

TOWN OF HINGHAM



WARRANT for the **ANNUAL TOWN MEETING**

Saturday, April 30, 2022 at 2:00 P.M.

**(Rain Dates: Sunday, May 1, 2022 at 2:00 P.M. outdoors
and Monday, May 9, 2022 at 7:00 P.M. indoors)**

**Hingham High School Multi-Purpose Athletic Field
17 Union Street, Hingham, MA**

and

**REPORTS
of the**

**Advisory Committee
Capital Outlay Committee
Planning Board**

**Select Board
Personnel Board
School Committee**

Please bring this report to the meeting for use in the proceedings

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

Welcome to the 2022 Hingham Town Meeting. In our commitment to open town meeting, Hingham remains true to a wonderful tradition – of vesting in each citizen both voice and vote, enabling all of us to play a pivotal part in the work of our town and in shaping its future. Town meeting is not only a gathering of citizens to consider matters of common concern; it is the legislative body of the town. As such, the meeting must be conducted in a fair and open manner and in accordance with the Town By-laws, as well as traditions that we have followed in Hingham town meetings for many years. Several matters of procedure are summarized below.

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

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

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

April 2022

Michael J. Puzo
Moderator

REPORT OF THE ADVISORY COMMITTEE

In its preparation of the FY23 budget, the Advisory Committee confronted another year of challenges due to the protracted COVID-19 pandemic and ongoing structural deficits in both the municipal and education budgets, similar to the unusual and challenging budget process of FY22.

Impact of FY22 Budget on Development of FY23 Budget

The FY22 budget was structured to address the challenges due to the effects of the COVID-19 pandemic (decrease in revenue, and student learning loss), as well as increased needs in the municipal and school departments. In addition to the usual revenue sources, the FY22 budget relied on approximately \$5 million in one-time funds coming from a combination of \$2.6 million in federal stimulus funds and \$2.4 million from Unassigned Fund Balance (also known as Available Reserves or Free Cash). During the discussion and preparation of the FY22 budget, the Town recognized the need to develop an ongoing revenue source to continue to fund the 36 positions added in FY22 and to meet the ongoing level of services appropriate to the needs of the citizens.

The Town formed a Sustainable Budget Task Force (SBTF) in September 2021 to explore revenue growth and expense control options with a goal of providing a framework for a sustainable budget that sought to reconcile available revenue with the level of services requested by citizens. The SBTF reported its findings to the Select Board on February 1, 2022. The SBTF recommended the use of one-time funds to balance the budget for FY23, with an override in FY24 to reset Town revenues. The SBTF felt that the Town should not seek an override to balance the FY23 budget based on a number of factors, including that the School Department is conducting a strategic planning process and staffing audit, the significant leadership change in the Hingham Public Schools with the hiring of a new Superintendent and new Director of Business and Support Services, the availability of federal funds, the continuing effects of the pandemic, and, finally, the inadequate time for the community to consider and assess the implication of an override. The decision whether to seek an override is a function of the Select Board.

Budget Development for FY23

Budget development for FY23 saw concerns related both to ongoing effects of the pandemic (student learning loss) and to structural deficits in the municipal and the school budgets. The additional positions and services added to the FY22 budget remain critical to maintaining a level of services to continue addressing learning loss and necessary Town services. Therefore, it was not recommended that any of the additional positions and services added in FY22 be removed from the FY23 budget, and that the budget process begin with a level services recommendation. However, since the FY22 budget relied on one-time funding sources, the FY23 level services budget process began with a sizable deficit.

Remaining federal relief funds from the American Rescue Plan Act (ARPA) were budgeted to provide additional aid, and the balance would come from excess Unassigned Fund Balance to address one-time revenue and expense losses and the needs of the Town for funding permitted by the Financial Policy relating to the use of excess Unassigned Fund Balance, including capital investment, retirement of debt, and tax relief. The Town's FY23 budget is a level services budget that seeks to address the ongoing effects of COVID-19 within the confines of the Town's current financial resources. The budget is balanced with \$3,785,882 in one-time sources: \$1,856,617 in federal stimulus funds and \$1,929,265 from Unassigned Fund Balance, with the possible additional use of \$400,000 in federal Elementary and Secondary School Emergency Relief (ESSER) funds in the control of the School Committee.

In developing the proposed FY23 budget, the Advisory Committee deliberations included five important considerations: (1) delivery of necessary and expected Town services in the most cost-effective manner possible; (2) addressing the capital and infrastructure needs of the Town; (3) the effect of the Committee's recommendations on property taxes; (4) maintenance of the Town's Aaa bond rating; and (5) impact on the starting deficit of FY24 of adding any additional requests above level services. Following the onset of

the COVID-19 pandemic and its related revenue impact, the Advisory Committee, in its normally scheduled triennial update of the Town's Financial Policy, updated its recommendation on the use of excess Unassigned Fund Balance under emergency circumstances which impact the Town's operations and resources.

The Select Board, Personnel Board, and School Committee continue to work diligently to ensure that Town employees are compensated fairly. Management of personnel expenses is critical, as employee payroll accounts for such a large percentage of the Town's total budget. In 2021, the Personnel Board conducted the first comprehensive review of the non-union wage and classification system in 20 years. This study affected the salaries of about 85 permanent employees, for which equity adjustments, plus salary adjustments were made. In FY22, the Town also negotiated new collective bargaining agreements with four municipal unions, which included salary increases, mostly in the form of a 3% annual general wage increase and equity adjustments. These adjustments and contracts re-aligned municipal employee compensation with the Town's personnel approach to compensate just above the median of our 20 benchmark communities. These compensation adjustments are reflected in the 8.44% growth of the level services FY23 municipal budget request as compared to FY22.

All FY23 budget requests have been closely scrutinized by each department head, the Town Administrator, the Assistant Town Administrator for Finance, the Town Accountant, the Select Board, and the Advisory Committee. Each department presented a level services budget, and some departments also included additional requests for funding.

The Advisory Committee's detailed review of municipal budgets revealed that municipal departments had lean operations and did have advisable additional needs. The Town Administrator identified \$893,662 of additional requests, some of which have been requested and unfunded for multiple budget years. Due to consideration that any recurring positions added to the FY23 budget would then carry over as part of level services into FY24, therefore increasing the amount of the potential override amount in FY2024, the Advisory Committee felt that most of these requests did not rise to an emergency level to justify the addition.

However, two expense items were added to the Select Board budget and the Elections budget: a one-year Sustainability Coordinator contract position (shared with the Town of Cohasset, with a 2/3 share for Hingham and a 1/3 share for Cohasset) for \$48,000, and a voting poll pad for \$1,875 required for the new voting precinct added to the Town as a result of population change identified by the 2020 Census. The Sustainability Coordinator expense may be reimbursed to the Town by a pending earmark request for funding from the state budget, and the grant funding that would be identified and sought by this Sustainability Coordinator has the potential to bring needed revenue to the Town. Including these two additional requests, plus the adjustment in salaries of Town employees, the municipal budgets increased from \$29,916,363 in FY22 to \$32,491,592 in FY23, an increase of 8.61%.

The effects of the COVID-19 pandemic and year of remote learning continued to pose significant difficulties for the Hingham school community. Review of the education budget request revealed that the school department has advisable additional needs, some of which have been requested and unfunded for multiple budget years. The School Administration proposed a budget which increased education spending by \$850,609 or 1.43% over FY22 levels for a total FY23 request of \$62,677,112. However, that requested amount was net of a decrease of \$1.3 million in out-of-district tuition costs for special education. Accounting for that adjustment, the growth of the proposed school budget was 3.74%. Due to consideration that any recurring positions added to the FY23 budget would then carry over as part of level services into FY24, therefore increasing the amount of the potential override amount in FY2024, the Advisory Committee felt that any additional requests to the education budget did not rise to an emergency level to justify the addition.

The Advisory Committee has closely considered the Town's resources, including a contribution from the Town's substantial excess Unassigned Fund Balance to close the FY23 revenue gap between the recommended budget and the updated forecast. Based on that review, the Advisory Committee believes that, with the use of excess Unassigned Fund Balance, there is sufficient revenue to support the proposed FY23 budget. As discussed further below, the Town's Financial Policy calls for the Town to maintain an Unassigned Fund Balance of between 16% and 20% of Total Annual Expenditures (TAE). At the end of FY 2021 (the most recently completed fiscal year), Unassigned Fund Balance was \$34,346,478, which equaled 30.85% of TAE. Approximately \$12,083,036 of that amount is above the upper bound of the Financial Policy. FY 2021 was the seventh year in a row that the upper bound of 20% was exceeded. In essence, Unassigned Fund Balance is a "rainy day" fund. Accordingly, the Advisory Committee believes it is appropriate to use a portion of Unassigned Fund Balance to address the current financial situation. The Advisory Committee believes that careful consideration of any further use of excess Unassigned Fund Balance (i.e. the amount above the 20% upper bound of the Town's Financial Policy) at a level that would reduce Unassigned Fund Balance to a level below the 20% limit would require most careful consideration.

Recognizing the substantial sum of excess Unassigned Fund Balance, the Town has begun to plan for the use of these funds in a manner consistent with the Town's Financial Policy, which recommends applying those funds towards unfunded long-term liabilities, long-term and non-recurring capital expenditures, retirement of debt, or targeted tax relief. With the new Foster Elementary School rebuild and a new Public Safety Facility on the near horizon, the Town is contemplating using \$7 million of excess Unassigned Fund Balance to blunt the spike in the resulting tax increases to pay for these large capital projects in the first three years of long-term debt service payments. In addition, two capital outlay projects in two 2022 Annual Town Meeting Articles would use an additional \$3,094,000 of Unassigned Fund Balance (see "Capital Outlay" section).

Even before the arrival of the pandemic, balancing the budget was a challenge. As has been true for some time, revenue growth had not been keeping pace with increases in expenses needed to maintain level services and meet demands for new services. The Advisory Committee thanks the SBTf for its study of revenue growth and expense control options, which has been a critical first step in long-term financial management planning.

The Town's FY23 TAE (Articles 4, 5, and 6 minus items that are financed by user rates/charges from the South Shore Country Club, Weir River Water System, and sewer operations) will increase 2.82% over the FY22 TAE, and the Town's FY23 Operating Budget (TAE minus employee benefits and debt service) will increase 3.00% over the FY22 Operating Budget. These increases are primarily due to wage growth, as personnel expenses represent 78.25% of the Town's Operating Budget.

The increase in expenditures for FY23 will be funded by a 2.5% increase in the tax levy, estimated new growth of approximately \$650,000, and a contribution from Unassigned Fund Balance to offset increased municipal and education expenses.

The budget presented for Town Meeting consideration includes a base of "level services" budgets, i.e., FY22 service levels adjusted for FY23 costs, as well as the limited additional request of two municipal expenses for a total of \$49,875. While the Town has sufficient resources to maintain service levels for FY23 due to federal aid and healthy Fund Balance, the use of one-time revenue is not sustainable, and the Town needs to reconcile revenues with expenses through an override.

Potential Override for FY24

In reaching its recommendation, the Advisory Committee gave careful consideration to both the need for an override and the amount of that override, necessary to reset revenues to match expenses. The final

FY23 Forecast shows an initial projected FY24 deficit of \$5,354,461. Any additional spending in this FY23 proposed budget would increase the amount of the projected override in FY24. For a variety of reasons set forth in its excellent report to the Town, the SBTF did not recommend an override for the FY23 budget and instead recommended the Town once again rely on one-time revenue to balance the budget. The use of one-time revenue is not sustainable, and the Town needs to reconcile revenues with expenses through an override. While the SBTF identified several potential revenue options, they are insufficient to meet the near-term budgetary needs and it is expected that an override will be placed before the citizens at the 2023 Annual Town Meeting and 2023 Annual Election. At that point, citizens will have the opportunity to approve an increase in taxes to permanently fund the level of services they desire. If insufficient revenue is raised, then the Town will have to reduce expenditures to match revenues. This action would include reducing staff and services.

The Five-Year Forecast shows a deficit of \$5,354,461 for FY24 and higher deficits in each succeeding year. The projection of these deficits is based on an assumption of 2.00-3.00% growth in salaries and 2.00% growth in expenses. If historic rates of growth were used the projected deficits would be substantially higher. The return of inflation, especially with respect to fuel costs, is also a concern, as those expenditures in FY24 may be substantially higher.

The School Administration and School Committee have undertaken a strategic planning process in FY22. One of the objectives of this plan will be to identify more efficient ways to use resources so as to restrain growth in the education budget. The Town will also be exploring efficiencies to restrain growth in municipal expenditures.

An override is a permanent tax increase that is sometimes needed to reset the fiscal needs of a community. Simple math indicates that when revenue growth is less than spending growth the balancing of a budget is not sustainable. Due to limitations within Proposition 2 ½, the property tax levy is restricted to a 2.5% annual growth rate, plus new growth. The Town has been fortunate in recent years that strong, large-scale developments (Shipyard, Derby Street Shops, Broadstone Bare Cove) have bolstered revenue and enabled the Town to meet expenses which often exceed the growth rate of the tax levy due to personnel costs, unfunded mandates, structural deficits, and other expenses. Proposition 2 ½ provides a mechanism for communities to address the issues caused when revenues fail to keep pace with expenses. Over time, and without ongoing and substantial new growth, expenses, such as wages, utilities, and health care, can exceed the rate of revenue growth contained within Proposition 2 ½. When this happens, communities can elect to increase taxes via an override. The override allows voters to permanently increase their taxes in order to provide the services that they feel are necessary to maintain their community and the services and amenities they value. If an override fails, the community must then reduce expenses and services to match the level of available revenues.

The FY23 budgets differ from the FY22 budgets as listed in the table below. This includes Articles 4, 5, and 6 (excluding the Sewer, Weir River Water System, and South Shore Country Club budgets, which are funded by user rates/charges).

	<u>FY22</u>	<u>FY23</u>	<u>% CHANGE</u>
Municipal Departments:	\$29,916,363	\$32,491,592	8.61%
School Department:	\$61,792,079	\$61,826,503	0.06%
Capital Outlay:	\$2,500,168	\$2,698,498	7.93%
Employee Benefits:	\$15,320,416	\$15,619,743	1.95%
Debt Service:	\$5,707,376	\$5,835,331	2.24%
Insurance and Incidentals:	<u>\$1,028,087</u>	<u>\$1,114,464</u>	8.40%
TOTAL	\$116,264,489	\$119,586,131	2.86%

The FY23 budgets presented to Town Meeting do not reflect the full amounts identified by all departments for services they deem necessary. The Advisory Committee believes that the proposed budget recommendation is prudent, given the lack of recurring revenue available to fund a level services budget carried over from FY22. This total budget amount includes only \$49,875 of one-time additional expenses that are only part of the FY23 budget, and it does not include any of the remaining \$1,694,396 in additional spending requested in the FY23 budget process. While the exact amount of needed additional spending will change over the next 14 months, the need for an override in FY24 will persist.

If adopted, the proposed FY23 budget will result in a tax increase to the average homeowner of approximately \$315.39 or 2.94%. (Note: Does not include Community Preservation Act Tax surcharge or any assumptions of increase in property values; this includes the 2.5% levy increase, new growth, and excluded debt.)

Budgeted expenditures for employee benefits in FY23 are \$299,327 more than FY22 based on increases in retirement costs and health insurance. Health insurance expenses are projected to increase by 6.25%, down from prior forecasts of 10% over FY 2021 actuals. This results from favorable experience since switching to a new health insurance plan in FY 2018. (The Town is in its fifth year with the State Group Insurance Commission Plan.) Health care expenses for active and retired employees, though, are budgeted to increase at a rate of 10% per year in the future, creating a significant long-term issue. The Town had a full valuation of its Other Post-Employment Benefits (OPEB) liability as of June 30, 2020 and has budgeted an OPEB contribution of \$1,289,173 for FY23. This is up \$21,606 over FY22.

Budgeted debt service has increased by \$127,958 due to the current set of BANS (Bond Anticipation Notes) now requiring a paydown of principal. The expectation is that new capital needs will require significant future borrowing. In recent years, the Town has made an effort to ensure that the savings for non-excluded debt capacity are not incorporated into the operating budget. While these funds are being tracked in a reserve account in the General Fund, starting in FY23 and beyond, no amount has been budgeted for unused non-excluded debt capacity.

The Advisory Committee monitors the ratio of the Town's Unassigned Fund Balance to the Town's Total Annual Expenditures. This is a key metric of fiscal health and effective management in evaluations by all three bond-rating agencies. The Town's Aaa bond rating provides the Town access to debt markets when other potential borrowers (with lower bond ratings) are unable to find purchasers for their riskier debt. The Aaa bond rating also means the Town can secure the lowest possible interest rates for its bond offerings, resulting in lower debt-service costs funded by property taxes. The availability of debt at reasonable rates is a key component of the Town's financial assumptions. The resulting debt service costs at lower-than-projected levels also reduce the tax burden for Hingham households. As discussed above, Unassigned Fund Balance is expected to remain above the upper bound of the Town's Financial Policy notwithstanding its use to address the COVID-19 revenue shock.

The Town has been committed to providing for its ongoing capital needs primarily within the tax levy or operating budget of the Town. Rebounding from a low in capital spending in FY 2010, there has been a steady increase in capital funding through the capital outlay process. Working with the Capital Outlay Committee, the Advisory Committee continues to balance the need to repair and replace capital items before such costs become unreasonable.

The Town has a number of large capital projects that will require analysis and potential funding. These projects include the reconstruction of Foster Elementary School, a new Public Safety Facility (consisting of a new police headquarters and a new North fire station), a new Town pool at the South Shore Country Club, potentially an additional fire station, renovation and expansion of the Senior Center, possible renovations of the Library and Town Hall, and harbor repairs and improvements to prepare for sea level

rise. The Town will need to consider how these projects may affect the Town's financial position. The use of Unassigned Fund Balance to support the FY22 and FY23 budget obviously will influence whether, when and how some of these projects can be undertaken.

FINANCIAL POLICY CONFORMANCE

Expenditures in the proposed FY23 budget conform to the Town's Financial Policy guidelines as follows:

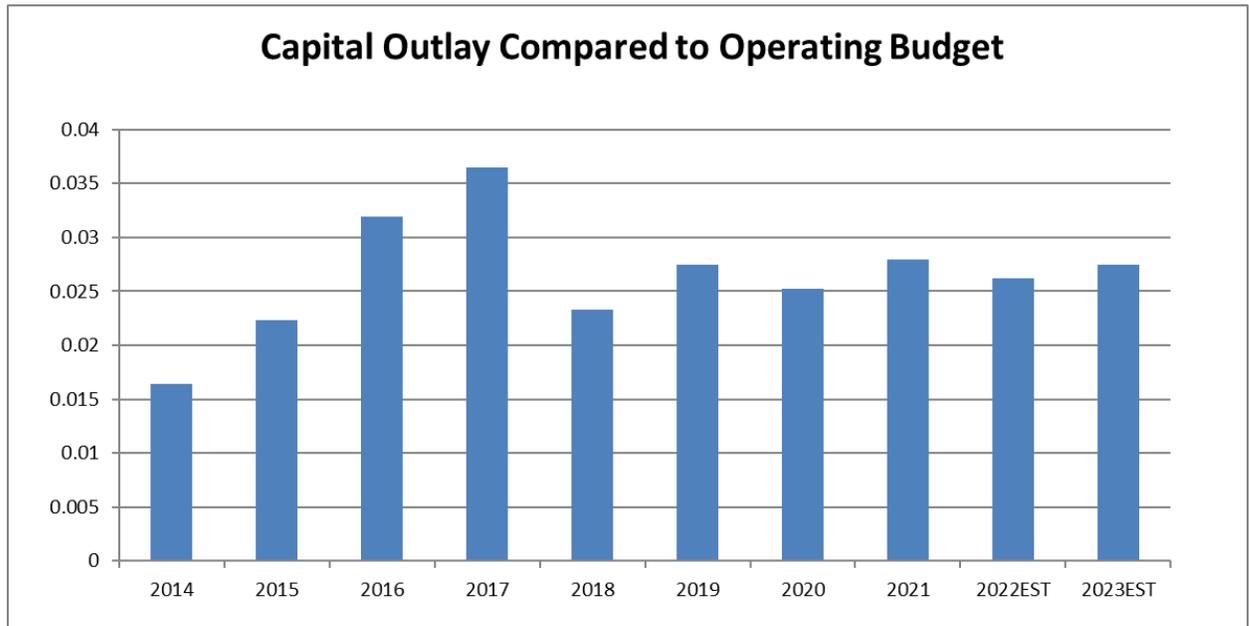
Unassigned Fund Balance between 16% and 20% of Total Annual Expenditures (TAE)

- Fund Balance, also known as Available Reserves or Available Funds or free cash, is the accumulation of each year's actual surpluses and deficits. In accordance with the implementation of GASB 54, Fund Balance is classified into five categories: Nonspendable, Restricted, Committed, Assigned, and Unassigned.
- Total General Fund Fund Balance has increased from 8.9% of TAE at the end of FY 2009 to 42.94% at the end of FY 2021 (the most recently completed Fiscal Year). As of the end of FY 2021, total General Fund Fund Balance equaled a historic high of \$47,796,707. The amount "reserved" for particular future uses (per GASB 54) is \$13,450,229 (28.14%).
- Per the Town Financial Policy, the Town should maintain an Unassigned Fund Balance at a level no less than 16% and as high as 20% of TAE with a view to maintaining this level in the upcoming years.
- As of the end of FY 2021, Unassigned Fund Balance equaled \$34,346,478 or 30.85% of TAE. As of the end of FY 2020, this dollar amount was \$30,146,446, and the ratio was 25.30% of TAE.
- The Advisory Committee recommends the use of up to \$3,785,882 of Unassigned Fund Balance to continue level services carried over from FY22, plus two additional expenses of \$49,875 total, and to use excess Unassigned Fund Balance as permitted by the Town Financial Policy. As mentioned above, this use of Unassigned Fund Balance is expected to be offset by the receipt of federal ARPA and possibly ESSER funds. Moreover, two Warrant Articles under consideration by the 2022 Annual Town Meeting seek funding from Unassigned Fund Balance, in amounts of \$864,000 (Tennis Court reconstruction at Hingham High School) and \$2,230,000 (Fire Department large capital needs).

Capital Expenditures between 3% and 6% of the Operating Budget

- Per the Town Financial Policy, the Capital Plan for any Fiscal Year should budget an expenditure amount that is between 3% and 6% of the Town's Operating Budget for that Fiscal Year.
- For FY23 the Capital Outlay budget (excluding borrowing and Sewer, Water, Recreation, and South Shore Country Club capital, which are funded from user rates/charges) is \$2,698,498. This amount is 2.75% of the FY23 Operating Budget.
- Note that the Advisory Committee recently conducted its triennial review of the Town's Financial Policy and increased the Capital Expenditures percentage range of the Operating Budget from between 2% and 5% to between 3% and 6%. With this update, the FY23 capital spending amount fell below the new recommended range. The Advisory Committee recognizes the importance of

increasing capital funding and recommends that the FY24 amount increase in order to fall within the recommended range.



- For FY23, the Capital Outlay Committee (COC) reviewed and evaluated departmental capital requests using the following six criteria:
 - If lack of the particular capital item puts citizen/employee safety at risk.
 - If the capital item is broken.
 - If the capital item is core to the department's mission, i.e., the department could not function without it.
 - If the capital item is still functional, but repairs are required that would cost 25% or more of the new item purchase price.
 - If the capital item is substantially beyond its originally projected useful life and its failure would jeopardize performance of the department's overall mission.
 - If the cost of the capital item can be recovered in three years or less.
- The COC received initial capital requests of \$8,279,560. Of that total request, \$5,185,560 was requested to be funded from the tax levy. The COC recommended a FY23 capital budget of \$2,698,498, with funding sources which may include excess Unassigned Fund Balance, excess overlay and/or the tax levy. The COC recommended a capital budget of \$100,000 for the South Shore Country Club (SSCC) and \$65,000 for the Recreation Commission, both of which are funded by user fees, \$485,000 for Sewer-related projects to be paid by Sewer rate payers and \$82,500 for the Weir River Water System (WRWS) to be paid by Water rate payers. In addition, \$125,000 of FY23 capital requests for the Harbormaster will be funded from the Municipal Waterways Improvement and Maintenance Fund.
- The COC continues to call for adequate funding throughout the term of the Five-Year Capital Plan, including consideration of the targeted use of debt to address major capital expenditures.
- In addition to the \$2,698,498 COC recommendation, the Advisory Committee recommends in separate Warrant Articles:
 - That the Town borrow up to \$3,993,600 for the windows project at the Plymouth River School.

- That the Town borrow up to \$3,128,912 for pre-construction funds for a new Foster Elementary School
- That the Town borrow up to \$1,585,380 for pre-construction funds for a Public Safety Facility
- That the Town borrow up to \$815,000 for additional funds for a Maintenance Facility at the SSCC (debt service to be paid by SSCC enterprise fund)
- That the Town borrow \$5,400,000 for WRWS capital projects for FY22 and FY23 (debt service to be paid by the WRWS enterprise fund)
- That the Town borrow up to \$8,000,000 for the construction of a Town pool at the SSCC (debt exclusion which if approved by 2022 Annual Town Meeting and at the ballot, the debt service will be paid by additional taxes for the life of the bond)
- That the Town appropriate \$550,000 from the Community Preservation General Fund for a portion of the construction costs to replace the defunct outdoor Town pool located at SSCC
- That the Town appropriate out of available funds (Unassigned Fund Balance) \$864,000 for tennis court reconstruction at Hingham High School)
- That the Town appropriate out of available funds (Unassigned Fund Balance) \$2,230,000 for Fire Department large capital needs
- That the Town appropriate \$289,815 from the Community Preservation General Fund to be used by the Hingham Recreation Commission to reconstruct the hockey court at Cronin Field.

All of this spending and borrowing is subject to approval by 2022 Annual Town Meeting.

Reserve Fund of Approximately 0.75% of the Operating Budget

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

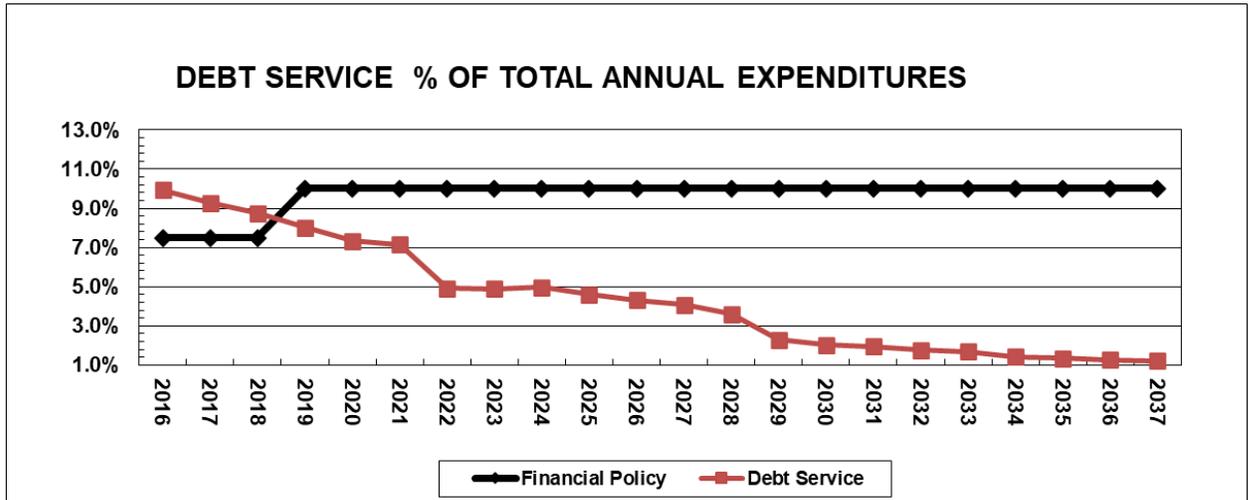
In FY 2021, Reserve Fund transfers were made as follows:

<u>DEPARTMENT</u>	<u>AMOUNT</u>
Property & Liability Insurance	\$353,047
Legal Services	\$665,185
Town Meeting	\$45,000
Snow & Ice	\$11,597
Emergency Water Service	\$11,277
FY 2021 TOTAL APPROVED TRANSFERS	\$1,086,106

- Unexpended funds (if any) in the Reserve Fund for a Fiscal Year are returned to Fund Balance effective at the end of that Fiscal Year.
- The proposed amount for the FY23 Reserve Fund is \$709,291. This is 0.72% of the Operating Budget.

Average Annual Debt Service Percentage of TAE

- Per the Town Financial Policy, the Town should maintain average annual debt service (repayment of principal and current interest for borrowings) at a level equal to approximately 5.0% of TAE, or less, and annual debt service should not exceed 10% of TAE for any extended period of time.
- FY23 debt service represents 4.88% of FY23 TAE – a slight decrease from FY22 (4.91%).
- The graph below shows currently authorized debt only.



- The graph indicates that, assuming no additional borrowing, debt service conformed to Financial Policy beginning in FY19. However, the Advisory Committee notes that the Town is contemplating several projects that could be financed through the issuance of additional debt, namely, the Foster Elementary School and the Public Safety Facility projects and in the 2022 Annual Town Meeting Warrant, a replacement Town pool at South Shore Country Club. It would seem appropriate to have a public discourse on the priority, amount, and timing of these opportunities, giving careful consideration to the effect of future borrowings on the taxpayer and rating agencies.

FY23 PROPERTY TAX RELIEF

- As in previous years, the FY23 budget includes property tax relief for the benefit of all taxpayers. Property taxes for FY23 will be higher than in FY22, but the amount of increase will be less than it would be without certain tax relief measures. The amount of \$178,836 will be transferred from the Stabilization Fund, which contains proceeds from the bond premiums associated with debt refinancing, to lower excluded debt costs. Note that a declining balance in the Stabilization Fund will also affect future tax relief.
- In prior years, the Town chose not to raise taxes to the maximum level (2.5%) thus creating \$500,000 in unused levy capacity. Adoption of the FY23 budget will not create any unused levy capacity as the amount previously designated for unused levy capacity has been designated to fund means-tested property tax relief for seniors starting in FY22.

LONG-TERM FINANCIAL OBLIGATION AND LIABILITY FUNDING

- The FY23 budget recommends funding Contributory Retirement and OPEB (retiree health care benefits) so as not to burden future generations with unsustainable or disproportionate financial

obligations. The FY23 budget includes a Contributory Retirement funding amount of \$5,837,513 and an OPEB contribution of \$1,289,173.

- Further analysis of the OPEB funding level is necessary due to the continual changes in the actuarial assumptions that determine the contribution amount. These assumptions include the impact of future health insurance premiums, longevity, and the future rate of return on the set-aside funds. The Town does a full actuarial valuation of OPEB every two years. As of June 30, 2021, Hingham had funded its OPEB trust with \$23,408,188. Assets are projected to be available to make all projected future benefit payments for current plan members. The next valuation will be done in the fall of 2022. Hingham is far ahead of comparable towns with regard to funding OPEB obligations.

