

**CERTIFIED ARTICLES
ANNUAL TOWN MEETING
APRIL 12, 2010**

ARTICLE 1. Compensation of Elected Officials

WARRANT To see if the Town will vote to establish the salaries and compensation of all elected Town officials as follows for a sum totaling \$62,871.00, or a greater or lesser sum, or take any other action relative thereto.

MOTION To see if the Town will vote to establish the salaries and compensation of all elected Town official as follows for a sum totaling \$62,871 as follows:

SELECTMEN:	Chairman & Legitimate Expenses	\$ 1,500.00
SELECTMEN:	Members & Legitimate Expenses	\$ 2,000.00
	(4 @ \$500)	
ASSESSORS:	Chairman & Legitimate Expenses	\$ 1,200.00
ASSESSORS:	Members & Legitimate Expenses	\$ 800.00
	(2 @ \$400)	
TOWN CLERK:	Personal Services	\$57,371.00
	Sponsored by the Board of Selectmen	

VOTED to establish the salaries and compensation of all elected Town officials as follows for a sum totaling \$71,000.00 as follows:

SELECTMEN:	Chairman & Legitimate Expenses	\$ 1,500.00
SELECTMEN:	Members & Legitimate Expenses	\$ 2,000.00
	(4 @ \$500)	
ASSESSORS:	Chairman & Legitimate Expenses	\$ 1,200.00
ASSESSORS:	Members & Legitimate Expenses	\$ 800.00
	(2 @ \$400)	
TOWN CLERK:	Personal Services	\$65,500.00

MAJORITY VOTE

ARTICLE 2. Revolving Funds

WARRANT AND MOTION To see if the Town will vote to reauthorize the following revolving accounts pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, which shall be kept separate and apart from other monies by the Treasurer, and which shall be deposited receipts received that may be spent only from those sources identified below under “Source of Funds” without further appropriation during Fiscal Year 2011 and as identified below under “Use of Funds”, and shall be expended under the direction of those so indicated. Said annual amount expended from each revolving account shall not exceed the amount indicated below under “Annual Expenditure”

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Source of Funds	Use of Funds	Expended Under Direction of:	FY 11 Limit
Senior Center Programming Fees	Senior programs and trips	Director, COA	\$35,000
Planning Board Application Fees	Postage, advertising and other administrative expenses	Planning Director	\$50,000
Food Establishment Inspection Fees	Inspection of food establishments	Director of the Board of Health	\$18,000
School Bus Transportation Fees	Transportation of Students	School Superintendent	\$300,000

And to further close any balance in the Planning Board Revolving Fund reauthorized above that exceeds \$10,000.00 at the end of the fiscal year to the General Fund.

Sponsored by the Board of Selectmen:

VOTED to reauthorize the following revolving accounts pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, which shall be kept separate and apart from other monies by the Treasurer, and which shall be deposited receipts received that may be spent only from those sources identified below under “Source of Funds” without further appropriation during Fiscal Year 2011 and as identified below under “Use of Funds”, and shall be expended under the direction of those so indicated. Said annual amount expended from each revolving account shall not exceed the amount indicated below under “Annual Expenditure”

Source of Funds	Use of Funds	Expended Under Direction of:	FY 11 Limit
Senior Center Programming Fees	Senior programs and trips	Director, COA	\$35,000
Planning Board Application Fees	Postage, advertising and other administrative expenses	Planning Director	\$50,000
Food Establishment	Inspection of food	Director of the	

Inspection Fees	establishments	Board of Health	\$18,000
School Bus Transportation Fees	Transportation of Students	School Superintendent	\$300,000

And to further close any balance in the Planning Board Revolving Fund reauthorized above that exceeds \$10,000.00 at the end of the fiscal year to the General Fund.

UNANIMOUS VOTE

ARTICLE 3. Establishment of Revolving Fund

WARRANT AND MOTION To see if the Town will vote to authorize the establishment of a Beach Sticker Revolving Fund pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, which shall be kept separate and apart from other monies by the Treasurer, and which shall be deposited receipts received that may be spent only from those sources identified below under “Source of Funds” without further appropriation during Fiscal Year 2011 and as identified below under “Use of Funds”, and shall be expended under the direction of those so indicated. Said annual amount expended from each revolving account shall not exceed the amount indicated below under “Annual Expenditure”

Source of Funds	Use of Funds	Expended Under Direction of:	FY 11 Limit
Beach Sticker Fees	Beach operations maintenance, and Capital	Town Administrator & Recreation Director Sponsored by the Board of Selectmen	\$200,000.00

