Each fall, at the beginning of the budget cycle, the Town Administrator consults with the department heads about anticipated funding needs and prepares a budget. The Board of Selectmen then reviews it. Next, the budget undergoes a detailed review by the Advisory Committee. The Advisory Committee is a part of the legislative branch of town government and is comprised of 15 citizens of the Town appointed by the Town Moderator. The Advisory Committee modifies the budget as necessary and recommends it to Town Meeting. It also makes recommendations on articles presented in the Warrant. Town Meeting has the final vote on all budgets and warrant articles. The budget becomes effective only after the approval of Town Meeting. The Board of Selectmen and Advisory Committee recommend; Town Meeting decides.

FIVE YEAR FORECAST

Financial forecasts are used to estimate the Town's revenue and expenditures in the current and ensuing five fiscal years. The forecasts are prepared by the Finance Director/Town Accountant and updated periodically by a committee that includes the Chair and Vice-Chair of the Advisory Committee, the Chairman of the Board of Selectmen, the Town Administrator, the School Committee Chair, the Superintendent of Schools and the School Director of Business and Support Services. This group meets frequently throughout the year to keep the forecast accurate in the light of updated financial information.

FINANCIAL POLICY

Each year the state certifies the amount of free cash unspent by the Town in the prior year. The Town's financial policy statement recommends that we maintain a Free Cash balance equal to 5% of annual expenditures. This balance enables us to provide for the imbalance between cash receipts and expenditures, thereby eliminating the need to borrow in anticipation of cash receipts.

The Town historically has used the amount above 5%, known as the "Excess Free Cash," for Town spending or tax reduction. Because free cash amounts can vary from year to year, the Town's financial policy has been to use Excess Free Cash only for capital needs. Excess Free Cash is not used to finance operating budgets because of the unpredictable nature of free cash and the long-term, continuing nature of operating budgets.

Other provisions of the Financial Policy include:

- A Reserve fund set at 1% of appropriations (included in Article 6).
- Annual capital expenditures of at least 3% of the total operating budgets (operating budgets are considered to be the sum of Articles 4, 5 and 6, less capital expenditures, debt service, and the Sewer and Country Club budgets which are financed by user fees).
- A guideline stating that annual debt service should not exceed 5% of forecasted general revenues.

Our Financial Policy is a contributing factor to the AAA bond rating attributed to Hingham by all three municipal bond rating agencies. This results in lower interest rates on funds that the Town borrows.

FUNDING OF CAPITAL NEEDS

The Town continues its program for the maintenance and improvement of its facilities and infrastructure via its capital planning process. Capital needs are generally funded through the operating budget, Excess Free Cash and borrowing. It has been our historical practice to allocate an amount to support capital projects from the operating budget. But during FY 2004 or FY 2005, we deviated from that practice and no funds were allocated from the operating budgets for capital projects, because all of our recurring revenue was required to balance the operating budgets. In FY 2007 we continue our intended return to the practice of allocating up to \$900,000 of our operating budget to capital needs, begun in FY 2006, as reflected in the five-year forecast. Accordingly, \$650,000 of 2007 operating revenue is earmarked for capital expenditures in the recommended budget.

The backlog of pressing capital needs, many of which have been postponed repeatedly over the past few years, will continue to be challenging going forward. However, in the FY 2007 capital budget we have addressed the backlog in two ways, first by recommending that the Town proceed with the full Department of Public Works and School Depot Property ("DPW and fields") project, for which significant cost savings appear likely if the two portions of the project are done together, and second by transferring over \$7 Million of School Department capital projects from annual capital requirements into the 10 year long range School Facility Plan described in Article 17 of this warrant, which would be funded by debt outside the real estate tax levy limit, pursuant to a capital override in FY 2008. The \$1.7 million proposed to be appropriated in FY 2007 for architectural and engineering design development for schools would be financed with short term borrowing and ultimately included in the long term borrowing for the project, net of any state reimbursement.

The Advisory Committee supports the Capital Outlay Committee's recommended capital budget of \$8,657,867. Proposed items include proceeding with the DPW relocation and fields project, installation of traffic lights at High/Free and Main Streets, replacement of 8 police cruisers and one ambulance and substantial information technology investments for both the municipal and education sides of the town.

This sum, if approved, will be funded as follows:

\$1,055,400	from Excess Free Cash
6,787,467	by debt issuance, for the DPW and fields project
650,000	from recurring revenues, through the operating budget
100,000	from Country Club revenues (for Country Club capital expenses)
65,000	from sewer rates (for Sewer Commission capital expenses)

SOURCES AND USES OF FUNDS ANALYSIS

	ACTUAL <u>FY2005</u>	ESTIMATE <u>FY2006</u>	FORECAST <u>FY2007</u>	FORECAST <u>FY2008</u>	FORECAST <u>FY2009</u>
SOURCES					
Tax Levy					
Levy	39,278,578	42,171,208	45,745,725	48,170,368	50,614,327
2 1/2 % increase	981,964	1,054,280	1,143,643	1,204,259	1,265,358
New growth	1,156,994	2,520,236	1,281,000	1,239,700	1,292,400
Debt exclusions	2,002,102	1,985,946	1,950,372	1,833,386	1,510,187
Operational Override	753,672	0	0	0	0
Uncollected Levy	0	NA	NA	NA	NA
Total Tax Levy	44,173,310	47,731,671	50,120,740	52,447,713	54,682,272
Other Revenue					
Net State Receipts	7,317,067	7,737,724	8,206,873	8,206,873	8,206,873
Local Receipts	7,666,498	7,123,244	7,197,882	7,374,754	7,559,123
Excess Free Cash	1,200,000	2,541,334	1,255,400	200,000	200,000
SSCC	1,556,658	1,834,111	1,845,282	1,845,282	1,845,282
Sewer	1,569,923	1,813,720	1,946,323	2,090,692	2,247,991
Light Plant	509,500	519,975	451,474	474,048	497,750
Other	1,121,649	330,359	0	600,000	615,000
Total Other Revenue	20,941,294	21,900,467	20,903,234	20,791,649	21,172,019
Total Sources	65,114,605	69,632,138	71,023,974	73,239,362	75,854,291
USES					
State assessments	1,926,836	2,211,130	2,699,641	2,910,693	3,141,959
Overlay	215,200	376,634	250,000	350,000	250,000
Other expenses / deficits	107,795	342,800	100,000	100,000	100,000
Total	2,249,831	2,930,564	3,049,641	3,360,693	3,491,959
Appropriations					
Article 6	61,517,868	63,863,137	67,951,254	69,583,092	71,675,938
Article 4&5 Raises	0	419,916	20,000	419,238	851,054
Other Post-employment Benefits(OPEB)		0	0	0	400,000
Other articles	645,000	1,240,000	0	0	0
Total appropriations	62,162,868	65,523,053	67,974,304	70,002,330	72,926,992
				0	0
Total Uses	64,412,699	68,453,617	71,023,945	73,363,023	76,418,952
EXCESS (Shortfall)	N/A	1,178,521	29	(123,662)	(564,661)

SOURCES AND USES OF FUNDS

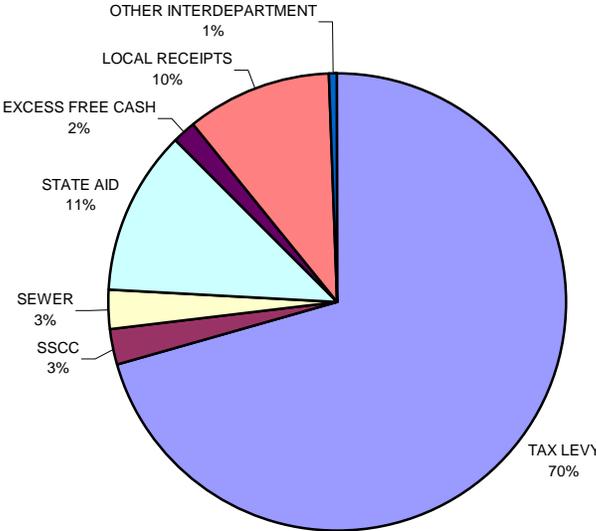
The Sources and Uses of Funds Analysis presented in this report reflect the forecasted FY 2007 tax receipts and other revenue sources used to prepare the budget included in this warrant. Under

Proposition 2½, tax levy income is estimated by taking the dollar amount of last year's tax levy and adding a 2½% increase plus an allowance for new growth. New growth is the value of tax dollars assessed to new construction. In FY 2007 new growth is estimated to be \$1,281,000. Other sources of revenue include:

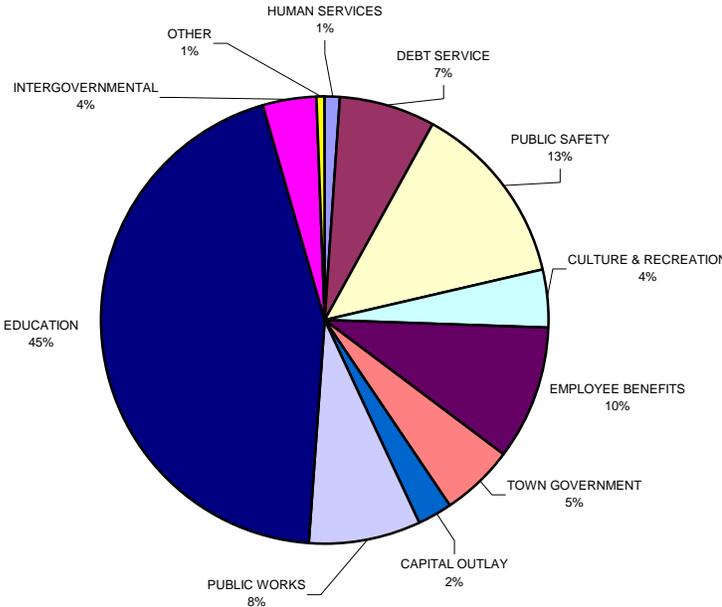
- Local receipts are forecast to increase by \$71,638 or 1.01% over FY 2006. Motor vehicle excise tax receipts of \$3,420,000, town fees for licenses and permits of \$1,613,000 and Ambulance fees of \$700,000 comprise the majority of local receipts. Fees for licenses and permits, which accounts for 22.4% of the FY2007 local receipts, have risen as a result of recent building activity for several large projects. The balance of local receipts comes from, investment income, and other sources.
- Excess free cash from FY2005 totaling \$1,255,400, (down from \$2,541,334 for FY 2004), to be used for capital needs.
- South Shore Country Club revenues fully offset operating costs of the Club that are included in Article 6, and also return \$400,000 to the Town to help defray the debt service of the bonds issued to purchase the Country Club. For FY 2007, debt service for the Country Club is \$172,732.
- Revenues from sewer charges fully offset sewer operating, debt and capital expenses that are included in Article 6.
- Light plant revenue is a payment of \$451,474 in lieu of taxes.
- We project that State Aid will provide \$2,297,957 for School Building Assistance, \$3,569,540 under Chapter 70 for Education, and \$2,339,376 for other uses.

In addition, a number of new projects are coming into the Town that provide a unique revenue source. Those projects, such as Linden Ponds and the Shipyard Project anticipate build-outs over a number of years. As a result, the Town anticipates building permit revenues for these projects to continue on a sustained basis for several years. While this revenue source eventually will disappear, the Advisory Committee has determined that \$750,000 of those anticipated building permits should be treated as increased recurring revenue for the next several years. Accordingly, funds in that amount have been used to balance the Town's operating budget. As the projects near the end of their building cycle, these funds will be replaced in the revenue projections with new growth.

Sources of Revenue

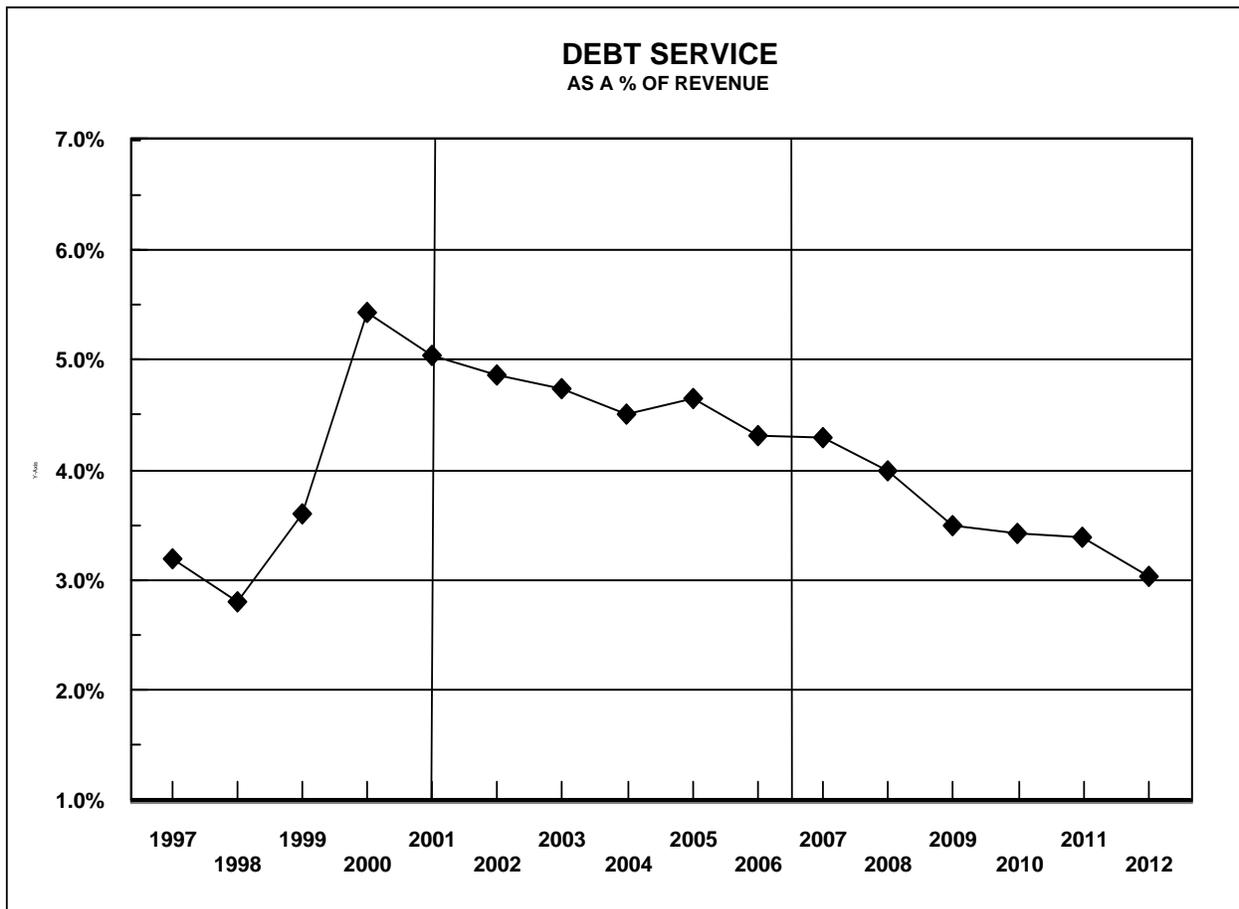


Uses by Function



DEBT SERVICE

The Financial Policy recommends that current revenues be used to finance operating expenses, capital expenditures for items costing less than \$25,000, and maintenance. The Policy further provides that debt should be reserved for the purchase of large, non-recurring capital items that have a life of five years or more, and not more than one-half of annual capital expenditures should generally be financed by debt. Total debt outstanding at any time ideally should not exceed 5% of forecasted revenues. In FY2007, debt service will continue its decrease from the FY2002 high point. Total debt service of the town above the levy limit for FY2007 will decrease \$ 102,476 or 2.3% to \$4,351,818, and is driven mainly by the reduced school building debt service costs noted above. If in FY 2008 the Town votes to proceed with the \$62 million schools project outlined in Article 17, debt service will, for a period of time, exceed the 5% guideline. The graph below shows currently issued debt only.



RESERVE FUND

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 concurrence of the Board of Selectmen and the Advisory Committee. The Reserve Fund is used to save the time and expense of a special town meeting. The Town's Financial Policy states that a reserve fund of approximately 1% of appropriations should be budgeted for contingencies. In FY 2005, after a snow and ice driven increase of \$350,000 to the Reserve Fund voted at the 2005 Annual Town Meeting, transfers were made as follows:

Assessors	\$20,000.00
Bathing Beach	\$6,067.00
Building Dept	\$14,348.00
DPW	\$18,665.00
Debt Service-Interest	\$2,633.00
Fire	\$30,500.00
GAR Hall	\$29,550.00
Greenbush Consulting	\$7,266.00
Harbormaster	\$8,000.00
Health	\$9,191.00
Historical	\$58.00
Legal	\$29,689.00
Library	\$14,466.00
Police	\$36,500.00
Recreation	\$7,183.00
Street Lighting	\$15,611.00
Selectmen	\$12,203.00
Settlement of Claims	\$1,518.00
Snow & Ice	\$417,921.00
Town Hall	\$42,752.00
Town Meeting	\$6,280.00
Unemployment	\$18,111.00
Veterans	\$1,151.00
Weights & Measures	<u>\$337.00</u>
	<hr/>
	\$750,000.00

For FY2007, we are recommending a Reserve Fund amount of \$420,250, which is broadly in accordance with the Town's financial guidelines.

ADVISORY COMMITTEE RECOMMENDATIONS

The amounts shown in Article 6 and the other articles in the Warrant represent the recommendations of the Advisory Committee. These funds provide for Town services at an appropriate level and also provide for necessary infrastructure maintenance and upgrading. The Advisory Committee has also reviewed the Warrant Articles and, after discussion with proponents and other interested people, we have provided comments and recommendations where appropriate. Town meeting will make the final decision for the FY2007 budget and other warrant articles.

We are most grateful for the assistance and support of the Town Administrator Charles Cristello, the Finance Director/Town Accountant Ted Alexiades, and their staffs. Their support allows us to better serve you. We would further like to acknowledge the Board of Selectmen, the School Committee and Administration, the Community Preservation Committee, the Capital Outlay Committee, and the Town Department Heads. Hingham continues to be exceedingly fortunate that so many capable and responsible people voluntarily serve its needs. In yet another challenging fiscal year, their contributions have enabled this year's budget process to run smoothly.

THE ADVISORY COMMITTEE

William Reardon, Chair
Linda Port, Vice Chair
Gail Faring, Secretary
Luis Alvarado
Michael Barclay
Joseph Bierwirth
Laura Burns
Diana Cooper

David Ellison
Anthony Kiernan
James MacAllen
John Manning
John Manley
Irma Lauter
Jerry Seelen

REPORT OF THE BOARD OF SELECTMEN

The annual budget process is the result of careful fiscal planning and close cooperation among the Board of Selectmen, Advisory Committee and all Town departments. The budget that is being recommended by both the Board of Selectmen and Advisory Committee has been carefully scrutinized and structured to maximize the benefits from our limited resources.