REVENUE SOURCES AND USES

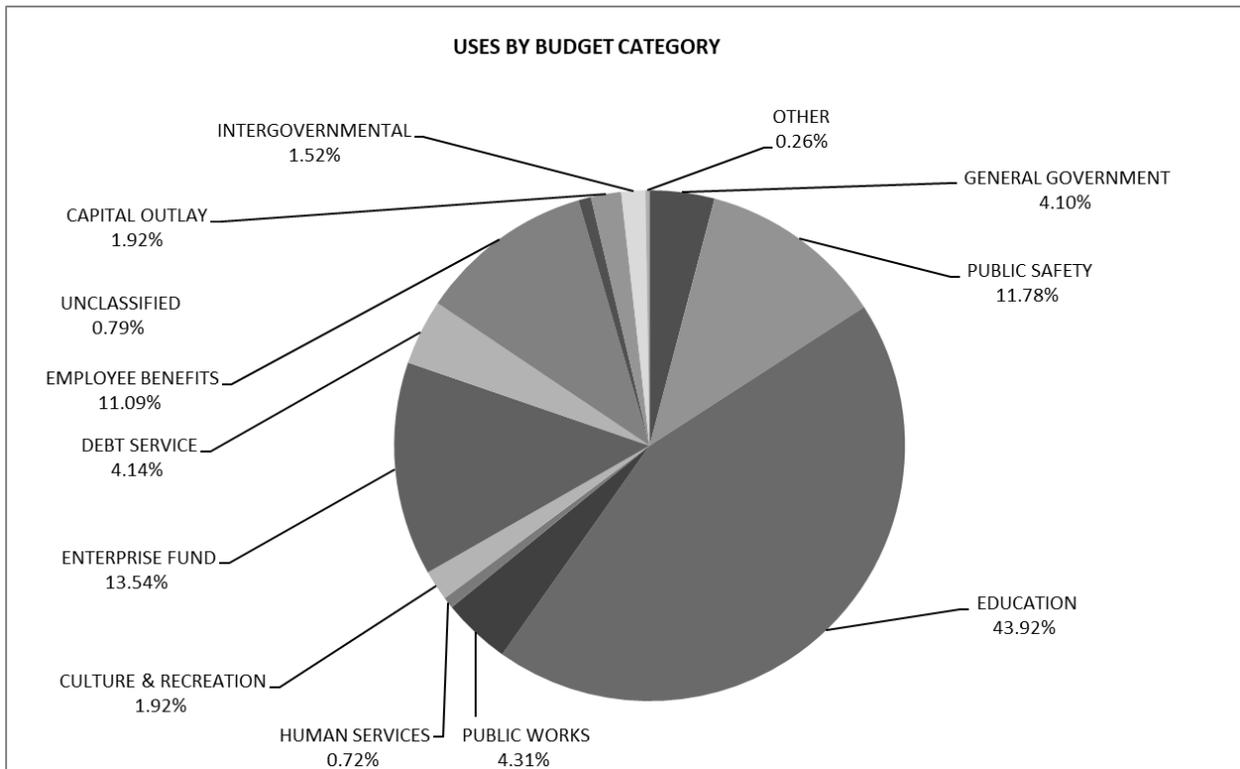
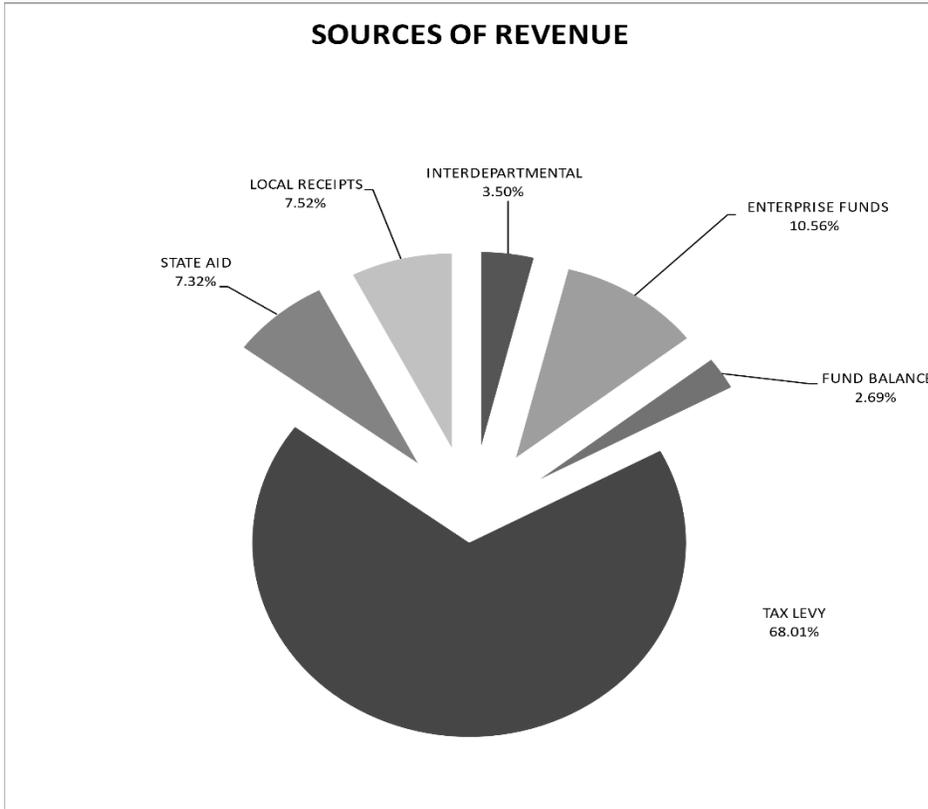
- For FY23, budgeted revenue Uses include Article 4, 5, and 6 appropriations of \$138,643,629 and amounts reserved for State Assessments, Overlay, and Other Expenses totaling \$2,138,439.
- The aggregate budget Uses for FY23 of \$140,782,068 balances to the forecasted revenue sources of \$140,782,068.

	ACTUAL	ESTIMATE	FORECAST	FORECAST	FORECAST	FORECAST	FORECAST
	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
SOURCES							
Tax Levy							
Levy	82,762,765	86,504,900	89,359,594	92,243,583	95,199,673	98,229,665	101,335,406
2 1/2 % increase	2,069,069	2,162,623	2,233,990	2,306,090	2,379,992	2,455,742	2,533,385
New growth	1,676,856	692,071	650,000	650,000	650,000	650,000	650,000
Debt exclusions	3,400,160	3,627,941	3,506,882	3,382,311	3,272,922	3,171,338	3,063,473
Unused Levy Capacity	(500,000)	0	0	0	0	0	0
Uncollected Tax Levy	(801,208)	0					0
Total Tax Levy	88,607,642	92,987,535	95,750,465	98,581,984	101,502,587	104,506,744	107,582,265
Other Revenue							
State Aid	11,742,465	10,139,491	10,304,961	10,304,961	10,304,961	10,304,961	10,304,961
Local Receipts	11,616,746	9,257,767	10,584,426	10,849,037	11,120,262	11,398,269	11,683,226
Fund Balance/Federal Funds	3,614,737	6,759,009	3,785,882	0	0	0	0
SSCC	1,829,220	1,891,180	1,988,015	1,988,015	1,988,015	1,988,015	1,988,015
Weir River Water System	10,467,539	12,416,193	12,881,442	12,881,442	12,881,442	12,881,442	12,881,442
Sewer	2,688,025	3,829,259	4,188,041	4,484,465	4,806,861	5,157,714	5,539,758
Light Plant (\$450K Min.)	481,387	500,000	500,000	500,000	500,000	500,000	500,000
Stabilization Fund	300,710	178,836	178,836	178,836	178,836	178,836	178,836
Excess Overlay	450,000	225,000	620,000				
Waterways Fund	58,500	40,750	0				

	ACTUAL	ESTIMATE	FORECAST	FORECAST	FORECAST	FORECAST	FORECAST
	FY2021	FY2022	FY2023	FY2024	FY2025	FY2026	FY2027
Total Other Revenue	43,249,329	45,237,485	45,031,603	41,186,756	41,780,377	42,409,237	43,076,237
Total Sources	131,856,971	138,225,020	140,782,068	139,768,740	143,282,964	146,915,981	150,658,502
USES							
State Assessments	1,035,944	1,193,509	1,188,439	1,247,861	1,310,254	1,375,767	1,444,555
Overlay	381,576	703,970	850,000	850,000	850,000	850,000	850,000
Other expenses / deficits	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Total	1,517,520	1,997,479	2,138,439	2,197,861	2,260,254	2,325,767	2,394,555
Appropriations							
Capital Outlay	2,420,268	2,877,918	3,183,498	2,800,000	2,900,000	3,000,000	3,100,000
Article 6	119,284,589	131,691,323	135,095,277	139,045,298	142,080,348	145,407,057	148,944,510
Article 4&5	0	42,641	364,854	1,080,041	1,571,137	2,072,054	2,582,990
Other articles	1,168,600	1,800,000	0	0	0	0	0
Total appropriation	122,873,457	136,411,882	138,643,629	142,925,340	146,551,485	150,479,111	154,627,499
Total Uses	124,390,977	138,409,361	140,782,068	145,123,200	148,811,739	152,804,877	157,022,054
EXCESS (Shortfall)	7,465,994	(184,342)	(0)	(5,354,461)	(5,528,775)	(5,888,896)	(6,363,553)

- New Growth is the amount by which the property tax base increases due to new development and improvement to existing properties. The projection of New Growth revenue for FY23 and beyond is based on the extrapolation of building permit activity and other indicators of the local economic outlook. The Town is currently forecasting FY23 New Growth to similar levels as in FY22. While there may be opportunities for new growth, the realization of these opportunities is dependent on several variables, many of which are outside the control of the Town. Accordingly, conservative forecasting is both prudent and necessary.
- With regard to particular FY23 Other Revenue line items:
 - Future Local Receipts revenue, primarily from Motor Vehicle Excise taxes, is tracked carefully and generally forecasted conservatively.
 - SSCC revenues of \$1,988,015 fully offset SSCC operating expenses, capital expenses, and employee benefit costs, all of which are included in the Article 6 Uses total.
 - Sewer revenues of \$4,188,041 fully offset sewer operating expenses, debt, capital expenses, and employee benefit costs, all of which are included in the Article 6 Uses total.
 - Weir River Water System revenues of \$12,881,442 fully offset water operating expenses, debt, employee benefit costs, all of which are included in the Article 6 Uses total.
 - Hingham Municipal Lighting Plant revenue of \$500,000 is a payment in lieu of taxes (PILOT).
- The Advisory Committee notes that the impact of reduced New Growth in the future will make it increasingly difficult to fund new services or initiatives, considering the structurally high levels of increases in the Education budget (estimated historically at 4-5% or more, but at 0.06% for FY23

due to level services funding) and Health Insurance budget (estimated at 10%). Additionally, Debt Service is likely to be higher than forecasted if new debt is issued to fund new projects.



ADVISORY COMMITTEE RECOMMENDATIONS

The Advisory Committee has voted to recommend the budget amounts presented in Articles 4, 5, and 6 for approval by Town Meeting. In addition, the Advisory Committee has reviewed each of the other Articles in the Warrant and, after public discussion with sponsors, petitioners, proponents, and other interested citizens, has provided comments and recommended motions that reflect the relevant points made during the Committee's deliberations.

ACKNOWLEDGEMENTS

The Advisory Committee is very grateful for the assistance, support, and dedication of Town Accountant Sue Nickerson. We also deeply appreciate the help of Town Administrator Tom Mayo, Assistant Town Administrator for Finance Michelle Monsegur, Assistant Town Administrator for Operations Art Robert, Select Board Office Manager Sharon Perfetti, and Accounts Payable Specialist Lynn Phillips. Their diligence and timely support have enabled the Advisory Committee to better represent and serve the Town.

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

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

HINGHAM ADVISORY COMMITTEE

Julie Strehle, Chair
George Danis, Vice-Chair
Nancy MacDonald, Secretary
David Anderson
Brenda Black
Davalene Cooper
Robert Curley
Kristen Dziergowski
Matthew Goulet
Caitlyn Kirk
Alan Macdonald
Andrew McElaney
Sarah Melia
Evan Sheehan
Tina Sherwood

REPORT OF THE SELECT BOARD

I am pleased to submit this report for Fiscal Year 2022 on behalf of the Select Board.

The Year That Was: 2021 – 2022

We achieved many great accomplishments for the Town thanks to the hard work, devotion, and commitment of our municipal leaders, committees, employees, volunteers, and residents. The year began under the shadow of a raging pandemic that threatened to cripple Town functions and to inhibit our work and social interactions. The Town responded by establishing a COVID-19 testing center with priority access for Town residents and employees, developing and implementing health and safety protocols, distributing nearly 1,000 doses of COVID-19 vaccines and over 16,000 home tests, reaching out to residents in need of transportation assistance, enabling Town business to be conducted remotely as needed, adopting new policies that allowed for restaurant outdoor table service, and securing over \$4.7 million in federal funds through the Coronavirus Aid, Relief, and Economic Security (CARES) Act and FEMA reimbursements. The Police Department, Fire Department, officials from the Health, Zoning, Planning, and IT Departments, along with numerous other municipal groups and School officials, were all responsible for the Town's success in navigating through the pandemic challenges. And let's not forget last year's Annual Town Meeting, where over 500 residents participated in a successful outdoor meeting lead by our Moderator on the athletic field at Hingham High School.

Undeterred by the pandemic, the Town proceeded with design and development work on two major capital projects that have the potential to substantially improve the quality of the Hingham experience. First, a new school building is planned to replace the William L. Foster Elementary School that first opened 71 years ago. Thanks to the leadership of the School Building Committee, the project has been progressing through the Massachusetts School Building Authority (MSBA) process as the Town seeks to recoup a significant portion of its construction costs through MSBA reimbursements. Second, a public safety facility is envisioned at 335 Lincoln Street to become the new headquarters for the Hingham Police Department, which is currently based in a portion of Town Hall, and to become the new home for our firefighters who are currently based at Hingham Fire Station 2/North Fire Station, which was built 81 years ago. The Public Safety Facility Building Committee is responsible for designing a facility that will serve the Town well for decades to come. Both projects—Foster School and the public safety facility—will be discussed at our 2022 Annual Town Meeting and at a Special Town Meeting planned for this fall.

The Town continued to maintain its Aaa/AAA rating, the highest rating of credit worthiness from all three major credit rating agencies, which helps assure that Hingham has access to capital markets at the lowest possible rates, resulting in lower debt costs paid by taxpayers.

This year we focused on environmental concerns, recognizing that climate action is an imperative for all of us as we must act now to safeguard the welfare of future generations. The Town converted one-third of the Police Department's emergency response fleet to hybrid vehicles, saving an estimated 252,000 pounds of CO₂ by avoiding use of over 14,000 gallons of gasoline per year. We completed our first three Green Communities projects with \$142,000 in State funds, increasing energy efficiency at two schools and our largest sewer pumping station and saving an estimated 815 MMBtus annually. The Town received an additional \$185,000 in Green Communities grant funds for LED lighting projects at Hingham High School and Town Hall. In partnership with Hingham Municipal Lighting Plant (HMLP), the Select Board entered into licensing agreements for the installation of the first electric vehicle charging stations on municipal property. The charging stations will be located at Bare Cove Park, South Shore Country Club, and the Station Street parking area. The Town's newly created Climate Action Planning Committee has begun its work of evaluating a wide range of carbon emission reduction strategies.

Hingham Harbor is one of the gems of our Town. Thanks to the leadership of the Harbor Development Committee and the Trustees of the Bathing Beach, and the technical support of the Town Engineer, we continued design and development work for the Inner Harbor Coastal Resiliency Improvement Project, encompassing Town Pier, Barnes Wharf and Veteran's Park. We are engaged in a multi-year effort to fortify the harbor against the increasing effects of climate change.

Our attention to outdoor projects included progress with plans for a proposed swimming pool at South Shore Country Club. Fields in Hingham have greatly benefitted from the Recreation Department's implementation of a town-wide Turf Maintenance Plan, which centralizes field maintenance and restructured the turf maintenance budget. The Department of Public Works continued to maintain the beauty and safety of our public spaces, including keeping the roads open in the aftermath of blizzards and major weather events.

Achieving a Sustainable Budget

Sustainability is a goal that applies both to our physical environment and to the Town's economic health. In recent years it has been an ongoing challenge for the Town to fully fund its annual budget. To address this challenge, the Town Administrator established a six-member Sustainable Budget Task Force to develop options to facilitate a sustainable five-year Financial Forecast for the Town. "Sustainable" means a financial forecast that uses realistic assumptions for revenue and expenditure growth that allow the Town to (1) provide services that meet residents' expectations, and (2) meet ongoing expenditure obligations through regularly occurring revenues.

The Task Force, including three Advisory Committee liaisons, held 26 meetings and made four presentations to the Select Board in public sessions. On January 31, 2022, the Task Force issued its final report, which recognized the structural deficit inherent in the Town's current budget and made specific recommendations for moving forward. For FY23, the Task Force recommended that the Town use remaining federal American Rescue Plan Act funds and other one-time funding sources to close the projected budget deficit.

For the FY24 budget, the Task Force recommended that the Town consider increasing its revenue by proposing a Proposition 2½ operating override. Other revenue-related proposals included targeting federal, state, and private grant opportunities, utilizing the Town's Unassigned Fund Balance to invest in capital projects when the Balance is above the 20% threshold set by the Town's Financial Policy, enhancing economic development efforts, considering the creation of a real estate transfer fee, re-evaluating whether to permit marijuana establishments in Hingham, analyzing Transfer Station fees, and continuing the Naming By-law Committee's research on private/public partnerships as a strategic component to support future large capital projects.

On the expenditure side of the ledger, the Task Force suggested that both Municipal and School Departments target a 3.5% expenditure growth rate in future years to better align expenses with available revenue. Additional proposals related to expenditures and process included efforts to align collective bargaining and employee compensation strategies, revamping the process for School contract negotiations, considering the establishment of a formal revenue-sharing agreement between Municipal and School Departments, enhancing preventative facilities maintenance and long-term capital planning, and investigating cost-saving solar energy measures in partnership with HMLP to help stabilize utility costs for the Town.

Future Challenges

Our immediate challenge is to reconcile expenditures with revenue. More specifically, recurring expenditures such as wages and salaries cannot be sustained without recurring sources of matching

revenue. When 36 new full-time equivalent positions (32 in the School Department and four in Municipal Departments) were added to the budget in FY22, we pointed out that the Town currently lacks the means to fund most of the FY22 budget additions in future years. Going forward, the demand for services must be matched by the supply of revenue. This means that the Town should secure both tax and non-tax revenue to provide the high-quality municipal and education services its residents expect and support.

For FY24, it is likely that the Town will be asked to consider an operating budget override to close projected deficits. In addition, the Town will be asked to consider debt exclusions to help pay for the Foster School and public safety facility projects. Both the override and debt exclusions would result in increased property taxes. To some extent, the Town's Fund Balance might be used to lessen the tax burden of these projects.

Hingham residents have strong beliefs and bold plans. We are committed to excellent education for our children, to ongoing support for the independence and personal development of our senior population, to maintaining robust Police and Fire Departments, to achieving a zero sum of carbon emissions produced and taken out of the atmosphere, to assuring that Town services and businesses are accessible to persons with disabilities, to maintaining and growing our stock of affordable housing, to preserving the historic features of our Town, and to supporting a public library that contributes to and enhances the personal enrichment of our residents.

The Select Board's recent establishment of a Human Rights Commission reaffirms our commitment to supporting the rights of all persons in Hingham and to promoting diversity, equity, and inclusion within the Town.

We can achieve all of this and more thanks to the dedication and unwavering support of our residents and Town employees.

HINGHAM SELECT BOARD
Joseph M. Fisher, Chair
William C. Ramsey
Elizabeth F. Klein

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

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

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hingham qualified to vote in Town affairs to meet at the Hingham High School Multi-Purpose Field, 17 Union Street, in said Hingham, Saturday, the thirtieth day of April 2022 at two o'clock in the afternoon with rain dates of Sunday, the first day of May 2022 at two o'clock in the afternoon outdoors and Monday, the ninth day of May 2022 at seven o'clock in the evening indoors, then and there to act on the following Articles:

**ARTICLE 1
HANNAH LINCOLN WHITING FUND/TRUSTEES OF THE BATHING BEACH**

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

- 1. One member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years,
 - 2. One trustee of the Bathing Beach to fill a vacancy in accordance with Chapter 75 of the Acts of 1934, or act on anything relating thereto?
- (Inserted by the Select Board)

COMMENT: The Hannah Lincoln Whiting Fund was established in 1915 pursuant to the will of Ada B.W. Bacon in memory of her mother, "...to be expended in relieving the necessities of the deserving poor or unfortunate of South Hingham..." Grants from the income of the fund are made at the discretion of a committee of three members, one of whom is elected each year by the Town. As of December 31, 2021, the fund assets totaled \$17,028.29 of which \$2,028.29 was available for distribution. The principal of \$15,000 is held in trust and is not available for distribution. In 2020, disbursements totaled \$2,600.

Trustees of the Bathing Beach are elected at Town Meeting and serve for an "indeterminate tenure". A trustee will be elected to fill a vacancy.

The Advisory Committee voted unanimously in support of this Article. The Select Board voted unanimously (2-0-1) in support of this Article, with one member recusing himself.

RECOMMENDED: 1. That Laura Boyle, 22 Westmoreland Road, be re-elected a member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years; and 2. That Adrienne Ramsey, 55 North Street, be elected as Trustee of the Bathing Beach in accordance with Chapter 75 of the Massachusetts Acts of 1934.

**ARTICLE 2
ASSUME LIABILITY FOR DCR**

Will the Town, in accordance with, and only to the extent permitted by Massachusetts General Laws Chapter 91, Section 29, as amended, assume liability for all damages that may be incurred by work to be performed by the Department of Conservation and Recreation of the Commonwealth of Massachusetts for the improvement, development, maintenance, and protection of tidal and non-tidal rivers and streams, harbors, tide waters, foreshores, and shores along a public beach within the Town, in accordance with Section 11 of said Chapter 91, and authorize the Select Board to execute and deliver a bond of indemnity to the Commonwealth assuming such liability, or act on anything relating thereto?
(Inserted by the Select Board)

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

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

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

ARTICLE 3 REPORTS OF VARIOUS TOWN COMMITTEES

Will the Town receive the reports, if any, of the following: Accessory Dwelling Unit Study Committee; Affordable Housing Trust; Audit Committee; Capital Outlay Committee; Climate Action Planning Committee; Commission on Disabilities; Community Preservation Committee; Conservation Commission; Country Club Management Committee; Council on Aging; Energy Action Committee; GAR Hall Trustees; Harbor Development Committee; Historic Districts Commission; Historical Commission; Board of Managers of Lincoln Apartments LLC; Long Range Waste Disposal and Recycling Committee; Master Plan Committee; Memorial Bell Tower Committee; Open Space Acquisition Committee; Public Safety Facility Building Committee; Scholarship Fund Committee; 2017 School Building Committee; Senior Center Building Committee; Town Historian; Tree Preservation Study Committee; Wastewater Master Planning Committee; Weir River Water System Citizens Advisory Board; and Weir River Water System Transition and Evaluation Committee, or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: The Town is indeed fortunate to have many public-spirited citizens willing to work in these capacities. The quality of life and quality of governance of our community is greatly strengthened by these contributions of these citizens and their work on these committees. We thank all of these committees and their members for their excellent service. We recommend that all these posts and committees be continued.

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

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

ARTICLE 4 PERSONNEL BOARD REPORT

Will the Town accept the report of the Personnel Board appointed under the Classification and Salary Plan, or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: The Personnel Board was established to administer the Personnel By-law of the Town and consists of five volunteer members appointed by the Moderator to serve three-year terms. The basic duties of the Personnel Board are set out in Section 5 of the Personnel By-law and include oversight of the Town's Classification and Salary Plan, maintenance and review of job descriptions, review of pay rates, and establishment of policies and procedures required to implement the Plan – all in collaboration with the Human Resources Department. The Board also conducts collective bargaining negotiations in partnership with the Town Administrator.

The major actions in this year's report are the collective bargaining contracts with four Town staffing units; including Hingham Patrolman's Association, Police Superior Officers Union MCOP Local 405, Hingham Permanent Firefighters Association IAFF Local 2398 and Hingham Library Staff Association. These contracts have been settled for FY23 and the amounts are reflected in Article 6. The Board remains in negotiation with the Department of Public Works, Teamsters, Local 25 whose agreement expired on June 30, 2021.

Employees not covered by collective bargaining agreements received a general wage increase of 2% during FY22. The Personnel Board is recommending a 3% general wage increase for FY23 effective July 1, 2022.

This Article also seeks to make an amendment to the Town's Personnel By-law, which is described in the report of the Personnel Board. The amendment provides that full-time employees shall be paid for all Massachusetts state holidays.

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

RECOMMENDED: That the report of the Personnel Board, a copy of which is on file in the Town Clerk's Office, be accepted; that the amendments of the Personnel By-law, including the Classification and Salary Plan, and any Cost Item agreements reached by the Personnel Board in collective bargaining, which may be embodied or referred to in said report, be approved and adopted in their entirety, such approval and adoption to become effective July 1, 2022, or as otherwise specified in said report or agreements; that the Town raise and appropriate the sum of \$364,854 for the purpose of this vote; and that the Town Accountant is hereby authorized and instructed to allocate said sum to and among the several Personnel Services and Expense Accounts in such amounts, respectively, as are proper and required to meet such amendments and to comply with such collective bargaining agreements as may be entered into by the Select Board on behalf of the Town.

ARTICLE 5 SALARIES OF CERTAIN TOWN OFFICERS

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

1. Members of the Select Board
2. Members of the Board of Assessors
3. Town Clerk
4. Members of the Municipal Light Board;

or act on anything relating thereto?

(Inserted by the Select Board)

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

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

RECOMMENDED: That, subject to the proviso below, the salary from July 1, 2022, through June 30, 2023, for each of the following officers shall be at the rates below stated or provided after the name of the office.

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

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

Town Clerk¹: in accordance with the compensation rates established in Grade 10 of the Town of Hingham Classification and Salary Plan of the Personnel By-law.

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

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

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

ARTICLE 6 BUDGETS

Will the Town raise and appropriate, or transfer from available funds, sums of money to defray the expenses of the Town for the 12-month period beginning July 1, 2022, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Town's FY23 budget is a level services budget that seeks to address the ongoing effects of the COVID-19 pandemic within the confines of the Town's current financial resources. The budget is balanced with \$3,785,882 in one-time sources:

- \$1,856,617 in Federal American Rescue Plan Act (ARPA) funds
- \$1,929,265 in unassigned Fund Balance

There is a possibility that \$400,000 in Elementary and Secondary School Emergency Relief (ESSER) Funds will be available as an additional source of one-time funds. If this funding materializes, then the use of unassigned Fund Balance would decrease by the same amount. As noted in the Town Financial Policy, the Town will first look to Federal and State funding before using unassigned Fund Balance to balance the budget.

The total amount of the appropriation and transfer of unassigned Fund Balance in the Recommended Motion hereunder includes all of the above figures to balance the FY23 budget. However, it is expected that receipt of the ARPA funds will offset the need to use all of the said appropriation and transfer of unassigned Fund Balance in the FY23 budget.

The FY23 budget seeks to maintain the level of staffing and services implemented as part of the FY22 budget. As a reminder, the FY22 budget included the use of up to \$5,000,000 in one-time funds to balance the budget. These funds were needed to address the shortfall between the Town's projected revenue (tax levy, state aid, local receipts, etc.) and the expense budget. The FY22 budget reflected the addition of 36 new full-time positions (32 in schools, four in municipal departments). These new positions were necessary to address the demonstrable effects of the pandemic on student learning and for several critical municipal needs.

During the discussion and preparation of the FY22 budget, the Town recognized the need to develop an ongoing revenue source to continue to fund the 36 positions added and to meet the ongoing level of services appropriate to the needs of the citizens. The Town formed a Sustainable Budget Task Force (SBTF) in September 2021 to explore revenue growth and expense control options with a goal of providing a framework for a sustainable budget that sought to reconcile available revenue with the level of services requested by citizens. The Task Force reported its findings to the Select Board on February 1, 2022. The SBTF recommended the use of one-time funds to balance the budget for FY23 with an override in FY24 to reset Town revenues. The SBTF felt that the Town should not seek an override to balance the FY23 budget based on a number of factors including the limited amount of time between the date of its report and the 2022 Annual Town Meeting and the ongoing initiative by the School Committee to develop a comprehensive strategic plan and a staff audit by the end of FY22.

The FY23 budget proposals included additional spending requests on both the school and municipal sides. While the Advisory Committee recognized the value of many of these requests, there was considerable discussion about adding additional unfunded expenses in the FY23 budget that would also add to the projected FY24 budget. In effect, the Advisory Committee felt that the Town needed to have an override vote prior to adding additional unfunded positions and expenses to the budget if these expenses would increase the projected FY24 deficit. An additional consideration is that the School Department is currently conducting a strategic review and a staff audit. It is anticipated that both reviews will identify efficiencies, and possibly cost savings, in how services are provided and staff levels determined.

While the Advisory Committee did not want to increase the size of the current structural deficit, there were two one-time expenses that it felt were critical. The Advisory Committee voted to add \$1,875 to the Elections budget to purchase a poll pad for the new voting precinct at Linden Ponds. This pad is required at all voting locations and voting cannot occur without the device. The Advisory Committee voted 11-2 in support of this additional one-time expense. Also, the Advisory Committee voted by 10-3 to add \$48,000 in one-time expenses to the Select Board

budget. These funds will be used to fund a sustainability contractor for a one-year period. This contractor will work for Hingham and Cohasset with two-thirds of their time and cost devoted to Hingham and one-third of their time and cost to Cohasset. This one-year contract will enable both towns to evaluate the effectiveness of the arrangement and make appropriate plans for the future. Additionally, it is anticipated that earmarked State funds will be available to substantially cover the Town's share of this expense.

Advisory Committee members noted that both of the approved expense items were one-time expenses and would have no impact on the FY24 budget. Members who opposed these requests felt that the Town should first address the structural deficit between revenues and expenses created in the FY22 budget and covered in both the actual FY22 budget and the proposed FY23 budget with one-time revenue before adding any additional expenses.

In reaching its recommendation, the Advisory Committee gave careful consideration to both the need for an override, and the amount of that override, necessary to establish an ongoing revenue source to fund the additional spending contained in the FY22 budget. The FY23 forecast shows an initial projected FY24 deficit of \$5,354,461. This amount does not include the \$1,744,271 in ongoing additional spending requested during the FY23 budget process nor does it include any additional spending that might be requested in the FY24 budget cycle. While exact numbers will change over the next 14 months, the need for an override will still exist. Failure to pass an override will result in the reduction of expenses in order to match revenue.

The Advisory Committee voted unanimously in favor of this budget with the following exceptions:

- The Select Board budget, which includes the sustainability contractor expense, was approved 10-3
- The Elections budget, which includes the poll pad expense, was approved 11-2

The Select Board voted unanimously in favor of the budget.

RECOMMENDED: That the Town raise, appropriate and/or transfer for each of the following purposes, for the Fiscal Year beginning July 1, 2022 (FY23), the sum of money stated therefor, provided that, a one-time appropriation and transfer of Fund Balance in the amount of up to \$3,785,882 is hereby made to balance the FY23 budget, and provided that, where a transfer appropriation is stated, the amount so indicated shall be transferred or specifically appropriated as stated; also that the authority is hereby given to turn in vehicles and equipment in partial payment for vehicles and equipment purchased in those cases where a turn-in is stated; and provided at any amount or portion thereof appropriated to a sub-account and included in a numbered account as set forth below may be transferred to another sub-account under the same numbered account with the approval of the Select Board and the Advisory Committee.