VOTED to authorize the establishment of a Beach Sticker Revolving Fund pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, which shall be kept separate and apart from other monies by the Treasurer, and which shall be deposited receipts received that may be spent only from those sources identified below under “Source of Funds” without further appropriation during Fiscal Year 2011 and as identified below under “Use of Funds”, and shall be expended under the direction of those so indicated. Said annual amount expended from each revolving account shall not exceed the amount indicated below under “Annual Expenditure”

Source of Funds	Use of Funds	Expended Under Direction of:	FY 11 Limit
Beach Sticker Fees	Beach operations maintenance, and	Town Administrator	\$200,000.00

Capital

& Recreation Director

MAJORITY VOTE

ARTICLE 4. Capital Improvement Plan

WARRANT To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds in the Treasury, the following sums of money totaling \$2,175,000.00, or any greater or lesser sums as may be necessary, for the purpose of funding the costs of the Fiscal Year 2011 Capital Improvement Plan submitted in accordance with Section 6-6 of the Scituate Home Rule Charter and outlined as follows, or take any other action relative thereto:

	<u>Item</u>	<u>Department</u>	<u>Amount</u>
A.	Feasibility Study	Library	\$ 45,000.00
B.	Liquid Salt Pre-Treatment System	Public Works	\$ 90,000.00
C.	Sander body and plow Package	Public Works	\$ 50,000.00
D.	School Bus	School	\$ 75,000.00
E.	Infiltration/Inflow System	Sewer	\$ 400,000.00
F.	6-Wheel Dump Truck	Water	\$ 150,000.00
G.	Fire Hydrant Replacement	Water	\$ 25,000.00
H.	Clean and Line/Replace Water Mains	Water	\$1,300,000.00
I.	Command Vehicle	Fire	\$ 40,000.00

MOTION To see if the Town will vote to appropriate and borrow, or transfer from available funds in the Treasury, in accordance with Massachusetts General Laws Chapter 44, Section 7 and 8 the following sums of money totaling \$2,175,000.00, for the purpose of funding the costs of the Fiscal Year 2011 Capital Improvement Plan submitted in accordance with Section 6-6 of the Scituate Home Rule Charter and as provided in the warrant printed for this meeting and further authorize the Treasurer, with the approval of the Selectmen to borrow said sums:

Sponsored by the Board of Selectmen

- A. To see if the Town will vote to appropriate the sum of \$45,000.00 for a Feasibility Study for the Town Library and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum.
- B. To see if the Town will vote to appropriate the sum of \$90,000.00 for a Liquid Salt Pre-treatment system for the Department of Public Works and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum.

- C. To see if the Town will vote to appropriate the sum of \$50,000 for the purchase of a sander body and plow package for the Department of Public Works and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum.
- D. To see if the Town will vote to appropriate the sum of \$75,000.00 for a school bus for the School Department and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum.
- E. To see if the Town will vote to appropriate the sum of \$400,000 for continued design and repairs to the Town's wastewater collection system and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum.
- F. To see if the Town will vote to appropriate the sum of \$150,000.00 for the purchase of a six-Wheel Dump for the Water Department and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum.
- G. To see if the Town will vote to appropriate the sum of \$25,000.00 for the purchase and replacement of Fire Hydrants for the Water Department and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum.
- H. To see if the Town will vote to appropriate the sum of \$1,300,000.00 for the purpose of cleaning/lining and/or replacing water mains and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum.
- I. To see if the Town will vote to appropriate the sum of \$40,000.00 for the purpose of purchasing a command vehicle for the Fire Chief in the Fire Department and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum.

Sponsored by the Board of Selectmen

- A. **VOTED** to appropriate the sum of \$45,000.00 for a Feasibility Study for the Town Library and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum. **UNANIMOUS VOTE**
- B. **VOTED** to appropriate the sum of \$90,000.00 for a Liquid Salt Pre-treatment system for the Department of Public Works and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum. **UNANIMOUS VOTE**
- C. **VOTED** to appropriate the sum of \$50,000 for the purchase of a sander body and plow package for the Department of Public Works and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum. **UNANIMOUS VOTE**