The Town's financial picture continues to improve as the state economy continues to grow, albeit slowly. The much-publicized increase in state aid recommended by Governor Romney in January was more than offset by an even bigger increase in state charges, particularly a \$444,000 increase in the cost of health insurance for retired teachers. Nonetheless, we have been able to develop a balanced budget for presentation to Town Meeting that funds some of the additional requests, both capital and operating, of Town and School departments. More significantly, the current forecast shows only moderate deficits over the next three years based on very conservative revenue assumptions.

The FY 2007 budget continues our practice of using current revenues to invest in the town's infrastructure. We have learned the hard way that it is far more expensive to put off the repair and maintenance of our assets than it is to face those costs on an annual basis. While there is not a large pool of excess free cash to appropriate beyond our 5% reserve in FY 07 the Board is recommending the use of \$1.05 million in available reserves on capital projects, including \$185,000 for a new traffic signal at the High, Free and Main intersection, \$210,000 for new police cruisers, \$160,000 for a new ambulance, and \$150,000 for school system-wide technology improvements. All the projects recommended by the Capital Outlay Committee are detailed in their report at the end of the warrant and are included in the Capital Outlay schedules of the individual departmental budgets in Article 6.

The Board enthusiastically supports Article 16 which appropriates \$6,787,467 in a borrowing for a new consolidated public works headquarters and new playing fields at the old school depot property off Fort Hill Street. The Public Works Building Committee under the very capable leadership of Bob Garrity is very close to finishing the permitting phase of the project. By working closely with Public Works Superintendent Joseph Stigliani, the committee has identified over \$1.5 million in savings through bids already obtained by the public works department for demolition, earth removal, site development and paving. With this reduction in cost we feel confident that we can build the project at one time, and achieve additional savings from economies of scale, rather than building it in phases as originally projected. We also expect to borrow less than the full \$6.7 million by appropriating funds from available reserves over the next several years.

We also support Article 17 which creates a school building committee and appropriates \$1.7 million in a borrowing for architectural and engineering design. The School Committee and the School Facility Study Committee are recommending a number of school capital improvements including a new elementary school at the former East School site; an expanded and renovated Middle School and; improvements at both the Foster and Plymouth River elementary schools. The new school building committee will be charged with bringing detailed designs, costs and expected state reimbursements for the project to the 2007 Annual Town Meeting for a vote.

We also ask your support for Article 29 at both town meeting and the town election on April 29th. This article would change the position of Treasurer/Collector from an elected position to a position

appointed by the Board of Selectmen. The recommendation reflects the reality that the Treasurer/Collector's role has evolved into a significant, complex professional position which is oriented less to financial policy and more to the efficient operation of our treasury and billing functions. Treasurer/Collectors are appointed in all of our surrounding towns, except Rockland. The current Treasurer/Collector was appointed by the Board of Selectmen to complete the term of the previous incumbent who retired from the office.

The Selectmen wish to thank all those who assist us in our executive budgetary responsibilities. We owe a sincere debt of gratitude to the energetic and dedicated efforts of our office staff, Marilyn Harrington, Betty Tower and Betty Foley, for their work right down to the last minute on the production of the warrant book. Town Administrator Charles J. Cristello and Town Accountant/Finance Director Ted Alexiades who lay the groundwork for and coordinate much of the budget process in a most professional manner. We appreciate and thank all those on the Advisory Committee, Capital Outlay Committee, Personnel Board, School Committee, and all Department Heads, Town employees, Boards, Committees and Commissions who make this process work. A special thanks to Advisory Committee Chairman William Reardon for continuing the calm and cooperative atmosphere that has become the hallmark of our fiscal success. We remain convinced that the expertise, skill, creativity and community resolve and pride of our municipal employees and citizen volunteers will continue to meet and solve these fiscal challenges and in so doing continue to improve our quality of life in Hingham.

Mathew E. MacIver, Chairman
Melissa A. Tully
Philip J. Edmundson
BOARD OF SELECTMEN

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

To the Constable 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-FOURTH day of April, 2006 at SEVEN o'clock in the evening, then and there to 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 Trustee of the Bathing Beach to fill a vacancy in accordance with Chapter 75 of the Massachusetts Acts of 1934, and
2. One member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years,

or act on anything relating thereto.

COMMENT: The Hannah Lincoln Whiting Fund was established in 1915 pursuant to the will of Ada B.W. Bacon, "to lend a helping hand to those in need in the South District of the Town...." 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, 2005, the fund assets were \$15,153.28, of which \$153.28 was available for distribution. The principal of \$15,000 is held in trust and is not available for distribution.

RECOMMENDED: 1. That Thomas Foley, 19 Bradley Woods Drive, be elected a Trustee of the Hingham Bathing Beach in accordance with Chapter 75 of the Massachusetts Acts of 1934; and

2. That Paul Chaffee, 27 Westmoreland Road, be elected a member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years.

ARTICLE 2. Will the Town confirm appointment of a Director for the Plymouth County Cooperative Extension Service in

accordance with the provisions of the General Laws of Massachusetts, Chapter 128, Sections 41 and 42, or act on anything relating thereto?

RECOMMENDED: That the Town confirm the choice by the Selectmen of Marjorie Mahoney as Director to serve for one year.

ARTICLE 3. To hear the reports of the following: Animal Shelter Site Study Committee; Capital Outlay Committee; Central Fire Station Building Committee; Commission on Disability Issues; Community Preservation Committee; Conservation Commission; Country Club Management Committee; Council on Aging; Harbor Development Committee; Hingham Historic Districts Commission; the Historian; Historical Commission; Ice Rink Development Committee; Long Range Waste Disposal and Recycling Committee; Open Space Acquisition Committee; Public Works Building Committee; Regional Refuse Disposal Planning Committee; Scholarship Fund Committee; School Building Committee; School Facilities Study Committee; Wastewater Master Planning Committee and the Water Supply Committee, or act on anything relating thereto.

COMMENT: These are the existing posts, committees, councils, commissions and offices which were established by acts of Town Meeting. 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 bodies and offices be continued, except that the Ice Rink Development Committee and the School Building Committee be discharged with thanks.

RECOMMENDED: That the reports, if any, of the Animal Shelter Site Study Committee; Capital Outlay Committee; Central Fire Station Building Committee; Commission on Disability Issues; Community Preservation Committee; Conservation Commission; Country Club Management Committee; Council on Aging; Harbor Development Committee; Hingham Historic Districts Commission; the Historian; Historical Commission; Ice Rink Development Committee; Long Range Waste Disposal and Recycling Committee; Open Space Acquisition Committee; Public Works Building Committee; Regional Refuse Disposal Planning Committee; Scholarship Fund Committee; School Building

Committee; School Facilities Study Committee; Wastewater Master Planning Committee and the Water Supply Committee be received, and that all of said Committees, Commissions, the Council and the Historian be continued, except that the Ice Rink Development Committee and the School Building Committee be discharged with thanks.

ARTICLE 4. To hear the report of the Personnel Board appointed under the Classification and Salary Plan By-Law, or act on anything relating thereto.

COMMENT: This article provides funds to pay for an increase in financial obligations of the Town that result from salary increases, fringe benefit improvements and job reclassifications which have been or are yet to be determined.

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, 2006, or as otherwise specified in said report or agreements; that the Town raise and appropriate the sum of \$20,000 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 Personal 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. Treasurer/Collector
 3. Assessors
 4. Town Clerk
 5. Municipal Light Board;
- or act on anything relating thereto?

RECOMMENDED: That, subject to the proviso below, the salary from July 1, 2006 through June 30, 2007 for each of the following officers shall be at the rates below stated or provided after the name of the office.

Town Clerk¹ and Treasurer/Collector in accordance with the compensation rates established in Grade 15 of the Town of Hingham Classification and Compensation Plan of the Personnel By-Law.

Selectmen: at the annual rate of \$2,000.00 each, except that the Chair for the period of incumbency shall receive an annual rate of \$2,500.00.

Assessors: at the annual rate of \$1,800.00 each, except that the Chair for the period of incumbency shall receive an annual rate of \$2,000.00.

Municipal Light Board: at the annual rate of \$214.00 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 Section 19G of Chapter 41 of the General Laws.

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, 2006, or act on anything relating thereto?

RECOMMENDED: That there be raised and appropriated for each of the following purposes for the fiscal year beginning July 1, 2006, 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 part payment for vehicles and equipment purchased in those cases where a turn in is stated.

	Fiscal 2005 <u>Expended</u>	Fiscal 2006 <u>Appropriated</u>	Advisory Fiscal 2007 <u>Recommended</u>
GENERAL GOVERNMENT			
122 SELECTMEN			
Payroll	296,565	340,229	362,958
Expenses	33,403	30,756	37,206
Capital Outlay (installation of traffic signal at High, Free and Main)	90,759	61,775	185,000
Total	420,727	432,760	585,164
132 RESERVE FUND			
	N/A	410,000	420,250
135 TOWN ACCOUNTANT			
Payroll	255,446	277,045	313,948
Expenses	36,857	35,890	58,590
Capital Outlay	39,249	50,000	57,000
Audit	34,000	38,000	38,000
Information Technology	67,063	67,365	74,380
Total	432,615	468,300	541,918
141 ASSESSORS			
Payroll	224,306	239,090	251,224
Expenses	8,773	10,870	10,870
Capital Outlay	0	20,000	30,250
Consulting	10,216	7,500	7,500
Map Maintenance	0	4,000	6,000
Total	243,295	281,460	305,844
145 TREASURER/COLLECTOR			
Payroll	223,230	243,107	235,575
Expenses	38,008	42,763	43,813
Tax Titles	5,264	7,500	10,000
Total	266,502	293,370	289,388
151 LEGAL SERVICES			
	195,643	140,000	140,000
159 TOWN MEETINGS			
Payroll	3,326	2,692	2,692
Expenses	13,521	23,833	26,833
Total	16,847	26,525	29,525

	Fiscal 2005 <u>Expended</u>	Fiscal 2006 <u>Appropriated</u>	Advisory Fiscal 2007 <u>Recommended</u>
161 TOWN CLERK			
Payroll	130,777	138,434	145,920
Expenses	6,411	6,411	6,411
Total	137,188	144,845	152,331
162 ELECTIONS			
Payroll	12,978	7,060	17,680
Expenses	12,320	10,020	14,820
Capital Outlay	0	0	44,450
Total	25,298	17,080	76,950
171 CONSERVATION			
Payroll	105,887	121,159	145,612
Expenses	20,420	11,885	11,885
Total	126,307	133,044	157,497
175 PLANNING BOARD			
Payroll	96,900	104,393	104,668
Expenses	7,253	9,145	12,145
Total	104,153	113,538	116,813
176 BOARD OF APPEALS			
Payroll	75,129	80,433	70,269
Expenses	4,636	5,885	5,885
Total	79,765	86,318	76,154
177 BARE COVE PARK			
Payroll	10,486	11,057	13,949
Expenses	5,778	4,440	5,760
Total	16,264	15,497	19,709
191 HERSEY HOUSE			
Expenses	4,513	4,522	7,123
Total	4,513	4,522	7,123

	Fiscal 2005 <u>Expended</u>	Fiscal 2006 <u>Appropriated</u>	Advisory Fiscal 2007 <u>Recommended</u>
192 TOWN HALL			
Payroll	133,960	140,011	148,440
Expenses	320,386	305,446	397,004
Capital Outlay (\$150,000 from available reserves)	18,853	25,000	150,200
Total	473,199	470,457	695,644
193 GRAND ARMY MEMORIAL HALL			
	5,296	6,765	11,971
TOTAL GENERAL GOVERNMENT			
	2,547,612	3,044,481	3,626,281
PUBLIC SAFETY			
210 POLICE DEPARTMENT			
Payroll (Overtime \$310,339)	3,323,806	3,323,734	3,752,202
Expenses	223,945	255,983	295,775
Capital Outlay (\$275,000 from available reserves)	169,439	216,359	279,500
Total	3,717,190	3,796,076	4,327,477
220 FIRE DEPARTMENT			
Payroll (Overtime \$259,000)	3,233,986	3,617,200	3,684,377
Expenses	215,868	245,380	273,760
Capital Outlay (\$215,000 from available reserves)	217,573	412,500	219,500
Total	3,667,427	4,275,080	4,177,637
230 DISPATCH SERVICES			
Payroll (Overtime \$58,457)	386,119	425,243	446,846
Expenses	6,979	5,600	5,600
Total	393,098	430,843	452,446
241 BUILDING COMMISSIONER			
Payroll	181,392	205,368	211,943
Expenses	6,892	6,995	7,325
Total	188,284	212,363	219,268
244 WEIGHTS AND MEASURES			
Payroll	9,067	9,476	9,666
Expenses	986	1,072	1,072
Total	10,053	10,548	10,738

	Fiscal 2005 <u>Expended</u>	Fiscal 2006 <u>Appropriated</u>	Advisory Fiscal 2007 <u>Recommended</u>
291 EMERGENCY MANAGEMENT			
Payroll	5,202	5,306	5,520
Expenses	2,424	3,193	3,193
Total	7,626	8,499	8,713
292 ANIMAL CONTROL			
Payroll	46,205	48,328	49,904
Expenses	4,423	9,950	9,950
Total	0	58,278	59,854
	50,628		
295 HARBORMASTER			
Payroll	76,372	78,722	105,016
Expenses	21,110	26,350	33,630
Total	97,482	105,072	138,646
299 PUBLIC SAFETY UTILITIES			
Emergency Water	287,735	297,300	297,300
Street Lighting	140,611	145,000	140,000
Total	428,346	442,300	437,300
TOTAL PUBLIC SAFETY	<u>8,560,134</u>	<u>9,339,059</u>	<u>9,832,079</u>
EDUCATION			
300 SCHOOL DEPARTMENT			
Payroll	21,985,644	23,831,867	25,448,626
Expenses	6,193,318	5,873,984	6,163,271
Capital Outlay (\$127,000 from available reserves)	530,354	978,000	353,000
TOTAL EDUCATION	<u>28,709,316</u>	<u>30,683,851</u>	<u>31,964,897</u>
PUBLIC WORKS AND FACILITIES			
410 SELECTMEN'S ENGINEERING	33,706	20,000	20,000

	Fiscal 2005 <u>Expended</u>	Fiscal 2006 <u>Appropriated</u>	Advisory Fiscal 2007 <u>Recommended</u>
420 HIGHWAY/RECREATION/TREE & PARK			
Payroll (Overtime \$27,989)	1,377,601	1,417,723	1,515,870
Expenses	294,365	283,270	323,633
Capital Outlay (\$250,000 from available reserves)	188,932	111,700	256,500
Snow Removal	948,463	187,742	225,290
Resurfacing	310,946	306,500	306,500
Total	3,120,307	2,306,935	2,627,793
430 LANDFILL/RECYCLING			
Payroll (Overtime \$16,391)	353,204	352,621	388,717
Expenses	986,211	1,056,456	1,088,815
Capital Outlay (\$38,400 from available reserves)	149,450	10,000	50,000
Total	1,488,865	1,419,077	1,527,532
440 SEWER COMMISSION			
Payroll	221,418	233,541	274,160
Expenses	151,118	155,117	178,461
New Equipment	18,347	40,000	65,000
Engineering	518	19,800	10,000
MWRA Charges	1,117,122	1,172,411	1,228,280
Debt Service	125,696	117,851	115,422
Hull Intermunicipal Agreement	45,004	75,000	75,000
Total	1,679,223	1,813,720	1,946,323
The sum of \$1,946,323 shall be funded from Sewer revenue.			
TOTAL PUBLIC WORKS	<u>6,322,101</u>	<u>5,559,732</u>	<u>6,121,648</u>
HUMAN SERVICES			
510 HEALTH DEPARTMENT			
Payroll	234,007	239,902	255,300
Expenses	15,511	18,994	19,650
Total	249,518	258,896	274,950

	Fiscal 2005 <u>Expended</u>	Fiscal 2006 <u>Appropriated</u>	Advisory Fiscal 2007 <u>Recommended</u>
541 ELDER SERVICES			
Payroll	132,883	147,377	161,014
Expenses	43,468	61,363	61,195
Capital Outlay		8,000	0
Tax Work Off Program	10,054	12,000	12,000
Total	186,405	228,740	234,209
543 VETERANS' SERVICES			
Payroll	32,306	33,049	36,866
Expenses	3,590	6,110	6,800
Benefits	117,118	141,000	141,000
Total	153,014	180,159	184,666
545 WOMANSPLACE CRISIS CENTER			
	2,500	2,500	2,500
546 SOUTH SHORE WOMEN'S CENTER			
	0	3,500	3,500
TOTAL HUMAN SERVICES			
	<u>591,437</u>	<u>673,795</u>	<u>699,825</u>
CULTURE AND RECREATION			
610 LIBRARY			
Payroll	949,336	996,676	1,064,258
Expenses	213,483	211,415	258,138
Capital Outlay (\$23,000 from available reserves)	53,921	23,000	80,000
Total	1,216,740	1,231,091	1,402,396
630 RECREATION COMMISSION			
Payroll	131,846	153,961	151,866
Expenses	12,123	5,239	5,239
Total	143,969	159,200	157,105
650 TRUSTEES OF BATHING BEACH			
Payroll	13,499	15,488	17,618
Expenses	7,593	3,075	3,075
New Equipment	143		
Total	21,235	18,563	20,693

	Fiscal 2005 <u>Expended</u>	Fiscal 2006 <u>Appropriated</u>	Advisory Fiscal 2007 <u>Recommended</u>
691 HISTORICAL COMMISSION			
Payroll	23,884	25,015	30,538
Expenses	4,386	5,585	5,585
New Equipment	0	0	0
Total	28,270	30,600	36,123
692 CELEBRATIONS	<u>7,249</u>	<u>9,000</u>	<u>9,500</u>
TOTAL CULTURE & RECREATION	<u>1,417,463</u>	<u>1,448,454</u>	<u>1,625,817</u>
ENTERPRISE FUND			
720 COUNTRY CLUB	<u>1,703,852</u>	<u>1,434,111</u>	<u>1,445,282</u>
The total sum of \$1,445,282 shall be funded from Country Club revenue. In addition, the Country Club is authorized to distribute to the General Fund \$400,000 from Retained Earnings.			
TOTAL ENTERPRISE FUND	<u>1,703,852</u>	<u>1,434,111</u>	<u>1,445,282</u>
DEBT SERVICE			
710 DEBT SERVICE	<u>5,201,384</u>	<u>5,235,783</u>	<u>5,112,727</u>
(\$4,359,815 IS EXCLUDED FROM PROPOSITION 2 1/2)			
TOTAL DEBT SERVICE	<u>5,201,384</u>	<u>5,235,783</u>	<u>5,112,727</u>
EMPLOYEE BENEFITS			
900 CONTRIBUTORY GROUP INSURANCE	3,026,898	2,933,451	3,618,469
910 CONTRIBUTORY RETIREMENT	2,261,902	2,555,123	2,652,802
911 NON-CONTRIBUTORY PENSIONS	28,868	36,000	31,250
912 WORKERS' COMPENSATION	200,000	100,000	200,000
913 UNEMPLOYMENT	35,919	20,000	20,000

	Fiscal 2005 <u>Expended</u>	Fiscal 2006 <u>Appropriated</u>	Advisory Fiscal 2007 <u>Recommended</u>
914 MANDATORY MEDICARE	354,517	374,000	420,000
TOTAL EMPLOYEE BENEFITS	<u>5,908,104</u>	<u>6,018,574</u>	<u>6,942,521</u>
UNCLASSIFIED			
901 INSURANCE			
Fire, Public Liability, Property Damage, etc.	429,000	343,512	487,863
940 CLAIMS AND INCIDENTALS			
Claims and Incidentals	64,232	12,640	13,250
Greenbush Legal and Consulting	63,233	69,145	82,113
Total	127,465	81,785	95,363
TOTAL UNCLASSIFIED	<u>556,465</u>	<u>425,297</u>	<u>583,226</u>
GRAND TOTAL	<u>61,517,868</u>	<u>63,863,137</u>	<u>67,954,303</u>

ARTICLE 7. Will the Town appropriate, from the receipts of the Electric Light Department, money for the maintenance and operation of the Plant for the 12-month period commencing July 1, 2006, 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?