	<u>Fiscal 2021</u> <u>Expended</u>	<u>Fiscal 2022</u> <u>Appropriated</u>	<u>Advisory</u> <u>Fiscal 2023</u> <u>Recommended</u>
GENERAL GOVERNMENT			
122 SELECT BOARD			
Payroll	470,474	639,153	690,511
Expenses	37,051	118,590	164,340
Total	507,525	757,743	854,851
131 HUMAN RESOURCES			
Payroll	136,643	147,624	163,742
Expenses	2,426	3,650	3,200
Total	139,069	151,274	166,942
132 RESERVE FUND			
	0	664,578	709,291
135 TOWN ACCOUNTANT			
Payroll	279,388	292,016	310,110
Expenses	4,681	11,355	11,355
Audit	66,250	71,500	75,500
Total	350,319	374,871	396,965
137 INFORMATION TECHNOLOGY			
Payroll	245,102	295,439	312,046
Expenses	257,490	276,714	321,092
Capital Outlay	89,440	235,000	293,000
Total	592,032	807,153	926,138
141 ASSESSORS			
Payroll	233,833	261,635	285,852
Expenses	6,151	14,513	11,258
Consulting	30,332	37,190	133,790
Map Maintenance	961	500	100
Total	271,277	313,838	431,000
145 TREASURER/COLLECTOR			
Payroll	356,510	357,327	390,401
Expenses	46,090	49,820	50,958
Capital Outlay	6,880	0	0
Tax Titles	2,147	10,000	10,000
Total	411,627	417,147	451,359
151 LEGAL SERVICES			
	839,252	395,372	395,372
159 TOWN MEETINGS			
Payroll	634	2,692	2,903
Expenses	45,484	40,750	43,750
Total	46,118	43,442	46,653

	<u>Fiscal 2021</u> <u>Expended</u>	<u>Fiscal 2022</u> <u>Appropriated</u>	Advisory <u>Fiscal 2023</u> <u>Recommended</u>
161 TOWN CLERK			
Payroll	200,216	195,365	190,658
Expenses	7,866	5,616	14,583
Capital Outlay	10,200	0	0
Total	218,282	200,981	205,241
162 ELECTIONS			
Payroll	29,292	6,950	22,486
Expenses	21,671	16,370	28,540
Total	50,963	23,320	51,026
171 CONSERVATION COMMISSION			
Payroll	192,648	200,877	196,884
Expenses	2,912	13,256	37,522
Total	195,560	214,133	234,406
175 COMMUNITY PLANNING			
Payroll	112,345	230,264	236,171
Expenses	27,031	24,205	24,205
Total	139,376	254,469	260,376
176 LAND USE & DEVELOPMENT			
Payroll	122,908	151,283	155,919
Expenses	4,773	7,375	7,375
Total	127,681	158,658	163,294
177 BARE COVE PARK			
Payroll	18,961	19,034	24,138
Expenses	5,215	9,390	9,390
Total	24,176	28,424	33,528
192 TOWN HALL			
Payroll (Overtime \$12,200)	257,241	257,966	283,708
Expenses	353,838	448,412	426,476
Capital Outlay	57,967	52,000	122,000
Total	669,046	758,378	832,184
193 GRAND ARMY MEMORIAL HALL	15,164	19,752	24,187
TOTAL GENERAL GOVERNMENT	<u>4,597,467</u>	<u>5,583,533</u>	<u>6,182,813</u>

	<u>Fiscal 2021 Expended</u>	<u>Fiscal 2022 Appropriated</u>	<u>Advisory Fiscal 2023 Recommended</u>
PUBLIC SAFETY			
210 POLICE DEPARTMENT			
Payroll (Overtime \$489,210)	5,524,290	5,927,898	6,700,439
Expenses	391,761	396,900	486,750
Capital Outlay (\$125,000 from Municipal Waterways Fund)	369,470	244,750	738,263
Total	6,285,521	6,569,548	7,925,452
220 FIRE DEPARTMENT			
Payroll (Overtime \$610,685; \$1,414,000 from Ambulance Receipts)	4,671,816	5,632,401	6,554,825
Expenses	368,645	510,273	616,943
Capital Outlay	58,248	174,000	367,000
Total	5,098,709	6,316,674	7,538,768
240 DISPATCH SERVICES			
Expenses	896,364	941,182	991,420
Total	896,364	941,182	991,420
241 BUILDING COMMISSIONER			
Payroll	210,296	238,750	262,791
Expenses	8,886	15,960	15,960
Total	219,182	254,710	278,751
292 ANIMAL CONTROL			
Payroll (Overtime \$6,853)	60,547	69,099	75,696
Expenses	2,269	6,200	6,200
Total	62,816	75,299	81,896
295 HARBORMASTER			
Payroll	198,450	208,151	226,529
Expenses	73,783	75,138	81,351
Total	272,233	283,289	307,880
299 PUBLIC SAFETY UTILITIES			
Emergency Water	308,288	454,466	453,251
Street Lighting	105,000	105,000	105,000
Total	413,288	559,466	558,251
TOTAL PUBLIC SAFETY	13,248,113	15,000,168	17,682,418
EDUCATION			
300 SCHOOL DEPARTMENT			
Payroll	48,209,686	51,905,346	53,713,423
Expenses	7,497,218	9,886,733	8,113,080
Capital Outlay	744,861	1,018,532	883,871
TOTAL EDUCATION	56,451,765	62,810,611	62,710,374

	Fiscal 2021 Expended	Fiscal 2022 Appropriated	Advisory Fiscal 2023 Recommended
PUBLIC WORKS AND FACILITIES			
420 DPW/HIGHWAY/TREE & PARK			
Payroll (Overtime \$88,995)	2,171,348	2,441,126	2,478,761
Expenses	630,668	801,923	835,222
Capital Outlay	357,881	443,289	220,364
Snow Removal	577,346	626,538	626,738
Road Maintenance	357,298	385,500	387,000
Total	4,094,541	4,698,376	4,548,085
430 LANDFILL/RECYCLING			
Payroll (Overtime \$39,355)	584,350	673,515	666,837
Expenses	905,374	1,034,006	1,071,358
Capital Outlay	162,101	192,000	60,000
Total	1,651,825	1,899,521	1,798,195
440 SEWER COMMISSION			
Payroll (Overtime \$29,249)	378,466	382,737	402,077
Expenses	235,606	300,785	321,177
Capital Outlay	468,605	337,000	485,000
Engineering	10,404	10,000	10,000
MWRA Charges	2,005,219	2,280,148	2,439,758
Debt Service	69,125	72,720	70,784
Hull Intermunicipal Agreement	314,523	445,869	459,245
Total	3,481,948	3,829,259	4,188,041
The sum of \$4,188,041 shall be funded by Sewer Revenue			
TOTAL PUBLIC WORKS	9,228,314	10,427,156	10,534,321
HUMAN SERVICES			
510 HEALTH DEPARTMENT			
Payroll	323,443	343,542	368,201
Expenses	16,495	19,862	18,862
Capital Outlay	0	35,347	
Total	339,938	398,751	387,063
			0
511 ELDER SERVICES			
Payroll	246,066	268,206	286,334
Expenses	4,904	24,889	26,400
Capital Outlay	0	0	25,000
Total	250,970	293,095	337,734

	Fiscal 2021 Expended	Fiscal 2022 Appropriated	Advisory Fiscal 2023 Recommended
543 VETERANS' SERVICES			
Payroll	104,727	109,522	115,194
Expenses	3,700	8,610	7,067
Benefits	142,116	171,796	185,348
Total	250,543	289,928	307,609
545 HEALTH IMPERATIVES	0	2,700	2,700
546 SOUTH SHORE RESOURCE & ADVOCACY CENTER	0	3,700	3,700
TOTAL HUMAN SERVICES	841,451	988,174	1,038,806
CULTURE AND RECREATION			
610 LIBRARY			
Payroll (Overtime \$72,976)	1,337,303	1,559,866	1,770,602
Expenses	274,798	369,798	411,134
Capital Outlay	23,114	146,000	114,000
Total	1,635,215	2,075,664	2,295,736
630 RECREATION COMMISSION			
Payroll	109,043	178,496	189,908
Expenses	0	170,780	181,319
Total	109,043	349,276	371,227
650 TRUSTEES OF BATHING BEACH			
Payroll	24,414	26,832	27,372
Expenses	4,243	11,750	13,300
Total	28,657	38,582	40,672
691 HISTORICAL COMMISSION			
Payroll	75,807	75,679	83,633
Expenses	2,434	7,363	7,213
Total	78,241	83,042	90,846
692 CELEBRATIONS	14,146	17,107	17,567
TOTAL CULTURE & RECREATION	1,865,302	2,563,671	2,816,048
ENTERPRISE FUND			
720 COUNTRY CLUB			
Payroll	805,577	890,830	981,815
Expenses	645,593	908,350	910,700
Debt Service	13,213	92,000	95,500
Total	1,464,383	1,891,180	1,988,015
The sum of \$1,988,015 shall be funded from Country Club Revenue			

	Fiscal 2021 <u>Expended</u>	Fiscal 2022 <u>Appropriated</u>	Advisory Fiscal 2023 <u>Recommended</u>
730 WEIR RIVER WATER SYSTEM			
Payroll	103,809	257,434	257,380
Expenses	6,884,644	6,369,790	6,646,630
Debt Service	1,846,118	5,788,969	5,977,432
Total	8,834,571	12,416,193	12,881,442
The sum of \$12,881,442 shall be funded from Weir River Water System Revenue			
TOTAL ENTERPRISE FUND	<u>10,298,954</u>	<u>14,307,373</u>	<u>14,869,457</u>
DEBT SERVICE			
DEBT SERVICE	<u>7,918,163</u>	<u>5,707,376</u>	<u>5,835,331</u>
TOTAL DEBT SERVICE	<u>7,918,163</u>	<u>5,707,376</u>	<u>5,835,331</u>
EMPLOYEE BENEFITS			
900 GROUP INSURANCE	6,472,514	7,146,355	7,071,062
903 OTHER POST EMPLOYMENT BENEFITS	1,194,156	1,267,567	1,289,173
910 CONTRIBUTORY RETIREMENT	5,090,917	5,443,559	5,837,513
912 WORKER'S COMPENSATION	330,000	330,000	330,000
913 UNEMPLOYMENT	1,900	30,000	30,000
914 MANDATORY MEDICARE	<u>965,450</u>	<u>1,102,935</u>	<u>1,061,995</u>
TOTAL EMPLOYEE BENEFITS	<u>14,054,937</u>	<u>15,320,416</u>	<u>15,619,743</u>
UNCLASSIFIED			
999 Unclassified	6,500	0	0
915 Property and Liability Insurance	<u>1,112,680</u>	<u>1,028,087</u>	<u>1,114,464</u>
TOTAL UNCLASSIFIED	<u>1,119,180</u>	<u>1,028,087</u>	<u>1,114,464</u>
GRAND TOTAL	<u><u>119,623,646</u></u>	<u><u>133,736,565</u></u>	<u><u>138,403,775</u></u>

**ARTICLE 7
TRANSFER FROM THE STABILIZATION FUND**

Will the Town transfer a sum of money from the Stabilization Fund and/or from available reserves for the purpose of reducing the Fiscal Year 2023 tax rate, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Stabilization Fund, with a balance of approximately \$2.2 million as of January 31, 2022, contains premiums related to the issuance of excluded debt bonds for multiple school capital projects approved in prior fiscal years. These bond premiums were transferred into the Stabilization Fund per Article 12 of the 2011 Annual Town Meeting, and Article 7 of the 2016 Annual Town Meeting, to be used to offset the bonds' future debt service costs. Annually, an amortized portion is withdrawn from the Stabilization Fund to offset the Fiscal Year interest payments due on the bonds, which results in a reduction in the annual cost to the taxpayers.

Under the version of M.G.L. Chapter 44, Section 20 in effect at the time these bond premiums were deposited into the Stabilization Fund, the funds were considered general revenue of the Town that could have been used for any lawful purpose under M.G.L. Chapter. 40, Section 5B. However, that statute has since been amended and the Massachusetts Department of Revenue (DOR) Division of Local Services has issued a new guideline in February of 2022 limiting the future use of such bond premiums (IGR No. 22-01). Under that new DOR guideline, the bond premiums presently in the Stabilization Fund must be used to offset interest paid in future years on the original excluded debt. The below recommended motion would follow the DOR guideline to transfer a portion of the Stabilization Fund to offset the interest on said excluded debt in order to reduce the need to raise these funds through the Fiscal Year 2023 tax rate.

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

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

RECOMMENDED: That the Town transfer the sum of \$178,836 from the Stabilization Fund for the purpose of paying interest on outstanding excluded debt bonds in order to reduce the need to raise these funds through the FY23 tax rate.

**ARTICLE 8
DISBURSEMENT OF ELECTRIC LIGHTING DEPARTMENT RECEIPTS**

Will the Town appropriate, from the receipts of the Hingham Municipal Lighting Plant, money for the maintenance and operation of the Plant for the 12-month period commencing July 1, 2022, pursuant to sections 57 and 57A of chapter 164 of the Massachusetts General Laws, and provide for the disposition of any surplus receipts, or act on anything relating thereto?
(Inserted by the Select Board)

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

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

RECOMMENDED: That, with the exception of the Hingham Municipal Lighting Plant's (HMLP) payment in lieu of taxes, which is hereby transferred to the Town's General Fund, all funds received by the HMLP during the 12-month period commencing July 1, 2022, be appropriated to said HMLP, the same to be expended by the Manager of said HMLP under the control and direction of the Municipal Light Board, for the expenses of the Plant during said period, as defined in sections 57 and 57A of chapter 164 of the Massachusetts

General Laws, and, if there should be any surplus receipts at the end of said period, such amount as is deemed necessary shall be transferred to the Plant's net investment in capital assets and appropriated and used for such additions to the Plant as may be authorized by the Municipal Light Board during said period.

**ARTICLE 9
BUILDING DEPARTMENT REVOLVING FUND**

Will the Town limit the total amount that may be spent from the Building Department Revolving Fund, established under Article 18 of the General By-laws, to \$350,000.00 during Fiscal Year 2023, or act on anything relating thereto?
(Inserted by the Select Board)

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

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

RECOMMENDED: That the Town limit the total amount that may be spent from the Building Department Revolving Fund for Fiscal Year 2023 to \$350,000.

**ARTICLE 10
DEPARTMENT OF ELDER SERVICES REVOLVING FUND**

Will the Town limit the total amount that may be spent from the Elder Services Revolving Fund, established under Article 16 of the General By-laws, to \$80,000.00 during Fiscal Year 2023, or act on anything relating thereto?
(Inserted at the request of the Council on Aging)

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

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

RECOMMENDED: That the Town limit the total amount that may be spent from the Elder Services Revolving Fund for Fiscal Year 2023 to \$80,000.

**ARTICLE 11
TRANSFER OF FUNDS TO THE RESERVE FUND**

Will the Town raise and appropriate, or transfer from available funds, a sum of money to the Town's Reserve Fund for use during Fiscal Year 2022, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: This Article is included each year in case the existing Reserve Fund is not adequate to cover unbudgeted and unanticipated expenses for the balance of the current Fiscal Year (FY22). The specific amount will be reported at Town Meeting.

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

**ARTICLE 12
TRANSFER HARBOR REVENUES TO MUNICIPAL WATERWAYS IMPROVEMENT
AND MAINTENANCE FUND**

Will the Town vote to appropriate or transfer from available funds a sum of money, which sum was generated from fees paid to the Town of Hingham during FY2022, from any parking license for the purpose of accessing slips or moorings, and revenues generated by the Harbormaster's Office and/or boat excise taxes, for deposit to the Town's Municipal Waterways Improvement and Maintenance Fund, to be used in accordance with Massachusetts General Laws, Chapter 40, Section 5G, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The 2019 Annual Town Meeting authorized establishment of a Municipal Waterways Improvement and Maintenance Fund (Waterways Fund). The Town must have a Waterways Fund in order to be eligible for any available State or Federal harbor/coastal grants. Under the State law, the Waterways Fund receives revenue of 50% of municipal boat excise taxes, all mooring permit fees, and any additional sums that the Commonwealth of Massachusetts or the Federal Government may provide. A Town may also deposit additional amounts into the fund.

This Article seeks approval to deposit the following additional waterways related revenues into the Waterways Fund for FY22:

- The remaining 50% of boat excise taxes of \$35,000 (projected) and currently included in the Town's Local Receipts
- Revenues generated from any parking license fee for the purpose of accessing slips or moorings, if and when received, of \$40,000 (projected)
- Revenues generated by the Harbormaster's Office including, but not limited to, mooring/docking permit late fees, and/or boating fines of \$10,000 (projected)

If this Article is approved, Local Receipts will be reduced by \$35,000, which amount will not have an adverse impact on the FY22 budget. Setting aside these waterways related revenues into the Waterways Fund will provide the Town a partial funding source for future appropriations for harbor-related expenses such as: dredging and improvement of the harbor, the breakwaters, retaining walls, piers, wharves and moorings, and the associated law enforcement and fire prevention.

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

RECOMMENDED: That the Town vote to transfer the following sums generated from fees paid to the Town of Hingham through June 30, 2022: the remaining 50% of boat excise taxes (approximately \$35,000) from Local Receipts, any parking license fee for the purpose of accessing slips or moorings (approximately \$40,000), if and when received, and all revenues generated by the Harbormaster's Office including mooring/docking permit late fees, and boating fines (approximately \$10,000) for deposit into the Town's Municipal Waterways Improvement and Maintenance Fund, to be used in accordance with Massachusetts General Laws, Chapter 40, Section 5G.

**ARTICLE 13
RESCIND AUTHORIZED BUT UNISSUED DEBT**

Will the Town vote to rescind the net amount of the authorized but unissued debt for certain Town capital projects (including engineering, design, studies and/or construction) which are no longer needed for the purposes for which they were initially approved, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: Periodically, the Town rescinds unused and no longer necessary borrowing authorizations, which is consistent with good accounting practices.

The requests this year are the result of three conditions:

- Projects 1 – 8 were completed under budget prior to borrowing the full amount authorized.
- Project 9 scope was redesigned under a subsequent article: 2017 ATM/Article 28.
- Project 10 did not proceed.

The unused borrowing authorization total of \$6,409,671 is no longer necessary; this motion will close out financing authorizations on these projects.

The amounts to be rescinded on debt are as follows:

1. Vote under Article 18 of the 1998 Annual Town Meeting for Sewer Construction/WRSD Phase I: Total Debt Authorized was \$750,000 and amount to be rescinded is \$40,000.
2. Vote under Article 31 of the 2003 Annual Town Meeting for Sewer Construction/WRSD Phase II: Total Debt Authorized was \$2,300,000 and amount to be rescinded is \$451,887.
3. Vote under Article 22 of the 2004 Annual Town Meeting for Sewer Construction/Green Street Court: Total Debt Authorized was \$75,000 and amount to be rescinded is \$17,842.
4. Vote under Article 15 of the 2007 Annual Town Meeting for School Facility Plan/School Building Committee: Total Debt Authorized was \$255,000 and amount to be rescinded is \$19,000.
5. Vote under Article 15 of the 2009 Annual Town Meeting for Sewer Construction/Thaxter Street: Total Debt Authorized was \$150,000 and amount to be rescinded is \$35,000.
6. Vote under Article 15 of the 2011 Annual Town Meeting for Middle School Feasibility Study: Total Debt Authorized was \$600,000 and amount to be rescinded is \$59,678.
7. Vote under Article 3 of the Special Town Meeting held October 24, 2011 for High School Fields Improvement Project: Total Debt Authorized was \$935,000 and amount to be rescinded is \$75,000.
8. Vote under Article 5 of the Special Town Meeting held October 24, 2011 for Middle School MSBA Model School Project: Total Debt Authorized was \$60,910,920 and amount to be rescinded is \$4,721,264.
9. Vote under Article 19 of the 2002 Annual Town Meeting for Sewer Repair/Route 3A: Total Debt Authorized was \$980,000 and amount to be rescinded is \$800,000.
10. Vote under Article 22 of the 2011 Annual Town Meeting to Appropriate Funds for Engineering for Wastewater Treatment Facility: Total Debt Authorized was \$190,000 and the amount to be rescinded is \$190,000.

The total amount of debt to be rescinded is \$6,409,671.

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

RECOMMENDED: That the Town rescind the net amount of \$6,409,671 representing the authorized but unissued debt for certain Town capital projects.

ARTICLE 14 PLYMOUTH RIVER SCHOOL WINDOWS PROJECT

Will the Town vote to raise and appropriate, borrow or transfer from available funds, a sum of money not to exceed \$3,993,600 to be expended under the direction of the School Committee and/or the 2017 Hingham School Building Committee for a windows replacement project at Plymouth River School located at 200 High Street, Hingham, MA 02043, which would replace necessary doors, windows and make other repairs or replacements as necessary to meet Massachusetts School Building Authority (MSBA) requirements, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town has applied for a school construction grant from the MSBA. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town, or act on anything related thereto?

(Inserted at the request of the School Committee)

COMMENT: This Article seeks to correct the funding source from a debt exclusion as laid out in the Vote under Article 23 of the 2021 Annual Town Meeting for an amount not to exceed \$3,993,600 for the replacement of the windows at Plymouth River Elementary School (PRS). Since then, it has been determined that a debt exclusion was not the preferred funding source for this project.

A portion of the funds so raised and appropriated is anticipated to be reimbursed by grant monies from the Massachusetts School Building Authority (MSBA) and a \$1,000,000 mitigation payment already received from a developer, Broadstone Bare Cove Alliance (Broadstone).

Plymouth River School is one of Hingham's four elementary schools. Built in 1968, PRS is a single story, 59,300 square foot building sitting on 40 acres of mostly wooded land. The majority of the existing PRS windows are steel framed and single pane. As a result of deterioration over the last 50 years, most of the steel frames are rusted and many windows are boarded over, restricting natural light into classrooms. The thermal performance of the single-paned windows is very poor, increasing the expense of heating the all-electric building and creating drafts that impair the learning process. Many of the windows either have damaged screens or lack screens altogether.

In 2008, the Town invested \$3,500,000 in renovations to PRS to extend the building's useful life. The scope and magnitude of the renovations triggered mandatory Americans with Disabilities Act (ADA) upgrades and the cost of these important ADA modifications precluded replacement of all the windows at that time. Only the "storefront" windows at the main entrance to the school and cafeteria were able to be replaced within the 2008 budget. Nearly 9,000 square feet of glass windows still need to be replaced.

The cost of the entire window repair project is currently estimated to be \$3,993,600. However, the ultimate cost to the Town will be offset by a combination of (i) a to-be-determined amount of reimbursement grant funds from the MSBA's Accelerated Repair Program (ARP); and (ii) a \$1,000,000 mitigation payment already received from Broadstone related to their recently completed multi-family housing development, The Cove, 350 Beal Street, Hingham, adjacent to Lynch Field.

The ARP is primarily for the repair and/or replacement of roofs, windows, and doors. The ARP focuses on the preservation of existing assets by performing energy-efficient and cost-saving upgrades, which will result in direct operational savings for school districts. To maximize the impact of this ARP, districts are required to use pre-selected consultants. In addition, districts are required to adhere to an accelerated project schedule.

As the MSBA has approved this project, cost reimbursement is on a "pay-as-you-go" basis and is anticipated to be at least 31.5% of MSBA-eligible expenses. MSBA regulations require that the Town vote to authorize the full cost of the project. Reimbursement will offset a meaningful portion of that total cost. It is anticipated this project will start and finish in the summer of 2022 and will not impact student activity at PRS.

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

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

RECOMMENDED: That the Town vote to appropriate a sum of money not to exceed \$3,993,600 to be expended under the direction of the School Committee and/or the 2017 Hingham School Building Committee for a windows replacement project at Plymouth River School located at 200 High Street, Hingham, MA 02043, which would replace necessary doors, windows and make other repairs or replacements as necessary to meet Massachusetts School Building Authority (MSBA) requirements, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town has applied for a school construction grant from the (MSBA). The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town.

To meet said appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under Massachusetts General Laws (M.G.L.) Chapter 44, Section 7(1); M.G.L. Chapter 70B; or any other enabling authority and to issue bonds or notes of the Town therefor.

ARTICLE 15
TRANSFER BORROWED BUT UNSPENT FUNDS FROM COMPLETED CAPITAL PROJECTS

Will the Town vote to transfer an amount of funds from the remaining unspent funds of certain capital projects which funds were previously appropriated and raised by borrowing under the following votes of the Town:

- Article 2 - Special Town Meeting, March 3, 2008: Foster School
- Article 2 - Special Town Meeting, March 3, 2008: Middle School Addition
- Article 5 - Special Town Meeting, October 24, 2011: Middle School MSBA Project
- Article 25 - Annual Town Meeting, April 22, 2019: High School Windows

as such remaining unspent funds are no longer needed to complete the capital projects for which they were originally borrowed and shall now be transferred hereunder to help pay the costs a new capital project approved under Article 23 of the 2021 Annual Town Meeting (Plymouth River School Window Project), all as authorized under Massachusetts General Laws Chapter 44, Section 20, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: This Article seeks to re-purpose funds remaining from prior borrowings by the Town for various capital projects to new capital projects. The funds reflect projects that were completed under budget and, per Massachusetts General Laws Chapter 44, Section 20, the funds must be used for capital projects. The excess funds are the result of either construction costs being less than planned or higher reimbursements from the State. The unspent funds per project are as follows:

- Foster School Renovations: \$33,186.71;
- Middle School Addition: \$8,772.09;
- Middle School MSBA Project: \$1,008,134.60;
- High School Windows: \$51,747.88.

The unspent funds for these four projects total \$1,101,791.28; this Article seeks to re-purpose these funds for the Plymouth River School Window Project. Article 23 of the 2021 Annual Town Meeting approved the window replacement project at Plymouth River School with funds being provided by the Town, a construction grant from the Massachusetts School Building Authority and a mitigation payment to the Town from the Broadstone Bare Cove Alliance.

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

RECOMMENDED: That the Town transfer \$1,101,791.28 of unspent funds of certain capital projects which funds were previously appropriated and raised by borrowing by the Town:

- **Article 2- Special Town Meeting, March 3, 2008: Foster School**
- **Article 2- Special Town Meeting, March 3, 2008: Middle School Addition**
- **Article 5- Special Town Meeting, October 24, 2011: Middle School MSBA Project**
- **Article 25- Annual Town Meeting, April 22, 2019: High School Windows**

as such remaining unspent funds are no longer needed to complete the capital projects for which they were originally borrowed and shall now be transferred hereunder to help pay the costs a new capital project approved under Article 23 of the 2021 Annual Town Meeting (Plymouth River School Window Project), all as authorized under Massachusetts General Laws. Chapter. 44, Section 20.

ARTICLE 16 FIRE DEPARTMENT LARGE CAPITAL NEEDS

Will the Town vote to raise and appropriate, borrow or transfer from available funds, a sum of money to be expended by the Select Board to be used to pay for certain capital equipment and projects, including, but not limited to, a fire engine, fire station repairs and/or other Town of Hingham capital equipment or projects, or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: This Article seeks to transfer from available funds a total of up to \$2,230,000 for five large capital needs for the Fire Department. These needs include a new replacement Fire Engine Pumper, the replacement of roofs at Fire Stations One and Three, the replacement of the HVAC system at Station One, and replacement of the gutters, trim, and portico at Station One. Each of these items will be discussed separately below. Station One is also known as the Central Fire Station, located at 339 Main Street, while Station Three, located at 847 Main Street, is also known as the Constitution Station. It is anticipated that Station Two, located at 230 North Street, and also known as the North Station, will move into the new proposed Public Safety Facility building at 335 Lincoln Street.

Fire Engine Pumper: The total cost of the Fire Engine Pumper is \$790,000 and will replace a current reserve engine originally purchased in 2002. The figure includes the cost of the truck, ladders, and other equipment such as hoses and tools. The estimated trade in value of the existing 2002 reserve engine is \$10,000.

The Fire Department has four fire engine pumper trucks, which currently meet the needs of the town. There are two primary engines and two reserve engines. The purpose of the reserve engines is to ensure adequate coverage to support demand, as well as coverage when primary engines are in for routine and/or unplanned maintenance.

The typical life of a fire engine is 16 years. The truck to be replaced is starting to show rot, and due to its age, it is increasingly difficult to find replacement parts and mechanical support to perform required maintenance. Ongoing supply chain issues have resulted in significant increases in lead time for new engines. Once six to nine months, the current lead time for a new engine is 12-18 months. With lead times, the reserve engine due to be replaced under this Article will have been in service for approximately 23 years. Once the new engine is received, it will become a primary engine and one of the engines purchased in 2016 will become a reserve engine.

Replacement of Roof at Station One: Station One opened in 1941 and underwent a substantial renovation in 2007-2008, including an addition. A new roof was constructed over the additional square footage, but the original slate roof was not replaced as part of that renovation project, and it is now at the end of its life. This roof leaks and is causing damage to the third floor of the station, which is where the living quarters for the firefighters are located. Additionally, the roof over the new addition to the renovated station was not properly constructed and was not tied into the existing roof correctly. Inferior products were used in its construction as well, resulting in leaks that are causing damage to these areas of the building. Overall, the water damage from the leaks has resulted in mold in certain parts of the building. The estimated cost to replace the roofs at Station One is \$500,000.

Replacement of Roof at Station Three: The roof at Station Three is the original slate roof from 1941. The slate tiles are brittle and there is no longer any protective layer under the tiles. The roof leaks, resulting in damage to the interior of the building, including a partial collapse of a ceiling. Five-gallon buckets are used to collect the water leaking from the roof. Mold has also been found due to the leaks and water damage. Some of the water damage and mold has been in the kitchen and sleeping areas of the station. The estimated cost to replace the roof at Station Three is \$150,000.

Replacement of HVAC System at Station One: When Station One was renovated, the HVAC system was renovated, but that renovation has not resulted in a well-functioning system. The final system was poorly designed, resulting in a combination of different systems that do not work well together. Several parts of the system have been replaced and there are currently parts of the system, including one of the pumps, which do not work, and the Department has been unable to find anyone who can repair it. One of the major problems is condensation that occurs on the pipes that causes drips and resulting mold. Another problem is that the system cannot easily switch from AC to heat. This causes problems in the living and working areas when there are unusual weather conditions in a specific

season. The proposed replacement system would design and install the system as it should have been done before. The estimated cost of replacing the HVAC system is \$720,000.

Replacement of Gutters, Trim, and Portico at Station One: Station One also needs additional work on the exterior of the building. Rainwater flows down the front of the doorway and is rotting out the wood door. There is no gutter in this area, and that exacerbates the problem. Finally, during the renovation of Station One, the trim was not replaced. The estimated cost for these items is \$70,000.

A few additional comments about the above needed renovations. First, some of this work is to repair or replace work that was done incorrectly or with poor quality products in 2007-2008. As a result, the Town must now redo work that should have lasted longer than it did. It is critically important that the Town ensures this work is overseen appropriately, either in-house or by an outside project manager. Second, as a cost saving measure, the replacement roofs will use a product that looks like slate but is not slate. Finally, in determining what needed to be done to correct the problems at both stations, the Fire Department hired consultants to inspect and evaluate the various roofs and the HAVC system. This request incorporates the recommendations of the consultants.

Once these building issues are remedied through the completion of the above projects, there will be a need to repair the interior damage caused by the leaks, including the removal of mold. It is expected that those repairs will be funded in future years through the regular Capital Outlay Committee process.

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

RECOMMENDATION: That the Town vote to appropriate from available funds up to \$2,230,000 to be expended by the Select Board to pay for a new replacement Fire Engine Pumper, the replacement of roofs at Fire Stations One and Three, the replacement of the HVAC system at Station One, and replacement of the gutters, trim, and portico at Station One.

ARTICLE 17 COMMUNITY PRESERVATION COMMITTEE RECOMMENDATIONS

Will the Town appropriate and/or borrow or set aside for later spending funds as recommended by the Community Preservation Committee (CPC) as follows:

- 1) Appropriate a sum of money in the amount of \$20,000 from the Community Preservation General Fund to be used by the CPC for administrative purposes;
- 2) Appropriate a sum of money in the amount of \$166,840 from the Community Preservation General Fund to be used by South Shore Habitat for Humanity to create two new affordable single-family homes at 302 and 304 Whiting Street, Hingham, MA;
- 3) Appropriate a sum of money in the amount of \$289,815 from the Community Preservation General Fund to be used by the Hingham Recreation Commission to reconstruct the hockey court at Cronin Field;
- 4) Appropriate a sum of money in the amount of \$550,000 from the Community Preservation General Fund to be used by the Country Club Management Committee for construction of a new pool complex at the South Shore Country Club;

or act on anything related thereto?

(Inserted at the request of the Community Preservation Committee)

COMMENT: The Community Preservation Act (Massachusetts General Laws Chapter 44B) (CPA), is a local option statute enacted by the State Legislature in 2000 and adopted by the Town in 2001. It enables towns to collect and expend funds (including funds from the Commonwealth) to maintain their character by supporting open space, affordable housing, historic preservation, and recreation initiatives specifically defined by the CPA. The current Hingham CPA surcharge rate is 1.5% of real property taxes.

The Community Preservation Committee (CPC) started the deliberation process this year with a budget of \$1,764,703. That includes local tax revenue from FY22 of \$1,203,418 and a State grant of \$463,862. It also includes \$97,423 of funds returned to the CPC from projects that either were completed under budget or cancelled.

This year, as in years past, the dollar amount of grants sought by applicants to CPC exceeded CPC's budget. CPC scrutinized each grant application and applied consistent CPC guidelines and criteria to determine which applications to approve and, for those approved, a grant amount that fits within the year's budget. In many cases, the amount of a proposed grant is less than the amount sought by an applicant. In 2022, the CPC recommends approval of funding for three projects for a total of \$1,006,655, with one grant below the requested amount.

Additional CPA funds will be set aside in anticipation of debt payments for two projects previously approved by Town Meeting. CPA funds of \$571,320 will be set aside for principal and interest payments on the debt incurred to purchase the Lehner Property. In previous years, \$2,083,313 has been retained for this purpose. The purchase of this property for \$5,000,000 was approved by the vote under Article 32 of the 2016 Annual Town Meeting, using an initial payment of \$500,000 from available funds, plus borrowing for \$4,500,000. While the minimum principal and interest payment required for the land purchase this year is \$303,346, the CPC voted to increase the amount of principal repayment by \$267,974 for a total payment of \$571,320 to accelerate the retirement schedule for this debt. This debt was originally expected to retire in 2036.

CPA funds of \$166,728 will be set aside for principal and interest payments on the debt incurred to grant funds to the Hingham Historical Society toward the purchase of the Benjamin Lincoln House. The grant amount (\$772,000) was approved by vote under Article 19 of the 2020 Annual Town Meeting, using an initial payment of \$276,669 from available funds, plus borrowing for \$495,331. While the minimum principal and interest payment required for this year is \$121,623, the CPC voted to increase its payment of principal by \$45,105 to satisfy the required allocation towards historic preservation. The debt for the Benjamin Lincoln House was originally expected to retire in 2026.

The proposed funding of the 2022 projects will meet the required allocations for historic preservation, open space, and affordable housing. The comments of the Advisory Committee are set forth below and correspond to the numbered sections of this Article.

1) The CPA allows up to 5% of annual CPA revenues to be reserved for operational and administrative expenses, including engineering, legal, and consulting costs associated with the review of proposed projects, the administration of projects approved by Town Meeting, and the salaries of staff. In the past, Hingham's administrative appropriations have averaged amounts below the 5% allowed by the CPA. This year's contribution to the CPC Administrative Fund equals \$20,000 and represents 1.2% of the annual CPA revenues.

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

2) CPC recommends a grant of \$166,840 to South Shore Habitat for Humanity (SSHH), a Massachusetts non-profit organization dedicated to building simple, decent homes in partnership with families in need, to be used to create two new affordable single-family homes at 302 and 304 Whiting Street, Hingham, MA. The project will provide housing to encourage population diversity in the community by adding two homes to the Commonwealth's Subsidized Housing Inventory, and the homes will remain affordable housing in perpetuity through deed restrictions.