- D. **VOTED** to appropriate the sum of \$75,000.00 for a school bus for the School Department and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum. **UNANIMOUS VOTE**
- E. **VOTED** to appropriate the sum of \$400,000 for continued design and repairs to the Town's wastewater collection system and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum. **UNANIMOUS VOTE**
- F. **VOTED** to appropriate the sum of \$150,000.00 for the purchase of a six-Wheel Dump for the Water Department and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum **UNANIMOUS VOTE**
- G. **VOTED** to appropriate the sum of \$25,000.00 for the purchase and replacement of Fire Hydrants for the Water Department and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum. **UNANIMOUS VOTE**
- H. **VOTED** to appropriate the sum of \$1,300,000.00 for the purpose of cleaning/lining and/or replacing water mains and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum. **UNANIMOUS VOTE**
- I **VOTED** to appropriate the sum will vote to appropriate the Sum of \$40,000.00 for the purpose a command vehicle for the Fire Chief in the Fire Department and further to authorize the Treasurer, with the approval of the Selectmen, to borrow said sum. **UNANIMOUS VOTE**
TWO-THIRDS VOTE

ARTICLE 5. Fiscal Year 2011 Operating Budget

WARRANT To see if the Town will vote to raise and appropriate, and/or transfer from available funds in the Treasury, the sum of \$53,420,261.00, or a greater or lesser sum, for the purpose of funding personal services and expenses for town operations as may be necessary for the ensuing Fiscal Year commencing July 1, 2010, or take any other action relative thereto

MOTION To see if the Town will vote to raise and appropriate the sum of \$52,967,367.00, and transfer from the Golf Enterprise Fund the sum of \$52,567.00, from Wastewater Enterprise the sum of \$164,409.00, from Water Department Enterprise the sum of \$226,817, from Transfer Station Enterprise the sum of \$118,515.00, from Waterways Enterprise the sum of \$83,865.00, from Lots and Graves the sum of \$5,000.00, from Title V Assessments, the sum of \$6,858.00, from Debt Premium Reserve the sum of \$9,544.00, and from the PEG Access Cable Grant the sum of \$71,200.00, to

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the General Fund, totaling \$53,706,142.00, for the purpose of funding personal services and expenses for town operations as may be necessary for the Fiscal Year commencing July 1, 2010 as follows:

Article 5
Fiscal Year 2011 Operating Budget

Account		FY 2009 Actual	FY 2010 Appropriated	FY2011 Selectmen	FY2011 Advisory	% to Total
122	Board of Selectmen					
510	Personal Services	69,361	68,716	68,714	68,714	
520	Purchase of Services	14,614	14,945	12,495	12,495	
530	Town Counsel	112,923	160,000	160,000	160,000	
	Materials & Supplies	2,043	2,100	1,680		
540					1,680	
		\$198,941	\$ 245,761	\$ 242,889	\$ 242,889	0.45%
123	Town Administrator					
510	Personal Services	207,983	174,380	182,380	182,380	
	Purchase of Services	17,146	7,200	5,900		
520					5,900	
532	Labor Counsel	43,015	21,000	32,750	32,750	
	Materials & Supplies	1,057	1,100	1,600		
540					1,600	
599	Salary Adjustments	20,000	20,000	10,000	10,000	
		\$ 289,202	\$ 223,680	\$ 232,630	\$ 232,630	0.43%
131	Advisory Committee					
	Personal Services	956	1,950	1,650		
510					1,650	
	Purchase of Services	3,543	4,450	350		
520					350	
	Materials & Supplies	-	100	3,300		
540					3,300	
		\$ 4,499	\$ 6,500	\$ 5,300	\$ 5,300	0.01%
132	Reserve Fund					
570	Transfers	\$ 90,000	\$ 90,000	\$ 90,000	\$ 81,871	0.15%
135	Town Accountant					
510	Personal Services	159,849	162,444	162,944	162,944	
520	Purchase of Services	11,175	13,625	50,331	50,331	
	Materials & Supplies	1,569	1,600	1,800		
540					1,800	
	Capital Outlay	-	-	9,800		
580					9,800	
		\$ 172,593	\$ 177,669	\$ 224,875	\$ 224,875	0.42%
141	Assessors					
510	Personal Services	168,121	169,113	170,640	170,640	
520	Purchase of Services	11,947	12,227	11,260	11,260	
	Materials & Supplies	1,282	1,200	1,000		
540					1,000	
		\$ 181,350	\$ 182,540	\$ 182,900	\$ 182,900	0.34%
145	Treasurer/Collector					
510	Personal Services	222,183	222,892	225,097	225,097	
520	Purchase of Services	75,203	73,000	79,020	79,020	