COMMENT: The Hingham Municipal Lighting Plant is self-funding. Funds collected by billing customers are used to pay all expenses incurred by the Plant.

RECOMMENDED: That, with the exception of \$451,474 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, 2006, 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 8. 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 therefor to the Commonwealth, or act on anything relating thereto?

COMMENT: The Department of Conservation and Recreation, as a matter of policy, requires the Town to assume liability if it is to do any of this type of work in the Town. Under the statute, the agreement would refer to

liability for work done by the Department of Conservation and Recreation.

RECOMMENDED: That the Town, in accordance with, and to the extent only permitted by, General Laws, Chapter 91, Section 29, 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 9. 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 relating thereto?

COMMENT: The purpose of this article is to match revenues from inspections with payments to the Assistant Building Inspectors for their services. For the fiscal year ended June 30, 2005, the fund had \$307,413 in revenues and \$224,168 in expenditures. For the six-month period ended December 31, 2005, the fund had \$105,394 in revenues and \$90,240 in expenditures.

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 authorizes the continuation of such a fund in the Building Department. Departmental receipts for building inspections performed by the Assistant Building Inspectors shall be credited to the fund. Moneys shall be spent only to compensate such inspectors for their services. No moneys shall be spent for wages or salaries of full-time municipal employees. The Building Commissioner shall be authorized to spend moneys from the fund. The amount that may be spent from the fund shall be limited to \$250,000 during Fiscal Year 2007.

ARTICLE 10. Will the Town raise and appropriate, or transfer from available funds, a sum of money under the Transportation Bond Bill for the cost of work under Chapter 90 of the Massachusetts General Laws for the resurfacing, maintenance, improvement, design, construction and/or reconstruction of Hingham streets and sidewalks, or act on anything relating thereto?

COMMENT: Chapter 90 of the Massachusetts General Laws (with the Transportation Bond Bill) requires towns to appropriate funds representing the Commonwealth's share of the cost of work performed for maintenance of Hingham streets and sidewalks.

RECOMMENDED: That, subject to the appropriation of \$407,524 by the Commonwealth of Massachusetts under the Transportation Bond Bill, the Town transfer from available funds the sum of \$407,524 as the state's share of the cost of work under Chapter 90 of the Massachusetts General Laws, for the resurfacing, maintenance, improvement, design, construction and/or reconstruction of Hingham streets and sidewalks.

ARTICLE 11. Will the Town raise and appropriate, or transfer from available funds, a sum of money for the dredging of Hingham Harbor, or act on anything relating thereto?

COMMENT: Each year Hingham boat owners are assessed marine excise taxes by the Town of Hingham. Under Massachusetts General Laws, one-half of the collections must be used for waterways improvements. The remaining half is general revenue to the Town. Approximately \$30,000 a year over ten years is required to fund the Town's share of the periodic dredging of Hingham's inner harbor. The remaining dredging cost is paid by the State and Federal Governments. The current balance in the Dredging Fund is \$409,000, and based on conversations with appropriate State and Federal officials, the next scheduled dredging of the harbor is expected to occur in the Fall of 2009.

RECOMMENDED: That the Town transfer \$30,000 from the Waterways Fund to the Dredging Fund, such account to be used for the future dredging of Hingham Harbor, and

the Town accept and credit said account with funds from State and Federal Governments for that purpose.

ARTICLE 12. Will the Town raise and appropriate, or transfer from available funds, a sum of money to the Town's Reserve Fund for use during the fiscal year 2006, or act on anything relating thereto?

RECOMMENDED: That no action be taken on this article.

ARTICLE 13. Will the Town raise and appropriate, borrow or transfer from available funds, a sum of money for transfer into the Stabilization Fund to offset future property tax increases, or act on anything relating thereto?

COMMENT: The vote under Article 16 of the warrant for the 1994 Annual Town Meeting authorized the sale of certain municipal buildings, and directed the proceeds of any sales to be applied to reduce the cost of converting the former Central Junior High School building into the current Town Hall. The cost to convert the former Central Junior High School building into the current Town Hall was funded through a debt exclusion. Since the Town has issued long-term bonds pursuant to the authorization voted at the 1996 Annual Town Meeting, it is not practical to reduce the outstanding debt. Consequently this article seeks to transfer the proceeds from the sale of the former Police Station into the Stabilization Fund, from which equal installments will be withdrawn to reduce the annual required debt service payments. Article 14 below seeks to make such allocation, which will have the effect of reducing the tax rate as was the intention of the vote on Article 16 at the 1994 Annual Town Meeting.

RECOMMENDED: That the Town transfer \$397,143.54 from available reserves into the Stabilization Fund.

ARTICLE 14. Will the Town transfer a sum of money from the Stabilization Fund for the purpose of reducing the tax rate, or act on anything relating thereto?

COMMENT: Pursuant to a prior Town Meeting vote, the proceeds from the sale of the old school administration building and municipal

light plant building were deposited to the Stabilization Fund for future tax reduction. It is the intention of this article to transfer \$111,486 from the Stabilization Fund for the purpose of reducing the fiscal year 2007 tax rate.

RECOMMENDED: That the Town transfer the sum of \$111,486 from the Stabilization Fund for the purpose of reducing the fiscal year 2007 tax rate

ARTICLE 15. Will the Town vote to rescind the Town Meeting vote adopted under Article 20 and 21 of the Annual Town Meeting held on April 26, 2005 and Article 18 of the Annual Town Meeting held on April 26, 2004 - along with all remaining monies?

(Inserted at the request of Suzanne Hoffses and others)

COMMENT: The Long Range Planning Committee for Bare Cove Park and the School Depot, appointed by the Selectmen, produced a Master Plan for Bare Cove Park and the School Depot Property in 2002 after two years of thorough study. The Committee's objective was to make the best use of Town-owned land. The Master Plan identified the present proposed site of the DPW complex and athletic fields.

Currently, the DPW operates from three sites. Consolidation to a single site will allow better management and maintenance of expensive equipment as well as improve the utilization of the DPW staff.

In each of the last four Annual Town Meetings, voters have supported the siting of the proposed DPW Complex and Athletic Fields in the School Depot Property, beginning with the formation of a Public Works Building Committee in 2002 together with an initial appropriation of \$56,250 for preliminary drawings. The 2003 Annual Town Meeting appropriated \$250,000 to further develop and design the project. Article 18 in 2004 provided the initial funding of the cold storage facility. Article 21 in 2005 provided additional funds for the cold storage facility and the site prep-work for the entire DPW Complex.

Article 20 of the warrant for the 2005 Town Meeting recommended borrowing the sum of \$1,085,312 for the construction of municipal outdoor recreational and athletic fields, including the development of land and the construction of facilities. Article 20 received a fifty-eight percent favorable vote, but less than the two-thirds

required for borrowing money. Article 20 did not pass; therefore, rescinding Article 20 is not relevant.

The proposed article calls for the Town to abandon the \$251,000 already expended as well as over five years of effective work by several committees.

Over the past two years, the DPW/Athletic Fields project has overcome challenges and continued its progress through the rigorous permitting process. Approval has been received from the Planning Board, the Conservation Commission and a single hearing remains with the Zoning Board of Appeals. The Massachusetts Environmental Protection Agency has ruled that there are no environmental concerns.

The need of the Town for a consolidated DPW facility continues to be clear as do the desires of the growing Town population for additional athletic fields.

Progress of the project and Town needs have convinced the Advisory Committee that the scope and site for the DPW complex and athletic field's project are appropriate.

RECOMMENDED: That no action be taken on this article.

ARTICLE 16. Will the Town raise and appropriate, borrow or transfer from available funds a sum of money to be expended under the direction of the Public Works Building Committee for architectural and engineering design development, permitting, professional fees and construction of buildings for a new consolidated Public Works facility and new athletic fields in the Bare Cove Park/School Depot property, including other costs incidental and related to carrying out this project and its finances, or act on anything relating thereto?

COMMENT: In each of the last four Town Meetings, favorable votes have been taken that support the siting of the proposed DPW Complex and Athletic Fields in the School Depot Property, beginning with the acceptance of the Master Plan for the School Depot Property in 2002, the formation of the Public Works Building Committee in 2003, the funding of the cold storage facility in 2004 and additional funds for the cold storage facility and the site prep-work for the entire DPW Complex in 2005.

Because of the initial size and cost of this project it was expected to be developed in several phases over the course of several years. In the course of the last two years significant progress has been made in obtaining approvals from the required state and local permitting agencies; however, to date, only architectural and engineering dollars have been spent.

Given rising construction costs, future capital needs and the growing need for the consolidated DPW facility, the Public Works Building Committee was asked by the Town to endeavor to find cost savings in current project estimates, primarily by using DPW resources to do much of the contracting work for the site preparation. As a result of that effort which showed significant cost savings, it has been determined that it would be more cost effective to build the entire DPW Complex/Athletic Fields now. The area where the athletic fields will be located will need to be dug up to complete the drainage requirements for the DPW complex, so it makes sense to also develop the fields at this time rather than at a future date.

Favorable action on this article will authorize the Town to appropriate the funding required to complete the project in much less time than originally anticipated while staying within the tax levy limits. This phase of the project will include the entire DPW Complex, access road improvements, the construction of two soccer fields, one softball field, one little league baseball field, two basket ball courts, and a skateboard park. It will also fulfill requirements put forth by state and local regulatory and permitting agencies to address environmental and neighborhood concerns that have been raised through the development of the project.

RECOMMENDED: That the sum of \$6,787,467 is hereby appropriated for the purpose of architectural and engineering design development, professional fees and construction of buildings for a new consolidated Public Works facility and new athletic fields, and for the payment of all other costs incidental and related thereto, which amount shall be expended under the direction of the Public Works Building Committee, and that to meet this appropriation, the Treasurer, with approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$6,787,467 under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to

any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE 17. Will the Town (1) establish a School Building Committee, and (2) raise and appropriate, borrow or transfer from available funds a sum of money to be expended under the direction of the School Building Committee for the purpose of architectural and engineering design development, including other costs incidental and related to carrying out this project and its finances, or act on anything relating thereto?

(Inserted at the request of the School Committee)

COMMENT: In 2004 the School Committee established the Ad Hoc Space Needs Study Committee to study the impact of projected enrollment growth on the Town's school facilities. The 2005 Annual Town Meeting authorized the creation of a School Facility Study Committee to continue the work of the Ad Hoc Space Needs Study Committee and develop a 10-year master plan to address the issues raised by the Ad Hoc Committee. The School Facility Study Committee issued its report in January of this year. Based on the projected enrollment growth, the desire to maintain favorable class sizes and the need to continue to make capital improvements to our existing school buildings, the Committee has recommended the following course of action: (1) Construct a new elementary school on the site of the former East School, to be completed by September, 2008; (2) Expand and renovate the existing Middle School following the completion of the new elementary school; (3) Make partial renovations to existing space at Foster and Plymouth River Schools during and after the construction of the new elementary school. The total cost of these projects is currently anticipated to be approximately \$62,333,500. The School Committee is requesting \$1,700,000 this year to allow a newly appointed School Building Committee to develop full architectural/engineering design and construction drawings for the new elementary school, to develop schematic design drawings for the anticipated renovation work at Foster and Plymouth River Schools, and to further analyze the needs of the Middle School and develop schematic designs to address those needs. It is anticipated that at next year's Annual Town Meeting the School Building Committee will have final bids in hand for the new elementary school, and will have

detailed recommendations and cost estimates for the subsequent work to be performed at the Middle School and at Foster and Plymouth River Schools.

RECOMMENDED: That the Town (1) establish a 2006 School Building Committee consisting of 7 citizens of the Town, appointed as follows: two members by the Moderator, two members by the Board of Selectmen and three members by the School Committee, with the chair of said Committee to be jointly designated by the appointing authorities; (2) empower and authorize said Committee to do everything necessary and appropriate to complete design, documentation and bidding for a new elementary school, to complete schematic designs for expansion and renovation of the Middle School, and to complete schematic designs for partial renovations at Foster and Plymouth River Elementary Schools, including, but not limited to, the employment of professionals and the payment of any and all other costs incidental and related thereto, as necessary to carry out this project and its finances; and (3) appropriate the sum of \$1,700,000, to be expended under the direction of the School Building Committee for the foregoing purposes; to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow the sum of \$1,700,000 under and pursuant to Chapter 44, Section 7(21) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE 18. Will the Town transfer a sum of money from the Receipts Reserved for Appropriation: Insurance recovery in Excess of \$20,000 for use by the School Committee, or act on anything relating thereto?

COMMENT: This article seeks to transfer a sum of money received in an insurance settlement for damage done to several school buildings caused by last August's "micro-burst" storm for use by the School department to repair these damages. Massachusetts General Law prohibits the expenditure of insurance recoveries in excess of \$20,000 without approval of Town Meeting.

RECOMMENDED: That the Town transfer the sum of \$23,000 from the Receipts Reserved for Appropriation: Insurance recovery in Excess of \$20,000 for use by the School Committee to repair school facilities.

ARTICLE 19. Will the Town amend the surcharge on real property of 1.5% of the real estate tax levy against real property, as determined annually by the Town's Board of Assessors, authorized pursuant to the Town's acceptance on April 28, 2001 of sections 3 through 7, inclusive, of c.44B of the General Laws of Massachusetts, also known as the Community Preservation Act, by reducing the surcharge from 1.5% to .25% or act on anything relating thereto? (Inserted at the request of Thomas F. Patch and others)

COMMENT: The Community Preservation Act was signed into law in September 2000 and heralded as a new tool to help communities preserve open space and historic sites, and create affordable housing and recreational facilities. The Act allows communities to adopt a surcharge of up to 3% on the community's real estate taxes. Matching funds are provided by the state funded by a surcharge on real estate filing fees at the registry of deeds and land court. To date the state has matched 100% of what each community has raised through CPA surcharges, and the match is expected to remain at high levels for at least the next 2-3 years. Last October, Hingham received \$530,000 from the state, matching its CPA surcharge revenues for the prior fiscal year ended June 30, 2005. To date, Hingham has received over \$1.8 million in matching funds from the state. The reduction in the surcharge rate proposed by this Article would reduce future matching funds by 83%.

The CPA requires that communities spend, or set aside for future spending, a minimum of 10% of annual CPA receipts on each of three areas: open space, historic preservation, and community housing. The remaining 70% of funds may be allocated to any one or a combination of the three main uses, including land for recreational purposes. The role of the Community Preservation Committee is to prepare recommendations for Town Meeting; every project funded through Hingham's

Community Preservation Fund must be approved by Town Meeting.

Hingham adopted the CPA with a 1.5% real estate surcharge at the 2001 Town Election. The CPA has allowed Hingham and other communities to fund many worthwhile projects that otherwise might very well not have been funded out of the town's regular operating budget - where purchasing a large tract of open space, for example, would have to compete with funds needed for the day-to-day operation of the town, including public safety, schools, health, roads and the like. Other communities have seen the benefit of adopting the CPA, and the matching state funds. In 2002, the first year the state provided matching funds, 34 communities received matching funds; today, 103 communities have adopted the CPA.

This article proposing reducing the CPA surcharge from 1.5% to 0.25%. The 0.25% would be the lowest level of surcharge of any community that has adopted the CPA. In fact, as shown in the following table, almost 60% of the 103 communities that have adopted the CPA have adopted the CPA with a 3% real estate surcharge.

Real Estate Surcharge	0.5%	1%	1.1%	1.5%	2%	3%
Number of communities	1	13	1	15	13	60

This article would significantly reduce funds available to Hingham's Community Preservation Fund and corresponding matching funds by the state. The Advisory Committee believes that the projects funded through Hingham's Community Preservation Fund that have been undertaken in the past, and those that are proposed this year, are beneficial and important to Hingham. Using CPA funds, Hingham has acquired open space for public use and enjoyment, particularly important in the midst of such rapid growth and development. The Community Preservation Fund is also a unique source of funding for the preservation of important historic buildings and monuments. Finally, this year the Community Preservation Committee is recommending that Town Meeting adopt two proposals to advance community housing: if passed, one project will provide the Hingham Housing Authority with a house to use for affordable rental housing; also

proposed is a financial assistance program for low-income housing improvement projects. The citizens of the town have the ultimate control over how the town spends the CPA funds because each and every project must be approved by Town Meeting before it can proceed.

RECOMMENDED: That no action be taken on this article.

ARTICLE 20. Will the Town appropriate (i) \$236,100 from the Community Preservation Community Housing Reserve for the acquisition by the Hingham Housing Authority, for community housing purposes, of the buildings on Lot 26 on Assessors' Map 190 and the minimum amount of land under and abutting said buildings necessary to conform to regulatory requirements, and authorize and direct said Housing Authority to complete such acquisition, and (ii) \$236,100 from the Community Preservation Open Space Reserve for the acquisition by the Hingham Conservation Commission, for conservation purposes, of the remainder of said Lot 26 (said Lot consisting of a total of approximately 3.88 acres), and authorize and direct said Conservation Commission to complete such acquisition, or act on anything related thereto?