Massachusetts State Housing policy sets a goal that in each city and town 10% of the total housing stock must be affordable and it must have deed restrictions to keep it affordable. Affordability is defined as housing that is affordable to those making 80% of the Area Median Income. While Hingham has achieved its 10% minimum affordable housing requirement, the Town continues to have unmet housing needs. Providing housing that is affordable for subsequent generations, as well as a diverse range of households, is a challenge and a responsibility that cannot solely rely on the open real estate market and private development. CPA funding can be used in partnership with non-profit housing organizations like SSHH to assist the Town in meeting its goals.

The vote under Article 32 of Hingham's 2014 Annual Town Meeting authorized the Select Board to acquire from 302-304 Whiting Street Limited Partnership a certain parcel of land on Whiting Street. The land contains approximately 41,287 square feet and more particularly shown as the "Public Safety Lot, Lots C & E (Combined)"

on a plan entitled "410 Whiting Street Plan of Land in Hingham, Mass.," dated November 8, 2008, prepared by James Engineering, Inc. and recorded with the Plymouth County Registry of Deeds in Plan Book 55, Page 211. The parcel was offered to the Town as part of a 40B Comprehensive Permit application. Hingham Affordable Housing Trust took title to the property as permitted by the Trust's By-law without a Town meeting vote in October 2014 for the purpose of leasing or selling the parcel and the home thereon as an affordable housing unit, which shall be deemed-restricted for such use in perpetuity. In 2017, the Trust issued a Request for Proposals to dispose of the property for the purpose of developing up to three deed restricted affordable homes. South Shore Habitat for Humanity submitted a successful response.

SSHH has completed plans for the development of two new colonial style 3-bedroom, 1.5 bath, single-family dwellings. The total project budget is \$664,381, and the funding request to CPC of Hingham is 25% of the project budget. The CPC award would fund essential items to create the two affordable homes including (for each home): the bulkhead, septic, foundation, framing lumber, roofing material, siding and trim, kitchen cabinets and installation, and appliances with delivery. The funding request includes construction costs for both homes, plus administrative soft costs, including peer review, survey work and Perc Testing. It is SSHH's policy that 75% of the Project Budget (\$498,286) is needed to break ground, so there will be no cash flow issues. The CPC grant of \$166,840 would go towards the 75% goal. Once 75% of project costs are raised, groundbreaking and the family selection process can begin. To date, 56% of funds have been pledged. Provided an affirmative vote on the CPC grant, SSHH's funds will exceed the amount needed to break ground; SSHH will be within 19% of total project costs.

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

3) The Cronin Hockey Court is one of the most popular and utilized outdoor courts in the Town of Hingham. It provides families the opportunity for a safe outdoor setting where children are introduced to the fundamentals of hockey. The court also provides an area where Hingham's youth can participate in self-organized team activities. Additionally, this outdoor facility provides all members of our community a place to engage in healthy and safe recreational activities.

The Hingham Recreation Commission has requested funds from CPC to fully re-construct the hockey court. The rebuilding of this court was also suggested as part of the Town of Hingham Athletic Field and Outdoor Court Study conducted by Weston and Sampson. This report confirmed that this court has reached the end of its useful life. The size and type of cracks that have formed on the Cronin Hockey Court impacts the ability for the public to safely play street hockey. Large cracks and holes have formed on the dasher boards. Although some holes have been patched, this is a temporary solution that the Recreation Commission believes will not hold up for more than a season.

The Recreation Commission is recommending a new street hockey court which would consist of a new post tension concrete surface and fiberglass dasher board system. The post tension concrete surface is durable and crack resistant, which are important qualities for a street hockey court. Post tension concrete courts typically last 20-25 (plus) years.

The recommended design of this tension court requires little maintenance; it is advised to paint the surface every 10 years.

The Town of Hingham owns the parcel of land where the existing court currently sits, and the Recreation Commission has oversight of the court and surrounding area. The Recreation Commission plans to follow the Town's permitting process (Planning, Building, and Zoning) and does not anticipate any potential barriers to construction.

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

4) The South Shore Country Club Management Committee (CCMC) sought \$1,000,000 from CPC for a portion of the construction costs to replace the defunct outdoor Town pool complex located at the South Shore Country Club (SSCC). See also Article 18.

CPC members were unanimous in their support of this project but differed as to the appropriate amount of funds to allocate to it given other CPC grant requests. A 5-4 majority supported a grant in the amount of \$550,000, while the minority sought a larger amount.

Please refer to the Article 18 comment for detail about the pool project.

This grant request is contingent on the passing of Article 18. If Article 18 fails to pass, this CPC grant request will be moot. In this case, under the regulations of the Community Preservation Act, the \$550,000 proposed in this article cannot be allocated to any project this year and will instead revert to CPC for use for future CPC projects.

The Advisory Committee and the Select Board voted unanimously in support of this project. The CPC voted 5-4 in favor of this project for the reason stated above.

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

- 1) **Appropriate a sum of money in the amount of \$20,000 from the Community Preservation General Fund to be used by the Community Preservation Committee for administrative purposes;**
- 2) **Appropriate a sum of money in the amount of \$166,728 from the Community Preservation Housing Reserve and \$112 from the Community Preservation General Fund, for a total of \$166,840 to be used by the South Shore Habitat for Humanity, a non-profit organization, to construct two units of affordable housing at 302 and 304 Whiting Street, Hingham, MA;**
- 3) **Appropriate a sum of money in the amount of \$289,815 from the Community Preservation General Fund to be used by the Hingham Recreation Commission to reconstruct the hockey court at Cronin Field;**
- 4) **Appropriate a sum of money in the amount of \$550,000 from the Community Preservation General Fund to be used by the Country Club Management Committee for construction of a new pool complex at the South Shore Country Club.**

**ARTICLE 18
TOWN POOL AT THE SOUTH SHORE COUNTRY CLUB AUTHORIZATION TO BORROW**

Will the Town vote to raise and appropriate, borrow or transfer from available funds a sum of money for the design and construction of a new pool at the South Shore Country Club, or act on anything relating thereto?
(Inserted at the request of the South Shore Country Club Management Committee)

COMMENT: This article authorizes the Town to borrow up to \$8,000,000 to finance the construction and any remaining design of a swimming pool facility to replace the now-defunct outdoor Town pool located at the South Shore Country Club (SSCC).

Hingham has had a public Town pool facility since it acquired the SSCC in 1988. This pool, originally built in the 1950s and upgraded in the 1980s, was closed indefinitely in the fall of 2019 due to structural weaknesses. The vote under Article 18 of the 2017 Annual Town Meeting approved a \$75,000 Community Preservation Act (CPA) grant for a feasibility study to address the then-deteriorating pool structure and explore several pool configurations at a new location within the SSCC (outdoor pool, indoor pool, indoor/outdoor facility). The vote under Article 18 of the 2020 Annual Town Meeting approved a CPA grant of \$500,000 to fund the design and construction documents for a replacement Town pool.

As a result of the design process, which included net zero principles and considered various aquatic uses, the project envisions a handicap accessible 6-lane 25-yard lap pool, an adjacent pool with zero-depth entry designed for younger swimmers and those with special needs, and a “spray deck” play area for young children. The decision to separate the lap pool from the zero-depth entry pool was recommended by the design team and necessitated by

factors, such as the different water temperatures required for lap swimming versus swim lessons, and giving staff the ability to clean one pool if necessary, while keeping the other pool open for operations. The combined water space of the two pools equals an earlier design proposal of an 8-lane pool. A pool clubhouse will include restrooms, changing rooms, lifeguard office and a concessions area. Based on its overall Master Plan for the SSCC and the 2017 Feasibility Study, the Country Club Management Committee (CCMC) believes that the optimum location for the facility is at the site of the existing three tennis courts, which have approached the end of their useful life. The current anticipated timeline would enable the SSCC to open the pool for community use in July 2023.

The pool construction cost estimates provided by Operating Project Manager Pomroy Associates and Project Architect RMD Collaborative as of February 1, 2022, show hard construction costs of \$7,205,756, plus additional soft costs, including contingencies, of \$691,763, for a total of \$7,897,519. The total cost may be offset by an affirmative vote at the 2022 Annual Town Meeting for a Community Preservation Act grant for \$550,000 (see Article 17).

The Town plans to finance the project through borrowing outside of the operating budget, as excluded debt. As such, state law requires the project get approval both from a 2/3 majority vote of 2022 Annual Town Meeting and a majority approval on the ballot at the Town election, which will be held after Annual Town Meeting. If approved, the associated debt service, assuming a 20-year borrowing with level payments, would result in an excluded debt property tax increase of roughly \$46.00 per year for the median assessed value home based on the Town's Sustainable Budget Task Force's Financial Planning Model.

The South Shore Country Club is managed as an enterprise fund, meaning that the operations of the facility are supported entirely from the revenues generated by those operations. Golf fees, bowling fees, pool revenue, and lease revenue from the restaurant operator pay entirely for the operating costs of the facility, rather than utilizing an appropriation from Town funds. Budget estimates of seasonal operating costs show that the pool will support itself. The staffing of the pool and programming of lessons and pool activities will be provided by the Recreation Department, and operating costs will be supported by membership dues and daily guest activity fees.

The replacement pool would be designed to accommodate a detachable "bubble", so that the infrastructure in the pool deck and bathhouse will be prepared to allow for the addition of a structure that will enclose the pools for use during the off-season, if the Town should opt to make that choice in the future. The cost of including the "bubble-ready" infrastructure is approximately \$700,000 of the construction cost total. This does not include the purchase of the actual bubble structure or the additional associated year-round operating costs. If the Town were to choose to build a pool facility that does not include the infrastructure to make the facility "bubble-ready", the project architect has indicated that the cost to retrofit this functionality in the future would be prohibitive.

There remains an open question as to a sustainable financial model for operating costs of the pool outside of the summer outdoor use season. Current forecasts, and the experience realized by other communities that operate the type of bubble facility that would be possible in the future, show that an operational deficit will be incurred. What is unknown at this time is whether there are any sponsorship options that could help support the costs of operating the facility year-round.

Abutters of the South Shore Country Club have expressed concerns about the proposed location of the new pool facility, including the potential for noise from swimmers in the pool deck area, noise from any future inflated bubble enclosure, room for parking, and the need for screening to prevent any sightlines. The pool project would be subject to site plan review before the Planning Board at which time the neighbors' concerns could be addressed and mitigated.

Proponents express the desire to bring a pool back to the South Shore Country Club and to recreate a community space that involves recreation opportunities for all ages. The overall facility would be built to last 50-plus years. This Article seeks to rebuild a pool operation that would be initially open during the summer season. In the future, if the Town wishes to convert to year-round operation, then it may be subject to further permitting, to the extent applicable, and any additional appropriation request to support such an operation would be subject to a Town Meeting budget vote, and also any additional appropriation request to purchase the bubble would be subject to a Town Meeting vote (other than private fundraising).

Of the 19 “benchmark” communities that Hingham compares itself to, 11 have a municipal aquatic facility, and seven of the 11 are indoor/outdoor facilities.

Approval of this Article requires a two-thirds vote of Town meeting and subsequently an affirmative vote at the local election.

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

RECOMMENDED: That the Town vote to appropriate an amount not to exceed \$8,000,000 for the design and construction of a new pool at the South Shore Country Club. To meet said appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under Massachusetts General Laws Chapter 44, or any other enabling authority and to issue bonds or notes of the Town therefor and further provided that the appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by Massachusetts General Laws Chapter 59, Section 21C (Proposition 2 ½).

**ARTICLE 19
SOUTH SHORE COUNTRY CLUB MAINTENANCE FACILITY:
AUTHORIZATION TO BORROW ADDITIONAL FUNDS**

Will the Town vote to raise and appropriate, borrow, or transfer from available funds an additional sum of money for the design and construction of a new maintenance facility at the South Shore Country Club, or act on anything relating thereto?

(Inserted at the request of the South Shore Country Club Management Committee)

COMMENT: The current maintenance facility, which is used to store and repair equipment used in the daily operation of the South Shore Country Club (SSCC), is housed in an enclosed area which sits underneath the swimming pool. The pool was closed at the end of the 2019 season due to structural problems. The problems could not be repaired so as to permit continued use of the pool. Those structural issues also jeopardized the safe use of the maintenance facility below it. This damage has been sufficiently mitigated, however, to allow for the temporary, continued usage of the facility and the cracks and repairs are constantly monitored by professionally installed “crack monitors” and visual inspection.

In 2020, Town Meeting voted to replace the existing facility with a new 11,500 square foot facility closer to the train tracks, which will include a maintenance facility, storage for chemicals and equipment, office space, bathrooms, and an environmental management center to safely handle fuel, pesticides, and recycled water used to wash golf carts. Site work was successfully completed in December 2021. Due to supply chain and inflation issues, additional funds are needed to complete the 7,000 square foot maintenance and storage building. Design has been completed by RMD Collaborative and includes Net Zero principles. Approval from Hingham Conservation Commission, Historic Districts Commission, and Planning Board have been obtained. The SSCC will be responsible for the total cost of the building, and construction is expected to be completed by the end of 2022. Revenues from golf operations are projected to be enough to enable the SSCC to repay any borrowings the Town undertakes on behalf of this project.

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

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

RECOMMENDED: That the Town appropriate an amount of up to \$815,000 in additional funds for the design and construction of a new maintenance facility for the South Shore Country Club. To meet said appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under Massachusetts General Laws Chapter 44, Section 7, or any other enabling authority and to issue bonds or notes of the Town therefor.

ARTICLE 20
MODIFY THE SIZE OF THE LONG RANGE WASTE DISPOSAL AND RECYCLING COMMITTEE

Will the Town vote to alter the composition of the Long Range Waste Disposal and Recycling Committee as previously established under Article 25 of the 1974 Annual Town Meeting by decreasing the total number of members from nine to seven and by increasing the term length of each member from two years to three years, or act on anything relating thereto?

(Inserted at the request of the Long Range Waste Disposal and Recycling Committee)

COMMENT: The Long Range Waste Disposal and Recycling Committee (LRWDRC) is now referred to in practice, and on the Town government website, as the Cleaner Greener Hingham Committee.

With nine members, LRWDRC is one of the largest Committees in Town. The size of the Committee has posed an issue when trying to get to quorum and also with meeting scheduling. At seven members, LRWDRC believes it can adhere to its mission and work more efficiently.

Extending the term length from two to three years will put the LRWDRC in line with other Town Committees, it will increase the depth of knowledge of members, and it will reduce turnover. Additionally, less time will be spent seeking out new members. The LRWDRC currently has five members who have staggered starting terms to ensure continuity. With this proposal two members terms will end in 2023, three members terms will end in 2024, and two new members terms would end in 2025. There are no term limits for Committee members.

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

RECOMMENDED: That the Town decrease the total number of members of the Long Range Waste Disposal and Recycling Committee from nine to seven and increase the term length of each member from two to three years.

ARTICLE 21
WEIR RIVER WATER SYSTEM:
APPROPRIATION OF BOND PREMIUM AND EXCESS BOND PROCEEDS

Will the Town vote to appropriate a sum of money to pay costs of making various Weir River Water System capital improvements, including, but not limited to: (i) design and construction of a new water tank, (ii) rehabilitation of the Turkey Hill water tank, and (iii) various other capital improvements throughout the Weir River Water System, and to determine whether this appropriation shall be raised by transfer from surplus bond proceeds, transfer of bond sale premium reserved for appropriation, or otherwise, all in accordance with Massachusetts General Laws Chapter 44, Section 20, or act on anything relating thereto?

(Inserted at the request of the Board of Water Commissioners)

COMMENT: This Article asks the Town to appropriate funds previously borrowed to finance the acquisition of Weir River Water System to be used on certain important water system capital projects. The initial borrowing took place in 2020 and the funds are currently in the Weir River Water System Enterprise fund. The appropriation will have no impact on taxes or water rates.

These funds include a \$7,000,000 bond premium and \$112,074 in excess bond proceeds received in the 2020 financing by the Town. The funds will be used for three main purposes: 1) design and construction of a new water storage tank, 2) complete rehabilitation work on the Turkey Hill water tank, and 3) other water system capital improvements.

The use of these funds is restricted by Massachusetts General Laws Chapter 44, Section 20. The usages stated in this Article will comply with the purposes specified in the authorization of the loan under Article 10 of the 2019 Annual Town Meeting.

The Advisory Committee, the Select Board, and the Board of Water Commissioners each voted unanimously in support of this Article.

RECOMMENDED: That the Town appropriate the \$7,000,000 bond premium and \$112,074 excess bond proceeds from the 2020 borrowing to finance the acquisition of Weir River Water System, to be used for (i) design and construction of a new water tank, (ii) rehabilitation of the Turkey Hill water tank, and (iii) various other capital improvements throughout the Weir River Water System.

**ARTICLE 22
WEIR RIVER WATER SYSTEM:
AUTHORIZATION TO BORROW FOR CAPITAL IMPROVEMENTS**

Will the Town vote to raise and appropriate, borrow, or transfer from available funds, a sum of money to pay for the costs of designing, engineering, constructing, reconstructing, repairing and improving the Weir River Water System, including the payment of all costs incidental and related thereto, or act on anything relating thereto?
(Inserted at the request of the Board of Water Commissioners)

COMMENT: This Article seeks funding of \$2,700,000 for planned FY22 and \$2,700,000 for planned FY23 capital investment in the Weir River Water System (Water System).

The Town approved the purchase of the Water System from the Aquarion Water Company of Massachusetts, by Vote under Article 10 of the 2019 Annual Town Meeting. The Town's financial model for the purchase of the Water System included an annual capital investment of \$2,700,000 for water mains and other major capital items within the system. This annual amount is projected to increase by 5% every three years, starting in FY24, though future investment amounts are subject to adjustment.

The Town intends to borrow the money to fund this investment amount, but repayment will come from Water System ratepayers through the Water System enterprise fund. The debt service and repayment will not impact taxpayers or the Town budget.

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

The Advisory Committee, the Select Board, and the Board of Water Commissioners voted unanimously in support of this Article.

RECOMMENDED: That the Town appropriate an amount not in excess of \$5,400,000 to pay costs of designing, engineering, constructing, reconstructing, repairing, and improving the Weir River Water System. To meet said appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under Massachusetts General Laws Chapter 44, Section 8, or any other enabling authority and to issue bonds or notes of the Town therefor.

**ARTICLE 23
FOSTER SCHOOL: FUNDS FOR PRE-CONSTRUCTION COSTS**

Will the Town raise and appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the 2017 School Building Committee for expenses associated with design, architectural, engineering, owner's project manager and other professional services to complete design development, and construction document preparation, and to obtain site development and construction bids necessary to prepare the building site for construction of a new elementary school to replace the existing William L. Foster Elementary School located at 55 Downer Avenue, Hingham, Massachusetts (Lot 1 on Assessors' Map 38), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (MSBA), or act on anything relating thereto? The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the

Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

(Inserted at the request of the 2017 School Building Committee)

COMMENT: This Article will appropriate \$3,128,912 of interim funding to continue project operations conducted by the 2017 School Building Committee for the purpose of replacing Foster Elementary School (Foster). It is anticipated that the construction design and bid preparation work will be complete by the fall of 2022, and that a Special Town Meeting will be held in the Fall of 2022 to approve full funding for the project.

Foster School was built in 1951, with an addition constructed in 1957 and renovations in 1974 and 2008. The 2005 Ten-Year Master Plan by the School Department determined that Foster would require comprehensive renovations or replacement in the future. Educational programming is affected by inadequate educational space including classroom size, shared library and technology lab space, staff work area in hallways and small gymnasium and cafeteria spaces. The aging 1950s mechanical infrastructure is a critical area of concern. The current steam heating distribution system is deteriorating, supplying inconsistent heat throughout the building. Most problematic have been leaks in the steam distribution system resulting in frequent repair, with leaks occurring in walls, under floors, and in crawl spaces. The leaks are also impacting the electrical system, as steam can travel through conduit into electrical and fire alarm panels, which sets off alarms and causes unreliable Wi-Fi communication.

In 2018, Foster was evacuated due the boiler breakage which caused the school to lose heat, and students were sent to Hingham High School for the day. The vote under Article 48 of the 2019 Annual Town Meeting appropriated \$350,000 to cover any extraordinary maintenance capital needs that could arise, such as boiler maintenance or replacement, electrical upgrades/repairs, and roof maintenance, to keep Foster in operation until a permanent solution was decided and implemented. In February 2021, when most students returned to in-person learning, grades one and two were unable to return to Foster due to a lack of properly circulating air in the interior classrooms that have no windows. This required these grades to relocate to rented space in Weymouth for the remainder of the year.

The work of the 2017 School Building Committee was launched with the appropriation of \$750,000 through the vote under Article 20 of the 2017 Annual Town Meeting to support a feasibility study of Foster for the purpose of a possible renovation to the existing building or a new school building. In December 2019, the Town was admitted into the first phase of the Massachusetts School Building Authority (MSBA) core building program, and an appropriation of \$350,000 through the vote of Article 17 of the 2020 Annual Town Meeting was used to augment the prior feasibility appropriation in keeping with feasibility costs for comparable school building projects, allowing for completion of the feasibility process and preparation of schematic design plans. This acceptance into the MSBA program was successful after two prior applications in 2017 and 2018 were denied due to greater needs in other communities across the Commonwealth and limited MSBA funding.

Through the feasibility phase, the 2017 School Building Committee has determined that construction of a new school facility is the best option. Among the decision factors driving this conclusion were the following:

- No alternate site was feasible to serve the geographic area of the Town's school population.
- The current location where significant portions of the school building sit on the property is anticipated to be impacted by rising sea levels projected over the next 50 years. Addressing this scientific projection requires the building to be located on a different portion of the property and to be constructed at a grade above the projected sea level by 2070.
- Other aspects of renovating the current building were also not cost-effective, such as the inability to alter the fundamental design of the building, which includes interior classrooms, lack of space for specialized learning environments, and staff space.
- The Foster School community has been waiting for a meaningful upgrade since it was identified as needing major improvements in the 2005 Ten-Year School Master Plan. As other projects in Town were given priority, including two new school buildings, the conditions at Foster have continued to deteriorate. The plan to build a new school adjacent to the existing facility was proven effective though the Middle School project. This process is a safe and time-efficient method to deliver an upgraded facility currently scheduled to open in September 2024.

- A new building provides the opportunity to construct the facility in a fully modern, efficient, and environmentally conscious design consistent with the Town's objective, approved by Article 15 of the 2021 Annual Town Meeting, to fulfill a net-zero carbon emissions goal.
- The end of the schematic design phase is anticipated in April 2022. It was originally anticipated that the final round of funding – for construction design, project bidding, and actual construction costs – would occur through a vote at the 2022 Annual Town Meeting. The MSBA process restricts the Town from receiving approval for a full construction appropriation prior to July 1, 2022, as part of its budgeting process, and the MSBA Board will not be voting to approve the Commonwealth's portion of project funding, anticipated to be approximately 36.89%, until late August 2022.

The \$1.1 million in previously appropriated funds were budgeted to bring the Foster project through this initial feasibility and schematic design phase, along with the collaborative process with the MSBA core building program. This portion of the project is on schedule to be completed in April 2022. The next phases of the project – construction design, project bidding, and actual construction – will require new funding. The request for full funding of the school project is anticipated to come following an affirmative vote from the MSBA Board in August 2022 to provide State funding in support of the project.

The School Building Committee is requesting \$3,128,912 in gap funding to continue project design efforts from April through October 2022 and to prepare bid documents for the initial site work component of the project, at which time a vote can be taken at a Special Town Meeting to approve the full project funding. The gap funding will be provided through short-term borrowing by the Town and subsequently rolled into the overall cost of the project, which will combine both Town and State funds.

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

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

RECOMMENDED: That the Town appropriate the amount of \$3,128,912 for the purpose of paying costs associated with design, architectural, engineering, owner's project manager, and other professional services to complete design development, and construction document preparation, and to obtain site development and construction bids necessary to prepare the building site for construction of a new elementary school to replace the existing William L. Foster Elementary School located at 55 Downer Avenue, Hingham, Massachusetts (Lot 1 on Assessors' Map 38), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (MSBA), said amount to be expended under the direction of the 2017 School Building Committee. To meet this appropriation the Town Treasurer with the approval of the Select Board, is authorized to borrow said amount under Massachusetts General Laws (M.G.L.) Chapter 44, and M.G.L. Chapter 70B, or pursuant to any other enabling authority. The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA.

ARTICLE 24 PUBLIC SAFETY FACILITY: FUNDS FOR PRE-CONSTRUCTION COSTS

Will the Town vote to raise and appropriate, borrow or transfer from available funds, a sum of money to be expended by the Select Board to be used to pay the expenses for design, architectural, engineering, owner's project manager, and other professional services to complete the pre-construction bid documents in order to obtain construction bids for a new Public Safety Facility to be located at 335 Lincoln Street, Hingham, Massachusetts, or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: This Article asks Town Meeting to approve \$1,585,380 in funding for preparation of pre-construction bid documents in connection with a future Public Safety Facility (PSF) building to be located at 335 Lincoln Street. The vote under Article 1 of the Special Town Meeting held on November 21, 2020 authorized the Select Board to purchase the 335 Lincoln Street property. The purchase was recommended by the Public Safety Facility Building Committee after completing an extensive Feasibility Study of the site. The PSF is designed to combine the operations of the Police Headquarters and the North Fire Station. The vote under Article 18 of the 2021 Annual Town Meeting approved \$1.6 million in funding to prepare schematic and design documents for the facility. Approval of this Article will authorize funding for pre-construction bid documents, the next step in the development process for the Public Safety Facility.

The Town has had several initiatives over the past seven years to address the needs of key municipal departments as our population has grown and changed in demographics. In particular, the Fire Department, the Police Department, and the Senior Center have outgrown their current facilities making it more difficult to provide appropriate services. The North Fire Station (North Station) is the primary station serving northwest Hingham. The Town has long recognized the deficiencies of this facility, which has had minimal upgrades since it opened in 1942. The vote under Article 14 of the 2015 Annual Town Meeting formed a Fire Station Building Committee and approved design work to renovate North Station. That Committee determined that renovating the current station was not feasible given the site constraints – specifically, its size and the nature of the soil under the site. The vote under Article 14 of the 2016 Annual Town Meeting approved additional monies for new site selection. The Police Headquarters also are housed in an inadequate facility. In 1998, the Police Department moved to its current location in Town Hall into space that was added onto the building in 1967 when it was a school. In 2011, 1,500 square feet of Police Department space was taken over by the South Shore Regional Emergency Communications Center (SSRECC), which provides regional emergency dispatch service for Hingham, Cohasset, Hull, and Norwell.

The proposed Public Safety Facility will house both Police Headquarters and a satellite station of the Fire Department, replacing the current North Station. The Fire Department Headquarters will remain at 339 Main Street. SSRECC will remain at Town Hall.

This project also affects the needs of the Senior Center. The vote under Article 14 of the 2020 Annual Town Meeting authorized funds to redesign the Senior Center, incorporating space at Town Hall currently used by the Police Department. The work on the Senior Center cannot begin until the Police Department has vacated its current location.

At the start of the design phase, contracts were negotiated with Kaestle Boos Associates (KBA) for architectural services, and Hill International (Hill) for Owner's Project Management (OPM) services to cover all design phases of the project, including completion of the pre-construction design documents, project bidding, and oversight of construction. During Schematic Design and Design Development, the programmatic requirements for the Hingham Police Department (HPD) and the Hingham Fire Department (HFD) were developed and confirmed during a series of regular working sessions with KBA, Hill, HPD, HFD, representatives of the Building Committee, and the Town Engineer. Hingham Municipal Lighting Plant and Hingham Net Zero have been involved throughout the design process.

The current design is for a 49,000 square foot building, which will be three stories facing the Massachusetts Bay Transportation Authority (MBTA) parking lot and two stories facing Lincoln Street (Route 3A). It includes an 89-space parking garage for fire and police vehicles and employee parking, as well as additional public parking. Due to the location on Route 3A, traffic engineering has been a critical component of the design; the design allows for quick access and egress by emergency vehicles. The Building Committee has incorporated low emission technology into the mechanical and electrical systems wherever technically feasible and practical. The project has received the endorsement of Hingham Net Zero. The design provides for electricity as the primary power source for approximately 93% of the building and for the construction of systems that make the building ready for subsequent installation of solar panels. The current design includes two systems for which appropriate low emission technology does not yet exist; the building is designed with additional capacity to support the retrofit of these systems. The proposed project meets the Massachusetts Department of Energy Resources' base energy code and "stretch energy" code net-zero standards.

KBA has completed its package of Design Development documents for review by Hill. Once the Design Development documents are approved, the Building Committee will be ready to proceed with more formal submissions to the Planning Board, the Conservation Commission, and other Town agencies regarding permits that will be required before construction can proceed. There will be public meetings and hearings throughout the permitting process. The permitting phase will not require any additional funding, aside from fees already negotiated with KBA and Hill. Assuming favorable action on this Article, the next funding request will be for construction of the facility. It is anticipated that this request will be at a Special Town Meeting in the fall of 2022. If construction funds are approved and the project proceeds as anticipated, the project will be put out to bid in the late fall of 2022, with construction starting in the spring of 2023, and building occupancy in the fall of 2024.

Cost estimates at various phases are provided by two independent cost estimators; their independent estimates go through a reconciliation process to arrive at a final estimate. In October 2021, a reconciled construction cost estimate based on the Schematic Design was completed; the cost of the PSF was estimated at \$38,573,820. In March 2022, a second set of reconciled estimates were produced based on the Detailed Design documents; the updated cost estimate is \$38,574,656.

Favorable action on this Article allows the Committee to continue working with KBA and Hill to proceed into the Construction Documents and Bid Documents Phases of the Project.

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

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

RECOMMENDED: That the Town appropriate an amount of up to \$1,585,380 to be expended by the Select Board to be used to pay the expenses for design, architectural, engineering, owner’s project manager and other professional services to complete the pre-construction bid documents in order to obtain construction bids for a new Public Safety Facility to be located at 335 Lincoln Street, Hingham, Massachusetts. To meet said appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said sum under Massachusetts General Laws Chapter 44, Section 7, or any other enabling authority and to issue bonds or notes of the Town therefor.

ARTICLE 25 REDUCTION OF SPEED LIMITS

Will the Town vote to accept Section 17C of Chapter 90 of the Massachusetts General Laws, which would authorize the Select Board, upon receiving a recommendation from the Traffic Committee, to establish a speed limit of 25 miles per hour on any roadway in thickly settled or business districts within the Town that is not a state highway in the interests of public safety, or act on anything related thereto?

(Inserted at the request of the Traffic Committee)

COMMENT: This Article would result in the Town accepting Massachusetts General Laws Chapter 90, Section 17C (M.G.L. c. 90, s.17C); this provision allows the Town to reduce the statutory speed limit from 30 miles per hour to 25 miles per hour on any or all Town owned roads within a thickly settled or business district. The statute does not apply to state highways or roads, or where a regulatory speed limit is in effect. Under the statute, the Town is required to notify the Massachusetts Department of Transportation (MassDOT) that it has opted in to this statutory provision, and for any speed limit reductions.

Under this Article, the Traffic Committee would recommend to the Select Board that it establish the reduced speed limit on Town owned roads which have a MassDOT functional classification of “Local” in thickly settled or business district. Massachusetts General Laws Chapter 90, Section 17C defines thickly settled or business district as “the territory contiguous to any way which is built up with structures devoted to business, or the territory contiguous to any way where dwelling houses are situated at such distances as will average less than two hundred feet between them for a distance of a quarter of a mile or over.” Once a reduced speed limit is authorized by the Select Board, it is enforceable by the police.

The Traffic Committee has proposed this Article due to concerns raised about the speed of vehicles, especially in the downtown area. If the Article is approved, the Traffic Committee expects to recommend to the Select Board that the speed limit on "Local" roads and in the Downtown Business District be reduced to 25 miles per hour.

New speed limit signs will be needed for any speed limit changes that are authorized by the Select Board and the estimated costs for these signs is \$15,000. However, it is expected that the Town would receive an "Equipment Only" grant from the Commonwealth's Shared Streets and Spaces Grant Program to pay for these new speed limit signs.

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

RECOMMENDATION: That the Town vote to accept Massachusetts General Laws Chapter 90, Section 17C, which would authorize the Select Board, upon receiving a recommendation from the Traffic Committee, to establish a speed limit of 25 miles per hour on any roadway in thickly settled or business districts within the Town that is not a state highway in the interests of public safety.

**ARTICLE 26
TRANSFER CARE, CUSTODY, AND CONTROL OF A PORTION OF TRANSFER STATION SITE
TO HINGHAM MUNICIPAL LIGHTING PLANT**

Will the Town of Hingham vote to authorize, but not require, pursuant to Massachusetts General Laws Chapter 40, Section 15A and all other applicable laws, the Select Board to transfer the care, custody, management and control, from the Select Board to the Hingham Municipal Lighting Plant a portion of the property located at the Transfer Station at 0 Hobart Street, Hingham Assessor's Map 106-0-4, for Municipal Lighting Plant purposes for construction and operation of a new substation, or act on anything relating thereto?