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	Materials & Supplies	3,206	3,000	3,000	3,000		
540					3,000		
		\$ 300,592	\$ 298,892	\$ 307,117	\$ 307,117		0.57%
149	Administration						
	Personal Services	9,426	12,690	7,000	7,000		
510					7,000		
520	Purchase of Services	70,641	88,500	38,500	38,500		
	Materials & Supplies	3,058	4,400	6,290	6,290		
540					6,290		
		\$ 83,125	\$ 105,590	\$ 51,790	\$ 51,790		0.10%
155	Information Technology						
510	Personal Services	\$ -	\$ -	\$ 32,000	\$ 32,000		0.06%
158	Tax Foreclosures						
521	Tax Foreclosures	\$ 16,888	\$ 25,000	\$ 25,000	\$ 25,000		0.05%
159	Cable TV						
520	Purchase of Services	-	-	31,200	31,200		
580	Capital Outlay	-	-	40,000	40,000		
		\$ -	\$ -	\$ 71,200	\$ 71,200		0.13%
161	Town Clerk						
510	Personal Services	127,326	128,055	140,139	148,268		
520	Purchase of Services	25,814	29,600	21,625	21,625		
	Materials & Supplies	2,586	3,500	3,800	3,800		
540					3,800		
		\$ 155,726	\$ 161,155	\$ 165,564	\$ 173,693		0.31%
171	Conservation						
510	Personal Services	107,990	108,532	110,460	110,460		
	Purchase of Services	4,367	9,950	6,750	6,750		
520					6,750		
	Materials & Supplies	839	1,000	1,450	1,450		
540					1,450		
		\$ 113,196	\$ 119,482	\$ 118,660	\$ 118,660		0.22%
175	Planning Board						
510	Personal Services	100,110	103,394	104,070	104,070		
	Purchase of Services	10,765	13,909	9,159	9,159		
520					9,159		
	Materials & Supplies	2,229	2,000	900	900		
540					900		
	Capital Outlay	1,300	1,000	350	350		
580					350		
		\$ 114,403	\$ 120,303	\$ 114,479	\$ 114,479		0.21%
176	Zoning Board of Appeals						
510	Personal Services	20,514	20,578	22,050	22,050		
	Purchase of Services	2,312	2,350	1,700	1,700		
520					1,700		
	Materials & Supplies	630	850	600	600		
540					600		
		\$ 23,455	\$ 23,778	\$ 24,350	\$ 24,350		0.05%
192	Property/Liability Insurance						
570	Other Charges & Expenses	\$ 444,101	\$ 460,000	\$ 479,200	\$ 479,200		0.89%
Total General Government		\$ 2,188,070	\$ 2,240,350	\$ 2,367,954	\$ 2,367,954		4.41%

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210	Police							
510	Personal Services	2,860,603	2,841,225	2,834,731	2,834,731			
520	Purchase of Services	107,391	121,168	127,033	127,033			
540	Materials & Supplies	120,360	123,390	117,063	117,063			
580	Capital Outlay	99,210	82,330	99,100	99,100			
		\$ 3,187,563	\$ 3,168,113	\$ 3,177,927	\$ 3,177,927			5.92%
220	Fire							
510	Personal Services	3,674,865	3,750,502	3,635,960	3,635,960			
520	Purchase of Services	94,744	96,700	108,100	108,100			
540	Materials & Supplies	220,821	231,000	224,000	224,000			
580	Capital Outlay	14,477	17,000	22,500	22,500			
		\$ 4,004,908	\$ 4,095,202	\$ 3,990,560	\$ 3,990,560			7.43%
241	Inspections							
510	Personal Services	177,357	187,311	187,259	187,259			
	Purchase of Services	8,006	10,270	9,470				
520					9,470			
	Materials & Supplies	3,647	3,600	3,100				
540					3,100			
		\$ 189,010	\$ 201,181	\$ 199,829	\$ 199,829			0.37%
292	Animal Shelter							
510	Personal Services	13,917	-	-	-			
	Purchase of Services	10,300	-	-	-			
520					-			
	Materials & Supplies	3,700	-	-	-			
540					-			
		\$ 27,917	\$ -	\$ -	\$ -			0.00%
295	Shellfish							
510	Personal Services	11,531	12,695	8,795				
	Purchase of Services	654	705	705	8,795			
520					705			
	Materials & Supplies	403	550	400				
540					400			
	Capital Outlay	-	2,363	-	-			
580					-			
		\$ 12,588	\$ 16,313	\$ 9,900	\$ 9,900			0.02%
	Total Public Safety	\$ 7,421,986	\$ 7,480,809	\$ 7,378,216	\$ 7,378,216			13.74%
300	School Committee							
505	Expenses	\$ 27,375,084	\$ 27,518,583	\$ 27,259,029	\$ 27,259,029			50.76%
310	South Shore Regional School							
560	Intergovernmental	\$ 635,582	\$ 571,233	\$ 604,419	\$ 604,419			1.13%
	Total Schools	\$ 28,010,666	\$ 28,089,816	\$ 27,863,448	\$ 27,863,448			51.88%
400	Public Works							
510	Personal Services	1,413,020	1,349,946	1,358,424	1,358,424			