(Inserted at the request of the Community Preservation Committee)

COMMENT: This property consists of a lot of approximately 3.88 acres off the southern end of Scotland Street surrounded on three sides by the Conservation Commission's existing McKenna Marsh conservation land and containing a two bedroom home. The proposal by the Community Preservation Committee presents a unique opportunity for the Housing Authority to acquire a house which can be rented for affordable housing, and for the Conservation Commission to add acreage to its existing conservation land for public use and enjoyment. This land is near wells in Hingham and Norwell. The house will be divided from the lot, along with approximately 30,000 square feet, which would leave approximately 3 acres of land for public open space. The owner of the property has agreed to grant the property to the Town for a price equal to its assessed value of \$472,200.

RECOMMENDED: That the Town appropriate (i) \$236,100 from the Community

Preservation Community Housing Reserve for the acquisition by the Hingham Housing Authority, for community housing purposes, of the buildings on Lot 26 on Assessors' Map 190 and the minimum amount of land under and abutting said buildings necessary to conform to regulatory requirements, and authorize and direct said Housing Authority to complete such acquisition, and (ii) \$236,100 from the Community Preservation Open Space Reserve for the acquisition by the Hingham Conservation Commission, for conservation purposes, of the remainder of said Lot 26 (said Lot consisting of a total of approximately 3.88 acres), and authorize and direct said Conservation Commission to complete such acquisition.

ARTICLE 21. Will the Town appropriate \$405,000 from the Community Preservation Open Space Reserve, such amount to be expended under the direction of the Community Preservation Committee, for the creation of open space through the demolition and removal of slabs, foundations, cement barriers, railroad tracks and other debris from Bare Cove Park, for landscaping, planting, purchase and installation of picnic benches, picnic tables, fencing and lighting fixtures in the Park, together with associated design fees and costs, and for consultant fees for an environmental resource inventory of and management plan for the Park, or act on anything related thereto?

(Inserted at the request of the Community Preservation Committee).

COMMENT: The Bare Cove Park Committee is seeking \$405,000 to pay for some of the costs associated with the clean up of Bare Cove Park. The projects for which funding is requested include an improved main entry to Bare Cove Park from Fort Hill Street, the demolition and removal of hazards and eyesores -- including existing concrete foundations, superfluous roads and open manholes and wells, and the clean up around the Green Dock building. The funds are also being sought to hire a consultant to do an environmental assessment of the Park. This work is Phase I of the planned Bare Cove Park cleanup, and it is expected that the Bare Cove Park Committee will seek an estimated \$150,000 to \$200,000 in additional funds next year from the Community Preservation Committee.

The Bare Cove Park is part of an area of critical environmental concern ("ACEC") and this project

will help eliminate many of the remnants from its years of use as an ammunition depot.

RECOMMENDED: That the Town appropriate \$405,000 from the Community Preservation Open Space Reserve, such amount to be expended under the direction of the Community Preservation Committee, for the creation of open space through the demolition and removal of slabs, foundations, cement barriers, railroad tracks and other debris from Bare Cove Park, for landscaping, planting, purchase and installation of picnic benches, picnic tables, fencing and lighting fixtures in the Park, together with associated design fees and costs, and for consultant fees for an environmental resource inventory of and management plan for the Park.

ARTICLE 22. Will the Town appropriate \$60,000 from the Community Preservation Open Space Reserve, for a survey and master plan for a harbor way, or act on anything related thereto?

(Inserted at the request of the Community Preservation Committee)

COMMENT: At the Annual Town Meeting in 2003, the appropriation of \$393,000 was approved for the creation of a park on Whitney Wharf, including a pedestrian bridge to the Town Pier, subject to approval by the Community Preservation Committee of final plans and specifications for bid estimates. The park at Whitney Wharf was completed in December, 2004. The pedestrian bridge portion of the plan was subsequently tabled after encountering certain obstacles. The Harbor Development Committee proposes to commission a survey of the harbor front to develop a master plan for the development of Town open space and public access to the waterfront. They seek \$60,000 to fund this study and master plan, which may include a proposal for a bridge or alternative pedestrian walkway. The \$143,000 of unspent funds for a bridge would be reserved for future use in implementing the master plan. This overall plan would establish guidance for any future development by the Town, developers, businesses or other owners of harbor front property, and improved public access would help to tie the waterfront more closely with the business district, which is undergoing improvements pursuant to the Downtown Hingham Rehabilitation Plan.

RECOMMENDED: That the Town appropriate \$60,000 from the Community Preservation Open Space Reserve, such amount to be expended under the direction of the Community Preservation Committee, for a survey and master plan for a harbor way.

ARTICLE 23. Will the Town appropriate \$34,000 from the Community Preservation Open Space Reserve, such amount to be expended under the direction of the Community Preservation Committee, for restoration of Cushing Pond through chemical weed control or other means, or act on anything related thereto? (Inserted at the request of the Community Preservation Committee).

COMMENT: The Cushing Pond Preservation Group, Inc. is seeking up to \$34,000 to fund the costs of restoring Cushing Pond. The funds will be used to treat the Pond with federal and state approved chemicals (Sonar Herbicide) to remove invasive plant species. The amount requested will fund the initial application, plus three booster applications. There is a possibility that all three booster applications will not be needed, and if not, any unspent funds will be available for appropriation for other CPC projects at a future town meeting. These invasive plants now cover the surface during almost half the year, interfering with fishing, boating and ice skating. Without these treatments the Pond will become a swamp that no longer supports fish, wildlife, and waterfowl, and will ultimately disappear.

This treatment has been used in many locations in Massachusetts with good results, including Jacob's Pond in Norwell. This project has the support of Hingham's Conservation Officer, the Conservation Commission, Hingham Land Conservation Trust (HLCT) and many residents. One-third of the Pond is bordered by Town-owned land, and another third is under a Town-accepted conservation easement to HLCT from Mary Niles. This treatment is expected to last 3-5 years, but future treatments are not expected to be as intensive. The Cushing Pond Preservation Group is raising funds from private donors to fund future maintenance treatments of the Pond.

There is public access to the Pond across Cushing Street, and the Pond has been used for fishing, boating and ice-skating by Hingham

residents. In addition to its value for recreation, the Pond is also important as a wildlife habitat for waterfowl and a refuge for migratory birds. The Pond has historical significance, as well, having been created in 1683 by the Cushing family to bring industry and employment to Hingham. It was first the home of the Hingham Bucket Company, and later the Tower Toy Company.

No money will be expended until the Cushing Pond Preservation Group secures approval from the Conservation Commission and the State's Department of Environmental Protection.

RECOMMENDED: That the Town appropriate \$34,000 from the Community Preservation Open Space Reserve, such amount to be expended under the direction of the Community Preservation Committee, for restoration of Cushing Pond through chemical weed control or other means.

ARTICLE 24. Will the Town (a) appropriate \$120,000 from the Community Preservation Historic Resources Reserve, such amount to be expended under the direction of the Community Preservation Committee, for (i) the restoration of the fence around the perimeter of Hingham Center Cemetery along Short and School Streets, (ii) an assessment of the condition of the gravestones and monuments in such Cemetery, and (iii) the restoration of approximately 30 of such gravestones and monuments, and (b) authorize the Board of Selectmen to acquire an historic preservation easement with respect to such Cemetery on such terms as such Board deems advisable, or act on anything related thereto?

(Inserted at the request of the Community Preservation Committee)

COMMENT: The Hingham Historical Commission, is seeking a total of \$120,000 for the assessment and repair of a historically significant and previously undocumented cemetery, the Hingham Center Cemetery. The original cast iron fence was taken down for use in the war effort, and many of the early markers are deteriorating with age, affecting the stones' artistry and legibility, and creating the potential for loss of historical information. In order to improve the streetscape and preserve the historical integrity of this important resource, the

Hingham Historical Commission proposes to allocate approximately \$92,000 for restoration of the cast iron fence, approximately \$8,000 for assessment of the gravestones, and approximately \$20,000 for the restoration and repair of 10% of the gravestones considered most in need.

RECOMMENDED: That the Town (a) appropriate \$120,000 from the Community Preservation Historic Preservation Reserve such amount to be expended under the direction of the Community Preservation Committee for (i) the restoration of the fence around the perimeter of the Hingham Center Cemetery along Short and School Streets, (ii) an assessment of the condition of the gravestones and monuments in such Cemetery, and (iii) the restoration of approximately 30 of such gravestones and monuments, and (b) authorize the Board of Selectmen to acquire an historic preservation easement with respect to such Cemetery on such terms as such Board deems advisable.

ARTICLE 25. Will the Town appropriate not more than \$250,000 from the Community Preservation Community Housing Reserve for loans of up to \$50,000 per household to Hingham homeowners meeting income eligibility requirements established by the Housing Authority and approved by the Community Preservation Committee for use by such homeowners for restoration and repair of their homes (including the purchase and installation of handicap accessibility features), such loans to be repaid and returned to the Community Housing Reserve upon the homeowner's sale of the home, and to bear interest payable with such principal repayment at a rate, and to be on such other terms and conditions (including mortgage security), established by the Housing Authority and approved by the Community Preservation Committee, and for legal fees and expenses associated with such loans, or act on anything related thereto?

(Inserted at the request of the Community Preservation Committee).

COMMENT: The Community Preservation Act requires that 10% of Community Preservation Funds be allocated to community housing projects. To date, only small amounts of funds have been appropriated for community

housing and the Community Housing Reserve projected to June 2006 has, accordingly, grown to approximately \$424,000. The Community Preservation Committee proposes a pilot program to assist low-income residents with the basic repair and restoration requirements of their homes. Proceeds of loans not to exceed \$30,000 (\$50,000 for historic properties) per household would be used for necessary projects, including wheelchair accessibility ramps, roof repairs, other structural repairs, window replacements and heating upgrades. Loans would be secured by a mortgage, would accrue interest and be repayable to the Community Preservation Fund Community Housing Reserve set-aside upon sale of the home, and on such other terms and conditions (including security) as determined by the Community Preservation Committee and approved by the Board of Selectmen.

RECOMMENDED: That the Town appropriate \$175,000 from the Community Preservation Community Housing Reserve for loans of up to \$30,000 (\$50,000 for historic properties) per household made in accordance with procedures approved by the Community Preservation Committee and the Board of Selectmen to Hingham homeowners meeting income eligibility requirements established by the Housing Authority and approved by the Community Preservation Committee for use by such homeowners for restoration and repair of their homes (including the purchase and installation of handicap accessibility features), such loans to be repaid and returned to the Community Housing Reserve upon the homeowner's sale of the home, and to bear interest payable with such principal repayment at a rate, and to be on such other terms and conditions (including mortgage security), established by the Community Preservation Committee and approved by the Board of Selectmen, and for legal and administrative fees and expenses associated with such loans.

ARTICLE 26. Will the Town appropriate a sum of money from the Community Preservation Open Space Reserve, for the acquisition of Lot 10, Assessors' Map 137, and authorize and direct the Conservation Commission to complete the acquisition of such property, which shall be

held by such Commission for conservation purposes, or act on anything related thereto? (Inserted at the request of the Community Preservation Committee).

COMMENT: One of the unique, emblematic features of the Hingham landscape is Glad Tidings Plain with its historic houses lined up along the Main Street esplanade and the open, undeveloped fields and backlands behind them. This is the viewscape that makes Hingham's Main Street "the most beautiful main street in America," as Eleanor Roosevelt is reported to have described it. The Town's acquisition of this land behind 730 Main Street has inspired several of the neighbors to agree to contribute to the Hingham Land Conservation Trust permanent conservation restrictions on or the fee interests in approximately 10 acres of similar backlands in the surrounding area, multiplying the conservation impact of the Town's investment and forever preserving a significant portion of the Glad Tidings Plain viewscape.

RECOMMENDED: That the Town appropriate \$500,000 from the Community Preservation Open Space Reserve for (i) the purchase by the Hingham Conservation Commission, for conservation purposes, of fee interests in or permanent conservation restrictions on approximately 120,000 square feet of Lot 10 on Assessors' Map 137, behind 730 Main Street, such purchase to be in conjunction with the donation to the Hingham Land Conservation Trust of permanent conservation restrictions on terms satisfactory to such Trust and the Community Preservation Committee (the "CPC") on, or of fee interests in, other open space in the general area of 730 Main Street satisfactory to said Trust and the CPC, and (ii) for legal and other expenses of such purchase and donation.

ARTICLE 27. Will the Town appropriate \$20,000 from the Community Preservation Historic Resources Reserve, such amount to be expended under the direction of the Community Preservation Committee, for professional fees and costs for the production of fully engineered construction documents for the repair, rehabilitation and improvement of the portion of North Street from its intersection with South Street to Route 3A, as provided in the Downtown Hingham Rehabilitation Plan adopted

by the Selectmen, or act on anything related thereto? (Inserted at the request of the Community Preservation Committee).

COMMENT: The proponents, the Hingham Development and Industrial Commission, ("HDIC"), are seeking \$20,000 from the Community Preservation Fund to hire an engineer and landscape architect to produce fully engineered construction documents for the remaining portion of Phase 1A of the Downtown Hingham Rehabilitation Plan (the "Downtown Plan").

In 2004, the HDIC received a grant from the Community Preservation Committee to prepare the Downtown Plan. This project was to prepare for the construction of the Greenbush Line and related disruption by providing a guide for treatment, whether through repair, rehabilitation or improvement, of the downtown streetscape. The Downtown Plan (including detailed cost estimates), under the guidance of the HDIC, and using the services of the consulting firm, Cecil Group, was adopted by the Selectmen in June, 2005. The Town is just starting to implement the first stages of the Downtown Plan. By providing the construction specifications for the next phase of this project, the overall project would be able to move that much further ahead toward a complete implementation. Once the engineering plans are complete for this remaining portion of Phase IA of the Downtown Plan, they will be reviewed by the Historic Districts Commission, Hingham Downtown Association, Police, Fire, DPW, and the Selectmen.

RECOMMENDED: That the Town appropriate \$20,000 from the Community Preservation Historic Resources Reserve, such amount to be expended under the direction of the Community Preservation Committee, for professional fees and costs for the production of fully engineered construction documents for the repair, rehabilitation and improvement of the portion of North Street from its intersection with South Street to Route 3A, as provided in the Downtown Hingham Rehabilitation Plan, adopted by the Selectmen.

ARTICLE 28. Will the Town (a) appropriate \$14,000 from the Community Preservation Historic Resources Reserve, such amount to be

expended under the direction of the Community Preservation Committee, to complete the restoration of GAR Hall, and (b) authorize the Board of Selectmen to acquire a historic preservation easement with respect to GAR Hall on such terms as such Board deems advisable, or act on anything related thereto?
(Inserted at the request of the Community Preservation Committee).

COMMENT: The Grand Army of the Republic (GAR) Memorial Hall was built in 1888 and was deeded to the Town in 1944 by the descendants of the Civil War Veterans. It has been used for a variety of town activities over the years, with the primary use being for various Town Veterans Groups. Both town and CPC funds have been used over the past few years to restore the GAR Hall. A portion of the requested funds will be used to restore the original stage floor, and the remainder of the funds will be used to remove asbestos tile to rehabilitate the main floor of the building. The downstairs of the GAR Hall is currently open and in use for meetings; the upstairs is expected to be completed and available for use after the completion of the work to be funded by this CPC grant.

RECOMMENDED: That the Town (a) appropriate \$14,000 from the Community Preservation Historic Resources Reserve, such amount to be expended under the direction of the Community Preservation Committee, to complete the restoration of GAR Hall, and (b) authorize the Board of Selectmen to acquire a historic preservation easement with respect to GAR Hall on such terms as such Board deems advisable.

ARTICLE 29. Will the Town vote to have its elected Treasurer/Collector become an appointed Treasurer/Collector of the Town?

COMMENT: This article seeks to change the position of Treasurer/Collector ("Treasurer") from elected to appointed. The Advisory Committee recommends in favor of this change. The Town Treasurer works with other Town officials to manage the Town's finances. The Treasurer's office issues tax bills, including real estate and personal property tax bills, and processes the collection of the bills. The

Treasurer also issues municipal lien certificates and handles tax titles for the Town. The office has primary responsibility for the timely and prudent investment of all municipal funds received and issues short- and long-term debt to pay for municipal projects.

In the majority of Massachusetts towns comparable to Hingham in size and budget, the Treasurer is appointed by the Selectmen or Town Manager. In those towns, the appointing authority is free to set specific criteria for the position and select from a wide pool of potential candidates. In Hingham, where the office is elected, there are no particular requirements for education, training or experience. In addition, only Hingham residents are eligible to run for the office, thereby reducing the pool of potential office-holders. A change to an appointed Treasurer will make it more likely that future Treasurers have the training and experience in municipal finances necessary to professionally carry out the responsibilities of the office.

As an independent elected official, the Treasurer is not directly accountable to the Board of Selectmen or any other board or official within the Town government. Our current Treasurer has continued the tradition in Hingham of working cooperatively with the Selectmen and the Town Accountant on the Town's financial matters. This system has worked well for the Town through the years. A change from an elected Treasurer to a Treasurer appointed by the Selectmen will formalize this arrangement, by making the Treasurer reportable to the Selectmen through the Town Administrator.

The term of the Town's current Treasurer, Jean Montgomery, will expire in May 2007. Ms. Montgomery was appointed by the Selectmen in 2005 to complete the term of the incumbent who retired from office. Ms. Montgomery has chosen to remain neutral on this warrant article; whether the position becomes appointed or remains elected, she will likely be a candidate for the job.

If Town Meeting votes to approve this change, the measure will also need to pass at the next Town election to be effective.

RECOMMENDED: That the Town change the position of Treasurer/Collector from an elected office to a position appointed by the Board of Selectmen.

ARTICLE 30. Will the Town (1) authorize the Board of Selectmen to sell, lease or otherwise transfer that parcel of land which was formerly shown as Key 144 on Assessors' Map 60 and is now included in Key 143 on Assessors' Map 60 for purpose of redevelopment of a barn; and (2) amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941 as heretofore amended, and the Zoning Map of the Town of Hingham thereunder, by removing from Official and Open Space District and including in Residence District A the land which was formerly shown as Key 144 on Assessors' Map 60 and is now included in Key 143 on Assessors' Map 60; or act on anything relating thereto?

COMMENT: The Hersey House and associated property, which also includes a large separate barn and which is identified as Key 143 and Key 144 on Assessors' Map 60, were given to the Town by Ira Hersey in 1946 and accepted at the Annual Town Meeting in 1948. The total combined area of the two parcels is approximately 4.143 acres.

Article 40 of the warrant for the 1997 Annual Town Meeting, authorized the Selectmen to sell, lease, or otherwise dispose of the property and house so that the proceeds could be used to offset the cost of the new Town Hall. In 1999 the Selectmen issued an RFP for the sale of the property, but the smaller parcel (0.82± acres or approximately 35,566 SF), formerly Key 144 on Assessor's Map 60, was not included in the RFP and in the bids received in response to the RFP. Subsequent to the receipt of bids in response to the RFP, the sale of the property has been delayed by litigation.