(Inserted at the request of the Hingham Municipal Lighting Plant)

COMMENT: This Article asks if the Town will authorize the Select Board to transfer to the Hingham Municipal Lighting Plant (HMLP) a parcel of land (approximately ½ acre) located at the extreme northeast corner of the Transfer Station at 0 Hobart Street for the purpose of constructing a substation which will be the end point of new transmission line bringing electrical power into Hingham. Transfer of the land at this time will allow HMLP to begin the extensive permitting process with the Commonwealth's Energy Facilities Siting Board (EFSB).

HMLP currently provides electrical power to 10,500 residential and commercial customers in Hingham through two overhead transmission lines, both located on single structures along the Greenbush train right of way and terminating at the current substation, also located on Hobart Street at the entrance to the Transfer Station. The goal of the HMLP Electrical Infrastructure Reliability Project is to increase the reliability of our power system by adding a third transmission line which will travel underground from Weymouth to Hingham and end at the proposed new substation on Hobart Street. With the increasing frequency of severe storms and other potential catastrophic events impacting the current overhead structures (such as a train derailment), a redundant transmission line travelling via a different and more protected route is needed to prevent the Town from experiencing total loss of power for an extended period of time. The proposed third transmission line will also increase electrical service capacity which will be needed in the future to power the increased electrification called for by the Town and Commonwealth's Net Zero goal.

Leading up to the 2021 Annual Town Meeting, another site on Hobart Street was proposed for the new substation, but with input from residential abutters that site was deemed inappropriate. Through the efforts of the Select Board, HMLP, the Department of Public Works and the Advisory Committee, the present proposed site was identified. The land proposed for transfer in this Article is apart from residential areas and is currently not in use at the Transfer Station. Locating the enclosed substation building at this location will not impact Transfer Station operations.

The EFSB permitting process is expected to take 18-24 months and will include assessment of the need for the new transmission line, proposed route(s) and site of substation and will assess potential impact on noise, traffic, air, magnetic fields, wetlands, and other environmental concerns. The permitting process includes public hearings at which Hingham and Weymouth residents will be able to offer input to the permitting process.

HMLP will continue to develop the estimated cost for construction of the new line and substation (expected to occur in 2024-2025) during the permitting process, but it is expected to be approximately \$55-60 million. HMLP will return to Town Meeting to ask the Town to borrow the construction funds with the debt service to be paid by HMLP customers, though it should be noted that HMLP has set aside significant funds to help mitigate the impact of the debt service on rate payers from this project.

Should the project not be permitted, the land will return to the Town per the Memorandum of Understanding signed by the Select Board.

Approval of this Article requires a two-thirds vote of Town Meeting.
The Advisory Committee and the Select Board voted unanimously in support of this Article.

RECOMMENDED: That the Town authorize, but not require, pursuant to Massachusetts General Laws Chapter 40, Section 15A and all other applicable laws, the Select Board to transfer the care, custody, management, and control, from the Select Board to the Hingham Municipal Lighting Plant, a portion of the property located at the Transfer Station at 0 Hobart Street, Hingham MA (Assessor's Map 106-0-4), and to authorize the Select Board to enter into all agreements and execute any and all documents as may be necessary to effect said transfer for the construction and operation by the Hingham Municipal Lighting Plant of a new electrical substation and appurtenances on said property, on such terms and conditions as the Select Board deems in the best interest of the Town.

ARTICLE 27 HIGH SCHOOL TENNIS COURTS REHABILITATION

Will the Town vote to raise and appropriate, borrow or transfer from available funds, a sum of money not to exceed \$864,000 to be expended under the direction of the School Committee and/or Recreation Commission for the purpose of funding a project that would construct six new post tension concrete tennis courts at Hingham High School, or act on anything relating thereto?
(Inserted at the request of the School Committee)

COMMENT: The School Committee is requesting funding to construct six new tennis courts at the High School location. The new courts would replace the six existing courts currently used by both the High School tennis teams and the public. The work would be performed under the direction of the School Committee and/or the Recreation Commission under the fields management program recommended in the Weston & Sampson Outdoor Court and Fields Study and implemented as part of FY22 budget. The Recreation Commission fully supports this Article, including the use of post tension concrete to construct the new courts.

The six courts currently located at the High School would be demolished under this proposal and then reconstructed at the same location. The existing courts, which are asphalt based, have numerous cracks and uneven sections by the nets which pose a safety risk in addition to potentially affecting the quality of play. One of the courts was declared unfit for play this past spring.

The School Committee has received two initial proposals from Weston & Sampson, the consulting firm that completed the Fields Study in 2020. The proposals are to replace the existing courts with either asphalt, at a cost of \$490,000, or post tension concrete at a cost of \$864,000. While asphalt courts are initially less expensive to build, they require more maintenance over time as they are more sensitive to changes in weather. The impact of summer heat and winter cold lead to cracking in the asphalt which requires ongoing repairs and a total rebuild around 15 years after installation. The post tension concrete courts have a 25-year life expectancy and require far less regular maintenance than the asphalt ones. Weston & Sampson has estimated the 25-year cost of the courts to be \$1,295,000 for asphalt and \$954,000 for post tension concrete.

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

RECOMMENDED: That the Town transfer from available funds, a sum of money not to exceed \$864,000 to be expended under the direction of the School Committee for the purpose of funding a project that would construct six new post tension concrete tennis courts at Hingham High School.

**ARTICLE 28
FIVE-YEAR LEASE FOR SPECIAL EDUCATION SCHOOL TRANSPORTATION VEHICLES**

Will the town authorize the School Department to enter into a municipal lease of up to five years for the purpose of leasing new 7D transportation vans used for Special Education transportation, or act on anything relating thereto? (Inserted at the request of the School Committee)

COMMENT: The purpose of this Article is to give the Hingham School Department the authority to enter into a five-year lease for 7D vans used for Special Education transportation. Special Education vehicles are used primarily to transport students to schools outside of the district; they are also used to transport Pre-K Special Education students. Vans are more economical than buses because there are fewer children and sometimes a child's disability may require that the child be transported alone.

The School Administration gains significant savings in leasing the vans for the longer term of five years, rather than either purchasing the vans or leasing for a shorter term. Additionally, once the lease is paid, the vans are owned by the School Department and will provide several more years of service.

Massachusetts General Laws Chapter 30B, Section 12 prevents the Town from entering into contracts for more than three years without Town Meeting approval.

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

RECOMMENDATION: That the Town authorize the School Department to enter into a municipal lease of up to five years for the purpose of leasing new 7D transportation vans used for Special Education transportation.

**ARTICLE 29
AMEND ZONING BY-LAW: GENDER NEUTRAL AND OTHER TERM REVISIONS**

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

Item 1: To insert the following new provision as Section I-A, 4 of the Zoning By-law of the Town of Hingham:

“4. Wherever words of one gender appear in the Zoning By-law of the Town of Hingham such words shall be construed to include the other gender.”

Item 2: To delete the words “Board of Selectmen” and “Selectmen” wherever they appear in the Zoning By-law of the Town of Hingham and insert in their place the words “Select Board”.

Item 3: To delete the word “Chairman” wherever it appears in the Zoning By-law of the Town of Hingham and insert in its place the word “Chair”.

Item 4: To delete the words "he", "she" and "his", "hers" and "him", "her" wherever they appear in the Zoning By-law of the Town of Hingham and insert in their place the words "they", "their" or "them."

Item 5: To delete the term “Grandfathered Use” wherever it appears in Section III-G of the Zoning By-law and insert in its place the term “Pre-Existing Use”.

(Inserted at the request of the Planning Board)

COMMENT: By voting in favor of Article 21 at the 2021 Annual Town Meeting, the Town approved amendments to the Hingham General By-laws that made the language of the General By-laws gender-neutral and required the use of gender-neutral language in all Town communications. The Article proposed here would amend the Zoning By-law of the Town of Hingham in a similar fashion so as to make the Zoning By-law language gender-neutral. The language in the Recommended Motion is slightly different from the Article as originally proposed as the recommended language is consistent with the Hingham General By-laws change that was approved last year.

Additionally, the proposed Article would delete the term “grandfathered use” and insert in its place the term “pre-existing use.” This latter change was inspired by a decision of the Massachusetts Appeals Court in which the Court declined to use the term “grandfathered,” acknowledging that it had racist origins. “Specifically, the phrase ‘grandfather clause’ originally referred to provisions adopted by some States after the Civil War in an effort to disenfranchise African-American voters by requiring voters to pass literacy tests or meet other significant qualifications, while exempting from such requirements those who were descendants of men who were eligible to vote prior to 1867. See Webster’s Third New International Dictionary 987 (2002) (definition of ‘grandfather clause’).” *Comstock v. Gloucester Zoning Board of Appeals*, 98 Mass. App. Ct. 168, n.11 (2020).

The Comment to Article 21 of the 2021 Town Meeting Warrant contains a comprehensive discussion of gender-neutral language and can be found on the Town’s website. Such a recent explanation need not be repeated here, except, perhaps, to remind us that “the rationale for using gender-neutral terms is to be more welcoming and equitable to all people in the Town and to recognize that all persons (binary and non-binary) are part of our community. Such language is a form of non-discriminatory expression, since it does not distinguish societal roles or opportunities based on specifically identified gender roles”.

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

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

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

Item 1: To insert the following new provision as Section I-A, 4 of the Zoning By-law of the Town of Hingham:

“4. Wherever words of one gender appear in the Zoning By-law of the Town of Hingham such words shall be construed to include all genders.”

Item 2: To delete the words “Board of Selectmen” and “Selectmen” wherever they appear in the Zoning By-law of the Town of Hingham and insert in their place the words “Select Board.”

Item 3: To delete the word “Chairman” wherever it appears in the Zoning By-law of the Town of Hingham and insert in its place the word “Chair.”

Item 4: To delete the words “he”, “she” and “his”, “hers” and “him”, “her” wherever they appear in the Zoning By-law of the Town of Hingham and insert in their place the words “they”, “their” or “them.”

Item 5: To delete the term “Grandfathered Use” wherever it appears in Section III-G of the Zoning By-law of the Town of Hingham and insert in its place the term “Pre-Existing Use.”

ARTICLE 30 AMEND ZONING BY-LAW: RESIDENTIAL ACCESSORY USES

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

Item 1: By deleting Section III- J, I.a. and reformatting Section III--J, 1.b as Section III-- J.1.a;

Item 2: By replacing Section III--J, 2. In its entirety as follows:

"2. Additional Requirements for all Residential Accessory Uses

- a. Applicability. Uses considered customarily incidental to residential uses shall be those accessory uses permitted under Section III-A, 1.8. Such uses shall also be permitted in buildings accessory to Single - Family and Two-Family Dwellings located in nonresidential districts.
- b. Maintenance of Residential Character. Accessory uses shall not alter the character of the premises on which they are located or impair the neighborhood. Factors to be considered potential impairment to the neighborhood may include, but are not limited to the following:
 - (i) Noise
 - (ii) Light
 - (iii) Odor
 - (iv) Sound
 - (v) Traffic congestion and pedestrian safety, availability and safety of parking, and frequency of deliveries

or act on anything related thereto?

(Inserted at the request of the Zoning Board of Appeals)

COMMENT: A primary purpose of zoning regulations is to govern the "use" of property. This is typically accomplished by establishing within a municipality "zoning districts," such as residential, business, or industrial, and specifying the uses of the property which are permitted in each zoning district. The Zoning By-law of the Town of Hingham regulates uses of property in this traditional fashion. The Zoning By-law also permits certain "accessory uses" that are customarily incidental and clearly secondary to the principal use permitted in the zoning district of the property. The accessory use is permitted on the same lot with the principal use or on an adjoining lot under the same ownership.

Specific residential accessory uses permitted for single-family or two-family dwellings are listed in the Zoning By-law at Section III-A, 1.8, and include, without limitation, such things as professional studios or offices of a resident physician, dentist, attorney, artist, or real estate broker, or a customary one-person home-occupation such as dressmaking and millinery. The number of persons employed on the premises engaging in the accessory use is typically limited to three or less, including the resident professional or business owner. Some uses are limited to appointment only engagements, and signage is prohibited or otherwise regulated. The purpose of these provisions is to better regulate permitted accessory uses, provided that the uses do not alter the character of the premises on which they are located or impair the neighborhood.

This Article has two purposes. First, it amends the current Zoning By-law by adding the phrase "and clearly secondary" to the sentence "Accessory uses shall be those uses that are customarily incidental." Second, it adds a non-exclusive list of factors that may be considered in assessing potential for impairment of the neighborhood. These factors include, but are not limited to, noise, light and visual impacts, odor, sound, and traffic congestion and pedestrian safety, and frequency of deliveries.

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

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

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

Item 1: By inserting in the first sentence of Section III-J, 1. after "Accessory uses shall be those uses that are customarily incidental" the clause: "and clearly secondary".

Item 2: By replacing Section III-J, 2. in its entirety as follows:

- 2. Additional Requirements for all Accessory Uses: Accessory uses shall not alter the character of the premises on which they are located or impair the neighborhood. Factors to be considered potential impairment to the neighborhood may include, but are not limited to the following:**
 - (a) Noise**
 - (b) Light and visual impacts**
 - (c) Odor**
 - (d) Sound**
 - (e) Traffic congestion and pedestrian safety, frequency of deliveries.**

**ARTICLE 31
AMEND ZONING BY-LAW: SPECIAL PERMITS AND SITE PLAN REVIEW PROCEDURES**

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-D (Board of Appeals), Section I-F (Special Permits A1 and A2) and Section I-J (Planning Board - Special Permit A3) (including replacement or relocation of all or portions of such sections as applicable) to consolidate and clarify special permit application and approval processes and to amend such other provisions of the Zoning By-law to conform to amendments to such provisions of Section I for the purpose of replacing Special Permits A1, A2 and A3 with a single type of Special Permit and clarifying the roles of the Planning Board and Board of Appeals consistent with the existing provisions of the Zoning By-law and without amending the special permit granting authority presently designated in the Zoning By-law.

Item 2: Amend Section I-G (Special Permits with Site Plan Review), Section I- H (Building Permits with Site Plan Review), Section I- I (Site Plan Review) and Section IV.B.6 (Special Requirements triggering site plan review) (including replacement or relocation of all or portions of such sections as applicable) for the purpose of (a) creating a uniform free-standing site plan review process for all projects that involve changes to site layout and/or land disturbance, (b) standardizing submittal procedures and hearing timelines for site plan review, (c) clarifying triggers for site plan review, (d) clarifying site plan review submission requirements, (e) amending existing and/or adopting additional performance standards for satisfaction of site plan review criteria, and (f) modifying existing "minor site plan" provisions to allow for a limited site plan submission and review process for certain projects.

Item 3: Amend section references, defined terms, and other provisions of the Zoning By-law as necessary to conform such provisions to the amendments adopted pursuant to Item 1 and Item 2 above, or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: The Planning Board proposes changes to the Zoning By-law of Hingham to streamline, clarify, and enhance the process and procedures for Site Plan Review and Special Permits. Most of the proposed changes are made to Section I-I which governs the Administration and Procedure of zoning in Hingham.

The existing provisions of Section I-D through Section I-J of the By-law have been largely unchanged for the past 15 years. The Planning Board's experience in reviewing applications over that period suggests the proposed changes will make the Zoning By-law easier to review and follow for both applicants and the Planning Board. This Article proposes clarifying Site Plan Review Submittal Requirements. It also adds new, and clarifies existing, Design and Performance Standards with the goal of ensuring the project is properly designed to minimize negative impacts on neighbors and the Town. Additionally, the new Submittal Requirements and Design and Performance Standards provide for enhanced tree preservation and protection, as discussed in more detail below.

The Planning Board held eight public hearings from January through March to review in detail changes consistent with the proposals set forth in the Article and arrived at the language set forth in the Recommended Motion. The Planning Board believes it is prudent to adopt these proposed changes to the Zoning By-law. The Planning Board's recommendations are summarized below. Of the changes proposed in the Warrant Article, the Planning Board elected not to recommend the changes in Item 1 that would have replaced the three existing types of Special Permits (A1, A2, and A3) with a single type of Special Permit. Therefore, those three designated types of Special Permits remain.

The changes reflected in the Recommended Motion can be summarized as follows:

1. Update the Procedures, Submittal Requirements and Design and Performance Standards for Site Plan Review and certain Special Permits.
 - Require notice to abutters for all Site Plan Review applications and hearings.
 - Add more specific and better organized Submittal Requirements, as set forth in Section I-I,5, including expanded landscaping requirements to include tree preservation and protection.
 - Distinguish more clearly the Design and Performance Standards from the Approval Criteria by setting them forth separately. In this process, the Design and Performance Standards are clarified and expanded and set forth in Section I-I,6.
 - Clarify Special Permit Approval Criteria for Special Permit A3 parking determinations in Section V-A.
2. Structure Site Plan Review as a free-standing permit.
 - Under the existing By-law, the Zoning Board of Appeals cannot act on certain Special Permit applications until the Planning Board completes its Site Plan Review. Moreover, the Zoning Board of Appeals is required to include all of the Planning Board's conditions in its decision. The proposed change would relieve the Zoning Board of the burdens of awaiting the Planning Board's Site Plan Review decision and incorporating that Board's conditions into the Zoning Board's decision. Importantly, however, all Planning Board conditions in its Site Plan Review decision will remain fully enforceable under the Site Plan Review decision.
 - Add a requirement that the Site Plan Review decision be recorded so future owners are on notice of the conditions.
3. Minor modifications to Site Plan Review triggers.
 - Separate Major and Minor Site Plans so that projects with less impact (usually residential projects) have fewer Submittal Requirements (e.g., no traffic study would be required).
 - Eliminate Site Plan Review for "all nonresidential projects which are estimated to cost \$20,000 or more," that has no impact on the site itself. Under the existing trigger, businesses doing interior renovations only or making commercial building roof replacement or repair have been required to file for Site Plan Review. Such businesses could not obtain a building permit and commence work until they went before the Planning Board, at which hearing the Planning Board would typically waive Site Plan Review. In the Building Commissioner's experience, the existing requirement can add unnecessary costs to projects and result in delays which could be consequential in time-sensitive projects such as water damage or foundation or roof repairs. This change eliminates this unnecessary delay.
 - Remove exemption for projects within the jurisdiction of the Conservation Commission. Under the current exemption, some projects subject to Site Plan Review would not come to the Planning Board at all. The exemption was originally intended to cover projects needing storm water review. Many projects, however, raise issues, e.g., traffic, parking, and lighting, that the Conservation Commission does not review. The unintended consequence of the exemption was that some projects were not being reviewed for those impacts. With the proposed change, the Conservation Commission and the Planning Board retain their independent jurisdictions and review functions.

As part of the recommended changes, the Planning Board proposes additional landscape requirements that provide for tree preservation and protection. The Warrant for the 2020 Annual Town Meeting, and originally the Warrant for this 2022 Annual Town Meeting, included Citizen's Petitions that would establish a separate tree preservation and protection by-law. Based on its own review and discussions with proponents of the tree preservation and protection by-law, the Planning Board recommends that tree preservation and protection provisions be instead

incorporated into the Site Plan Review process. As a result, the Tree Preservation and Protection Article for the 2022 Annual Town Meeting has been withdrawn by its proponents.

For single-family and two-family properties, the requirements as to Site Plan Review are not changing. The existing requirement is that all projects on any properties (including single-family and two-family properties) that create a land disturbance of over 5,000 square feet overall or 2,500 square feet in an area which has steep slopes (over 10%) are subject to Site Plan Review. The rationale is that such land disturbances can have negative impacts on abutters due to drainage and storm water run-off. Typically, the projects that require Site Plan Review for single-family homes are complete teardowns or very large additions. The proposed changes to the Zoning By-law that require additional tree protection only apply when a property is subject to Site Plan Review. Landscaping projects on single-family and two-family properties that do not trigger Site Plan Review now will not trigger the proposed tree preservation and protection provisions.

For residential or commercial projects that require Site Plan Review, the Recommended Motion contains the following provisions aimed toward the preservation and protection of mature trees:

- A plan must be submitted which identifies “Protected Trees” (trees with a diameter of 6” or larger), including “Significant Trees” (trees with a diameter of 30” or larger). For single-family and two-family homes, the Protected Trees are those that are located within 10 feet of the perimeter of the lot and Significant Trees anywhere on the lot. For commercial projects, all Protected Trees must be shown on the plan.
- Protected Trees do not include trees that are non-native invasive species or hazardous or diseased trees as determined by a certified arborist. Public shade trees, which are trees located along town streets, continue to be protected under Massachusetts law, which prohibits anyone but the Town’s Tree Warden from removing them.
- Protected Trees must be preserved or replaced with trees of specified diameter. The Plan must specify the size, location, and species of trees to be replanted to mitigate the removal of Protected Trees, and a maintenance plan for all Protected Trees, including the “Critical Root Zone” of Protected Trees, during construction.
- Each Protected Tree that is retained on the property, and all new trees planted to mitigate the removal of a Protected Tree, shall be maintained in good health for a period of 24 months from the date of final inspection, or issuance of a Certificate of Occupancy, if applicable. Should such tree(s) die or be removed within this 24-month period, the owner of the property shall be required, within 9 months from the death or removal of such Protected Tree or new tree, to replace such tree with a tree consistent with the requirements.

More information regarding the changes proposed in the Recommended Motion may be found in the Planning Board Report included in this Warrant.

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

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

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

Item 1: To capitalize the following terms in all places they appear in the Zoning By-law whether in the singular or the plural: Building Permit; Finding; Site Plan; Site Plan Approval; Site Plan Review; Special Permit; and Variance.

Item 2: To amend Section I (Administration and Procedure) by deleting Section I-D through Section I-J, inclusive, in their entirety and replacing those Sections with the following new Sections I-D through Section I-I, inclusive:

I-D. Board of Appeals

1. Establishment

In accordance with the provisions of Chapter 40A of the Massachusetts General Laws, a Board of

Appeals consisting of three (3) citizens of the Town who shall be qualified by education or experience to pass upon matters which may be brought before them shall be appointed by the Select Board for a term of three (3) years, the term of one (1) member expiring each year. At least two (2) associates shall be appointed in a like manner. No member of the Board of Appeals 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 Board and to act upon the matter.

2. **Powers**

The Board of Appeals shall have the following powers which shall in no way conflict with the provisions of this By-law.

- a. **Appeals - To hear and decide an Appeal taken**
 - (i) **by any person aggrieved by reason of their inability to obtain a permit or enforcement action from the Building Commissioner under the provisions of Massachusetts General Laws Chapter 40A, or of this By-law,**
 - (ii) **by the regional planning agency in which area the Town is situated, or**
 - (iii) **by any person, including an officer or board of the Town of Hingham or of any abutting municipality, aggrieved by an order or decision of the Building Commissioner, in violation of any Provision of Massachusetts General Laws Chapter 40A, or of this By-law.**
- b. **Special Permits - To hear and decide an application for a Special Permit A1 or Special Permit A2 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. A Special Permit shall lapse within a three (3) year period or a shorter period if so specified by the Board, 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.**
- c. **Variances - To hear and decide a petition with respect to particular land or structures for a Variance from the terms of this By-law, including a Variance authorizing a use or activity not otherwise permitted in a particular zoning district, where the Board specifically finds that owing to circumstances relating to soil conditions, shape, or topography of such land or structures, and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of this provision of this By-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of this By-law. The Board of Appeals may impose conditions, safeguards, and limitations, both of time and of use, including the continued existence of any particular structure but excluding any condition, safeguard, or limitations based upon the continued ownership of the land or structure to which the Variance pertains by the applicant, petitioner, or any owner. If the rights authorized by a Variance are not exercised within the one (1) year of the date of the authorization, they shall lapse and may be re-established only after a new notice and hearing.**

The Board of Appeals may, from time to time, establish and amend rules and regulations for the administration of its powers hereunder.

3. Procedure

In the case of every Appeal made to the Board of Appeals, every petition for a Variance, and every application for a Special Permit to said Board under the provisions of this By-law, the Board shall hold a public hearing thereon. Notice of the hearing shall be given by publication in a newspaper of general circulation in the Town once in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the day of the hearing, and by posting said notice in the Town Hall for a period of not less than fourteen (14) days before the day of the hearing. Notice shall be sent by mail, postage prepaid, to parties in interest including the petitioner, abutters, owners of land directly opposite on any public street or way, abutters of abutters within three hundred (300) feet of the property line of the petitioner, as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the Planning Board and the Planning Boards of every abutting municipality. The Assessors shall certify to the Board the name and addresses of the parties in interest. In the case of an Appeal from a decision of the Building Commissioner and in the case of a Variance, a petition shall be filed with the Town Clerk, who shall forthwith transmit it to the Board of Appeals. The Board shall hold a public hearing within sixty-five (65) days of the receipt of the petition from the Town Clerk and shall render a decision within one hundred (100) days from the date of filing. Failure by the Board to take final action upon a petition within the said one hundred (100) day period shall be deemed to be a grant of the Appeal or Variance applied for.

In the case of a Special Permit, an application shall be filed with the Town Clerk, who shall forthwith transmit it to the Board of Appeals. The Board shall hold a public hearing within sixty-five (65) days of the filing 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.

4. Repetitive Petitions

Board of Appeals Decisions - No appeal, application, or petition which has been unfavorably and finally acted upon by the Board of Appeals shall be acted favorably upon within two (2) years after the date of final unfavorable action unless (a) all but one (1) of the members of the Planning Board consent thereto after notice is given to parties in interest of the time and place of the proceedings to consider consent and (b) the Board of Appeals by unanimous vote finds specific and material changes in the conditions upon which the previous unfavorable action was based, describes such changes in its records, and similarly consents.

I-E. Zoning Administrator

In accordance with such qualifications as may be established by the Select Board, the Board of Appeals shall appoint, from time to time, a Zoning Administrator, to serve at its pleasure, which appointment shall be subject to confirmation by the Select Board. Said Administrator shall be empowered to carry out such duties and powers as may be delegated by the Board of Appeals in accordance with Massachusetts General Laws Chapter 40A, Section 13, which statute shall govern the rights of aggrieved persons.

I-F. Planning Board

1. Powers

The Planning Board shall have the following powers which shall in no way conflict with the provisions of this By-law.

- a. **Site Plan Review – To hear and decide an application for Site Plan Review in accordance with Section I-I of this By-law.**
- b. **Special Permits – To hear and decide an application for a Special Permit A3 for uses in specified districts that are in harmony with the general purposes and intent of this By-law.**

A Special Permit A3 shall be subject to any general or specific rules prescribed herein and to any appropriate conditions, safeguards, and limitations on time and use.

- c. One (1) associate member of the Planning Board shall be appointed in the manner herein provided for a term of one (1) year to act on Special Permit A3 applications if necessary. The associate member of the Planning Board shall be appointed by the following procedure: (a) the Planning Board shall appoint a then current associate member of the Board of Appeals; or (b) if no then current associate member of the Board of Appeals is appointed by the Planning Board, the Planning Board and the Select Board shall jointly appoint an associate member to the Planning Board, provided that preference shall be given to former Planning Board members and former regular or associate members of the Board of Appeals. 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, the associate member shall be designated to serve on the Planning Board and to act upon the matter.**

The Planning Board may, from time to time, establish and amend rules and regulations for the administration of Site Plan Review and Special Permits which it is empowered to grant.

2. Repetitive Petitions

No 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 four (4) members of the Planning Board (a) consent to a re-petition after notice is given to parties in interest of the time and place of the proceedings to consider consent and (b) find specific and material changes in the conditions upon which the previous unfavorable action was based and describe such changes in its records.

3. Procedures for Special Permit Application, Hearing and Decision

Each application to the Planning Board for a Special Permit A3 shall be filed with the Town Clerk, with duplicate copies submitted in accordance with the regulations of the Planning Board. The Planning Board shall hold a public hearing on the application, as provided in the Massachusetts General Laws Chapter 40A, within 65 days of the filing of a complete application.

The Planning Board may grant, grant with conditions, deny, or grant leave to withdraw, an application for a Special Permit A3. A copy of the decision may be filed with the Town Clerk and the Planning Board, and shall be furnished 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.

4. Lapse

Except for good cause, a Site Plan Review approval or Special Permit A3 shall lapse in three (3) years after the date of issue, or such shorter period as may be specified by the Planning Board, 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.

I-G. 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. The applicant shall deposit with their 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.

I-H. Special Permits

- 1. 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 (SPGA). The SPGA 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.

The SPGA 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 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.

- 2. Approval Criteria**

An applicant is not entitled to a Special Permit. Except where Findings specific to a particular use are otherwise expressly set forth in this By-law, the SPGA may approve such application for a Special Permit if it finds that, in its judgment:

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

I-I. Site Plan Review

- 1. Purpose**

The purpose of this Section is to provide a comprehensive procedure for the review of land disturbance and site alterations in connection with certain uses and land development to ensure compliance with the provisions of this By-law, to minimize adverse impacts of such land disturbance and site alterations, and to promote development which is harmonious with surrounding areas.