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520	Purchase of Services	523,224	506,760	551,449	551,449	
540	Materials & Supplies	274,190	314,818	309,718	309,718	
580	Capital Outlay	7,535	25,657	15,327	15,327	
		\$ 2,217,969	\$ 2,197,181	\$ 2,234,918	\$ 2,234,918	4.16%
423	Snow & Ice					
510	Personal Services	78,235	58,000	58,001	58,001	
520	Purchase of Services	384,543	200,000	200,000	200,000	
540	Materials & Supplies	270,804	194,475	196,475	196,475	
580	Capital Outlay	29,375	34,000	32,000	32,000	
		\$ 762,957	\$ 486,475	\$ 486,476	\$ 486,476	0.91%
424	Street Lights & Beacons					
520	Purchase of Services	\$ 205,630	\$ 188,055	\$ 193,000	\$ 193,000	0.36%
Total Public Works		\$ 3,186,556	\$ 2,871,711	\$ 2,914,394	\$ 2,914,394	5.43%
510	Board of Health					
510	Personal Services	155,446	158,349	150,030	150,030	
	Purchase of Services	15,038	13,800	8,535	8,535	
520					8,535	
	Materials & Supplies	2,038	5,350	3,000	3,000	
540					3,000	
	Capital Outlay	-	-	360	360	
580					360	
		\$ 172,523	\$ 177,499	\$ 161,925	\$ 161,925	0.30%
541	Council on Aging					
510	Personal Services	168,261	188,994	188,994	188,994	
520	Purchase of Services	26,420	32,250	48,394	48,394	
540	Materials & Supplies	8,681	10,900	10,400	10,400	
	Capital Outlay	1,901	-	-	-	
580					-	
		\$ 205,263	\$ 232,144	\$ 247,788	\$ 247,788	0.46%
543	Veterans' Benefits/Services					
510	Personal Services	16,688	16,672	16,672	16,672	
520	Purchase of Services	29,142	12,475	18,975	18,975	
	Materials & Supplies	1,067	1,550	1,550	1,550	
540					1,550	
		\$ 46,898	\$ 30,697	\$ 37,197	\$ 37,197	0.07%
549	Commission on Disabilities					
	Purchase of Services	517	2,825	2,825	2,825	
520					2,825	
	Materials & Supplies	524	2,250	2,250	2,250	
540					2,250	
		\$ 1,041	\$ 5,075	\$ 5,075	\$ 5,075	0.01%
Total Human Services		\$ 425,725	\$ 445,415	\$ 451,985	\$ 451,985	0.83%
610	Library					
510	Personal Services	651,683	678,304	666,622	666,622	
520	Purchase of Services	105,695	107,693	106,792	106,792	
540	Materials & Supplies	125,017	125,350	140,600	140,600	
	Capital Outlay	10,000	-	3,000	3,000	
580					3,000	