The smaller parcel is land locked, and it is currently zoned Official and Open Space, along with the remainder of the Hersey House property. Citizens of the Town have expressed an interest in saving the barn through relocation from its existing site on the main Hersey House parcel and ultimate restoration or reconstruction. It is possible that, if the smaller parcel were sold and were subsequently re-zoned to the Residence A district, the existing barn could be relocated to this parcel; conversely, neither the barn nor any other structure could be located on this parcel if it were to remain in the Official and Open Space district, due to the setback requirements associated with this district. The intention of the Board of Selectmen is that this parcel either become the site for the relocated

and restored Hersey House barn, or remain undeveloped open space.

This article would authorize the Selectmen to dispose of the land-locked parcel of land (Key 144) via an RFP process. The article would also require the re-zoning of the parcel from Official and Open Space to Residence A District, the same as the zoning of the privately owned property that abuts the parcel on three contiguous sides. The new owner of the parcel could use the land for the installation of the relocated Hersey House barn, including all required utilities, subject to the Town's applicable regulations and restrictions, or the new owner could keep the land in an undeveloped state. Passage of this article is also likely to help to end the litigation that has delayed the sale and redevelopment of the main Hersey House property.

RECOMMENDED: That the Town (1) authorize the Board of Selectmen, for the minimum consideration of \$1.00, to sell, lease or otherwise transfer that parcel of land which was formerly shown as Key 144 on Assessors' Map 60 and is now included in Key 143 on Assessors' Map 60 solely for use for either (a) undeveloped open space, or (b) as a site for the relocation, restoration and/or reconstruction of the existing Hersey House barn, including all required utilities, subject to the applicable regulations and restrictions of the Zoning By-law for the Residence A District and to other applicable Town regulations; said limitations of use to be incorporated into a deed restriction, historic preservation easements related to both the barn and the historic view corridor, and/or such other legal instrument(s) that will assure the longest possible continuation of these limitations; and (2) amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941 as heretofore amended, and the Zoning Map of the Town of Hingham thereunder, by removing from Official and Open Space District and including in Residence District A the parcel of land of approximately 35,566 SF which was formerly shown as Key 144 on Assessors' Map 60 and is now included in Key 143 on Assessors' Map 60.

ARTICLE 31. Will the Town amend the Zoning By-Law of the Town of Hingham, adopted

March 10, 1941, as heretofore amended, as follows:

At Section III-G (6) d, insert, at the end of subsection iii, the following language:

"Off-site parking in designated resident parking areas of public parking lots may be permitted if a resident parking permit program or the like is adopted by the Town, and provided that, as a condition of the issuance of the Special Permit, the applicant applies for and presents written evidence to the Board of Appeals and the Building Commissioner of approval by the Town of sufficient resident parking permits to comply with the parking requirements of this Section.

Provision of off-street parking in accordance with the requirements of this Section may be satisfied by any combination of on-site parking and alternative parking options above, provided, however, that where, prior to the application for a Special Permit under this Section, sufficient off-street parking exists or may be reasonably constructed on-site to satisfy the parking requirements of this Section, such parking shall be located on-site and shall not be eligible for relief under this subsection to allow for alternate parking options."

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: This proposed amendment relates only to parking requirements for residential units created in existing buildings in the Downtown Hingham Overlay District. This Overlay District was created for the Business A zoning district in Hingham Square in 2004 and its primary intent was to allow for the creation of mixed use commercial/residential buildings in the square. The current provisions of the By-law for the Overlay District allow some or all of the parking spaces required for residential uses created within buildings existing as of 2003 to be accommodated off-site in leased parking areas. The proposed amendment allows this off-site parking to also be accommodated in designated resident parking areas of public parking lots, should the Town, through the Board of Selectmen, enact a resident parking permit program. The enactment of this amendment would further enable the creation of mixed use commercial/residential buildings in the Square, and the language of the proposed amendment contains adequate safeguards against overburdening the municipal parking areas and public streets with new resident parking.

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: At Section III-G (6) d, remove subsection iii in its entirety and replace it with the following language:

"(iii) Parking for all dwelling units (including, without limitation, dwelling units proposed in newly constructed or reconstructed buildings or in newly constructed stories to existing buildings) shall be located on the same parcel or on a contiguous parcel under common ownership."

Item 2: At Section III-G (6) d, following the revised subsection iii, insert the following new subsection iv:

"(iv) Notwithstanding the foregoing, for dwelling units proposed in existing stories of existing buildings which, as of December 1, 2003, (a) are at least two stories in height and (b) lack required on-site, off-street parking to meet the requirements of this Section, the Board of Appeals may grant a waiver to permit the following:

A. Leased Parking for Commercial/Residential Buildings, provided that a copy of a written, fully executed and effective lease, with a term of at least one (1) year, permitting use of sufficient parking spaces to comply with this Section for a minimum of overnight parking shall be provided to the Board of Appeals prior to the issuance of the Special Permit. For purposes of this Section III-G, "Leased Parking for Commercial/Residential Buildings" shall be the provision of parking for dwelling units in a Commercial/Residential Building on land of a third party located within 500' of the benefited parcel (but excluding parcels with single-family or two-family dwellings outside of the Overlay District). The granting of this parking waiver shall require a finding by the Board of Appeals that such lease of parking spaces does not create a violation of the zoning of, parking requirements for existing uses on, or any special permit or variance granted to, the burdened parcel. In addition, the applicant (or its successor) shall be required, as a condition of the

issuance of a Special Permit, (i) to certify to the Building Commissioner annually, on the anniversary of the date of the issuance of a Special Permit, that such lease remains in full force and in effect and (ii) no later than thirty (30) days prior to the expiration or other termination of such lease, to apply to the Board of Appeals for a modification of its Special Permit which application shall provide for the required parking in another manner consistent with the requirements of this subsection 6(d).

B. Off-site parking in designated resident parking areas of public parking lots, provided that a resident parking permit program or the like is adopted by the Town, and provided that, as a condition of the issuance of the Special Permit, the applicant applies for and presents written evidence to the Board of Appeals and the Building Commissioner of approval by the Town of sufficient resident parking permits to comply with the parking requirements of this Section.

Provision of off-street parking in accordance with the requirements of this Subsection (iv) may be satisfied by any combination of on-site parking and/or alternative parking options described herein, provided, however, that where, prior to the application for a Special Permit under this Section, sufficient off-street parking exists or may be reasonably constructed on-site to satisfy the parking requirements of this Section, such parking shall be located on-site and shall not be eligible for relief under this subsection to allow for alternate parking options.

Item 3: At Section III-G (6) d, renumber the final three subsections that are currently numbered iv, v, and iv (sic), to be v, vi and vii, respectively.

ARTICLE 32. Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1: Amend Section I-C by deleting the words "Board of Appeals" each time they appear and substituting therefor the words "Permit Granting Authority".

Item 2: Amend Section I-D by:

(a) deleting subsection 2.b. in its entirety and substituting therefor the following:

"Special Permit A1 - To hear and decide an application for a Special Permit A1 as provided in this By-Law, only for uses in specified districts which are in harmony with the general purposes and intent of this By-Law and which shall be subject to any general or specific rules prescribed herein and to any appropriate conditions, safeguards, and limitations on time and use.";

(b) in subsection 3 inserting the phrase "A1" after the words "Special Permit" in the first sentence thereof;

(c) in subsection 3 deleting the second paragraph thereof in its entirety; and

(d) deleting subsection 4 thereof in its entirety.

Item 3: Delete Section I-F in its entirety and substituting therefor the following:

"I-F Special Permits

1. Special Permit Granting Authority

Effective as of April __, 2006, the Board of Appeals shall be the Special Permit Granting Authority for any use requiring a Special Permit A1 under this By-Law and the Planning Board shall be the Special Permit Granting Authority for any use requiring a Special Permit A2 under this By-Law, including all modifications of any Special Permit A2 issued prior to such effective date. Two associate members of the Planning Board may be appointed by the Board of Selectmen to act on Special Permit A2 applications if necessary. No member of the Planning Board shall act on any matter in which the member may have a personal or financial interest, and in such event, an associate member shall be designated to serve on the Planning Board and to act upon the matter.

2. Procedures for Application, Hearing and Decision

Each application for a Special Permit shall be filed with the Town Clerk, with duplicate copies submitted in accordance with the regulations of the Special Permit Granting Authority. The Special Permit Granting Authority shall hold a public hearing on the application, as provided in

Massachusetts General Laws Chapter 40A, within 65 days of the filing of a complete application and shall render a decision within ninety (90) days from the close of the public hearing. Failure to take action within the said ninety (90) day period shall be deemed to be a grant of the permit applied for.

The Special Permit Granting Authority may grant, grant with conditions, deny, or grant leave to withdraw an application for a Special Permit. A copy of the decision shall be filed with the Town Clerk and the Planning Board (if granted by the Board of Appeals), and shall be furnished to the applicant and property owner, in accordance with Massachusetts General Laws Chapter 40A.

The applicant shall be responsible for filing a certified copy of the decision in the Registry of Deeds or, where applicable, in the Land Court. Prior to the issuance of a Building Permit, the applicant shall present to the Building Commissioner evidence of such recording.

3. Review Criteria

In reviewing each such application the Special Permit Granting Authority shall study the site plan with reference to the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally, including its amenities.

The Special Permit Granting Authority shall limit the proposed development so that its impact on each of the municipal services, ways, utilities and other resources does not exceed its existing design capacity, as determined by the Special Permit Granting Authority. This limitation shall be imposed upon the proposed development regardless of the intensity of development otherwise permitted by Section III-A and Section IV-A.

4. Costs

The costs of professional consultants, experts or assistance incurred by the Board of Appeals or Planning Board shall be borne by the applicant. However, the costs to be paid by the applicant shall not exceed the reasonable and usual charges of said consultants or other experts for such services nor shall they exceed the greater of \$10,000 or one percent (1%) of the total projected cost of the project (inclusive of engineering, architectural, and legal fees and

other soft costs). The applicant shall deposit with his application an appropriate portion of the anticipated review costs as determined by the Boards' administrators as security for payment on such costs. No occupancy permit may be issued in accordance with Section I-C of this By-Law until the applicant has paid or reimbursed the Town for all such costs.

5. Approval Criteria

An applicant is not entitled to a Special Permit. The Special Permit Granting Authority may approve such application for a Special Permit if it finds that, in its judgment:

- a. use of the site is in harmony with the general purpose and intent of this By-Law;
- b. the proposed use complies with the purposes and standards of the relevant specific sections of this By-Law;
- c. the specific site is an appropriate location for such use, structure, or condition, compatible with the characteristics of the surrounding area;
- d. the use as developed and operated will create positive impacts or potential adverse impacts will be mitigated;
- e. there will be no nuisance or serious hazard to vehicles or pedestrians;
- f. adequate and appropriate facilities exist or will be provided for the proper operation of the proposed use; and
- g. the proposal meets accepted design standards and criteria for the functional design of facilities, structures, storm-water management, and site construction.

6. A Special Permit shall lapse within a two (2) year period or a shorter period if so specified by the Special Permit Granting Authority, which shall not include any time required to pursue or await the determination of an appeal pursuant to Massachusetts General Laws Chapter 40A, Section 17, and if a substantial use thereof has not sooner commenced except for good cause, or in the case of a permit for construction, if construction has not begun within the period except for good cause.

7. Repetitive Petitions

No Special Permit A2 application which has been unfavorably and finally acted upon by the Planning Board shall be acted favorably upon within two (2) years after the date of final

unfavorable action unless all but one of the members of the Planning Board, after notice is given to parties in interest of the time and place of the proceedings to consider consent, finds specific and material changes in the conditions upon which the previous unfavorable action was based, describes such changes in its records.”

Item 4: Delete Section I-G in its entirety and replace therefor the following:

“I-G Special Permits with Site Plan Review (A2)

Site plan review is required for all Special Permits designated A2 in this By-Law. Such site plan review is conducted by the Planning Board as the Special Permit Granting Authority. Each application to the Planning Board for a Special Permit A2 must include all the information and plans required for site plan review. (See Section I-I, 3.) The Planning Board shall transmit forthwith a copy of the application to and may consult with other Town agencies, boards and officials as it deems appropriate. The Planning Board shall review and investigate each such application in accordance with the criteria and standards for site plan review listed in Section I-I”

Item 5: Amend Section I-I by:

- (a) deleting subsection 2 in its entirety and renumbering the subsequent subsections accordingly; and
- (b) amending renumbered subsection 3 (Review Standards) by deleting the words “and Zoning Board of Appeals” in the first sentence thereof.

Item 6: Delete Section I-J in its entirety and substitute therefor the following:

“I-J Fees

At the time of filing an Appeal or an application for a Variance or a Special Permit, the applicant shall pay a fee to the Town Clerk, according to the following schedule:

- a. single-family residential Variance or Appeal \$200.00;
- b. application for sign under Section V-B \$100.00; and
- c. all other applications \$300.00. Agencies of the Town are exempt from all filing fee requirements.”

Item 7: Amend Section III of the By-Law by:

- (a) amending Section III-A under “A2” to delete the words “by the Board of Appeals as provided in Section I-G” and substituting therefor the words “by the Planning Board as provided in Sections I-F and I-G” and by deleting the words “the Board of Appeals” in the last sentence thereof and substituting therefor the words “a Special Permit Granting Authority”;
- (b) amending Section III-E by deleting the words “Board of Appeals” and “Board” wherever they appear and substituting therefor the words “Special Permit Granting Authority”;
- (c) amending Section III-G, 5 by deleting the words “Planning Board and/or the Board of Appeals” wherever they appear and substituting therefor the words “Special Permit Granting Authority”;
- (d) amending Section III-G, 6 by deleting the words “Board of Appeals” wherever they appear and substituting therefor the words “Planning Board”; and
- (e) amending Section III-I, 1(b) by deleting the words “Board of Appeals” and substituting therefor the words “Planning Board”.

Item 8: Amend Section IV of the By-Law by:

- (a) in Section IV-B, 10.e. delete the words “the Board of Appeals” wherever they appear and substitute therefor the words “the Permit Granting Authority”;
- (b) in Section IV-D delete the phrase “A3” wherever it appears and substitute therefor the phrase “A2”;
- (c) in Section IV-E delete the words “Board of Appeals” wherever they appear and substitute therefor the words “Planning Board”;
- (d) in Section IV-F delete the words “Board of Appeals” and “Board” wherever they appear and substitute therefor the words “Planning Board”; and
- (e) in Section IV-G, make the following changes:

- i. in subsection 1, change the words “Special Permit” to “Special Permit A2” and the words “Board of Appeals” to “Planning Board”.
- ii. in subsection 2, change the words “Board of Appeals” to “Planning Board”, change the words “Special Permit” to “Special Permit A2”, and delete paragraph “a” and re-designate the current paragraph “b” as “a”.
- iii. in subsection 3, paragraph 2, delete the words “both” and “and the Board of Appeals”.
- iv. delete the words “the Board” wherever they appear and substitute therefor the words “ the Planning Board”;
- v. in subsection 5, delete the provisions of paragraph “e” in their entirety, and replace the words “Intentionally Omitted” therefor.
- vi. in subsection 5.f, delete the words “upon receipt of the report of the Planning Board, but, in any case,”.
- vii. in subsection 12.b, delete the words “, the Planning Board and the Board of Appeals” and substitute therefor the words “and the Planning Board”.

Item 9: Amend Section V of the By-Law by:

- (a) in Section V-A deleting the words “Zoning Board of Appeals” wherever they appear and substituting therefor the words “Planning Board”;
- (b) in Section V-C deleting the words “Board of Appeals” and “Board” wherever they appear and substituting therefor the words “Planning Board” and amending the name of subsection 2 thereof from “Application and Reference to Planning Board” to “Application”;
- (c) in Section V-E deleting the words “Board of Appeals” and “Board” wherever they appear and substituting therefor the words “Planning Board”;
- (d) in Section V-F deleting subsection “h” in its entirety and relettering subsection (i) to (h) accordingly;

- (e) in Section V-G, 4.g. deleting the words “Zoning Board of Appeals” and substituting therefor the words “Planning Board”; and
- (f) in the second paragraph of Section V-G, 4, j., deleting the phrase “or Board of Appeals”.

Item 10: Amend Section VI by:

- (a) in the definitions of “Nonconforming Structure” and “Nonconforming Use” substitute the words “Permit Granting Authority” for “Board of Appeals”;
- (b) inserting the following definition after the definition of the term “Nonconforming Use”: “Permit Granting Authority – the Board of Appeals under Section I-D or the Planning Board under Section I-F, as designated in this By-Law”; and
- (c) inserting the following definition after the definition of the term “Slope”: “Special Permit Granting Authority – the Board of Appeals or the Planning Board as designated in Section I-F, 1 of this By-Law.”

Item 11: If Warrant Article 31 (Parking for Commercial/Residential Buildings) is adopted by Town Meeting, change “Board of Appeals” to “Planning Board”.

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

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

ARTICLE 33. Will the Town authorize the Board of Selectman to petition the Great and General Court of the Commonwealth to enact special legislation that would exempt the position of Deputy Police Chief from the provisions of the Civil Service Law and Rules, or act on anything related thereto?

COMMENT: This article is required in order to effectuate the restructuring of the police department approved through last year’s budget process. Pursuant to the restructuring, the

Deputy Police Chief position was created. The Deputy Chief position has already been removed from the collective bargaining unit. This final action will remove the position from civil service status and fully integrate the Deputy Chief into the police department management team.

RECOMMENDED: That the Town authorize the Board of Selectman to petition the Great and General Court of the Commonwealth to enact special legislation that would exempt the position of Deputy Police Chief from the provisions of the civil service law and rules.

ARTICLE 34. Will the Town amend the General By-Laws of the Town of Hingham adopted March 13, 1939, as heretofore amended, at Article 10 by adding the following:

Section 37 – Removal of Snow and Ice from Sidewalks in Business and Industrial Districts

In all Business and Industrial Districts, as defined and delineated in the Zoning By-law, the owner, or his/her agent, of any land abutting upon or contiguous to a sidewalk of a street shall cause said sidewalk to be maintained in a non-slippery condition suitable for pedestrian travel by clearing all snow and ice from a pathway at least thirty-six (36) inches in width along the length of said sidewalk within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk, and shall maintain said portion of sidewalk in a non-slippery condition by application(s) of sand and/or melting agents as may be necessary for this purpose.

Or act on anything relating thereto?

COMMENT: In an effort to protect public safety, the Board of Selectmen has defined the responsibility of property owners to maintain clear and passable sidewalks after a snowstorm. The guidelines will be presented at the Town Meeting. Guidelines will also be published in the media, detailed on the Town website, included in a Town wide mailing, and reminders given as the season approaches. This voluntary program will be evaluated in April, 2007 and revisions to this program may result.