- 2. Applicability**

Site Plan Review shall be conducted by the Planning Board or its designee and may be subject to professional consultant review consistent with Section I-G, for all projects which meet the following criteria. The words "development" or "project", as used in Section I-I, shall refer to any land

disturbance, use of the land, or alteration of a site that is subject to Site Plan Review regardless of size or scope of such work.

a. **Major Site Plan**

- (i) **All Special Permits A2 and Special Permits A3 or any modification of a Special Permit A2 or Special Permit A3.**
- (ii) **All projects which result in:**
 - (A) **land disturbance or an alteration of drainage patterns over a combined area equal to or greater than 20,000 square feet;**
 - (B) **land disturbance or an alteration of drainage patterns over a combined area equal to or greater than 5,000 square feet in areas with slopes greater than 10%; or**
 - (C) **a larger common plan of development that would disturb more than one acre in the aggregate.**

b. **Minor Site Plan**

- (i) **All projects which result in:**
 - (A) **a land disturbance or an alteration of drainage patterns over an area of 5,000 square feet or more (but less than 20,000 square feet); or**
 - (B) **a land disturbance or an alteration of drainage patterns of 2,500 square feet or more (but less than 5,000 square feet) in areas with slopes greater than 10%.**

3. **Exemptions.**

Notwithstanding the foregoing, the following types of projects shall be exempt from Site Plan Review:

- a. **normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act, Massachusetts General Laws Chapter 131, Regulation 310 CMR 10.04;**
- b. **routine maintenance of existing landscaping, gardens or lawn areas;**
- c. **the construction of fencing that will not alter existing terrain or drainage patterns;**
- d. **installation of utilities other than drainage (gas, water, electric, telephone, etc.) which will not alter terrain, ground cover, or drainage patterns; or**
- e. **road widening or improvement projects; provided that road projects that (i) increase the amount of impervious area by greater than or equal to a single lane width, (ii) disturb more than one acre, and (iii) discharge to the Town's municipal stormwater system, shall meet the applicable requirements of the Town of Hingham MS4 Permit.**

4. **Procedures**

- a. **Pre-Application Submittal. Applicants are invited to submit a pre-application sketch of the proposed project to the Planning Board and to schedule a comment period at a regular meeting of the Planning Board.**

- b. **Each application to the Planning Board for Site Plan Review shall be filed with the Town Clerk, with duplicate copies submitted in accordance with the regulations of the Planning Board.**
- c. **Notice of a Site Plan Review hearing shall be given in accordance with Massachusetts General Laws Chapter 40A, Section 11.**
- d. **The Planning Board shall review and act upon the Site Plan, with such conditions as may be deemed appropriate, and notify the applicant of its decision. The decision of the Planning Board shall require an affirmative vote of three (3) members and shall be in writing. The Planning Board shall act within seventy-five (75) days of its receipt of the Site Plan Review application, provided that, if the Planning Board or its designee, which may include its review consultants, have requested (no later than forty (40) days after receipt of the application) additional information or submittals from the applicant, such supplemental information shall be delivered no later than sixty (60) days after receipt of the application. If such additional information is not received by such sixtieth day, the Planning Board may extend its period of review until the date that is fifteen (15) days after receipt of all such supplemental information from the applicant. The foregoing timeframes do not preclude the Planning Board from requiring (after such fortieth day) submission of supplemental information not previously requested.**
- e. **The applicant may request, and the Planning Board may grant by majority vote, an extension of the time limits set forth herein.**
- f. **Where the Planning Board serves as the Special Permit Granting Authority (“SPGA”), it may consolidate its Site Plan Review and Special Permit procedures. Where the Board of Appeals serves as the SPGA, joint hearings of the Board of Appeals and the Planning Board may be held at the discretion of the Boards.**
- g. **An application for a Building Permit to perform work subject to Site Plan Review shall be accompanied by an approved Site Plan and evidence of recording of the Site Plan Review decision unless the Planning Board’s review (including any extensions thereto) has expired without any action by the Planning Board.**
- h. **A final Certificate of Occupancy shall not be issued until the applicant has complied with or satisfied all conditions to the Site Plan Review decision, except for those conditions, which by their terms are intended to be satisfied after occupancy of the structures for which the Certificate of Occupancy is sought.**

5. Submittal Requirements

All applications for Site Plan Review shall include the following information prepared by qualified registered professionals, either shown on wet-stamped and signed plans or other supporting documentation to demonstrate compliance with the Design and Performance Standards in Section I-I,6:

- a. **Existing conditions and locus plan; diagram and statement of the ownership, area, dimensions, boundaries and principal elevations of the subject property; location of structures, other site improvements and conditions, and wetland resources within 100 feet of property line;**
- b. **Site layout plan showing the scaled and dimensioned location and footprint of existing and proposed buildings and structures, traffic circulation, access and egress drives, parking, fences, walls, walks, outdoor lighting, loading facilities, refuse facilities, and areas for snow storage, and applicable zoning setback lines;**

- c. **Architectural plans, if applicable, including building elevations and floor layouts;**
- d. **Detail sheets if applicable, including profile and representative cross sections of proposed driveways and parking areas;**
- e. **Zoning analysis of compliance with all relevant dimensional provisions of this By-law, including parking requirements;**
- f. **Utility plan, which shall include all facilities for wastewater disposal and location of fire hydrants;**
- g. **Landscape plan, which shall include the following:**
 - (i) **the location, general type and quality of existing vegetation, wooded areas, and other landscape features such as earth berms, walls, fences, and other hardscape, and**
 - (ii) **the location of proposed plantings, including schedule with botanical and common name, quantity, and size of all proposed landscape material, and proposed earth berms, walls, fences, and other hardscape.**
- h. **Tree Protection and Mitigation Plan for Protected Trees, which shall include:**
 - (i) **A tree protection plan which shall include the following information; provided, that the tree protection plan may be combined with the landscape plan (in subsection g) provided that all Protected Trees can be clearly identified; otherwise, a separate tree protection plan shall be required at such scale as is necessary to identify all Protected Trees.**
 - (A) **The location, height, species, and Critical Root Zone of all existing Protected Trees, including Significant Trees, and all Protected Trees, including Significant Trees, that were removed within twelve (12) months prior to application for any Demolition Permit, Building Permit or other Application for Zoning approval or Relief, with an indication of those Protected Trees to be removed and those to be retained, as applicable;**
 - (B) **The location, caliper, species, and planting schedule of trees to be replanted to mitigate the removal of any Protected Tree(s), if applicable; and**
 - (C) **For any single-family dwelling lots or two-family dwelling lots, the tree protection plan shall also show the Tree Yard.**
 - (ii) **A narrative maintenance plan for the protection of the Critical Root Zone for all Protected Trees that are within an area of the site to be disturbed during construction.**
- i. **A grading and drainage plan, which shall include existing and proposed topography at 1-foot intervals, spot grades where applicable, drainage analysis, stormwater improvements, calculated area of disturbance, cut and fill analysis, and erosion controls;**
- j. **A construction schedule and construction traffic management plan that shall include the proposed travel route for construction vehicles and material deliveries, the location of parking for construction workers, and measures that will be undertaken to reduce construction related traffic; and**

- k. **Such other materials necessary to enable the Planning Board to make a positive determination on the proposed project, including, without limitation, any information required under subsection j below if necessary; and**
- l. **Major Site Plans shall require the following additional submissions:**
 - (i) **Analysis of compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, the Massachusetts Erosion Sediment and Control Guidelines, and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one (1) acre and discharge to the Town's municipal stormwater system, and an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements;**
 - (ii) **Site Lighting Plan showing the location, height, photometric, orientation, and specifications for all outdoor site lighting, including information on the intensity and range of illumination for each source of light proposed with low cutoff dark sky compliant lighting fixtures and no overspill onto adjoining properties greater than 0.25 foot candle; and**
 - (iii) **Transportation Impact Assessment (TIA) detailing the excepted impact of the development on transportation infrastructure. For proposed development and/or redevelopment in excess of 25,000 gross square feet or generating more than 100 vehicle trips in any one hour as determined using the latest edition of Trip Generation published by the Institute of Transportation Engineers for the appropriate land use(s), the required TIA shall substantially conform to the Institute of Transportation Engineers' "Traffic Access and Impact Studies for Site Development: A Recommended Practice," latest edition and the Massachusetts Department of Transportation's (MassDOT's) Transportation Impact Assessment (TIA) Guidelines. In addition, the applicant shall submit a Transportation Demand Management (TDM) plan as part of the TIA.**

6. **Design and Performance Standards**

To the extent practicable, the proposed project shall be located to preserve and enhance the natural features of the site, to avoid disturbances of environmentally sensitive areas, to minimize adverse impacts of development on adjoining properties, to minimize the alteration of the natural features of the site and to preserve and enhance scenic points, historic buildings and places and similar community assets which add value and attractiveness to the Town. In conducting a Site Plan Review, the Planning Board shall review the Site Plan for consistency with the following design and performance standards.

- a. **Land Disturbance**
Site/building design shall minimize land disturbance to natural topography to preserve natural drainage patterns on the site.
- b. **Site Design**
Placement of buildings, structures, or parking facilities shall not detract from the site's scenic qualities and shall blend with the natural landscape.
- c. **Character and Scale of Buildings**
The design of the project shall minimize unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on, or approved for, the site.

- d. **Preservation of Existing Vegetation, including Protected Trees, and mitigation priority shall be given to the preservation of existing stands of trees, trees at site perimeter, and contiguous vegetation with adjacent sites, as follows:**
- (i) **The landscape shall be preserved in its natural state insofar as practical by minimizing removal of Significant Trees. Every effort shall be made through the design, layout, and construction of any project to save as many Significant Trees as possible.**
 - (ii) **For each inch of Diameter at Breast Height (DBH) of the Protected Tree(s) removed no less than one-half (0.5) inch of caliper of new, non-invasive species of tree(s) shall be replanted. Each new tree must have a minimum caliper of three (3) inches. If the Protected Tree to be removed is an overstory tree species (being a tree with a typical mature height of over forty (40) feet), the replacement tree(s) shall be an overstory tree species.**
 - (iii) **Clearing of other vegetation and alteration of topography shall be replicated with native vegetation planted in disturbed areas as needed to enhance or restore wildlife habitat, if any.**
- e. **Limit of Clearing**
Development envelopes for structures, driveways, wastewater disposal, lawn and landscape areas, and utility work shall be designated to limit clearing and grading.
- f. **Finished Grade**
Finished grades should be limited to no greater than a 3:1 slope wherever possible, while preserving, matching, or blending with the natural contours of the land to the greatest extent possible. Where the finished grade will be greater than 3:1, the slope shall be protected with erosion control blankets or comparable slope stabilization practices to protect the slope from erosion until it is stabilized. Finished grade shall be no higher than the trunk flare(s) of Protected Trees to be retained.
- g. **Stormwater Management**
The proposed project shall include adequate provisions or measures to prevent pollution of surface or groundwater, minimize erosion and sedimentation, prevent changes in groundwater levels, increased run-off, and potential for flooding, and minimize adverse impacts to neighboring properties by flooding from excessive run-off.
- (i) **The applicant shall demonstrate compliance with the Massachusetts Stormwater Management Standards, the Massachusetts Stormwater Handbook, the Massachusetts Erosion Sediment and Control Guidelines, and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one (1) acre and discharge to the Town's municipal stormwater system to ensure that the peak rate and total volume of surface water run-off from the site shall not be increased nor degraded in quality after construction.**
 - (ii) **Sustainable low impact design and environmentally responsible green infrastructure improvements shall be incorporated wherever feasible.**
- h. **Utilities**
The proposed development shall be adequately served by public or private wastewater collection and treatment systems; public water system or private well; electrical distribution, telephone, cable, and fire alarm systems and may be served by a natural gas

distribution system. All electrical distribution, telephone, cable, and fire alarm systems shall be installed underground.

i. **Pedestrian and Vehicular Access; Traffic Management**

The proposed development and/or redevelopment shall be designed with a forecast for the next seven (7) years from the time of application to (i) minimize hazards to public health and safety as a result of traffic; (ii) provide safe access and circulation to and within the site for expected vehicles, pedestrians, and emergency vehicles; (iii) provide off-site improvements, where required, to offset the predicted impact of the development on the transportation infrastructure; (iv) reduce the impact of the proposed development on the transportation infrastructure serving the area and the Town by incorporating transportation demand management strategies; and (v) minimize the impact on scenic roads, historic districts, natural resources, and community character. The development shall not degrade safety for pedestrians, bicyclists, transit riders, motor vehicle occupants, or property.

(i) **Driveways.** Each development shall be served by an adequate driveway.

(A) The Board may, in certain circumstances, allow additional driveways where the access is shared or the project has frontage on two (2) separate streets. Notwithstanding the foregoing, when the Planning Board finds that it is required for public safety, at least two (2) means of access to public ways and/or adequate private ways, shall be required, one (1) of which, upon approval of the Planning Board, maybe restricted to emergency vehicle use.

(B) All driveways shall be designed to afford adequate sight distance to pedestrians, bicyclists, and motorists exiting to public ways. Improvements may be required on the public way to facilitate vehicular turning movements in or out of the site and allow for safe pedestrian access to adjoining sidewalks, paths, walking trails or bikeways.

(C) Driveways shall be limited to the minimum width for safe entering and exiting, and shall in no case exceed 24 feet in width unless waived by the Planning Board to accommodate truck traffic or additional travel lanes where required to facilitate safe and efficient circulation within the development. The location of driveway openings in relation to adjacent streets and driveways shall provide for the convenience and safety of vehicular, pedestrian, and bicycle movement within the site, and shall comply with the driveway spacing guidelines as identified in MassDOT's *Project Development and Design Guidelines*. The number of curb cuts on state and local roads shall be minimized.

(ii) **Interior Circulation.** The proposed development shall assure safe interior circulation within its site by providing separate accommodations for pedestrians, bicycles, and vehicular traffic.

(iii) **Sight Distance.** Acceptable sight distance shall be provided and maintained at all driveways and intersections affected by the Development. At a minimum, these site distances shall meet the stricter of the MassDOT or the American Association of State Highway Transportation Officials (AASHTO) standards for safe-stopping sight distance (SSD) and for intersection sight distance (ISD) where exiting traffic may degrade the performance of the intersecting roadway. Determination of required sight distance shall be based on the higher of: a) the measured 85th percentile vehicle travel speed along the intersecting roadway approaching the driveway or intersection; or b) the regulatory (posted) or statutory speed limit. Where necessary, the required sight distance shall be adjusted to account for the grade of the

intersecting roadway, the number of travel lanes to be crossed or design vehicle, following AASHTO guidelines.

- (iv) **Traffic Calming Features.** Traffic calming measures such as raised crosswalks, raised intersections, curb line extensions, speed humps, rumble strips, sign/pavement marking treatments and/or landscaped islands may be required.

j. **Lighting**

The proposed development shall not produce lighting so as to unreasonably interfere with the use and enjoyment of property within the Town. Lighting practices and systems shall: reduce light pollution, light trespass and glare in order to preserve and enhance the natural, scenic, and aesthetic qualities of the Town; conserve energy and decrease lighting cost without decreasing night-time safety, security, and productivity; and preserve the night sky as a natural resource to enhance nighttime enjoyment of property within the Town.

- (i) **Shielding.** All outdoor light fixtures shall be shielded so as to meet the goals of this section.
- (ii) **Light Trespass.** Direct light from the light source is to be confined within the property boundaries and shall not cause overspill on adjacent property or into the night sky. Light trespass shall be limited to 0.25 foot-candles at the property line.
- (iii) **Height of Fixtures.** Luminaires attached to a building for area lighting shall be mounted no higher than fifteen (15) feet above grade. Pole mounted exterior lighting fixture types shall be mounted no higher than twenty (20) feet above grade.

7. **Approval Criteria**

The Planning Board shall grant, or grant with conditions, Site Plan Approval if it finds in its judgment that:

- a. The proposed development will not adversely affect 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.
- b. The proposed development meets all applicable Design and Performance Standards, or it is impractical to meet one or more of such Standards and a waiver of such Standard(s) will not adversely impact the interests set forth in subsection 7.a above or any potential adverse impacts will be mitigated.

When the Planning Board deems it appropriate, specific findings related to one or more Design and Performance Standards shall be incorporated into its Site Plan Approval.

8. **Conditions of Approval**

The Planning Board may impose reasonable conditions in furtherance of the objectives of the Design and Performance Standards. The Planning Board 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. This limitation shall be imposed upon the proposed development regardless of the intensity of development otherwise permitted by this Zoning By-law. In addition to such other conditions as may be imposed by the Planning Board under this Section I-I, Site Plan Approvals shall be subject to the following conditions, as applicable:

a. **Pre-Construction Meeting**

For all projects requiring erosion control installation or any clearing a pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required as a condition of approval for all projects. Projects that disturb one (1) or more acres individually, or cumulatively if phased development is proposed, shall

be required as a condition of any approval to provide a Stormwater Pollution Prevention Plan for review by the Planning Board or their designee not less than three (3) weeks prior to the start of any work.

b. **Limits of Work; Tree Protection Areas**

During clearing and/or construction activities, the marked limit of work shall be maintained until all construction work is completed and the site is cleaned up. All vegetation beyond the limit of work shall be retained in an undisturbed state and no stockpiling of topsoil or storage of fill, materials, or equipment may occur within the protected area. Without limiting the foregoing, Protected Trees to be retained shall be surrounded by temporary protective fencing or other appropriate measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Protective barriers shall be large enough to encompass the Critical Root Zone of all Protected Trees to be preserved.

c. **Inspections**

Inspections shall be required during construction, and prior to issuance of a Certificate of Occupancy, of all elements of the project related to or affecting erosion control, limits of work, and tree protection areas during construction and the approved drainage and stormwater system installed for the project, as well as the condition of the tree protection areas. The Planning Board may require, at the applicant's expense, the establishment of a consultant fee account pursuant to Massachusetts General Laws Chapter 44, Section 53G, to fund the cost of such inspections.

d. **As-Built Plan Requirement**

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

e. **Maintenance of Protected and Replacement Trees**

Each Protected Tree retained, and all new trees planted to mitigate the removal of Protected Tree(s), shall be maintained in good health for a period of no less than twenty-four (24) months from the date of final inspection, or issuance of a Certificate of Occupancy, if applicable. Should such tree(s) die or be removed within such twenty-four (24) month period, the owner of the property shall be required to replace such tree with a tree consistent with the requirements within nine (9) months from the death or removal of such Protected Tree or new tree.

9. **Waivers; Minor Modifications; Administrative Review**

a. Upon written request of the applicant, the Planning Board may waive any of the Submittal Requirements deemed by the Planning Board to be not necessary for its review of the application. In addition, the Planning Board may waive other such requirements of this Section I-I, including the requirement for a public hearing, where the Planning Board determines that the project constitutes a minor modification to an approved Site Plan.

b. In order to constitute a minor modification, the proposed work must be limited to modifications to an approved Site Plan which, in the Planning Board's determination, do not materially or adversely affect conditions governed by the Site Plan Review Design and Performance Standards set forth in this Section I-I.

c. The Planning Board may, by a majority vote of the Board, establish an administrative process for Site Plan Review of certain Minor Site Plans. Pursuant to administrative review,

the Planning Board may delegate to the Town Planner and/or to a designated Board member the authority to determine whether a project constitutes a Minor Site Plan. The Planning Board designee may refer any Minor Site Plan application to the Planning Board for its review in lieu of administrative review if, in such designee's discretion, the scope of the project merits review by the Board. In addition, any applicant may request Site Plan Review by the Planning Board in lieu of administrative review at the time of application, or any applicant aggrieved by a Minor Site Plan Review decision of the designee may reapply for Site Plan Review by the Planning Board and such review shall be considered a new application for Site Plan Review, except that a separate fee shall not be required.

10. **Appeal**

Any decision of the Planning Board pursuant to this Section I-I may be appealed in accordance with Massachusetts General Laws Chapter 40A, Section 17.

Item 3: To amend Section I (Administration and Procedure) by re-lettering Section I-K (Amendment) to be Section I-J (Amendment) and deleting the subsection 1 heading (Repetitive Amendments) but retaining the following paragraph as the second paragraph of newly lettered Section I-K.

Item 4: To amend Section I (Administration and Procedure) by re-lettering Section I-L (Validity) to be Section I-K (Validity), and re-lettering Section I-M (Effective Date) to be Section I-L (Effective Date).

Item 5: To amend Section III-A.1 (Use Regulations), by replacing the definitions of "A1" and "A2" in their entirety with the following: "A1 – Use allowed under a Special Permit by the Board of Appeals as provided in Section I-H" and "A2 – Use allowed under a Special Permit by the Board of Appeals as provided in Section I-H and subject to Site Plan Review by the Planning Board as provided in Section I-I".

Item 6: To amend Section IV-B, 6 (Special Requirements to Schedule of Dimensional Requirements) by replacing it in its entirety with the following: "6. Site Plan Review to the extent required pursuant to Section I-I."

Item 7: To amend the first sentence of Section IV-G,6 (Mixed-Use Special Permit in Industrial District) to replace the clause "a site plan as specified in Section I-G of this By-law" with the clause "a Site Plan as specified in Section I-I of this By-law".

Item 8: To amend the first sentence of Section V-A.4 (Off-Street Parking Requirements), by replacing the clause "Special Permit A2 or A3" with the clause "Special Permit A2 or Special Permit A3".

Item 9: To amend Section V-A (Off-Street Parking Requirements), by replacing subsections 6a through f Special Permit A3 approval criteria in their entirety with the following:

- a. Parking is sufficient in quantity to meet the needs of the proposed project;
- b. Safe pedestrian access and circulation has been provided for;
- c. New driveways have been designed to maximize sightline distances to the greatest extent possible;
- d. It is impractical to meet one or more of the Design Standards and that a waiver of such Standards will not result in or worsen parking, traffic or pedestrian safety problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings.
- e. Except as specifically provided under subsection d above, the proposed parking area(s) meet applicable Design Standards; and
- f. The granting of this Special Permit is consistent with the intent of this By-law and will not increase the likelihood of accident or impair access and circulation.

Item 10: To amend Section VI (Definitions) to include the following definitions in the applicable alphabetical location of Section VI:

Critical Root Zone (CRZ)

The minimum area beneath the canopy of a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The CRZ is represented by a concentric circle centering on the tree's trunk and extending outward towards the tree's dripline. The minimum area of the CRZ shall be dependent on the required minimum radius of the CRZ; the required minimum radius of the CRZ shall be determined by multiplying a Tree's DBH (in inches) by twelve (12) inches, with the resulting product constituting the minimum radius of the CRZ. Example: A tree with a DBH of twenty (20) inches shall have a CRZ with a minimum radius of 20 feet (20" x 12" = 240" or 20').

Diameter at Breast Height (DBH)

The standard measure of tree size. It means the diameter of the trunk of a tree measured in inches outside the bark at a height of four and one-half feet (4 feet 6 inches) above the existing grade at the base of the tree. If a tree splits into multiple trunks below the measurement point, the DBH shall be measured at the narrowest point beneath the split. All measurements shall be rounded up to the nearest inch.

Protected Tree

A tree with the following characteristics: (a) currently exists or was removed within twelve (12) months prior to application for a Demolition Permit, Building Permit, or zoning approval or relief, (b) is not designated as Invasive by the Massachusetts Invasive Plant Advisory Group, (c) has or had a DBH of six (6) inches or greater, (d) in the case of a single-family dwelling lot or two-family dwelling lot, has or had any portion of the four and one-half feet (4 feet 6 inches) of its stem growing in the Tree Yard of such lot, and (e) in the case of a lot for any other use, is or was located anywhere on such property. Notwithstanding the foregoing, the following shall not be considered Protected Trees: shade trees pursuant to Massachusetts General Laws Chapter 87, or trees on public property, or trees that are hazardous due to disease, age, or shallow roots, as certified in writing by a certified arborist.

Significant Tree

A Protected Tree which has a DBH of thirty (30) inches or greater.

Special Permit Granting Authority or SPGA

The Board of Appeals or the Planning Board as provided in the applicable section of this Zoning By-law.

Tree Yard

The ten (10) foot area of a single-family dwelling lot or two-family dwelling lot located adjacent to all front, side, and rear lines of a lot.

**ARTICLE 32
ACCEPTANCE OF EASEMENTS**

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

(Inserted by the Select Board)

COMMENT: The Town benefits from many easements over private property throughout Hingham. From time to time, the Town, particularly its Department of Public Works, requires new easements in order to complete roadway and other public works projects. At times, the Town receives requests from private property owners to relocate easements held by the Town on their property. Under Massachusetts law, Town Meeting approval is required for the Select Board to accept such easements. This Article would allow the Select Board to accept such easements during the coming year and thus avoid potentially expensive delays and inconvenience to projects that benefit the Town. This Article is intended solely to cover easements voluntarily granted to the Town and would not allow the Select Board to accept easements that require funds to acquire them. Furthermore, the authority conferred by this

Article is not unlimited in time; it is limited to the coming fiscal year. If continuing authority is required, the next Annual Town Meeting may be asked to approve it.

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

RECOMMENDED: That the Town authorize, but not require, for a period through the end of Fiscal Year 2023, the Select Board to accept grants of easements for purposes of streets, sidewalks, or pedestrian walkways, or water, drainage, sewage, or utility facilities on terms or conditions that the Board deems in the best interests of the Town.

You are hereby also directed to notify and warn the inhabitants of the Town of Hingham qualified to vote in Town affairs to meet at three designated polling places in said Town of Hingham according to their precinct, to wit: Precinct 1, 2, 3, and 4: High School, 17 Union Street; Precincts 5, 6, and 7: Middle School, 1103 Main Street; and Precinct 7a: Willard Square at Linden Ponds on SATURDAY, the fourteenth day of May at EIGHT O’CLOCK in the morning then and there to give their votes on the official ballot for:

A Moderator to serve one year; one member of the Select Board to serve three years; two members of the Board of Assessors to serve one and three years, respectively; one member of the Board of Health to serve three years; one member of the Hingham Housing Authority Board to serve five years; one member of the Municipal Light Board to serve three years; one member of the Planning Board to serve five years; one member of the Recreation Commission to serve five years; one member of the Sewer Commission to serve three years; and three members of the School Committee to serve three years.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk on or before the fifteenth day of April 2022.

Given under our hands at Hingham this twenty-second day of March 2022.

Joseph M. Fisher
William C. Ramsey
Elizabeth F. Klein

SELECT BOARD

A true copy
Attest:

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 a notice thereof to be published in The Hingham Journal seven days at least before the day appointed for said meeting. An attested copy was presented and posted by the Town Clerk in the Town Hall as of this date.

Kathleen A. Peloquin
Constable of Hingham
April 1, 2022

REPORT OF THE CAPITAL OUTLAY COMMITTEE

I. OVERVIEW

The Capital Outlay Committee (COC) is charged with:

- A. Ascertaining the capital outlay requirements of various Town departments, boards, and committees over the next five years. Capital assets considered by COC typically have a useful economic life of more than five years and cost more than \$15,000 or are otherwise classified as fixed assets on the Town's financial statements.
- B. Analyzing and evaluating proposed capital expenditures for all Town departments, boards, and committees and making recommendations to the Select Board and the Advisory Committee (Advisory). COC recommendations are developed as follows:
 1. Departments submit requests for the next five years.
 2. COC reviews requests with the department heads, boards, and committees.
 3. Needs are determined and possible alternatives are discussed.
 4. COC makes its recommendations to Select Board and Advisory.
 5. Select Board accepts, alters, or rejects COC's recommendations and forwards them to Advisory.
 6. Advisory makes the final capital recommendations to Town Meeting.

COC reviewed the capital requests from the various Town departments for Fiscal Year 2023 (FY23) and herein submits its recommendations for FY23, as well as general projections of capital needs for the subsequent four fiscal years.

COC's recommendations for FY23 are based on the assessment of need. Capital items, for the most part, consist of the Town's infrastructure and the equipment to support that infrastructure. Over the long run, most capital spending on infrastructure is not discretionary. The Five-Year Capital Plan includes all proposed capital projects, including buildings and capital equipment that may require funding via borrowing.

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

FY23 Capital recommendations by Funding Sources are summarized below:

	COC
Tax Levy	\$2,698,498
Municipal Waterways Fund (Harbormaster)	\$125,000
User Rates/Charges	\$4,258,500
Warrant Articles*	<u>\$20,091,707</u>
Total:	<u>\$27,173,705</u>

*To be voted on at this Annual Town Meeting

II. NOTABLE RECOMMENDATIONS

Below are the notable COC recommendations for FY23 (see the FY23 Five-Year Capital Plan for full detail by department):

Information Technology

\$180,000 for the upgrade and replacement of Edge Network Switches (Town-wide excl. Schools)

Police Department

\$377,720 for seven Ford Interceptor hybrid cruisers (6 replacement, 1 new/additional)

\$144,890 to replace 25 in-cruiser dash cameras and radios

\$138,653 for 75 new body cameras (agreed to under new police union contract)

Public Works - Highway/Tree & Park/Engineering

\$220,364 to replace a 2013 Volvo L60 front end wheel loader

School Department

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

School/System Wide: \$274,946 for school baseline technology replacements; and \$211,400 for major technology infrastructure which includes \$87,500 for Middle School Chromebook replacements.

III. LONG-RANGE CAPITAL PLANNING

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

- Operating Assets: The primary funding source for the Five-Year Capital Plan included with this report is the Tax Levy, which comes from the Operating Budget. Since these funds are limited, historically, the Five-Year Capital Plan has focused on operating assets such as information technology, security, vehicles, equipment, public safety, and some building infrastructure (major repairs, replacements, and upkeep).
- Building Infrastructure Subsystems: The Town has yet to embrace past COC recommendations for a Study of Town-Owned Buildings and Facilities. This study will provide an inventory of all key components in existing Town buildings and facilities, identifying the current age and condition of each subsystem, which will result in a long-term replacement plan of 10 to 20 years. This will provide Town management and citizens a more proactive quantitative and qualitative approach to the Town's capital requirements. Some of these subsystem replacements are included in operating asset funding, but this is usually when the component is experiencing significant failure and in desperate need of replacement. COC realizes that some of this is due to budget limitations but the Town must identify and plan for these expenditures in advance.
- New Buildings and Facilities: Funding for larger building and infrastructure capital projects is typically requested through a Warrant Article since project amounts exceed the COC's operating funding capacity. They are funded by sources other than the Tax Levy (Borrowing, Available Reserves, etc.) and require approval at Town Meeting. Over the last few years, as several major projects have been proposed, COC determined that the best practice for reporting and disclosure is as follows:

- If a project is at the Feasibility Study stage, then only the study amount will be included on the Five-Year Capital Plan with a footnote about the project since including the actual project presumes it will proceed.
- If a project is at the Design & Bid stage, then an estimated project cost will be included, if reasonably determinable, on the Five-Year Capital Plan. A footnote may be included to provide additional information.
- If a project is at the Renovation/Construction stage, then the project cost will be included on the Five-Year Capital Plan. A footnote may be included to provide additional information.
- If a project is being contemplated but it is too premature for estimates, then a footnote will be included describing the project and the amount will be “To Be Determined”.

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

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

2022 Annual Town Meeting - Capital Project Warrant Articles:

<u>Department</u>	<u>Warrant Article*</u>	<u>Need</u>	<u>Cost Estimate</u>
South Shore Country Club	New Town Pool Facility	Design and construction of new pool facility	\$8,000,000 ^a
School Department	Plymouth River School Window/Door Replacement	MSBA grant funding awarded project for the repair/replacement of all windows/doors	\$3,993,600 ^b
School Department	Foster Elementary (New Building)	Incremental funding for Apr-Sep 2022 project operation costs (pre-construction design and bid preparation/cost estimates)	\$3,128,912
Fire Departments	Large Capital Needs	Fire Engine Pumper (Eng 2002) replacement, Renovations of Station 1 (HVAC, Roof, Gutters/Trim/Portico) and Station 3 (Roof)	\$2,230,000
Police & Fire Departments	Public Safety Facility	Pre-construction costs for Public Safety Facility (new Police Headquarters and North/Torrent Fire Station replacement)	\$1,585,380
School Department	High School Tennis Courts Rehabilitation	New post tension concrete tennis courts to replace six existing courts	\$864,000
Recreation Department	Street Hockey Court at Cronin Field	Reconstruction of street hockey court	\$289,815 ^c
TOTAL			\$20,091,707

*Refer to specific warrant articles for additional information

^aCommunity Preservation Act (CPA) to fund \$550,000 and subject to Town Meeting approval

^bGross project cost; MSBA to reimburse Town at least 31.5% of cost, and Broadstone Bare Cove Alliance LLC (350 Beal Street apartments) paid Town \$1M for use toward PRS window/door project costs

Large Capital Project Outlook:

<u>Department</u>	<u>Need</u>	<u>Preliminary Estimate</u>
Police & Fire Departments	Public Safety Facility (new police headquarters and North/Torrent Fire Station replacement): building construction cost	\$42,000,000 - \$45,000,000

Department	Need	Preliminary Estimate
Fire Department	New South Fire Station	To Be Determined
Fire Department	Fire Engine Pumper (Eng 2006) replacement	\$760,000
Town Hall:		
Senior Center	Expansion & major renovation of existing Senior Center & Police Department space	To Be Determined
Recreation Center	Major renovation of existing space or new building	To Be Determined
Harbor Improvements	Repair and restoration of Veterans Park and Barnes Wharves (may be offset by some grant money)	To Be Determined
Library	Renovation and expansion	To Be Determined
School Department:		
Foster Elementary**	New school building (gross of MSBA funding grant for reimbursement of up to an estimated 31% of eligible expended costs of \$100M-\$110M)	\$100,000,000 - \$110,000,000
High School	Boiler replacement	\$2,639,536
High School	Turf Field replacement	\$750,000
High School	Expansion and renovation of Health and Wellness Center	To Be Determined
South Elementary	New roof replacement	\$1,500,000
Town Wide Field Renovations	Field and court improvement projects recommended by Athletic Field & Outdoor Court Improvement Study	To Be Determined

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

**The School Department has been working toward receiving partial funding from the Massachusetts School Building Authority (MSBA), a state-funded grant program for school building construction and renovation projects. The MSBA voted to invite the William L. Foster Elementary School into its Core Building Program and the School Department is following the funding grant review process for the replacement of Foster Elementary School.

IV. COMMENTS AND RECOMMENDATIONS

Several years ago, COC recommended that additional funds be made available in future years for replacement of capital items, in order to prevent a significant negative impact to the Town's capital base. The Town has made progress in increasing the funding available for capital items, with increasing amounts to capital over the last several years. Specifically, the Town has committed additional capital funding each year beginning in FY16 resulting in a capital outlay budget of \$2,700,000 in FY23. This additional capital funding has helped but significantly more is necessary to appropriately fund the Town's ongoing capital needs. The backlog (capital plan years 2-5) of capital items (from the Tax Levy) has significantly increased over the last five years from \$14.9M in FY2019 to \$26.5M in FY2023. The Town's Financial Policy states capital expenditures (excluding those financed by debt or user rates/charges) should be between 3% and 6% (increased from 2% and 5% in Dec 2021) of the Town's Operating Budget. From FY15 to FY22, expenditures were at the low end but within the 2%-5% range; however, the estimated FY23 capital expenditure percentage of 2.75% is below the 3% recommended minimum.

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

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

from the operating budget. The Town's long-term capital needs will continue to be discussed but we must balance our long-term needs with our current capital funding limitations.