RECOMMENDED: That no action be taken on this article.

ARTICLE 35. Will the Town adopt the adjustments under MGL Chapter 59, Section 5 (41A) amended by Chapter 136 of the Acts of 2005 which would allow the Town to change the interest rate charged on tax deferrals from the mandatory 8% interest rate to a rate more in line with current conditions, or act on anything relating thereto?

COMMENT: This statewide program is intended for elderly homeowners with limited incomes. While the Committee is mindful of recent interest rate increases, we believe the current interest rate of 8% is too high and gives the Town undue advantage over those in need of this program. It is expected that the program will be reviewed as market conditions warrant.

RECOMMENDED: That the Town adopt the adjustments under MGL Chapter 59, Sec.5 (41A) as amended by Chapter 136 of the Acts of 2005, which would allow the Town to change the interest rate charged on tax deferrals, to reduce the interest rate from 8% to 4%.

ARTICLE 36. Will the Town adopt MGL C. 59, section 5, which would allow a change in the income and asset limits for married couples under clause 41C elderly exemptions to more current levels, or act on anything relating thereto?

COMMENT: The adoption of the modification of this clause will change the income and asset requirements of the 41C exemption for the married category. The adjustment to the single category was changed at last year's Annual Town Meeting. As it now stands the limits for a single person are greater than for a married couple. This change will bring the income and asset levels back into the prior ratio with the single levels. The current levels limit the exemption to only the very poor of Hingham and exclude many elderly who need the assistance. The new limits may possibly allow some elderly residents to stay in town who might have to leave due to high tax bills.

	<u>Current</u>	<u>Proposed</u>
<u>Married</u>		
Income Limits	15,000	30,000
Asset Limits	30,000	55,000

RECOMMENDED: That the Town adopt MGL C.59, section 5, which would allow a change in the income and asset limits, for married couples under clause 41C elderly exemptions, to increase the income limit from \$15,000 to \$30,000 and the asset limit from \$30,000 to \$55,000.

ARTICLE 37. Will the Town authorize the Board of Assessors to enter into an intermunicipal agreement for the purpose of jointly obtaining consulting support services for the town's computerized assessment system or act on anything relating thereto?

(Inserted at the request of the Board of Assessors)

COMMENT: This state subsidized program allows the Town to process and undertake town wide property assessment at a lower cost than available through private contractors. The Town has been a member of this state-wide program for 10 years. The new agreement runs for 25 years with the ability for the Town to opt out if a more cost effective alternative is found.

RECOMMENDED: That the Town authorize the Board of Assessors to enter into an intermunicipal agreement for the purpose of jointly obtaining consulting and support services for the Town's computerized assessment system.

ARTICLE 38. Will the Town authorize and direct the Town of Hingham, acting through its Board of Selectmen, to release, revise and/or amend that certain restriction contained in that certain deed from the Town of Hingham to the Hingham Housing Authority dated March 7, 1989, recorded in the Plymouth County Registry of Deeds in Book 9097, Page 158, conveying School Tract II (15.014 acres), or act on anything related thereto?

Note: Restriction states that "this property is to be used only for a residential educational facility for emotionally disturbed adolescents operated through the Hingham Housing Authority by the South Shore Collaborative or similar entity, or, if required pursuant to MGL c121B §34, by the Massachusetts Executive office of Communities and Development."

COMMENT: This property, formerly part of the Naval Ammunition Depot, was owned by the town but under restrictions mandated by the federal government until 2003. Full control of the land formerly part of the Naval Depot has passed to the Town, and the federal restrictions attached to the land are no longer in force. However, when the Town deeded this lot to the Housing Authority, a clause was included restricting its use until 2019 to a residential facility for troubled adolescents. The South Shore Educational Collaborative currently operates such a facility on this property.

The purpose of the deed restriction, which expires in 2019, was set out in a letter from the Board of Selectmen to the Housing Authority in 1988. The Board's intention was to "reserve to the town some means of input and control ... if other proper uses come under consideration. (The restriction provides) ...a means for the Town to review the matter and assure that the use of the property is in the public interest."

The Housing Authority's mandate is to provide affordable housing, and it is contemplating using for that purpose the land not occupied by the South Shore Collaborative's educational facility. The Authority would like to subdivide this lot, creating one lot for the educational facility, which is expected to continue in operation. The development of affordable housing on the other lot would be subject to all applicable state and local regulations.

RECOMMENDED: That the Town authorize the Town of Hingham, acting through its Board of Selectmen, to amend the restriction contained in the deed from the Town of Hingham to the Hingham Housing Authority dated March 7, 1989, recorded in the Plymouth County Registry of Deeds in Book 9097, Page 158, conveying School Tract II (15.014 acres), which restriction states that "this property is to be used only for a residential educational facility for emotionally disturbed adolescents operated through the Hingham Housing Authority by the South Shore Collaborative or similar entity, or, if required pursuant to MGL c121B §34, by the Massachusetts Executive office of Communities and Development," by adding as an allowable use residential development which includes affordable housing that qualifies for inclusion on the Subsidized Housing Inventory administered

by the Massachusetts Department of Housing and Community Development.

ARTICLE 39. Will the Town authorize, but not require, the Hingham Board of Health to enter into an intermunicipal agreement with one or more other governmental units to provide public health services which the Board of Health is authorized to perform, in accordance with an Intermunicipal Mutual Aid Agreement to be entered into between the Town and various governmental units, in accordance with M.G.L. c.40, section 4A, or act on anything relating thereto?

(Inserted at the request of the Board of Health)

COMMENT: The Board of Health is seeking authority to enter into a mutual aid agreement with other towns and cities, including but not limited to those twenty-six other towns and cities in the metro-Boston region designated by the Massachusetts Department of Public Health (“MDPH”) as emergency preparedness Region 4B, for public health assistance in the case of events which could overwhelm local capacity. MDPH recommends that boards of health enter into mutual aid agreements with cities and towns in their designated regions in order to enhance emergency preparedness and response capabilities. Pursuant to Mass. Gen. Laws. Chapter 40, Section 4A (the “Statute”), a mutual aid agreement is a contract which a municipality may enter into with other municipalities provided that, with respect to a town, the agreement must be approved by town meeting (and meet various other requirements proscribed by the Statute). Such an agreement would provide that the Town would consider requests for public health support specified in writing by any requesting town or city that is a signatory, although the Town would not be obligated to provide such assistance (for instance, the Town would not be required to deplete its own resources). The Town, as sender of assistance, would remain liable for the acts and omissions of its own employees and would indemnify the receiving town for any such liabilities. Moreover, the Town remains responsible for Workers’ Compensation, wages, benefits and similar obligations for its sending employees. Under the mutual aid agreement, there is no expectation of automatic or contractual reimbursement of expenses incurred by the sending town, although the parties can enter into separate compensation arrangements. Sending and

receiving parties remain eligible for state and federal assistance as well. Pursuant to the Statute, an approved mutual aid agreement shall be for a maximum term not to exceed 25 years, and must conform to certain record-keeping and financial reporting requirements. Any party may withdraw from a mutual aid agreement upon prior written notice to the other parties.

RECOMMENDED: That the Town authorize, but not require, the Hingham Board of Health to enter into an intermunicipal agreement with one or more other governmental units to provide public health services which the Board of Health is authorized to perform, in accordance with an Intermunicipal Mutual Aid Agreement to be entered into between the Town and various governmental units, in accordance with M.G.L. c.40, section 4A.

ARTICLE 40. Will the Town authorize, but not require, the Board of Selectmen to acquire that portion of the former Naval Ammunition Depot in the Town currently under the control of the Department of Fisheries and Wildlife and shown as Key 12 and Key 27 on Assessors’ Map 46, or act on anything relating thereto?

COMMENT: The Town has been working with the Department of Fisheries and Wildlife to two parcels of land, totaling approximately 16.43 acres, abutting Bare Cove Park. If approved, this land would be acquired at no cost to the Town and would be incorporated into Bare Cove Park.

RECOMMENDED: That the Town authorize, but not require, the Board of Selectmen to acquire that portion of the former Naval Ammunition Depot in the Town currently under the control of the Department of Fisheries and Wildlife and shown as Key 12 and Key 27 on Assessors’ Map 46.

ARTICLE 41. Will the Town accept the provisions of Sections 1 and 2 of Chapter 157 of the Massachusetts Acts of 2005, An Act Relative to Disability Retirement Benefits for Veterans, or act on anything relating thereto?

COMMENT: The purpose of this article is to provide Section 7 accidental disability retirees with veterans benefits.

Section 1 of Chapter 157 of the Acts of 2005 states that any member of Group 1 or Group 4 who is a veteran and retires due to an accidental disability will receive an additional yearly retirement allowance of \$15.00 for each year of creditable service or fraction thereof, and the total amount of this additional yearly retirement allowance will not exceed \$300.00. If this article is accepted, the exposure to the Town for this Section is approximately \$2,000 per year.

Section 2 of Chapter 157 of the Acts of 2005 makes the allowance retroactive to a retiree's date of retirement. If Section 2 is accepted, payment will be retroactive to the date of retirement for living retirees only. Based on the number of individuals eligible for this benefit, the exposure to the Town is approximately \$37,000.

These allowances will all be paid from the retirement fund.

RECOMMENDED: That the Town accept the provisions of Sections 1 and 2 of Chapter 157 of the Massachusetts Acts of 2005, an Act Relative to Disability Retirement Benefits for Veterans.

ARTICLE 42. Will the Town vote to authorize the Board of Selectmen to continue to petition the Great and General Court of the Commonwealth to enact special legislation currently pending before said General Court, after a unanimous vote of Article 46 by the Town at the 2005 Annual Town Meeting, authorizing the Town to grant Donald Lincoln retirement service credit for his service time as a permanent call firefighter in recognition of his unique service to the Town, or act on anything relating thereto?

(Inserted at the request of Kris Phillips and others)

COMMENT: This home rule petition was voted under Article 46 of the warrant for the 2005 Annual Town Meeting. The General Court of the Commonwealth has not yet acted on this home rule legislation. It is required that home rule legislation petitions be renewed yearly until they are acted upon by the General Court.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation

authorizing the Town of Hingham to grant Donald Lincoln retirement service credit for his service time as a Town of Hingham permanent call firefighter in recognition of his unique service to the Town of Hingham.

ARTICLE 43. Will the Town vote to authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation authorizing the Town of Hingham to grant Glenn Shaw retirement service credit for his service time as a Town of Hingham Permanent Call Firefighter in recognition of his continued service to the Town. (Inserted at the request of Glenn Shaw and others)

COMMENT: This home rule petition was voted under Article 42 of the warrant for the 2004 Annual Town Meeting by the voters of the Town and again under Article 47 of the 2005 Annual Town Meeting. The General Court of the Commonwealth has not yet acted on this home rule legislation. It is required that home rules legislation petitions be renewed yearly until they are acted upon by the General Court.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the Great and General court of the Commonwealth to enact special legislation authorizing the Town of Hingham to grant Glenn Shaw retirement service credit for his service time as a Town of Hingham permanent call firefighter in recognition of his continued service to the Town of Hingham.

ARTICLE 44. Will the Town authorize the Board of Selectmen to petition the General Court to enact special legislation establishing the Hingham Shipyard Improvement District, a body politic and corporate, independent from the Town, which will assume all financial liability for the capital and operating costs associated with certain existing, proposed and future public improvements within the boundaries of the district, and be empowered to purchase, own, maintain, construct, reconstruct and operate such public improvements, including streets, parking facilities, sidewalks, water and sewer lines and related facilities, and fiber optic and telecommunications links, to take property within the District by eminent domain, to borrow funds for capital improvements and to assess

betterments, assessments and fees in relation thereto and to support operating expenses, to enter into such contracts as may be necessary to carry out the purposes of the District, and to exercise such additional powers as shall be defined in the special act, a summary of which is available at the office of the Town Clerk; provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and the Board of Selectmen are authorized to approve amendments which shall be within the scope of the general public objectives of the petition, or take any other action relative thereto?

COMMENT: Town Meeting approved this article twice; however, the Legislature did not act on the petition before their session ended. Once the legislative session ends, anything not acted on must be resubmitted for the new session and in order for it to be resubmitted, Town Meeting is required to re-vote the article.

By creating such a District, it would enable the entity to issue bonds as a financing mechanism to fund infrastructure improvements required for a large development project such as the Hingham Shipyard. Through the establishment of an Improvement District, the developer can obtain more financing and at a faster rate than with traditional borrowing methods. Interest payments on the bonds are paid through the assessment of betterments that are paid by the businesses and residences within the District. The creation of an Improvement District within the Shipyard would enhance its economic development by allowing the District to construct and maintain critical infrastructure required to serve the needs of those in the district, such as roads, sewer lines, bridges, sidewalks, parks, lighting etc., in advance of businesses and/or residences coming into the District. The District would also have the authority to acquire by eminent domain land that is located within its bounds. Members within the District would still pay property taxes to the Town and would receive the same Town services as residents outside the District (schools, police, fire, etc.). The District would buy its electricity from the Hingham Municipal Lighting Plant, and members would contract with the same providers as non-District residents for services such as phone and cable TV services. The District would be governed by a board of commissioners that

would be appointed by the Board of Selectmen; 4 members would be nominated by the Hingham Shipyard Property Owners Association, and 1 member would be the Hingham Town Administrator or his or her designee. In the proposed legislation there is a provision that after twenty-five years, if all the bonds have been paid off and the Town wishes that the District be dissolved, it can do so through a vote of Town Meeting.

Favorable action on this article does not create the District, but allows the Board of Selectmen to petition the state legislature to authorize its creation. The Town of Hingham would benefit from the creation of the Shipyard Improvement District by not having to fund all the infrastructure costs of a large development project that will greatly enhance the revenues to the Town through the tax receipts associated with the development. Development of the Shipyard is not contingent on the creation of an improvement district, but it will help make the project more attractive and as result, will accelerate the collection of critical tax revenues to the Town.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the General Court to enact special legislation establishing the Hingham Shipyard Improvement District, a body politic and corporate, independent from the Town, which will assume all financial liability for the capital and operating costs associated with certain existing, proposed and future public improvements within the boundaries of the district, and be empowered to purchase, own, maintain, construct, reconstruct and operate such public improvements, including streets, parking facilities, sidewalks, water and sewer lines and related facilities, and fiber optic and telecommunications links, to take property within the District by eminent domain, to borrow funds for capital improvements and to assess betterments, assessments and fees in relation thereto and to support operating expenses, to enter into such contracts as may be necessary to carry out the purposes of the District, and to exercise such additional powers as shall be defined in the special act, a summary of which is available at the office of the Town Clerk; provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of

Selectmen approve amendments to the bill before enactment by the General Court, and the Board of Selectmen are authorized to approve amendments which shall be within the scope of the general public objectives of the petition.

ARTICLE 45. Will the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to permit the Central Fire Station at 339 Main Street to connect to the MWRA sewer system or act on anything relating thereto?

COMMENT: The Town voted in favor of this article at the 2005 Annual Town Meeting and the Selectmen submitted their petition accordingly. The Great and General Court did not act on the Town's petition, so the Selectmen must be re-authorized to file the petition again. The ability to connect to the MWRA sewer system remains a desirable goal of the Central Fire Station project, and the connection cannot be made without legislative approval. A vote in favor of this article will allow the legislative approval process to move forward and will help to assure the availability of the sewer connection prior to the completion of construction of the Central Fire Station project.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to permit the Central Fire Station at 339 Main Street to connect to the MWRA sewer system.

ARTICLE 46. Will the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to make the following All Alcoholic Beverages Licenses site specific: (1) South Shore Catering Group Inc, South Shore Country Club, 274 South Street and (2) Linden Ponds Inc., d/b/a Linden Ponds, 300 Linden Ponds Way, or act on anything relating thereto?

COMMENT: This article was approved at the 2005 Annual Town Meeting; however, the Legislature did not act on the petition before their session ended. Once the legislative

session ends, any petition not acted on must be resubmitted for the new session and, in order for it to be resubmitted, Town Meeting is required to revoke the article.

The South Shore Catering Group currently operates the restaurant operation at the South Shore Country Club. The special legislation requested would ensure that the operator of the restaurant could not transfer the license to another site and leave our town facility without a liquor license. When the 2004 and 2005 Annual Town Meetings voted to petition the Great and General Court to enact special legislation authorizing an additional liquor license for Linden Ponds Inc., it was with the intent that the license be site specific. The legislation did not include that provision. This article would correct that.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to make the following All Alcoholic Beverages Licenses site specific: (1) South Shore Catering Group Inc, South Shore Country Club, 274 South Street, and (2) Linden Ponds Inc., d/b/a Linden Ponds, 300 Linden Ponds Way.

ARTICLE 47. Will the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation authorizing the Town of Hingham to issue temporary loans for periods greater than 2 years, and allow the Town to charge the Town's actual interest costs to betterment assessments issued by the Town, or act on anything relating thereto?

COMMENT: This article was approved at the 2005 Annual Town Meeting; however, the state legislature did not act on the petition during their legislative session. Thus the article is re-proposed in this 2006 Annual Town Meeting Warrant.

Current state law limits the Town's authority to issue short-term notes, with no required payment against principal, to a term of no more than 5 years. Section 1 of this home rule petition will remove that number of years restriction, but will require the Town to begin making principal payments within two years. Section 2 of this

home rule petition will allow the Town to pass on the Town's actual interest costs for betterments. Current state law provides the Town with only two options in regard to charging betterments interest costs to property owners. One method is a straight 5.0%, and the second is the Town's actual cost, plus 2.0%. Both methods increase the interest charges to property owners for betterments well beyond Town's true cost of interest. This petition would allow for an allocation of interest that reflects only the Town's true costs, thereby reducing the cost to property owners currently being charged to them. Approval of this warrant article would authorize the Town to petition the legislature to authorize these changes in its debt issuance practices.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation authorizing the Town of Hingham to issue temporary loans for periods greater than 2 years, and allow the Town to charge the Town's actual interest costs to betterment assessments issued by the Town.

And 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 two designated polling places in said Town of Hingham according to their precinct, to wit: Precinct 1, 2, 3, and 5: High School, 17 Union Street; Precincts 4 and 6: Middle School, 1103 Main Street on SATURDAY, the Twenty-ninth day of April 2006 at EIGHT O'CLOCK in the forenoon, then and there to give in 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; a Town Clerk to serve three years; one member of the Board of Health to serve three years; two members of the School Committee to serve three years; a member of the Municipal Light Board to serve three years; a member of the Planning Board to serve five years; a member of the Planning Board to serve one year; a member of the Sewer Commission to serve three years; and a member of the Recreation Commission to serve five years.

To give their votes "Yes" or "No" on the following a ballot question:

Will the Town vote to have the elected Treasurer/Collector become an appointed Treasurer/Collector of the Town?

The polls for the reception of ballots as aforesaid will be open at eight o'clock in the forenoon and remain open until eight o'clock in the evening.

And you are directed to serve this warrant by causing an attested copy thereof to be posted in the Town Hall seven days at least before the day appointed for said meeting.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk on or before the fifth day of April 2006.

Given under our hands at Hingham this fourth day of April in the year of our lord two thousand six.

Mathew E. Maclver
Philip J. Edmundson
Melissa A. Tully

A True Copy
Attest:

Kathleen A. Peloquin
Constable of Hingham
April 4, 2006

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 to and posted by the Town Clerk in the Town Hall on this date.

Kathleen A. Peloquin
Constable of Hingham
April 5, 2006

REPORT OF THE CAPITAL OUTLAY COMMITTEE

I. OVERVIEW

The Capital Outlay Committee (CAPITAL) is charged with:

- A. Ascertaining the Capital Outlay requirements of various Town Departments, Boards and Committees over the next six years. Any expenditure for equipment or real property costing \$5,000 or more is defined as a capital outlay.
- 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). CAPITAL recommendations are developed as follows:
1. Departments submit requests for the next six years.
 2. CAPITAL reviews requests with the department heads, boards and, or committees.
 3. Needs are determined and possible alternatives are discussed.
 4. CAPITAL makes its recommendations to the SELECTMEN and ADVISORY.
 5. SELECTMEN accepts, alters, or rejects CAPITAL'S recommendation, and forwards it to ADVISORY.

CAPITAL has reviewed the capital requests from the various Town Departments and herein submits its recommendations for fiscal year 2007 (FY2007), as well as general projections of capital needs for the next five fiscal years. CAPITAL'S recommendations for FY2007 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.

At the start of the budget process, each department was requested to produce a current year capital outlay request, and a realistic five-year capital outlay request. Both requests were compared to the prior year capital outlay requests, and departments were asked to explain significant changes. CAPITAL is recommending an FY2007 capital outlay budget of \$8,657,867.

CAPITAL'S recommendations are summarized below:

RECOMMENDED	
Not subject to borrowing	\$1,705,400
User rates/borrowing	\$6,952,467

II. SPECIFIC RECOMMENDATIONS

The Capital Outlay Committee makes the following recommendations:

Town Accountant/MIS

The committee recommends \$57,000 for information technology replacement.

Assessor's Department

The committee recommends \$30,250 for the first of a two-phased enhancement to the Town's geographical information system. This funded level assumes that the Town will be able to partner on this project with the public utilities that will benefit greatly from this data.

Board of Selectmen

The committee recommends \$185,000 for design and construction of a traffic light at the intersection of Free Street, High Street and Main Street.

Police Department

The committee recommends \$210,000 for the replacement of 8 police vehicles, \$18,000 for the replacement of one outboard motor for the Harbormaster, \$11,500 for the replacement of an inspection vehicle for the Board of Health, and \$40,000 to hire a consulting firm to help both the Police and Fire departments address their communications issues.

Fire Department

The committee recommends \$160,000 for the replacement of an ambulance, \$19,500 the replacement of the department's turnout gear, and \$40,000 for the replacement of fire hydrants.

Public Works

The committee recommends \$106,000 for the replacement of two mowers, \$16,000 for the purchase of a large capacity water sprayer, \$60,000 for the reconstruction of the Foster School tennis courts, \$20,000 for repairs and maintenance to the Middle School tennis courts, \$12,500 for repairs and maintenance to the Central basketball and inline skating rink, \$10,000 the rehabilitation of various town ball fields, \$10,000 for the replacement of trailer tires for the landfill hauling operation, \$40,000 for architectural and engineering work for renovations and repairs to the recycling building at the landfill, and \$32,000 for the replacement of several school crossing light systems. With the recommendation for the reconstruction of the Foster School tennis courts, the committee is pleased to note that all of the Town's tennis courts have now been rebuilt. However, the Town will find itself in the unfortunate position of having to rebuild these courts again in the future if the routine maintenance is not performed. To that end, it is the recommendation that the ongoing repair and maintenance expenses for the Town's tennis courts be placed within the operating budget of the Public Works department. The committee also recommends \$5,018,559 for the complete construction of a consolidated public works building, and \$1,768,908 for the construction of an adjacent recreational field complex.

Sewer Department

The committee recommends \$35,000 for the replacement of a 1998 ¾ ton pickup truck, and \$30,000 for renovations and repairs of pump stations.

South Shore Country Club

The committee recommends \$100,000 for general capital improvements to the South Shore Country Club. While the committee understands that the South Shore Country Club may need more capital funding in the future, the committee felt that it needs to see a comprehensive five year capital plan, in addition to an inventory of capital assets, before it could make further recommendations.

Town Clerk

The committee recommends \$44,450 for the replacement of the Town's voting machines. The current machines will no longer be supported by the manufacturer, and will become inoperable, as they require annual programming to function for elections.

Town Hall

The committee recommends funding \$5,200 for the replacement of carpeting in the Police department, \$10,000 for the replacement of carpeting in the Senior Center, \$115,000 for the exterior painting of the Town Hall, and \$20,000 for general building improvements.

Library

The committee recommends \$47,000 for the replacement the current parking lot lighting, \$18,000 for HVAC work to the mezzanine level of the library, and \$15,000 for the replacement of technology equipment.

School

The committee recommends for the Foster Elementary school \$60,000 for the second of a three-phase replacement of classroom carpeting. For the Plymouth River School the committee recommends \$15,000 for an internal space reconfiguration, \$25,000 for the last of a three-phase renovation of student and faculty bathrooms, and \$20,000 for an upgrade of lighting in the library. The committee recommends for the South Elementary School \$12,000 for the installation of pre-kindergarten bathroom, and \$21,000 for the first of a three-phase replacement of classroom carpeting. The committee also recommends the following for school system-wide capital needs: \$150,000 for information technology replacements and \$50,000 for the replacement of furniture and equipment.

Needed capital improvements at the Middle School, Plymouth River School and Foster School totaling over \$ 7 million have been deleted from the five-year capital budget as these building improvements are included in the School Facility Plan. The 2006 Town Meeting will be asked to appoint a school building committee and to appropriate funds to further develop the design and engineering aspects of the School Facility Plan. The 2007 Town Meeting will be asked to begin to fund this plan. The School Facility Plan will address the current and foreseeable school overcrowding and will address the major capital needs at the Middle School, Plymouth River and Foster Elementary Schools. If funding is not approved for the School Facility Plan, the school capital projects will have to be addressed incrementally through the five- year capital planning process.

Respectfully submitted,

Capital Outlay Committee

Andrew Mooridian, Chairman

Thomas Pyles

Judith Sneath

Irma Lauter, Advisory Committee

Anthony Kiernan, Advisory Committee

Ted C. Alexiades, Finance Director/Town Accountant ex-officio Staff

FY2007 Five Year Capital Plan

Department/Category	FY2007	FY2008	FY2009	FY2010	FY2011
ACCOUNTING/MIS:					
Information Technology Assets (20% replacement)	\$57,000				
Permitting Software Package (replacement)		\$50,000			
Information Technology Assets (20% replacement)		\$67,000			
Information Technology Assets (20% replacement)			\$50,000		
Information Technology Assets (20% replacement)				\$50,000	
Information Technology Assets (20% replacement)					\$50,000
TOTAL ACCOUNTING/MIS	\$57,000	\$117,000	\$50,000	\$50,000	\$50,000
ASSESSOR'S DEPARTMENT:					
GIS: Flyover, Process Imagery, Capture Building	\$30,250				
GIS: Contour Development		\$60,000			
TOTAL ASSESSOR'S DEPARTMENT	\$30,250	\$60,000	\$0	\$0	\$0
SELECTMEN:					
Traffic Light Installation (new)	\$185,000				
TOTAL SELECTMEN	\$185,000	\$0	\$0	\$0	\$0
POLICE DEPARTMENT:					
Police Cruisers (replacement of 8 vehicles)	\$210,000				
Communications Consultant	\$40,000				
Light Duty Truck-Board of Health (replacement)	\$11,500				
Harbormaster Boat Engines (replaces 1)	\$18,000				
Dispatch Command Center (replacement)		\$250,000			
Portable Radios		\$120,000			
Computer Aided Dispatch		\$150,000			
Mobile Data Terminals (replacement)		\$50,000			
Harbormaster Building Engineering (new)		\$12,000			
Harbormaster Boat Engines (replaces 1)		\$18,000			
Animal Control Vehicle (replaces 2002)		\$23,000			
Police Cruisers (replacement of 8 vehicles)			\$218,000		
Harbormaster Boat Engines (replaces 1)			\$18,000		
Harbormaster Building (new)			\$150,000		
Body Armor (replacement)			\$63,000		

FY2007 Five Year Capital Plan

Department/Category	FY2007	FY2008	FY2009	FY2010	FY2011
Harbormaster Floats & Gangway (replacement)			\$35,000		
Police Cruisers (replacement of 9 vehicles)				\$255,000	
Harbormaster Boat Engines (replaces 1)				\$19,000	
Police Cruisers (replacement of 9 vehicles)					\$255,000
Harbormaster Boat Engines (replaces 1)					\$19,000
Police Motorcycles (replacement of 2)					\$40,000
TOTAL POLICE DEPARTMENT	\$279,500	\$623,000	\$484,000	\$274,000	\$314,000
<u>FIRE DEPARTMENT:</u>					
Rescue #1(replaces 1999)	\$160,000				
Fire Hydrants (replacement)	\$40,000				
Turnout Gear (15 Sets)	\$19,500				
Radio System (new)		\$155,000			
Utility Vehicle #49 (replaces 1999)		\$42,000			
Fire Alarm Vehicle #50 (replaces 1987)		\$85,000			
Fire Hydrants (replacement)		\$40,000			
Administrative Vehicle #C-4 (replaces 1997 4wd)		\$11,500			
Rescue 3 Engine Rebuild (replacement)		\$15,000			
South Station Exterior Painting (replacement)		\$10,000			
Hydraulic Rescue Tools (replacement)		\$20,000			
Rescue Boat (replacement)		\$22,000			
SCBA Compressor (replacement)		\$25,000			
Furniture, Fixtures & Equipment (new)			\$180,000		
Command Vehicle #C-2 (replaces 1999 4wd)			\$38,000		
Turnout Gear (8 Sets)			\$10,400		
Fire Hydrants (replacement)			\$40,000		
Rescue #2(replaces 2005)				\$160,000	
Administrative Vehicle #C-3 (replaces 2000 4wd)				\$42,000	
Turnout Gear (12 Sets)				\$15,600	
Fire Hydrants (replacement)				\$26,000	
North & South Station Interior Painting (replacement)				\$10,000	
Command Vehicle #C-1 (replaces 2004 4wd)					\$38,000
Turnout Gear (12 Sets)					\$15,600
Fire Hydrants (replacement)					\$26,000
TOTAL FIRE DEPARTMENT	\$219,500	\$425,500	\$268,400	\$253,600	\$79,600
<u>PUBLIC WORKS:</u>					
Mower w/12' Deck (replaces 1996)	\$53,000				
Mower w/16' Deck (replaces 1998)	\$53,000				
PolySkid Sprayer (new)	\$16,000				

FY2007 Five Year Capital Plan

Department/Category	FY2007	FY2008	FY2009	FY2010	FY2011
Foster School Tennis Courts (reconstruction)	\$60,000				
Middle School Tennis Courts - Paint & Line	\$20,000				
Field Rehabilitation	\$10,000				
Central Basketball Courts & Inline Rink - Paint & Line	\$12,500				
School Crossing Lights	\$32,000				
DPW Complex	\$5,018,559				
Athletic Fields Complex	\$1,768,908				
Road Sweeper#5113 (replaces 1996)		\$118,000			
Brush Chipper #20T (replaces 1997)		\$27,000			
Sidewalk Tractor #5024 (replaces 1993)		\$80,000			
Dump Truck w/Sand & Plow Package#5013 (replaces 1996)		\$113,500			
3/4 Ton Truck w/Plow #5117 (replaces 2001)		\$27,835			
Utility Van #5879 (replaces 1994)		\$19,900			
7-10 Ton Roller (replaces 1996)		\$47,500			
Plymouth River School Tennis Courts - Paint & Line		\$20,000			
Infield Rehabilitation		\$10,000			
School Crossing Lights		\$32,000			
Catch Basin Cleaner #5019 (replaces 1998)			\$140,000		
Administrative Vehicle #5373 (replaces 2001)			\$32,000		
Stump Grinder (replaces 1997)			\$19,000		
Compressor #35 (replaces 1985)			\$17,000		
Compact Truck #5880 (replaces 2000)			\$15,500		
Dump Truck w/Sand & Plow Package#5105 (replaces 1998)			\$113,500		
Gardner Street Sidewalk (new)			\$335,000		
3/4 Ton Truck w/Plow #5374 (replaces 2001)			\$30,000		
3/4 Ton Truck w/Plow #5375 (replaces 2001)			\$30,000		
Infield Rehabilitation			\$10,000		
Road Sweeper#5878 (replaces 2000)				\$120,000	
1 Ton Truck w/Plow #5443 (replaces 2003)				\$43,000	
Dump Truck w/Sand & Plow Package#5106 (replaces 1998)				\$113,500	
Dump Truck w/Sand & Plow Package#5107 (replaces 1998)				\$113,500	
1 Ton Dump Truck #5889 (replaces 2002)				\$62,000	
Mid-size Dump Truck #5886 (replaces 2003)				\$60,000	
Infield Rehabilitation				\$10,000	

FY2007 Five Year Capital Plan

Department/Category	FY2007	FY2008	FY2009	FY2010	FY2011
Dump Truck w/Sand & Plow Package#5108 (replaces 2000)					\$113,500
1 Ton Dump Truck #28 (replaces 2005)					\$42,000
3/4 Ton Truck #3 (replaces 2003)					\$31,000
IH4300 Knuckle Boom #19 (replacement)					\$100,000
1 Ton Dump Truck #18 (replaces 2003)					\$42,000
Infield Rehabilitation					\$10,000
TOTAL PUBLIC WORKS (HIGHWAY)	\$7,043,967	\$495,735	\$742,000	\$522,000	\$338,500
<u>PUBLIC WORKS (LANDFILL):</u>					
Trailer Tires 36 (replaces 2000)	\$10,000				
Recycling Building Engineering	\$40,000				
Recycling Building Renovations		\$400,000			
Skid Steer Tractor (replaces (2000)		\$43,000			
2 Mowers w/4' Deck (replaces 1992 models)		\$20,000			
Landfill Closure		\$200,000			
Forklift (replaces 1996)			\$28,500		
Trailer Tires 36 (replaces 2000)			\$10,000		
T-1 Open Top Trailer			\$33,500		
Front-end Loader (replaces 1999)			\$120,000		
T-2 Open Top Trailer				\$33,500	
T-3 Open Top Trailer					\$33,500
TOTAL PUBLIC WORKS (LANDFILL)	\$50,000	\$663,000	\$192,000	\$33,500	\$33,500
<u>SEWER DEPARTMENT:</u>					
3/4 Ton Truck (replaces 1998)	\$35,000				
Pump Station (renovations & repairs)	\$30,000				
Pump Station (renovations & repairs)		\$30,500			
Pump Station (renovations & repairs)			\$31,000		
Pump Station (renovations & repairs)				\$42,000	
3/4 Ton Truck (replaces 2001)				\$35,000	
Pump Station (renovations & repairs)					\$41,500
TOTAL SEWER DEPARTMENT	\$65,000	\$30,500	\$31,000	\$77,000	\$41,500
<u>HARBOR DEVELOPMENT:</u>					
Harbor Dredging		\$100,000			
TOTAL HARBOR DEVELOPMENT	\$0	\$100,000	\$0	\$0	\$0

FY2007 Five Year Capital Plan

Department/Category	FY2007	FY2008	FY2009	FY2010	FY2011
<u>SOUTH SHORE COUNTRY CLUB:</u>					
Golf Course & Facility Improvements	\$100,000				
Golf Course & Facility Improvements		\$100,000			
Golf Course & Facility Improvements			\$100,000		
Golf Course & Facility Improvements				\$100,000	
Golf Course & Facility Improvements					\$100,000
TOTAL SOUTH SHORE COUNTRY CLUB	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
<u>TOWN CLERK:</u>					
Voting Machines (replacement)	\$44,450				
TOTAL TOWN CLERK	\$44,450	\$0	\$0	\$0	\$0
<u>ELDER SERVICES:</u>					
Transportation Van (replacement 20% Grant match)				\$10,000	
TOTAL ELDER SERVICES	\$0	\$0	\$0	\$10,000	\$0
<u>TOWN HALL:</u>					
Carpeting in OIC (replacement)	\$5,200				
Carpeting in Senior Center (replacement)	\$10,000				
Exterior Painting	\$115,000				
Town Hall (renovations & repairs)	\$20,000				
Town Hall (renovations & repairs)		\$20,000			
Auditorium Ceiling (replacement)		\$78,000			
Auditorium Seating (replacement)			\$90,000		
Town Hall (renovations & repairs)			\$20,000		
Town Hall (renovations & repairs)				\$20,000	
Town Hall (renovations & repairs)					\$20,000
TOTAL TOWN HALL	\$150,200	\$98,000	\$110,000	\$20,000	\$20,000
<u>LIBRARY:</u>					
Parking Lot Lighting	\$47,000				
Computers (replacement 20%)	\$15,000				
Mezzanine Air Conditioning (new)	\$18,000				
Roof (replacement)		\$275,000			
Computers (replacement 20%)		\$15,000			
Meeting Room and Mezzanine Carpeting (replacement)			\$25,000		

FY2007 Five Year Capital Plan

Department/Category	FY2007	FY2008	FY2009	FY2010	FY 2011
Computers (replacement 20%)			\$15,000		
Upper Level Carpeting (replacement)				\$25,000	
Computers (replacement 20%)				\$15,000	
Heating System Boilers (replacement)				\$75,000	
Lower Level Carpeting (replacement)					\$25,000
Computers (replacement 20%)					\$15,000
HVAC Components (replacement)					\$60,000
TOTAL LIBRARY	\$80,000	\$290,000	\$40,000	\$115,000	\$100,000
SCHOOL DEPARTMENT:					
MIDDLE SCHOOL:					
Classroom Whiteboards 25 Phase 1 of 2		\$12,500			
Classroom Whiteboards 25 Phase 2 of 2			\$12,500		
MIDDLE SCHOOL TOTALS	\$0	\$0	\$12,500	\$0	\$0
FOSTER ELEMENTARY:					
Classroom Carpeting 2/3 with Tiles (replacement)	\$60,000				
Classroom Carpeting 3/3 with Tiles (replacement)		\$60,000			
FOSTER ELEMENTARY TOTALS	\$60,000	\$60,000	\$0	\$0	\$0
PLYMOUTH RIVER SCHOOL:					
Internal Space reconfiguration	\$15,000				
Bathroom Renovations (phase 3 of 3)	\$25,000				
Upgrade Library Lighting & Ceiling	\$20,000				
Play Shed Roof (replacement)					\$35,000
PLYMOUTH RIVER SCHOOL TOTALS	\$60,000	\$0	\$0	\$0	\$35,000
SOUTH SCHOOL:					
Pre-K Bathroom (new)	\$12,000				
Classroom Carpeting Phase 1 of 3 (replacement)	\$21,000				
Classroom Carpeting Phase 2 of 3 (replacement)		\$35,000			
Classroom Carpeting Phase 3 of 3 (replacement)			\$35,000		
SOUTH SCHOOL TOTALS	\$33,000	\$35,000	\$35,000	\$0	\$0
HIGH SCHOOL:					
Classroom Whiteboards 12		\$6,000			
Stadium Bleachers (replacement)			\$449,000		
Varsity Football Field relocation (replacement)			\$300,000		
HIGH SCHOOL TOTALS	\$0	\$6,000	\$749,000	\$0	\$0