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

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

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

CAPITAL OUTLAY COMMITTEE

Eric Valentine, Chair

Kevin Flaherty

Michael Donovan

Davalene Cooper, Advisory Committee

Matt Goulet, Advisory Committee

FY2023 Five-Year Capital Plan

Department/Category	FY2023	FY2024	FY2025	FY2026	FY2027
122 SELECT BOARD					
Public Safety Facility: Design & Construction Documents (Footnote #14)	\$1,585,380				
Tree & Park Barn - Exterior Refurbishment & Painting		\$65,000	\$10,000	\$10,000	\$10,000
TOTAL SELECT BOARD	\$1,585,380	\$65,000	\$10,000	\$10,000	\$10,000
137 INFORMATION TECHNOLOGY:					
Information Technology Assets (20% replacement)	\$113,000	\$116,000	\$120,000	\$125,000	\$130,000
Edge Network Switches (Town-wide excl Schools) (Qty 30) (replacement)	\$180,000	\$0	\$0	\$0	\$0
Phone System (Qty 200) (replacement)		\$350,000	\$0	\$0	\$0
TOTAL INFORMATION TECHNOLOGY	\$293,000	\$466,000	\$120,000	\$125,000	\$130,000
171 BARE COVE PARK:					
Building 80 Roof Steel (replacement)		\$360,200	\$0	\$0	\$0
Building 80 Wall Repair (replacement)		\$25,000	\$0	\$0	\$0
TOTAL BARE COVE PARK	\$0	\$385,200	\$0	\$0	\$0
192 TOWN HALL:					
Town Hall (general renovations & repairs) (Footnote #15)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Heat Pumps (2, 2, 2, 4, 2) (replacement)	\$13,000	\$15,000	\$15,000	\$20,000	\$20,000
Fire Alarm Control Panel Upgrade (replacement)	\$84,000	\$0	\$0	\$0	\$0
Heat Pump (10-ton) for Auditorium (replacement)		\$22,000	\$0	\$0	\$0
Carpeting: Select Board Office & Accounting/Building Depts. (replacement)		\$17,000	\$35,000	\$0	\$35,000
HVAC Control Panel (replacement)		\$45,000	\$0	\$0	\$0
Elevator Door Operators (2) (replacement)		\$40,000	\$0	\$0	\$0
Roof: (Town Hall Partial, Recreation & Senior) (replacement)				\$300,000	\$0
Bathroom (3): (partition/fixtures & vanities) (replacement)					\$50,000
Parking Lot & Driveway (replacement)					\$100,000
TOTAL TOWN HALL	\$122,000	\$164,000	\$75,000	\$345,000	\$230,000
191 GRAND ARMY MEMORIAL HALL					
Windows: Storm reinstall & repair (replacement)		\$53,000	\$0	\$0	\$0
Wood Exterior Repair & Painting (replacement)		\$86,000	\$0	\$0	\$0
TOTAL GRAND ARMY MEMORIAL HALL	\$0	\$139,000	\$0	\$0	\$0
210 POLICE DEPARTMENT:					
Bullet Proof Vests (15) (15) (15) (15) (15) (replacement)	\$17,000	\$17,000	\$17,000	\$17,000	\$17,000
Vehicles (7) (5) (5) (5) (5) (replacement)	\$377,720	\$219,000	\$215,000	\$220,000	\$225,000
Dash Cameras & Radios: In-vehicle (2015/2016) (25) (replacement)	\$144,890	\$0	\$0	\$0	\$0
Body Cameras (75) (new)	\$138,653	\$0	\$0	\$0	\$0
Animal Control Officer Truck: Ford F-150 (2015) (replacement)	\$60,000	\$0	\$0	\$0	\$0
Automated External Defibrillators (AED) (16) (replacement)		\$35,000	\$0	\$0	\$0
All Terrain Quad (new)		\$30,000	\$0	\$0	\$0
UAV / Drone - Search & Rescue / Incident Management (new)		\$20,000	\$0	\$0	\$0
Light Towers: Road/Scene (3) (new)			\$24,000	\$0	\$0

Department/Category	FY2023	FY2024	FY2025	FY2026	FY2027
Conducted Energy Weapon: Tasers (75) (replacement)				\$150,000	\$0
Mobile Printers: In-vehicle (25) (replacement)				\$12,500	\$0
Radars: In-vehicle (15) (replacement)					\$45,000
Mobile Radios: In-vehicle (5) (replacement)					\$20,000
Animal Control Incinerator (new)					\$20,000
TOTAL POLICE DEPARTMENT	\$738,263	\$321,000	\$256,000	\$399,500	\$327,000
<u>295 HARBORMASTER:</u>					
Marine 1: Refurbishment (2010) (replacement) (Footnote #1)	\$75,000	\$0	\$0	\$0	\$0
Boat Repower/Engines (1-Marine 3) (2) (2) (replacement)	\$25,000	\$0	\$25,000	\$0	\$25,000
Jet Dock: Marine 2 (new) (Footnote #1)	\$20,000	\$0	\$0	\$0	\$0
Conducted Energy Weapon: Taser X2 (2) (new)	\$5,000	\$0	\$0	\$0	\$0
Jet Dock: Marine 1 (new)		\$45,000	\$0	\$0	\$0
Vehicle: Ford Interceptor (replacement)			\$35,000	\$0	\$0
Marine 4: Shallow Water Boat (new)			\$55,000	\$0	\$0
TOTAL HARBORMASTER	\$125,000	\$45,000	\$115,000	\$0	\$25,000
<u>220 FIRE DEPARTMENT:</u>					
Turnout Gear: (16 sets per year) (replacement)	\$50,000	\$50,000	\$55,000	\$55,000	\$55,000
Fire Hydrants & Hose (replacement)	\$36,000	\$40,000	\$40,000	\$40,000	\$40,000
Fire Engine: Pumper (Engine 2002) (replacement) (Footnote #2)	\$790,000	\$0	\$0	\$0	\$0
Station 1 HVAC (replacement) (Footnote #2)	\$720,000	\$0	\$0	\$0	\$0
Station 1 Roof (replacement) (Footnote #2)	\$500,000	\$0	\$0	\$0	\$0
Station 1 Gutters/Trim/Portico (replacement) (Footnote #2)	\$70,000	\$0	\$0	\$0	\$0
Station 3 Roof (replacement) (Footnote #2)	\$150,000	\$0	\$0	\$0	\$0
Command Vehicle: Ford F-350 Ext Cab (C-2013A) (replacement)	\$80,000	\$0	\$0	\$0	\$0
Cardiac Monitors (2) (1 replacement/1 new)	\$76,000	\$0	\$0	\$0	\$0
Station 2 (North/Torrent) Renovation (replacement) (Footnote #3 & #14)	TBD	\$0	\$0	\$0	\$0
Station 3 (South) Renovation (replacement) (Footnote #3)	TBD	\$0	\$0	\$0	\$0
Ambulance: Ford F-550 (Medic 2013A) (replacement)		\$438,000	\$0	\$0	\$0
Fire Alarm Wire Removal		\$75,000	\$0	\$0	\$0
Forest Utility Truck: Ford F-350 (Utility 2011) (replacement)		\$70,000	\$0	\$0	\$0
Command Vehicle: Ford Explorer-Hybrid (C-2013B) (replacement)		\$63,000	\$0	\$0	\$0
Command Vehicle: Ford Explorer-Hybrid (C-2016) (replacement)		\$52,306	\$0	\$0	\$0
Station 3 Interior Wall Repair (replacement)		\$50,000	\$0	\$0	\$0
Station 1 Mezzanine/App. Door (new/replacement)		\$40,000	\$0	\$0	\$0
SCBA (Self Contained Breathing Apparatus) & Protective Gear Washer (1) (new)		\$30,000	\$0	\$0	\$0
Fire Helmets (56) (replacement)		\$30,000	\$0	\$0	\$0
Station 1 Foundation/Landscape (replacement)		\$30,000	\$0	\$0	\$0
Station 1 Lighting/Electrical (replacement)		\$25,000	\$0	\$0	\$0
Station 1 Water Damage Repair (replacement)		\$25,000	\$0	\$0	\$0
Station 3 Exterior Paint/Wood (replacement)		\$25,000	\$0	\$0	\$0
Station 1 Painting/Carpet (replacement)		\$15,000	\$0	\$0	\$0

Department/Category	FY2023	FY2024	FY2025	FY2026	FY2027
Station Furniture (All Stations) (replacement)		\$15,000	\$0	\$0	\$0
Station 3 Exterior Sign (replacement)		\$10,000	\$0	\$0	\$0
Fire Engine: Pumper (Engine 2006) (replacement)			\$760,000	\$0	\$0
Ambulance: Ford F-550 (Medic 2013B) (replacement)				\$471,000	\$0
Utility Truck: Ford F-250 (Utility 2016) (replacement)				\$70,000	\$0
Command Vehicle: Ford Explorer-Hybrid (C-2018) (replacement)				\$56,574	\$0
Station 3 Boiler (replacement)					\$110,000
Station 3 Electrical Upgrade (replacement)					\$100,000
TOTAL FIRE DEPARTMENT	\$2,472,000	\$1,083,306	\$855,000	\$692,574	\$305,000
<u>420 DPW/HIGHWAY/TREE & PARK/ENGINEERING:</u>					
#10 - Volvo L60 Front End Wheel Loader (2013) (replacement)	\$220,364	\$0	\$0	\$0	\$0
#23 - Elgin Sweeper (Pelican) (2011) (replacement)		\$274,164	\$0	\$0	\$0
#12 - IH 7400DT Catch Basin Cleaner (2011) (replacement)		\$253,364	\$0	\$0	\$0
#20 - Bucket Truck (2014) (replacement)		\$250,000	\$0	\$0	\$0
#11 - IH Dump w/ Hinderson Sander w/Plow (2014) (replacement)		\$230,000	\$0	\$0	\$0
#29 - Trackless Municipal Tractor (currently John Deere F1148 Tractor (2005)) (replacement)		\$158,854	\$0	\$0	\$0
#18 - Silverado 3500 4WD 1 Ton Dump w/P (2013) (replacement)		\$80,860	\$0	\$0	\$0
#01 - DPW Admin: Ford Explorer Hybrid (currently 2014 Chevy Tahoe) (replacement)		\$49,354	\$0	\$0	\$0
#26 - Chevrolet 2500 Quad Cab 4WD P/U w/Plow (2013) (replacement)		\$47,220	\$0	\$0	\$0
#44 - Sewer Rodder (2001) (replacement)		\$30,000	\$0	\$0	\$0
#50 - Gorman Rupp Trash Pump (2002) (replacement)		\$25,000	\$0	\$0	\$0
#52 - Drum Roller 1.5 Ton (2002) (replacement)		\$12,000	\$0	\$0	\$0
101/105 Hersey St. Fence (replacement)		\$10,000	\$0	\$0	\$0
#TBD - Debris/Leaf Loader (truck-mounted) (new)		\$5,000	\$0	\$0	\$0
#54 - Giant Leaf Blower (2002) (replacement)		\$4,000	\$0	\$0	\$0
#19 - IH 4300 SBA winch w/plow (2015) (replacement)			\$240,000	\$0	\$0
#08 - SFA 7400 Dump Truck (2013) (replacement)			\$230,000	\$0	\$0
#33 - 2000 Chevy Utility Body 3500 (Sign Truck) (replacement)			\$50,000	\$0	\$0
#37 - Chevrolet 2500 HD Pickup w/plow (2014) (replacement)			\$46,000	\$0	\$0
#35 - Compressor (2008) (replacement)			\$20,000	\$0	\$0
#42 - Gilson Cement Mixer (1965) (replacement)			\$5,000	\$0	\$0
#14 - IH 7400DP Dump w/ Sander & Plow (2008) (replacement)				\$170,000	\$0
#24 - Bombardier Sidewalk Tractor (1993) (replacement)				\$167,000	\$0
#32 - Toro Groundsmaster 40010 Mower (2014) (replacement)				\$84,685	\$0
#51 - Gallion Roller 7/8 Ton (1996) (replacement)				\$50,000	\$0
#03 - 2015 Chevrolet 2500 HD P/U w/Plow (replacement)				\$46,000	\$0
#46 - Vermeer Stump Grinder 602 18 Ton (2013) (replacement)				\$38,000	\$0
#27 - 2015 IH 4700 Dump 444E w/ Sander & Plow (replacement)					\$230,000

Department/Category	FY2023	FY2024	FY2023	FY2026	FY2027
#05 - 2016 IH 4990 Dump w/ Sander & Plow (replacement)					\$230,000
#16 - 2017 IH 7000 Dump w/ Plow (replacement)					\$230,000
#17 - Chevrolet 2500HD Quad Cab P/U w/Plow (2017) (replacement)					\$46,000
#39SB - Snow Blower 4150-SB (2003) (replacement)					\$10,000
#WS1 - Wright Sentor Mower (2008) (replacement)					\$9,000
TOTAL DPW/HIGHWAY/TREE & PARK/ENGINEERING	\$220,364	\$1,429,816	\$591,000	\$555,685	\$755,000
430 TRANSFER STATION/RECYCLING:					
Trailer Tires (36 per year) & Undercarriage Repair (replacement)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
#LC3-LC4 Stationary Compacting Units (2000) (replacement)	\$30,000	\$30,000	\$0	\$0	\$0
#L37 - Mitsubishi Diesel Fork Truck (life extending repairs) (2003) (replacement)	\$5,000	\$5,000	\$0	\$0	\$0
Paper Compactor & Glass/Metal 40 Yard Container Cement Pads Rebuild (~1990) (replacement)		\$80,000	\$0	\$0	\$0
Paper Compactors #1 & #2 (replacement)		\$30,000	\$30,000	\$0	\$0
#T9 - Open Top Trailer (2011) (replacement)				\$90,000	\$0
#L2 - Chevrolet 3500 1-Ton Dump (2016) (replacement)				\$85,000	\$0
#T4 - Closed Top Aluminum Refuse Trailer (2013) (replacement) (Footnote #4)					\$90,000
TOTAL TRANSFER STATION/RECYCLING	\$60,000	\$170,000	\$55,000	\$200,000	\$115,000
440 SEWER COMMISSION:					
Service Replacements	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Pump Station (renovations & repairs) (various)	\$335,000	\$122,000	\$212,000	\$20,000	\$50,000
Inflow & Infiltration Investigation and Remediation	\$100,000	\$100,000	\$100,000	\$100,000	\$0
#S3 - Chevrolet P/U Utility Body w/Plow (2013) (replacement)		\$77,000	\$0	\$0	\$0
Night Soil Plant Building (demo & rebuild) (replacement)				\$478,000	\$0
#S2 - Chevrolet P/U Utility Body w/Crane (2015) (replacement)				\$85,000	\$0
Weir River Inflow & Infiltration Study					\$70,000
TOTAL SEWER COMMISSION	\$485,000	\$349,000	\$362,000	\$733,000	\$170,000
540 ELDER SERVICES:					
14-Passenger Minibus w 2 Wheelchair (2011) (2014) (replacement) (Footnote #5)	\$25,000	\$149,000	\$0	\$0	\$0
TOTAL ELDER SERVICES	\$25,000	\$149,000	\$0	\$0	\$0
610 LIBRARY:					
Computers (replacement 20%)	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Furniture (replacement)	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Roof Repairs - Connector (replacement)	\$74,000	\$0	\$0	\$0	\$0
Parking Lot (expansion) & Front Walkway (replacement) (Footnote #6)		\$662,000	\$0	\$0	\$0
Carpet (replacement)		\$280,000	\$0	\$0	\$0
Roof Trusses Phase 2: (repairs)		\$20,000	\$0	\$0	\$0
Exterior Storage Shed (replacement)		\$20,000	\$0	\$0	\$0
Bathroom Renovations/Repairs (7) (replacement)			\$200,000	\$0	\$0
Feasibility Study/Building Renovation (new)			\$100,000	\$0	\$0
Cooling System (replacement & upgrade)			\$50,000	\$0	\$0

Department/Category	FY2023	FY2024	FY2025	FY2026	FY2027
Single Pane Windows & Exterior Trim (replacement)				\$100,000	\$0
Balcony Structural Repairs (2nd Floor) & AV Room Bump out (replacement)				\$100,000	\$0
Lighting Interior (replacement)				\$80,000	\$0
Landscaping Design & Upgrades				\$50,000	\$0
Exterior Wooden Door (replacement)				\$20,000	\$0
Septic System Design Review (replacement)				\$15,000	\$0
Generator Installation (new)					\$85,000
TOTAL LIBRARY	\$114,000	\$1,022,000	\$390,000	\$405,000	\$125,000
<u>630 RECREATION COMMISSION:</u>					
Field/Court Renovation (Field Study Project) (Footnote #7)	\$289,815	TBD	TBD	TBD	TBD
Fitness equipment (replacement)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Facility rehab (replacement)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Playground rehab (replacement)	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
TOTAL RECREATION COMMISSION	\$354,815	\$65,000	\$65,000	\$65,000	\$65,000
<u>720 SOUTH SHORE COUNTRY CLUB:</u>					
Golf Course Maintenance Equipment	\$75,000	\$100,000	\$269,000	\$222,000	\$0
Golf Course & Facility Improvements	\$25,000	\$50,000	\$50,000	\$60,000	\$100,000
Pool Facility (new) (Footnote #8)	\$8,000,000	\$0	\$0	\$0	\$0
Maintenance Building: Phase 2 (new) (Footnote #9)	\$815,000	\$0	\$0	\$0	\$0
TOTAL SOUTH SHORE COUNTRY CLUB	\$8,915,000	\$150,000	\$319,000	\$282,000	\$100,000
<u>730 WEIR RIVER WATER SYSTEM:</u>					
Water Main (replacement) (Footnote #10)	\$2,511,000	\$2,200,000	\$2,500,000	\$2,000,000	\$2,700,000
Water Treatment & Infrastructure Improvements (Footnote #10)	\$200,000	\$900,000	\$400,000	\$1,250,000	\$1,000,000
Chevrolet 3500 Utility Truck	\$82,500	\$0	\$0	\$0	\$0
Water Storage Tank (new)		\$4,500,000	\$0	\$0	\$0
Chevrolet 2500 Maintenance Truck (2013) (replacement)		\$39,500	\$0	\$0	\$0
Ford Explorer Hybrid (2013) (replacement)		\$51,500	\$0	\$0	\$0
Water Storage Tank Rehabilitation			\$1,900,000	\$0	\$0
Backhoe / Loader & Trailer (new)			\$125,000	\$0	\$0
Distribution Service Truck (2014) (replacement)				\$106,000	\$0
Chevrolet Meter Van (2015) (replacement)					\$38,500
TOTAL WEIR RIVER WATER SYSTEM	\$2,793,500	\$7,691,000	\$4,925,000	\$3,356,000	\$3,738,500
<u>300 SCHOOL DEPARTMENT:</u>					
<u>EAST ELEMENTARY SCHOOL:</u>					
Security: Thumb Locks on Interior Doors (~45) (new)	\$29,697	\$0	\$0	\$0	\$0
Playground ADA Equipment (new)	\$5,000	\$0	\$0	\$0	\$0
Gym: Lamps (replacement)	\$7,900	\$0	\$0	\$0	\$0
Stage Refinished		\$10,000	\$0	\$0	\$0
LED Lighting Upgrade		\$20,000	\$0	\$0	\$0
Wastewater Control System (replacement)		\$10,000	\$0	\$0	\$0
Flag Pole Lighting		\$5,000	\$0	\$0	\$0
Building Repairs and Improvements		\$50,000	\$50,000	\$50,000	\$50,000
TOTAL EAST ELEMENTARY SCHOOL	\$42,597	\$95,000	\$50,000	\$50,000	\$50,000

Department/Category	FY2023	FY2024	FY2025	FY2026	FY2027
FOSTER ELEMENTARY SCHOOL:					
New School Building (replacement) (Footnote #11)	\$3,128,912	\$0	\$0	\$0	\$0
Playground - ADA Compliance (new)			\$84,000	\$0	\$0
Building Envelope (repairs)			\$30,000	\$0	\$0
Flag Pole Lighting (new)			\$5,000	\$0	\$0
Exterior Lighting (replacement)			\$10,000	\$0	\$0
Playground Edging				\$20,000	\$0
TOTAL FOSTER ELEMENTARY SCHOOL	\$3,128,912	\$0	\$129,000	\$20,000	\$0
HIGH SCHOOL:					
BACnet IP BMS Communication System Parts (98 total) (replacement)	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Energy Management System: ONA Parts (replacement) (Years 7-11)	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Tennis Courts (replacement) (Footnote #12)	\$864,000	\$0	\$0	\$0	\$0
Lighting - Update Interior Lighting to LED (Footnote #15)		\$20,000	\$20,000	\$20,000	\$20,000
Heat: Rooftop Air Handler (replacement) (1 of 3)		\$60,000	\$60,000	\$60,000	\$0
Floors: Refinish All Locker Room Floors		\$87,605	\$0	\$0	\$0
FOB Stations/Access Control: Gym, Science, & Main Entrance Doors (3) (new)		\$45,719	\$0	\$0	\$0
Art Lab Countertops (replacement)		\$45,000	\$0	\$0	\$0
Wrestling Room Floor - (replacement)		\$43,662	\$0	\$0	\$0
Boiler - Heat - Removal of Underground Oil Tank		\$40,000	\$0	\$0	\$0
Rooftop Air Handlers: Acoustic Barriers (replacement)		\$16,200	\$0	\$0	\$0
Painting - Hallway Ceilings/Café Stone Hall & Cross Link Stone Hall		\$12,924	\$0	\$0	\$0
Building Repairs & Improvements		\$75,000	\$75,000	\$75,000	\$75,000
Unanticipated Major Repairs		\$25,000	\$25,000	\$25,000	\$25,000
Field & Grounds: Turf (replacement)			\$750,000	\$0	\$0
Field & Grounds: Track Resurface (replacement)			\$100,000	\$0	\$0
Perimeter Fencing: Athletic Fields (2013) (replacement)			\$98,000	\$0	\$0
Sewer Grade Repair - Guidance office			\$80,000	\$0	\$0
Building: Envelope (repairs)			\$75,000	\$0	\$0
Boiler Replacement - Heat - Feasibility Study			\$46,088	\$0	\$0
Atrium Design: expand lunchroom seating			\$25,000	\$0	\$0
HVAC Duct Maintenance (inspect, test, clean)			\$20,000	\$0	\$0
Concession Building: Roof (replacement)			\$20,000	\$0	\$0
Woodshop: Slop Sink (replacement)			\$10,000	\$0	\$0
Floors: VCT Throughout (replacement)			\$10,000	\$0	\$0
Courtyard Improvements			\$8,960	\$0	\$0
Preschool Site Playground (replacement)			\$7,500	\$0	\$0
Boiler Replacement - Heat - Bidding & Construction				\$2,639,536	\$0
Guidance area redesign to accommodate new counselors (new)					\$100,000
Pavilion: Outdoor learning and alternative spaces (new)					\$500,000
TOTAL HIGH SCHOOL	\$934,000	\$541,110	\$1,500,548	\$2,889,536	\$790,000

Department/Category	FY2023	FY2024	FY2025	FY2026	FY2027
<u>MIDDLE SCHOOL:</u>					
Building Repairs & Improvements		\$30,000	\$30,000	\$30,000	\$30,000
Lime Stone in Acid Neutralization Tank		\$15,000	\$0	\$0	\$0
Roof Ladder		\$8,000	\$0	\$0	\$0
Asphalt Fire lane (new)			\$6,500	\$0	\$0
Field Drainage			\$120,000	\$0	\$0
Tech & Working Lab Slop Sinks (new)			\$8,000	\$0	\$0
TOTAL MIDDLE SCHOOL	\$0	\$53,000	\$164,500	\$30,000	\$30,000
<u>PLYMOUTH RIVER ELEMENTARY SCHOOL:</u>					
Windows/Doors (replacement) (Footnote #13)	\$3,993,600	\$0	\$0	\$0	\$0
Security: Thumb Locks on Interior Doors (new)	\$19,850	\$0	\$0	\$0	\$0
Access Door from Staff Room to Back Garden (new)	\$8,000	\$0	\$0	\$0	\$0
Walls: Replace Accordion Walls w Permanent Structures (2, 2, 2) (replacement)		\$16,000	\$16,000	\$16,000	\$0
Restore Restroom Floors (10) (replacement)		\$40,000	\$0	\$0	\$0
Paving: Upper Shed Area (replacement)		\$15,698	\$0	\$0	\$0
Lighting - Update Interior Lighting to LED (replacement)		\$15,000	\$0	\$0	\$0
Exterior - Cement Pole Repair		\$14,000	\$0	\$0	\$0
Synchronized Clock System Tie In		\$10,000	\$0	\$0	\$0
FOB Stations/Access Control: Café Door 30 Double Doors (new)		\$9,800	\$0	\$0	\$0
Emergency Generator and Asbestos (remove and abate)		\$8,900	\$0	\$0	\$0
FOB Stations/Access Control: IT Room (new)		\$8,000	\$0	\$0	\$0
Widen Paved Bus Loop		\$8,000	\$0	\$0	\$0
Flag Pole Lighting (new)		\$5,000	\$0	\$0	\$0
Playground Fence (new)		\$4,179	\$0	\$0	\$0
Building Repairs and Improvements		\$50,000	\$50,000	\$50,000	\$50,000
Emergency Generator (new)			\$58,500	\$0	\$0
Outdoor Wood Stage (rebuild) (replacement)			\$12,000	\$0	\$0
TOTAL PLYMOUTH RIVER ELEMENTARY SCHOOL	\$4,021,450	\$204,577	\$136,500	\$66,000	\$50,000
<u>SOUTH ELEMENTARY SCHOOL:</u>					
BACnet IP BMS Communication System Upgrades (2 of 3) (replacement)	\$40,000	\$40,000	\$0	\$0	\$0
Door Hardware: Interior (replacement)		\$10,000	\$10,000	\$10,000	\$0
Roofs - (repair and replace) (replacement)		\$1,500,000	\$0	\$0	\$0
Main Driveway Asphalt Paving (replacement)		\$175,000	\$0	\$0	\$0
Add loads to existing generator		\$38,588	\$0	\$0	\$0
Door Hardware: Exterior (replacement)		\$30,000	\$0	\$0	\$0
Exterior - Paint outside trim doors and railings		\$30,000	\$0	\$0	\$0
Security: Build Security Entrance in Front Hallway (btw LMA & Office) (new)		\$20,000	\$0	\$0	\$0
Lighting - Update Interior Lighting to LED		\$20,000	\$0	\$0	\$0
Playground Matting (new)		\$10,000	\$0	\$0	\$0
Add Glycol to Heating System		\$10,000	\$0	\$0	\$0
Blinds for Cafeteria (replacement)		\$8,000	\$0	\$0	\$0
Building Repairs and Improvements		\$50,000	\$50,000	\$50,000	\$50,000

Department/Category	FY2023	FY2024	FY2025	FY2026	FY2027
Building Envelope (repairs)			\$50,000	\$0	\$0
AC Unit: Kids-In-Action (KIA) Classroom (mini-split) (replacement)			\$20,000	\$0	\$0
AC Unit: 3rd Floor (1) (replacement)			\$11,000	\$0	\$0
Sand, Stain, & Re-poly All Cabinets & Door Trim (replacement)			\$10,000	\$0	\$0
Gym: Ventilation - Ceiling Fans (4) (new)			\$8,000	\$0	\$0
Floors: Replace Rubber Flooring with VCT in Hall (replacement)			\$8,000	\$0	\$0
Storage Shed (new)			\$6,000	\$0	\$0
TOTAL SOUTH ELEMENTARY SCHOOL	\$40,000	\$1,941,588	\$173,000	\$60,000	\$50,000
<u>SCHOOL SYSTEM WIDE:</u>					
Area Carpet/Flooring (replacement plan)	\$15,000	\$15,500	\$16,000	\$16,500	\$17,000
Copiers (2/year; 32 total units) (replacement)	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Instructional Equipment (replacement)	\$31,745	\$31,745	\$31,745	\$31,745	\$31,745
Technology - Baseline (replacement)	\$274,946	\$285,560	\$453,513	\$463,513	\$473,513
Technology - Major Infrastructure and Chromebook Replacements	\$211,400	\$165,000	\$256,250	\$162,500	\$162,500
Transportation - School Transport Van #124 (replacement)	\$60,000	\$55,000	\$56,650	\$58,350	\$60,100
Vehicle - Maintenance Pick-up Truck (replacement)	\$59,740	\$59,740	\$59,740	\$59,740	\$59,740
Security: Camera System Software Update (ACC 5 to ACC 7) (East & PRS) (replacement)	\$25,593	\$0	\$0	\$0	\$0
Security - Additional Surveillance Cameras / Radio Replacements		\$20,000	\$20,000	\$20,000	\$20,000
Maintenance Equipment - Non-Vehicle (replacement)		\$8,000	\$8,000	\$8,000	\$8,000
Digital Radio System (replacement)		\$90,000	\$0	\$0	\$0
Scissor Lift (new)		\$17,100	\$0	\$0	\$0
Energy Efficiency Projects		\$50,000	\$0	\$0	\$0
Roof repairs all buildings		\$50,000	\$50,000	\$50,000	\$50,000
Unanticipated Major Repairs		\$35,000	\$35,000	\$35,000	\$35,000
Technology - Enhancements & New Initiatives		\$100,000	\$100,000	\$100,000	\$100,000
Grounds Maintenance (Major 20 Yr. Vegetation Cutback)		\$75,000	\$0	\$0	\$0
Transportation Building - Repair/Paint			\$18,000	\$0	\$0
Building 179 Renovations (excludes sprinklers)					\$354,312
Building 179 Sprinklers					\$212,587
TOTAL SCHOOL SYSTEM WIDE	\$703,424	\$1,082,645	\$1,129,898	\$1,030,348	\$1,609,497
<u>SCHOOL TOWN WIDE:</u>					
Depot Garage - Replace Bus Doors (2)			\$17,940	\$0	\$0
Building Repairs and Improvements		\$25,000	\$25,000	\$25,000	\$25,000
TOTAL SCHOOL TOWN WIDE	\$0	\$25,000	\$42,940	\$25,000	\$25,000
TOTAL SCHOOL DEPARTMENT	\$8,870,383	\$3,942,920	\$3,326,386	\$4,170,884	\$2,604,497
TOTAL CAPITAL PROJECTS	\$27,173,705	\$17,637,242	\$11,464,386	\$11,339,643	\$8,699,997

Funding Sources	FY2023	FY2024	FY2025	FY2026	FY2027
Tax Levy	\$2,698,498	\$9,337,242	\$5,678,386	\$6,903,643	\$4,601,497
Municipal Waterways Improvement and Maintenance Fund (Harbormaster)	\$125,000	\$45,000	\$115,000	\$0	\$25,000
User Rates/Charges	\$4,258,500	\$8,255,000	\$5,671,000	\$4,436,000	\$4,073,500
Warrant Article (Footnote #2,7,8,11,12,13, & 14)	\$20,091,707	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0	\$0
TOTAL FUNDING	\$27,173,705	\$17,637,242	\$11,464,386	\$11,339,643	\$8,699,997
TOTAL CAPITAL PROJECTS	\$27,173,705	\$17,637,242	\$11,464,386	\$11,339,643	\$8,699,997

DEFINITIONS:

Tax Levy - is from the operating budget that is funded from recurring property tax revenue

Excess Overlay - is the amount of the overlay account that exceeds property tax receivables (outstanding from prior fiscal years and anticipated to be outstanding from current fiscal year) and potential abatements. The Overlay account is a reserve or allowance to fund abatements and exemptions of committed real and personal property taxes for any fiscal year.

Municipal Waterways Improvement and Maintenance Fund - provides funding for the Harbormaster from the statutory receipts of recurring mooring permit fees and 50% of boat excise taxes. The remaining 50% of boat excise taxes is deposited in Local Receipts.

Available Reserves - remaining, unrestricted funds from operations of previous fiscal years including unexpended free cash from the previous year, actual receipts in excess of revenue estimates, and unspent amounts in budget line-items.

User Rates/Charges - provide funding for the Sewer Commission, South Shore Country Club, Recreation Commission, Building Commissioner, and Weir River Water System.

Borrowing - is debt financing to fund capital items and subject to approval at Annual Town Meeting.

Other Funding Sources - will be raised and appropriated, borrowed, or transferred from available funds and subject to approval at Annual Town Meeting.

TBD - indicates amounts and/or fiscal year timeframe are "To Be Determined."

FOOTNOTES:

Harbormaster

The Marine I vessel refurbishment is estimated to cost \$300,000 and will replace/repair all major components. During FY22, a Federal Port Security grant was awarded to the Town for \$225,000 to fund 75% of the cost with the remaining 25% funded by the \$75,000 FY23 capital allocation. The Jet Dock for Marine II is estimated to cost \$36,000 with \$16,000 funded from a FY22 Federal Port Security grant.

Fire Department (Large Capital Needs)

The Select Board and Fire Department is requesting \$2,230,000 to fund a new replacement Fire Engine Pumper truck (\$790,000), the replacement of roofs at Station 1 (\$500,000) and Station 3 (\$150,000), the replacement of the HVAC system at Station 1 (\$720,000), and replacement of the gutters, trim, and portico at Station 1 (\$70,000). Refer to the Fire Department Large Capital Needs Warrant Article for additional information. This project is subject to approval at Annual Town Meeting.

Fire Department

The Fire Station Building Committee is evaluating alternative sites for Station 3 (South). See Footnote #14 for details on the proposed Public Safety Facility that would replace Station 2 (North/Torrent). Any future project is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

Transfer Station

The FY20 trailer request was the last in a series of annual purchases to replace all nine trailers. Based on a 15 year useful life, no trailers will need to be replaced through FY2026. Beginning in FY27, a ~\$90k/year trailer replacement request will restart and continue for 9 years to replace the existing trailers.

Elder Services

The 14-Passenger Mini Bus request in FY23 is estimated to cost \$113,500. A Massachusetts Department of Transportation (DOT) grant expected to be awarded to the Town in FY23 will fund 80% of the cost with the remaining 20% funded by the \$25,000 FY23 capital allocation.

Library

The Library Board of Trustees continues to evaluate the capital needs of the Hingham Public Library. They will address options for renovation and expansion on an ongoing basis until such time as a major project may be possible. The most pressing of the current needs is expanded parking. The \$35,000 feasibility study / engineering review for the parking lot expansion and walkway replacement funded in FY21 is a pre-cursor to the actual construction budgeted in FY24 which is estimated to cost \$662,000 but subject to change. The plan is to increase the number of parking spaces by 50% and to make significant improvements to the traffic flow. The new walkway will be integrated with the parking lot changes and will provide a safe and attractive entrance to the Library. Any future project using Town funds is subject to approval at Annual Town Meeting with the source(s) of funds to be determined.