FY2007 Five Year Capital Plan

Department/Category	FY2007	FY2008	FY2009	FY 2010	FY2011
SCHOOL SYSTEM WIDE:					
School Technology (new & replacements)	\$150,000				
School Furniture & Equipment (new & replacements)	\$50,000				
Maintenance Vehicle		\$45,000			
School Technology (new & replacements)		\$150,000			
School Furniture & Equipment (new & replacements)		\$50,000			
Central Fueling Station Pumps (replacement)		\$10,000			
Musical Instruments (replacements)		\$9,000			
Television Studio (replacements MS and HS)		\$15,000			
School Technology (new & replacements)			\$150,000		
School Furniture & Equipment (new & replacements)			\$50,000		
Vehicle (replacement)			\$30,000		
Television Studio (replacements MS and HS)			\$15,000		
School Technology (new & replacements)				\$150,000	
School Furniture & Equipment (new & replacements)				\$50,000	
School Technology (new & replacements)					\$150,000
School Furniture & Equipment (new & replacements)					\$50,000
SCHOOL SYSTEM WIDE TOTALS	\$200,000	\$279,000	\$245,000	\$200,000	\$200,000
TOTAL SCHOOL	\$353,000	\$380,000	\$1,041,500	\$200,000	\$235,000
Total Capital Projects	\$8,657,867	\$3,388,985	\$3,058,900	\$1,655,100	\$1,312,100

Funding Sources	FY2007	FY2008	FY2009	FY2010	FY2011
Tax Levy	\$650,000	\$650,000	\$900,000	\$900,000	\$900,000
Free Cash	\$1,055,400	\$2,608,485	\$2,027,900	\$578,100	\$270,600
Other					
Borrowing	\$6,787,467				
User Rates/Charges	\$165,000	\$130,500	\$131,000	\$177,000	\$141,500

Total Funding	\$8,657,867	\$3,388,985	\$3,058,900	\$1,655,100	\$1,312,100
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Total Capital Projects	\$8,657,867	\$3,388,985	\$3,058,900	\$1,655,100	\$1,312,100
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REPORT OF THE PERSONNEL BOARD

In anticipation of the 2006 Annual Town Meeting, the Personnel Board is pleased to submit this report of its activities since the 2005 Annual Town Meeting.

COLLECTIVE BARGAINING UNITS

After a series of negotiating sessions between the Board on behalf of the Town and the International Brotherhood of Police Officers, Local 520 on behalf of the Hingham Police Patrolmen failed to result in a collective bargaining agreement satisfactory to both parties, the parties submitted the matter for arbitration to the Joint Labor Management Committee. Following the issuance of the award of the JLMC, the Town and the IBPO entered into two separate agreements, the first for the period from July 1, 2003 to June 30, 2004 and the second for the period from July 1, 2004 to June 30, 2007. A summary of the most important terms of the settlement follows. The full text of each agreement is on file at the Selectmen's office.

The agreement with the Police Patrolmen for the period July 1, 2003 through June 30, 2004 maintained wages at Fiscal 2003 levels and otherwise provided for no substantive changes from the prior agreement. The agreement for the period July 1, 2004 through June 30, 2007 provides for a general wage increase of 2% on July 1, 2004, July 1, 2005 and July 1, 2006 respectively, and a market equity adjustment of 2% on January 1, 2005, January 1, 2006 and January 1, 2007 respectively. The 2004-2007 agreement also reflects changes to payments made on accrued sick days at retirement as set forth below:

Accumulated Sick Days	Payment
0 day to 149 days	\$10.00 per day;
150 days to 199 days	\$1,490.00 plus \$10.50 per day for each day over 149;
200 days and over	\$2015.00 plus \$11.00 per day for each day over 200.

The 2004-2007 agreement also provides that a patrolmen who gives the required notice of his/her decision to retire under the Town of Hingham Retirement Plan will receive a 4% wage increase, instead of a 2% wage increase, on the wage increase date (either July 1 or January 1, as the case may be) immediately preceding the date of the employee's retirement. This retirement incentive will expire on June 30, 2007.

The 2004-2007 agreement provides further that, when a Patrolman takes over command for a full shift in place of a sergeant or lieutenant, the officer will be paid a differential of \$20.00 for such full shift. Effective July 1, 2005, the differential shall be increased to \$25.00 for such full shift. Effective July 1, 2006, the differential shall be increased to \$30.00 for such full shift.

OTHER TOWN EMPLOYEES AND TOWN OFFICERS

The Board recommended a general wage increase of 2% on July 1, 2005 and an equity adjustment of 2% on January 1, 2006 for Town employees who are not covered by collective bargaining agreements.

The Board approved the reclassification of the existing positions of Highway Supervisor, Payroll Administrator, Tree and Parks Supervisor, Building Maintenance Supervisor and Sewer Supervisor. The Board approved position descriptions for the following positions: System

Analyst, Deputy Harbormaster, Assistant Conservation Officer and Park Ranger/Maintenance position descriptions. In addition, title changes for and reclassification of existing positions creating the titles of Assistant Town Administrator and Information Systems Manager were approved. The Board approved the hiring of six people at salaries above the minimum step for the positions involved because of their background and considerable expertise. These positions are the Fire Chief, Deputy Fire Chief, Payroll Administrator, Assistant Superintendent of Public Works, Human Resources Director and Treasurer/Collector.

Other issues addressed by the Board included the adjudication of union grievances relating to overtime pay and injury leave that were not satisfactorily resolved at the Department Head level. The Personnel Board worked with the various Department Heads in addressing six vacation carry-over requests, two sick leave extension requests and one eight-day leave of absence request.

RECOMMENDATIONS FOR CHANGES TO THE PERSONNEL BY-LAW

The Personal Board recommends that the Town, at the 2006 Annual Town Meeting, amend the Personnel By-law, effective July 1, 2006, so that as amended and restated it will be in the form on file in the Town Clerk's office immediately preceding Town Meeting as Appendix A to this report. Under the proposed amendments, the By-law would be changed in the following substantive aspects, all resulting from actions taken by the Personnel Board since the 2005 Town Meeting:

1. Amend Section 14. Vacation:

By adding the following sentence at the end of sub-section c. The carried over vacation time must be used by July 1 the following year.

2. Amend Section 15. LEAVES OF ABSENCE:

By replacing the word 'Workmen's and replacing it with 'Worker's' in sub-section a. (2.)

3. Amend Section 16. SICK LEAVE:

By replacing the word 'Workmen's' and replacing it with 'Worker' wherever it appears in the paragraph.

4. Amend Section 28. PROBATIONARY PERIOD:

By adding the following sentence to the end of the paragraph: Department Heads must submit a performance evaluation to Human Resources not less than fifteen (15) days prior to the expiration of the probationary period.

5. Amend Section 15. (a-7) LEAVES OF ABSENCE:

By substituting the last three sentences with: Leave under this act may be taken intermittently or on a reduced leave schedule of no less than two hours each time. An employee may elect to substitute their vacation and personal leave.

6. Amend Section 17 (a) PERSONAL DAYS:

By deleting the first sentence and substituting "35-40" for the number "35" before the words "hour workweek" in the first line of the schedule.

PERSONNEL BOARD

Michael J. Puzo, Chairman

James E. Claypoole

Nelson Ross

Marie Harris

William D. MacGillivray

REPORT OF THE SCHOOL COMMITTEE

The FY '07 budget process was guided by the following principles that were adopted by the School Committee in fall 2005:

- The budget will support the highest quality educational programs and services possible, while reflecting the uniqueness of financial needs in certain areas and acknowledging available fiscal and physical plant resources.
- The budget will continue to include funding for proposed curriculum development initiatives, recommended instructional resources, and enhanced programs and support services that both will meet student needs and improve our school system.
- Recommended staffing levels will be adjusted to reflect enrollment changes so that reasonable class sizes can be maintained or improved and, as a result, the same level of services can be assured.
- Funding for professional development for all staff and supervision and training for new staff will reflect Massachusetts Department of Education mandated training, federal "No Child Left Behind" requirements, and the district's goal of highly qualified and adequately supported faculty.
- Salary adjustments, including step increases, degree level changes, and other contractual obligations, will be included in the salary portions of the budget.
- Funding for state and federal mandates, including those related to the Massachusetts Education Reform Act, special education laws, "circuit breaker" legislation, and federal "No Child Left Behind" legislation will be incorporated into the budget.
- Maintenance of and capital improvements to the school buildings and the need for expanded space will continue to be approached in a thorough and systematic manner. Accordingly, the budget will support such maintenance and both short and long-term space planning.

The initial FY '07 budget that was recommended by the administration to the School Committee in December 2005 was in the amount of \$32,025,378. It was designed to maintain the existing level of services including class size ratios and to address several other needs such as for an additional special education teacher at the middle school, funding for the first phase of the elementary mathematics adoption, support specialist staffing, expansion of foreign language to grades 3 through 5, funding for additional interscholastic sport teams at the high school, and the addition of a second summer transition program class for "at risk" kindergarten students. By the end of the budget season, adjustments based on new information and administration proposed reductions reduced the size of the original request by more than \$413,000. The latter cuts were made reluctantly but did not significantly compromise the School Committee's advocacy for a strong academic program and its goal of protecting the past gains, particularly in the area of class size and support programs, that the community has funded over the past several years.

On March 13, 2006, the School Committee adopted a FY '07 operating budget of \$31,611,897 and a capital budget of \$353,000. On March 7, 2006, the Board of Selectmen and the Advisory Committee had each unanimously approved those operating and capital budget amounts.

Over the past ten years, school enrollment has grown by approximately 500 students. A combination of factors, including enrollment growth, reduced class size averages, and the need for additional smaller group spaces for specialized programs, has resulted in all of the elementary schools and the middle school being now at peak capacity.

In late spring 2005, the Town Meeting funded School Facility Study Committee was appointed and began its work. Architecture Involution (Ai3) was hired to work with the Committee to develop options for a ten-year Master Plan to accommodate anticipated growth and other programmatic and physical plant needs. In January 2006, the School Facility Study Committee presented its report to the School Committee which subsequently adopted "Option 1", a plan that called for the building of a new elementary school on the East School site, significant renovations and an addition to the middle school, and modest renovations to Plymouth River and Foster. This proposal includes over \$7 million in school capital projects that were previously identified in the town-wide five-year capital plan. The Selectmen and Advisory Committee were unanimous in their support of a School Committee requested Town Meeting 2006 warrant item to appoint a building committee and to appropriate \$1.7 million for design costs for the recommended option.

Despite the economic realities that limit fiscal resources, the School Department continues to be challenged to do more with constrained resources. Increasing state accountability measures, including Massachusetts curriculum frameworks alignment, MCAS related expectations, and a growing number of required databases, reports, and plans, have been compounded by the mandates related to the educational reform provisions of the federal "No Child Left Behind" legislation.

The resources required for special education services, particularly in the area of tuitions and related transportation continue to grow at a rate that outpaces other sections of the budget. State funding, emanating from the "circuit breaker" legislation, increased significantly for FY '06 and is expected to be only slightly less in '07. Certain costs, such as transportation, are not currently reimbursable under this program. Overall, the number of special education students has not increased significantly, but the number of students with multiple and complex disabilities, mental/emotional health issues, and behavioral disorders has increased at a rate disproportionate to the overall enrollment. The financial resources that are necessary to accommodate those needs represent a growing percentage of the annual budget.

As is the case with other town departments, fuel and utility costs increased significantly in FY '06, and the FY '07 budget reflects these increases.

But there is good news about enhanced school offerings and improved support services and also about the achievement of Hingham students, both in the academic realm and in sports, performance, and community service arenas.

Hingham students continue to perform exceptionally well on standardized tests. The combined SAT I score for the HHS Class of 2005 was tied for the highest score ever at 1160. Thirty-nine percent of last year's seniors took one or more Advanced Placement tests and 97% of their Advanced Placement scores were at 3 or higher. A large percentage of Hingham students at all levels scored at the proficient or advanced levels on their most recent MCAS tests, and all five

schools earned the Massachusetts Adequate Yearly Progress (AYP) designation based upon their spring 2005 MCAS test results. All students in the HHS Class of 2005 earned a state certified diploma.

Ninety percent of the college bound seniors from the Class of 2005 intend to continue their education at four (84%) or two-year (6%) colleges and universities. Academic accomplishments of the HHS Class of 2005 include: two National Merit semifinalists, four commended students, 43 Advanced Placement Scholars, and 53 members inducted into the National Honor Society.

During the winter 2005-2006 season, the Hingham High School boys hockey team qualified for the Super 8 for the fifth successive year and the second-year HHS girls hockey team qualified for tournament play. In the spring of 2005, the girls and boys track teams were undefeated Patriot League champions, and the fall 2005 boys soccer team earned the Patriot League championship for the third year in a row. Boys and girls basketball teams both qualified for 2006 state tournament play.

Capital improvements and building renovations and additions have provided a sound infrastructure for educating our students. Hingham residents can be proud of their schools and also of their own support in realizing the many improvements that have been made over the last decade, however, change and growth require ongoing efforts. We are all pleased that community pride, a desire to maintain past gains, and the spirit of collaboration and cooperation that have traditionally marked budget process deliberations and discussions will allow us to continue to provide educational excellence for the children of Hingham.

HINGHAM SCHOOL COMMITTEE

Linda Hill, Chair
Chrisanne Gregoire, Vice Chair
Stephen Nagle, Secretary
Esther Healey
Kristin Parnell
Arthur Shabo
Christine Smith

SUPERINTENDENT OF SCHOOLS

Dorothy Galo

TALENT BANK APPLICATION

**BOARD OF SELECTMEN
TOWN HALL
210 CENTRAL STREET
HINGHAM, MA 02043-2757**

FAX 781.741.1454

Date _____

Name _____

Home Address _____

Business Address _____

Telephone _____ (Home) _____ (Business)

Fax _____

E-mail _____ (Home) _____ (Business)

Occupation _____

Educational Background _____

Civic, Charitable and Educational Activities

Town Committees or Offices _____

I am interested in the following Committees: _____

With the Greenbush Rail Service scheduled to begin in 2007 the Hingham Police & Fire Departments offer the following safety information on grade crossings.

Operation Lifesaver presentations are being presented by the Hingham Police Department. Presentations will be provided at Town Hall with dates and times listed in the Hingham Journal. To schedule this safety program for your civic group contact, Sgt. Mike Peraino at 781-749-1212

KEY SAFETY TIPS
At
HIGHWAY-RAIL
GRADE CROSSINGS

WARNING SIGNS AND DEVICES

Public highway-rail grade crossings are places where the roadway crosses the train tracks. They are highway-rail intersections. State highway departments and railroad companies have marked them, for your safety, with one or more of the following warning devices. Learn what they are and watch for them. These warning devices advise you the road crosses train tracks. They alert you to the possible presence of a train.

ADVANCE WARNING SIGNS

The advance warning sign is usually the first sign you see when approaching a highway-rail intersection. It is located a sufficient distance ahead to allow a driver to stop before reaching the crossing. The advance warning sign advises you to slow down, look and listen for the train, and be prepared to stop if a train is approaching.

PAVEMENT MARKINGS

Pavement Markings, consisting of an R X R followed by a Stop Line closer to the tracks, may be painted on the paved approach to a crossing. Stay 15 Feet behind the Stop Line while waiting for a train to pass

CROSSBUCK SIGNS

Crossbuck signs are found on highway-rail intersections. They are yield signs. You are legally required to yield the right of way to trains. Slow down, look and listen for the train, and stop if a train approaches. When the road crosses over more than one set of tracks, a sign below the Crossbuck indicates the number of tracks. Hingham is a one-track line.

FLASHING RED LIGHT SIGNALS

At many highway-rail grade crossings, the Crossbuck sign has flashing red lights and bells. When the lights begin to flash, STOP! A train is approaching. You are legally required to yield the right of way to the train. If there is more than one track, make sure all tracks are clear before crossing.

GATES

Many crossings have gates with flashing red lights and bells. Stop when the lights begin to flash and before the gate lowers across your road lane. Remain stopped until the gates go up and the lights have stopped flashing. Proceed when it is safe.

SAFETY TIPS

1. Trains do not travel on predictable schedule; schedules for passenger trains change. Always expect a train at every highway-rail intersection.

2. Do not get trapped on a highway-rail crossing. Never drive onto a railroad crossing until you are sure you can clear the tracks on the other side without stopping.
3. If the gates are down, the road is closed. Stop and wait until the gates go up and the red lights stop flashing.
4. When you are at a multiple-track crossing and the last car of the train passes by, stay alert. Before crossing, look and listen carefully for another train on another track, coming from either direction.
5. If your vehicle stalls at the highway-rail intersection, get everyone out and get far away from the tracks immediately. Then, call 911 to report the emergency situation.
6. Racing a train to a highway-rail intersection is a fool's game. If you lose, you may never have a second chance.

DRIVER AWARENESS

WATCH FOR VEHICLES THAT MUST STOP

Be prepared to stop when following buses or driving behind trucks with hazardous materials placards. Federal regulations and the laws of most states require them to stop at every highway-rail intersection, unless advised by appropriate signs.

BEWARE OF THE OPTICAL ILLUSION

You cannot accurately judge a train's speed or distance. Do not take chances. An optical illusion makes a train seem farther away and moving more slowly than it is. Do not take chances.

TRAINS CAN'T STOP QUICKLY...YOU CAN

After fully applying the brakes, a loaded freight train traveling 55 mph takes a mile or more to stop. A light rail train can take 600 feet to stop, and an 8-car passenger train traveling 80 mph requires about a mile to stop.

BE ESPECIALLY ALERT AT NIGHT

At night, judging speed and distance is particularly difficult. Be very cautious.

NOTES

www.hingham-ma.gov