Recreation Commission (Athletic Fields & Courts Study)

An Athletic Fields and Outdoor Courts Study was completed in October 2020 and recommended various field and court improvements projects ranging from \$45,000 to \$4,500,000. The Recreation Department utilizes the Study recommendations in determining the future project plans and priorities. Any future project for field and court improvements is subject to approval at Town Meeting and would be funded from sources other than the Tax Levy.

For FY23, the Community Preservation Committee (CPC) has recommended \$289,815 be appropriated from the Community Preservation General Fund to be used by the Hingham Recreation Commission to reconstruct the street hockey court at Cronin Field, a Study recommendation. Refer to the Community Preservation Committee Warrant Article for additional information. This project is subject to approval at Annual Town Meeting."

South Shore Country Club (SSCC) - New Town Pool Facility

The SSCC is requesting \$8,000,000 for the design and construction of a new pool facility at the South Shore Country Club. Refer to the South Shore Country Club Pool-Authorization to Borrow Warrant Article for additional information. This project is subject to approval at Annual Town Meeting. Additionally, the Community Preservation Committee has recommended \$550,000 be appropriated from the Community Preservation General Fund to be used by the South Shore Country Club for the construction of the new pool facility. If approved at Annual Town Meeting, the Community Preservation Act grant for \$550,000 would offset the total cost of the new pool facility. Refer to the Community Preservation Committee Warrant Article for additional information.

South Shore Country Club - New Maintenance Facility

Due to supply chain and inflation issues, the SSCC is requesting \$815,000 of incremental funding for the design and construction of a new maintenance facility in addition to the \$2,200,000 funding appropriated under Article 26 of the 2020 Annual Town Meeting. The total cost of the maintenance facility will be financed through Town debt and repaid to the Town from the SSCC's operating revenues (user rates/charges). Refer to the South Shore Country Club Maintenance Facility-Authorization to Borrow Additional Funds Warrant Article for additional information. This project is subject to approval at Annual Town Meeting.

Weir River Water System (Capital Projects)

The Weir River Water System is requesting \$5,400,000 to fund the FY22 (\$2,700.00) and FY23 (\$2,700.00) costs of designing, engineering, constructing, reconstructing, repairing, and improving the Weir River Water System. The total capital improvement project costs will be financed through Town debt and repaid to the Town from Weir River Water System operating revenues (user rates/charges). Refer to the Weir River Water System - Capital Projects Warrant Article for additional information. This project is subject to approval at Annual Town Meeting.

Foster Elementary School (New Building)

In December 2020, the Massachusetts School Building Authority (MSBA) invited the Town of Hingham into its feasibility phase of the Core Building Program which is the next step in the funding grant review process for the replacement of Foster Elementary School. The Town has formed the project team (designer, owner's project manager, etc.) and is currently working through the feasibility and schematic design phases which are on schedule to be completed in April 2022. Total funding for the feasibility and schematic design phases of \$1,100,000 has been previously appropriated (\$750,000 under Article 20 of the 2017 Annual Town Meeting and an additional \$350,000 under Article 17 of the 2020 Annual Town Meeting).

For the 2022 Annual Town Meeting, the School Committee is requesting \$3,128,912 of incremental funding to pay for project operation costs from April 2022 to September 2022. This will allow work to continue on the next phases of the project (construction design and bid preparation/cost estimates) and remain on the preferred project schedule.

The MSBA process restricts the Town from receiving a full construction appropriation prior to July 1, 2022, as part of their budgeting process, and the full MSBA Board will not be voting to approve the state portion of project funding until late August 2022. A special town meeting is anticipated in Fall 2022 (after the MSBA Board has approved the project, and the construction design and bid

preparation/cost estimate phases have been completed) to hold a vote to approve the full project funding. Refer to the Foster School Funds for Pre-Construction Costs Warrant Article for additional information. This incremental project funding is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

High School (Tennis Courts)

The School Committee is requesting \$864,000 to fund the construction of six new post tension concrete tennis courts at Hingham High School. The replacement of the existing tennis courts was recommended in the Athletic Fields and Outdoor Courts Study. Refer to the High School Tennis Courts Rehabilitation Warrant Article for additional information. This project is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

Plymouth River Elementary School (Window & Door Replacement)

In December 2020, the Massachusetts School Building Authority (MSBA) invited the Town of Hingham into its Accelerated Repair Program for the replacement of the school's windows and doors. The MSBA approved the window and door replacement project at Plymouth River School and it is anticipated the Town will be reimbursed at least 31.5% of MSBA-eligible project costs. Additionally, the Broadstone Bare Cove Alliance, LLC (350 Beal Street apartments) has paid \$1,000,000 to the Town for use towards the window and door replacement project costs. The cost of the entire project is currently estimated to be \$3,993,600. Refer to the Plymouth River School Window Authorization to Borrow Warrant Article for additional information. This project is subject to approval at Annual Town Meeting and would be funded from sources other than the Tax Levy.

Select Board: Public Safety Facility - Pre-Construction Costs

The Board of Selectmen is requesting \$1,585,380 of additional funding for the preparation of pre-construction bid documents in connection with a future Public Safety Facility building to be located at 335 Lincoln Street (November 2020 Special Town Meeting authorized the purchase of the 335 Lincoln Street property for \$5,250,000). The new Public Safety Facility will house a new police headquarters and a satellite fire station that would replace the current Station 2 (North/Torrent). Refer to the Public Safety Facility - Funds for Pre-Construction Costs Warrant Article for additional information. Funding of \$1,600,000 for the preparation of schematic and design documents was appropriated under Article 18 of the 2021 Annual Town Meeting. If this Warrant Article is approved at Town Meeting, a request for the full construction funding will be requested at a special town meeting anticipated in Fall 2022 and would be funded from sources other than the Tax Levy.

Green Communities Grant Program (Town Hall & High School)

In accordance with the Green Communities Act, the MA Department of Energy Resources offers up to \$20 million per year of grant funding for qualifying communities to implement energy-efficiency measures, construct renewable energy projects, or pursue other avenues to reduce their fossil fuel energy consumption. In January 2022, the Town was awarded a grant of \$185,475 to fund LED lighting projects and administrative assistance in Town Hall and at the High School.

REPORT OF THE PERSONNEL BOARD

In anticipation of the 2022 Annual Town Meeting, the Personnel Board is pleased to submit this report of its activities since the 2021 Annual Town Meeting.

COLLECTIVE BARGAINING

Following the 2021 Annual Town Meeting, the Personnel Board concluded negotiations and the Select Board agreed to enter into collective bargaining agreements with the Hingham Police Patrolman's Association; the Hingham Police Superior Officers Union MCOP, Local 405; the Hingham Permanent Firefighters Association, IAFF, Local 2398; and the Hingham Library Staff Association. A summary of the most important terms of the agreements are set forth below. The full text of the agreements is on file at the office of the Select Board. The Board remains in negotiation with the Department of Public Works Teamsters, Local 25 whose agreement expired on June 30, 2021.

Hingham Library Staff Association

On recommendation of the Personnel Board, the Select Board has agreed to enter into a collective bargaining agreement with the Hingham Library Staff Association. This agreement provides for an equity adjustment retroactive to July 1, 2021 for certain positions and, for its term (July 1, 2021 to June 30, 2024), a general wage increase of 3% annually. Additionally, the holiday list was modified to include Juneteenth and the vacation time entitlement was modified to provide that employees with more than 20 years of service are entitled to five weeks of vacation annually. The longevity incentive was modified to include pro-rated longevity pay for part-time employees employed as of January 1, 2022.

Police Superior Officers Union

On recommendation of the Personnel Board, the Select Board has agreed to enter into a collective bargaining agreement with the Hingham Police Superior Officers Union. This agreement provides for an equity adjustment retroactive to July 1, 2021 and, for its term (July 1, 2021 to June 30, 2024), a general wage increase of 3% annually. A new Body Worn Camera policy was adopted, which included the 1% wage adjustment effective November 1, 2021. An Advance Retirement Notice incentive was added pursuant to which a Union member who provides a minimum of one year's notice to the Town of their retirement from the Hingham Police Department shall be entitled to a one-time payment of \$2,000, payable within thirty (30) days of their retirement.

Hingham Police Patrolman's Association

On recommendation of the Personnel Board, the Select Board has agreed to enter into a collective bargaining agreement with the Hingham Police Patrolman's Association. This agreement provides for an equity adjustment retroactive to July 1, 2021 and, for its term (July 1, 2021 to June 30, 2024), a general wage increase of 3% annually. A new Body Worn Camera policy was adopted, which included the 1% wage adjustment effective December 9, 2021. The Longevity Incentive was increased to the following amount: 10 years - \$700; 15 years - \$800; 20 years - \$900; 25 years or more - \$1,100.

Hingham Permanent Firefighters Association

On recommendation of the Personnel Board, the Select Board has agreed to enter into a one-year collective bargaining agreement with the Hingham Permanent Firefighters Association. This agreement provides that for its term (July 1, 2020 to June 30, 2021), there will be a general wage increase of 2%. On recommendation of the Personnel Board, the Select Board also agreed to enter into a collective bargaining agreement with the Hingham Permanent Firefighters Association for the term of July 1, 2021 to June 30, 2024 that provides for an equity adjustment retroactive to July 1, 2021 and a general wage increase of 3% per year. A stipend for the Fire Prevention Officer was maintained with an added eligibility for overtime if no member who is scheduled as a 24-hour employee is available. The Fire Alarm Superintendent and Assistant Fire Alarm Superintendent positions were eliminated. The Fire Prevention

Officer's compensation was updated to be paid at the FS-5A or FS-5B rate in accordance with the member's EMT certification level. A requirement to use all merit days within 12 months of the date awarded was removed and the ability to accumulate up to 48 hours of merit time was added. It was added that any employee hired after July 1, 2021 and trained as an EMT or Paramedic, will be required to maintain their EMT-P certification for the duration of their career. The annual education incentive was increased to the following levels: Associate's Degree \$3,500, Bachelor's Degree \$5,000, and Master's Degree \$6,000. It was added that an employee who is not approved for an education incentive because they possess a Bachelor's or Master's Degree in Fire Science, Fire Protection Engineering, or Emergency Medical Services from an institution of higher education other than an institution accredited by the New England Association of Colleges and Secondary Schools nonetheless shall be entitled to an annual incentive payment of \$1,500.

It was added that all lieutenants promoted after January 1, 2022 will be required to attend and successfully complete the Massachusetts Fire Academy (or equivalent) Fire Officer 1 Training Program and obtain Pro-Board certification as such within two (2) years of promotion. It was also added that all captains promoted after January 1, 2022 will be required to attend and successfully complete the Massachusetts Fire Academy (or equivalent) Fire Officer 2 Training Program and attain Pro-Board certification as such within two (2) years of promotion. The longevity incentive has been increased as follows: 10 years- \$900; 15 years- \$1,000; 20 years- \$1,100; 25 years- \$1,300; 30 years or more - \$1,600. An annual cancer screening program was added. The position of Building Maintenance Coordinator was added with a \$100 weekly stipend.

An article for new hires and transfers was added as follows: credit will be given for prior years of employment as a career non-volunteer firefighter in assigning the appropriate salary step; after two years of employment with the Hingham Fire Department, the employee shall be given credit for prior years of service as a career non-volunteer firefighter with respect to the longevity incentive; after three years of employment with the Hingham Fire Department, the employee shall be given credit for prior years of service as a career non-volunteer firefighter in determining vacation time entitlements.

OTHER TOWN EMPLOYEES AND TOWN OFFICERS

The Board recommended a general wage increase of 3%, effective July 1, 2022, for employees not covered by collective bargaining agreements. The Board approved the reclassification of the Second Assistant Golf Course Superintendent from a seasonal to permanent status at Grade 3 (GovHR) and the Assistant Golf Professional/Director of Golf Instruction from a seasonal to permanent status at Grade 5 (GovHR). The Board approved three newly promoted Police Sergeants to be compensated at Step 2 of the salary scale and a newly promoted Police Lieutenant to be compensated at Grade PS5-B.

The Board approved an adjustment to the FY21 salary scale for part-time and seasonal positions to meet Massachusetts Minimum Wage Standards. This meant an increase in the hourly rate to \$13.50 for the first year compensation of the following positions: Child Care Staff, Fitness Room Staff, Playground Specialist, Counselor, Lifeguard, Grounds Keeper, Pro Shop Staff, Ranger/Starter, Custodian, and Ranger/Car Attendant. The Board further approved appropriate adjustments in the second, third, and fourth year compensation for these positions.

The Board also approved job descriptions for the following newly created positions: Assistant Town Accountant with placement on the salary scale at Grade 8 (GovHR); Athletics Field Staff as a seasonal position with three salary steps; Community Planning Director with placement on the salary scale at Grade 12 (GovHR); Administrative Assistant of Veterans Services with placement on the salary scale at Grade 3 (GovHR); Senior Planner with placement on the salary scale at Grade 9 (GovHR).

The Board further approved the following hiring requests: The Deputy Building Inspector at Grade 11 Step 6 of the Salary Scale (Bennett); the Land Use and Development Coordinator at Grade 9, Step 3 of the salary Scale (Bennett); the Benefits Administrator at Grade 8, Step 2 of the Salary Scale (Bennett); the Conservation Officer at Grade 10, Step 2 of the Salary Scale (GovHR) with one extra week of vacation; the Assistant Town Clerk at Grade 6, Step 1 of the Salary Scale (GovHR) with one extra week of vacation; and the Zoning Administrator/Senior Planner at Grade 10, Step 5 of the Salary Scale (GovHR) with one extra week of vacation.

The Board approved the following promotions and transfers: the Harbormaster Office Clerk to the Assistant Town Accountant position at Grade 8, Step 2 of the Salary Scale (GovHR); the Zoning Administrator/Senior Planner to the Community Development Director position at Grade 12, Step 4 of the Salary Scale (GovHR); the Conservation Officer to the GIS Coordinator position at Grade 9, Step 6 of the Salary Scale (GovHR); the Assistant Town Clerk to the Benefits Coordinator position at Grade 5, Step 2 of the Salary Scale (GovHR).

The Personnel Board also approved revisions to the job description for the Veteran's Benefits Administrator and the Staff Accountant.

RECOMMENDATIONS FOR CHANGES TO THE PERSONNEL BY-LAW

The Personnel Board recommends that the Town, at the 2022 Annual Town Meeting, amend the Personnel By-law, effective June 1, 2021, so that, as amended and restated, it will be in the form on file in the Town Clerk's office immediately preceding Town Meeting.

The Personnel Board recommends that Section 18(a) of the Personnel By-law be amended to read in its entirety as follows: "Full-time (including probationary) employees shall be paid for all Massachusetts state holidays (unless determined otherwise). Each such holiday shall be observed on the day established for its observance by Massachusetts law.

HINGHAM PERSONNEL BOARD

David Pace, Chair

Russell Conn

Karen Johnson

Jack Manning

Courtney Orwig

REPORT OF THE PLANNING BOARD

The Warrant for the 2022 Hingham Annual Town Meeting contains three proposed amendments to the Hingham Zoning By-law. The Planning Board initiated Article 29 (Gender Neutral and Other Term Revisions) and Article 31 (Special Permit and Site Plan Review Procedures) and the Zoning Board initiated Article 30 (Requirements for Accessory Uses).

The report of the Planning Board, submitted in accordance with Massachusetts General Laws Chapter 40A, Section 5, is set forth below. The full text of each Article and the Comments and Recommended Motions of the Advisory Committee can be found in the body of the Warrant. A redlined version of the 2021 Hingham Zoning By-law showing all recommended amendments is available on the Planning Board's webpage at <https://www.hingham-ma.gov/679/Proposed-By-law-Amendments>.

ARTICLE 29: Amend Zoning By-law: Gender Neutral and Other Term Revisions

The Planning Board proposed Article 29 in order to update certain terms in the Zoning By-law. Most of the revisions and specifically Items 1-4 of the Article would amend the Zoning By-law by replacing any gendered terms with gender-neutral versions in a manner similar to the General By-laws, which were updated by Annual Town Meeting 2021. These changes would make the Town's By-laws consistent throughout.

Item 5 replaces the term "grandfathered" where it appears in Section III-G of the Zoning By-law with the term "Pre-Existing". As background, state law protects uses or structures that predate a zoning regulation that renders them nonconforming. These uses or structures are commonly referred to as grandfathered. However, the MA appeals court noted in a 2020 case (*Comstock v. Gloucester Zoning Board of Appeals*, 98 Mass. App. Ct. 168, 172 and FN 11 (2020)) that the term "grandfather" has racist origins. Some states adopted voting requirements following the Civil War in an effort to disenfranchise African Americans, while exempting those eligible to vote prior to 1876. The Board felt it would be appropriate to revise the term in light of its connotation.

The Planning Board voted unanimously to recommend adoption of Article 29. With a corrective change incorporated into the Recommended Motion for Article 29, the Advisory Committee also unanimously recommended adoption.

ARTICLE 30: Amend Zoning By-law: Requirements for Accessory Uses

The intent of this amendment, proposed by the Zoning Board of Appeals, is twofold. First, the amendment would correct some inconsistent language in the current By-law related to accessory residential uses and add the term "and clearly secondary" to the requirement that "Accessory uses shall be those uses that are customarily incidental..." to a primary use. Second, the amendment would add specific factors to be considered when an accessory use may negatively impact a neighborhood.

The COVID-19 Pandemic provided greater opportunity for residents in particular to conduct activities from home. Permitted accessory uses in connection with a principal single or two-family dwelling use include resident offices, studios, or customary home occupations. Most home-based businesses can be operated without impact on the surrounding neighborhood; however, some have the potential to cause harm.

Section III-J of the By-law regulates accessory uses. It includes a requirement that accessory uses "shall not alter the character of the premises on which they are located or impair the neighborhood." The Zoning Board, after review of a recent administrative appeal application related to an accessory use, noted that

more specific parameters would help in administration of the By-law. The amendment adds certain factors for consideration by the Building Commissioner, as Zoning Enforcement Officer, and the Zoning Board to assess character and neighborhood-level impacts raised by abutters. These include, but are not limited to: noise, light and visual impacts, odor, sound, and traffic congestion and pedestrian safety, frequency of deliveries.

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted unanimously to recommend adoption of Article 29 as revised through the public hearing process. The Advisory Committee also unanimously recommended adoption.

ARTICLE 31: Amend Zoning By-law: Special Permit and Site Plan Review Procedures

The intent of Article 31 is to streamline, clarify, and update the process and procedures governing Site Plan Review and Special Permits that are subject to Site Plan Review.

The Planning Board held eight public hearings while reviewing and refining certain affected provisions of the Zoning By-law, particularly Section I-I (Administration and Procedure), resulting in the Planning Board's Recommended Motion. In proposing modifications to Site Plan Review submissions and design standards, the Planning Board reviewed and incorporated significant portions of the tree preservation and performance By-law that was proposed by a Citizen's Petition, but ultimately withdrawn from consideration. The primary proponent of the tree preservation By-law participated in all of the Planning Board hearings.

The following is a summary of the three overall purposes for the proposed zoning amendments and the most significant changes within the Recommended Motion:

1. Update the procedures, submittal requirements, and performance standards for Site Plan Review and certain Special Permits

Significant changes:

- Require notice to abutters for all Site Plan Review applications
- Add more specific and better organized Site Plan Review submission requirements, including but not limited to expanded landscaping requirements to include tree preservation provisions (discussed in more detail below)
- Add more specific and better organized Site Plan Review performance standards, including but not limited to expanded landscaping requirements to include tree preservation provisions
- Clean-up/clarify special permit approval criteria for Special Permit A3 parking determinations (in Section V-A)

2. Structure Site Plan Review as a free standing permit

Significant changes:

- Under the existing By-law, the Zoning Board cannot render certain special permit decisions until the Planning Board first completes its Site Plan Review, and the ZBA is then required to incorporate all the Planning Board's conditions into its decision. This change would mean that the Zoning Board is no longer required to wait on and incorporate the Planning Board's Site Plan Review conditions. All Planning Board conditions in the Site Plan Review decision, however, will remain fully enforceable under the freestanding Site Plan Review decision.
- Requirement added that the Site Plan Review decision be recorded at the Registry of Deeds so future owners are on notice of the conditions.

3. Update Site Plan Review triggers

Significant changes:

- Separates Major and Minor Site Plans so that projects with less impact (usually residential projects) have fewer submission requirements (for example, they will not require traffic studies)
- Remove requirement that nonresidential projects over \$20,000 apply for Site Plan Review – this requirement is usually triggered by businesses doing interior renovations only or by commercial building roof replacement projects. Under the current By-law, these businesses would not be able to get a building permit and start work until they went to the Planning Board. The Planning Board would then typically waive Site Plan Review. However, this usually results in a minimum of 1-3 weeks delay for the businesses. This change eliminates this unnecessary delay. The Building Commissioner and the owners of the Hingham Shipyard and Derby Street Shops submitted letters in support of this change. Applicants would still be required to get a building permit.
- Remove exemption for projects wholly within Conservation Commission jurisdiction – this exemption means that projects subject to Site Plan Review would not come to the Planning Board at all. It was originally intended to cover storm water review, however, there are a number of issues, like traffic, parking, and lighting that the Conservation Commission does not have the authority to review. This exemption resulted in projects where there was no review of these impacts. With this amendment, the Conservation Commission and the Planning Board retain their independent jurisdictions.

These changes do not increase Site Plan Review triggers for single-family and two-family dwellings. All projects (including single-family and two-family properties) that create land disturbance of over 5,000 SF (a little less than 1/8 acre) overall or 2,500 SF in area which has steep slopes (of over 10%) already require Site Plan Review because those types of changes can have negative impacts on abutters due to drainage and storm water runoff. The types of projects that typically require Site Plan Review for single-family homes are complete tear-downs or very large additions. Occasionally, if a property owner wishes to clear-cut their lot of trees they will also trigger Site Plan Review. Those triggers remain the same. The one significant difference is that single-family and two-family properties that trigger Site Plan Review will also have to provide for the preservation of certain Protected Trees (as set forth below).

With respect to Tree Preservation and Protection, the Recommended Motion for Article 31 includes the following provisions aimed toward the preservation and protection of mature trees.

- For projects undergoing site plan review, a plan must be submitted which identifies “Protected Trees” (trees with a diameter of 6” or larger), including “Significant Trees” (trees with a diameter of 30” or larger). For single-family and two-family homes, the Protected Trees are those that are located within 10’ of the perimeter of the lot and Significant Trees anywhere on the lot. For commercial projects, all Protected Trees must be shown on the plan. Note: A homeowner that is doing a landscaping project in their yard, including removing some trees, will not be required to get approval for that project if it does not otherwise trigger site plan review as described above.
- Protected Trees do not include trees that are an invasive species or hazardous trees as determined by a certified arborist. Public shade trees, which are trees located along town streets, continue to be protected under Massachusetts law, which prohibits anyone but the Town’s Tree Warden from removing them.
- Protected Trees must be preserved or replaced. The Plan must specify the size, location and species of trees to be replanted to mitigate the removal of a Protected Tree(s), if applicable, and

a maintenance plan is required for all Protected Trees, including the “Critical Root Zone” of the Protected Trees, in areas that will be disturbed during construction.

- The By-law amendment further requires that each Protected Tree that is retained on the property, and all new trees planted to mitigate the removal of Protected Trees, must be maintained in good health for a period of 24 months from the date of final inspection, or issuance of a Certificate of Occupancy, if applicable. Should such tree(s) die or be removed within this 24-month period, the owner of the property shall be required, within nine months from the death or removal of such Protected Tree or new tree, to replace such tree with a tree consistent with the requirements.

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted unanimously to recommend adoption of Article 31 as revised through the public hearing process. The Advisory Committee also unanimously recommended adoption.

HINGHAM PLANNING BOARD

Kevin Ellis, Chair

Gary Tondorf-Dick, Clerk

Gordon Carr

Rita DaSilva

Judith Sneath

REPORT OF THE SCHOOL COMMITTEE

During the 2021-2022 school year, Hingham Public Schools continued to adapt to and manage the significant effects of the ongoing global pandemic. Throughout this pandemic, our exceptional educators, support staff, administrators, parents, and community continue to work together to support our students academically and emotionally.

This report includes a high-level summary of the FY23 budget, which the School Committee unanimously voted to recommend. The Committee and District are sensitive to Hingham's ongoing fiscal challenges, so developed a budget with the goal of balancing this understanding with the community expectation that we will provide all Hingham students with an education that meets our core values of fulfillment of individual potential, respect for self and others, civic responsibility, commitment to life-long learning, and service to others. The Hingham School Committee provides guidance to the Hingham Public Schools administration for preparation of the budget and emphasized that no additional budget requests be added unless they are crucial to the function of our school district, and the resulting request represents an extremely modest 1.43% budget increase over the budget approved by Town Meeting in May of 2021. You can read more detailed information below or on the HPS website listed at the end of this report.

The Hingham Public Schools continue to strive for educational excellence for our students. In the fall of 2021, all students returned to a somewhat "normal" school year. Students, staff, and families demonstrated remarkable resilience as everyone returned to full-time, in person instruction after a nearly two-year disruption. For reference, the last normal school year for our ninth graders was sixth grade. It must be noted that academic and social/emotional challenges persist due to the prolonged disruption in education.

Additionally, Hingham Public Schools has undergone leadership change over the past year. In June of 2021 Dr. Paul Austin resigned for family reasons after joining the district in 2019. The district was fortunate to hire Dr. Gary Maestas, former Plymouth, MA Superintendent, as Interim Superintendent for the 2021-2022 school year, which allowed the Committee to conduct a thorough search for a permanent Superintendent. We are excited to welcome Dr. Margaret Adams, Assistant Superintendent of Melrose, MA public schools, as our new Superintendent as of July 1, 2022.

The two major School Department capital projects, the Foster Elementary School building, and the Plymouth River Elementary window replacement project, continue to progress on pace. In December 2020, the Massachusetts School Building Authority (MSBA) invited Hingham into a Feasibility Study Agreement for Foster School. On March 2, 2022, the MSBA voted to invite HPS into the Schematic Design phase of the project. In addition, the District was also invited into MSBA's Accelerated Repair Program for replacement of the Plymouth River windows. The 2017 School Building Committee has been working diligently on both projects.

School Committee Budget Guidelines:

This budget was developed with a backdrop of several financial challenges facing Hingham. First, like all communities in Massachusetts, the pandemic has resulted in loss of local revenue while also causing increased need for services. Because the global pandemic is ongoing, there may be unanticipated School and/or Town expenses in FY23. Second, last year we as a Town recognized the urgent need to ensure that student needs were met and to curtail academic learning loss, so we added 32 new school positions using one-time funds from Federal grants and some excess Fund Balance. Data collection shows that these positions have been effective and that our students are making progress towards recovering the learning losses suffered during the remote and hybrid learning stages of the pandemic. However, Hingham students continue to require the services provided by these positions. Third, the Town is working towards two major capital projects, including a new Foster Elementary School building. Finally, the School Department is

currently working with the community to develop a strategic plan, which will guide district priorities and budgets in future years. Taken together, these factors make the fiscal outlook for the Town of Hingham very challenging for the next several years. As in past years, the School Committee continues to collaborate with the Select Board and Advisory Committee to craft a budget that is fiscally responsible while also providing the level of education expected by our community for all students in the district. The work of the newly formed Hingham Sustainable Budget Task Force has also been invaluable to the budget development process.

The School Department is currently in the process of developing a strategic plan for the district. This plan will establish processes to maintain and grow educational excellence in Hingham Public Schools while also examining the budget to ensure the best use of resources and areas of potential cost savings. Acknowledging that future budgets will be guided by the goals and priorities in the plan, and that the Town faces significant financial challenges, the School Committee provided the following guidance to the administration as they prepared the budget for FY23:

- The only new budget proposals must be vital to running a school district and setting our new Superintendent up to be successful.
- Recognizing the many additional important needs in the district, as well as the Town's financial challenges, additional budget proposals must be held.
- Future budget requests will be driven by the strategic plan.
- The budget must:
 - Meet legal mandates
 - Support student achievement, including recovery from the impacts of COVID-19 and the resulting disruption to education
 - Offer appropriate general and special education programs and services
 - Support enrollment fluctuations by maintaining class size guidelines
 - Provide adequate supplies and equipment to support the educational programs
 - Thoroughly search for cost savings and revenue that can be obtained without adversely affecting the delivery of the educational program

The administration proposed a budget of \$62,677,112, which is a 1.43% increase over FY22. This budget includes additional positions, which are essential to successfully running a district of our size, including a Data Analysis Lead, Human Resources clerical support, a Payroll and Benefits Manager, a Fine Arts Director, and an additional adjustment counselor at each of the four Elementary Schools. Note that all of these positions are necessary to adequately support a student population of approximately 3,800 students and 800 employees in a way that is commensurate with school districts of similar size and demographics. The budget also includes the lease-to-buy purchase of two new Special Education vans and two additional van driver positions. The addition of these items will result in overall savings for the district because providing transportation in house will be more cost effective than paying the significant fees charged by contracted transportation companies.

The major budget drivers include:

- Special education tuition "age outs" - when students attending out-of-district placements turn 22, the district is no longer responsible for their tuitions
- Increased Circuit Breaker
- Favorable hiring for FY22 added positions
- Retirements and resignations
- Zero growth athletics budget due to increased revolving account offsets
- Increased energy and electricity costs

On February 7, 2022, the School Committee unanimously voted to propose a budget of \$62,677,112 to the Select Board and Advisory Committee. The School Committee and School Department acknowledge

and appreciate the frank discussions and leadership of the Select Board, the Sustainable Budget Task Force, the Advisory Committee and its Education Liaisons, and the Town Administrators during this very challenging budget process. We recognize and share concerns about the impact of the FY23 budget on future budget growth. To address these concerns, the Committee and administration limited budget requests to the most crucial requests, and is conducting a thorough strategic plan to ensure that School Department resources are used as efficiently and effectively as possible.

The School Committee is recommending an FY23 budget of \$62,677,112, which is a 1.43% increase over the FY22 School Department budget. In addition to the operating budget, the Advisory Committee and Capital Outlay Committee have recommended a Capital appropriation for the Hingham Public Schools of \$883,871 of the approximately \$1,759,530 requested by the School Committee. It should be noted that \$486,346 of the Capital appropriation funds school district technology needs, which are an ongoing and increasing operational expense. The remaining \$397,525 are the funds available in this appropriation to maintain 10 buildings, update infrastructure components, replace aging furnishings and obsolete equipment, and to enhance safety and security within the schools. In addition, an article for reconstruction of the Hingham High School tennis courts was submitted in the amount of \$864,002. This article was in collaboration with the Recreation Department Fields Maintenance Management group, which took over responsibility for maintenance of turf and other outdoor recreational facilities.

The School Committee and Department appreciates the ongoing support of our Hingham community.

More detailed information about the proposed budget for FY23 is available on the HPS website (hinghamschools.org); click on Administration and then select Business Operations from the pull-down menu.

HINGHAM SCHOOL COMMITTEE

Kerry Ni – Chair
Michelle Ayer – Vice Chair
Nes Correnti – Secretary
Liza O’Reilly
Carlos DaSilva
Jen Benham
Tim Miller-Dempsey

SUPERINTENDENT OF SCHOOLS

Dr. Gary Maestas

MUNICIPAL FINANCE TERMS

APPROPRIATION - An authorization by the Town Meeting to make obligations and payments from the treasury for a specific purpose.

ASSESSED VALUATION - A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

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

CHERRY SHEET - A form showing all state and county charges and reimbursements to the Town as certified by the Massachusetts Department of Revenue.

DEBT SERVICE - Payment of interest and repayment of principal to holders of the Town's debt instruments.

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

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

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

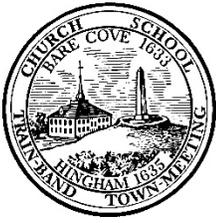
GRANT - A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the State and Federal government. Grants are usually made for specific purposes.

LINE-ITEM BUDGET - A format of budgeting which organizes costs by type of expenditure such as expenses, equipment, and salaries.

OVERLAY - The overlay is the amount raised by the Assessors to be used for potential abatement of property taxes. The Overlay Surplus is the portion of each year's overlay account no longer required to cover property tax abatements.

PROPERTY TAX LEVY - The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed "per thousand dollars" of assessed valuation.

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



OFFICE OF SELECT BOARD
TOWN OF HINGHAM
210 Central Street
Hingham, MA 02043-2757
781-741-1451 • 781-741-1454 (Fax)

TALENT BANK APPLICATION

Date _____

Name _____

Home Address _____

Business Address _____

Telephone _____ (home) _____ (business)

Fax _____

E-mail _____

Occupation _____

Educational Background _____

Civic, Charitable, and Educational Activities

Town Committees or Offices _____

I am interested in the following Committees _____

NOTES