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		\$ 892,396	\$ 911,347	\$ 917,014	\$ 917,014	1.71%
630 Recreation						
510	Personal Services	227,948	243,022	134,714	134,714	
	Purchase of Services	4,266	3,660	1,475		
520					1,475	
	Materials & Supplies	4,424	5,571	2,400		
540					2,400	
	Capital Outlay	2,142	-	-		
580					-	
		\$ 238,780	\$ 252,253	\$ 138,589	\$ 138,589	0.26%
650 Beautification						
	Purchase of Services	14,689	16,200	6,035		
520					6,035	
	Materials & Supplies	-	-	8,965		
540					8,965	
		\$ 14,689	\$ 16,200	\$ 15,000	\$ 15,000	0.03%
691 Historical Buildings						
520	Purchase of Services	\$ 4,614	\$ 6,000	\$ 6,500	\$ 6,500	0.01%
Total Recreation & Resources		\$ 1,150,479	\$ 1,185,800	\$ 1,077,103	\$ 1,077,103	2.01%
720 Debt & Interest						
590	Debt Service	\$ 2,338,486	\$ 2,228,430	\$ 2,276,194	\$ 2,276,194	4.24%
Total Debt Services		\$ 2,338,486	\$ 2,228,430	\$ 2,276,194	\$ 2,276,194	4.24%
910 Non-Contributory Pensions						
512	Other Personal Services	\$ 84,557	\$ 87,094	\$ 88,094	\$ 88,094	0.16%
911 Plymouth County Retirement						
512	Other Personal Services	\$ 2,668,612	\$ 2,758,350	\$ 3,118,030	\$ 3,118,030	5.81%
912 Workers' Compensation						
515	Employee Benefits	\$ 160,000	\$ 160,000	\$ 190,000	\$ 190,000	0.35%
913 Unemployment Insurance						
515	Employee Benefits	\$ 83,600	\$ 185,000	\$ 300,000	\$ 300,000	0.56%
914 Contributory Group Insurance						
515	Employee Benefits	\$ 4,351,147	\$ 4,586,242	\$ 5,193,724	\$ 5,193,724	9.67%
916 Federal Taxes						
515	Employee Benefits	\$ 456,515	\$ 494,266	\$ 487,000	\$ 487,000	0.91%
Total Employee Benefits		\$ 7,804,431	\$ 8,270,952	\$ 9,376,848	\$ 9,376,848	17.46%
Total General Fund		\$ 52,526,398	\$ 52,813,283	\$ 53,706,142	\$ 53,706,142	100.00%

**The Moderator made a motion to approve all unheld items and approved all held items as amended. Seconded by Mr. Murray.
UNANIMOUS VOTE**

ARTICLE 6. Waterways Enterprise Fund

WARRANT To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury, the sum of \$1,099,727.00 or a greater or lesser sum, for the purpose of funding the Waterways Enterprise Fund for the ensuing fiscal year commencing July 1, 2010; or take any other action relative thereto.

MOTION To see if the Town will vote to transfer from available funds in Waterways Enterprise Receipts the sum of \$889,248.00 and \$126,614.00 from Waterways Retained Earnings for the purpose of funding the Waterways Enterprise Fund for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 294,788.00
Other Expenses	\$ 721,074.00

Sponsored by the Board of Selectmen

VOTED to transfer from available funds in Waterways Enterprise Receipts the sum of \$889,248.00 and \$126,614.00 from Waterways Retained Earnings for the purpose of funding the Waterways Enterprise Fund for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 294,788.00
Other Expenses	\$ 721,074.00

UNANIMOUS VOTE

ARTICLE 7. Golf Course Enterprise Fund

WARRANT To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$1,303,439.00, or a greater or lesser sum, for the purpose of funding the Widow's Walk Golf Course for the ensuing fiscal year commencing July 1, 2010; or take any other action relative thereto.

MOTION To see if the Town will vote to transfer from available funds in Golf Course Enterprise Fund Receipts the sum of \$1,250,872.00, for the purpose of funding the Widow's Walk Golf Course for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 169,919.00
Other Expenses	\$ 1,080,953.00

VOTED to transfer from available funds in Golf Course Enterprise Fund Receipts the sum of \$1,250,872.00, for the purpose of funding the Widow’s Walk Golf Course for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 169,919.00
Other Expenses	\$ 1,080,953.00

MAJORITY VOTE

ARTICLE 8. Wastewater Enterprise Fund

WARRANT To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$ 3,100,937.00, or a greater or lesser sum, for the purpose of funding the Wastewater Treatment Plant operations and expenses, for the ensuing fiscal year commencing July 1, 2010; or take any other action relative thereto.

MOTION To see if the Town will vote to transfer from available funds in Wastewater Enterprise Fund Receipts the sum of \$ 2,107,565.00, and \$177,631.00 from Wastewater Retained Earnings and \$651,332.00 from taxation for the purpose of funding the Wastewater Treatment Plant operations and expenses, for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 409,328.00
Other Expenses	\$ 2,527,200.00

Sponsored by the Board of Selectmen

VOTED to transfer from available funds in Wastewater Enterprise Fund Receipts the sum of \$ 2,107,565.00, and \$177,631.00 from Wastewater Retained Earnings and \$651,332.00 from taxation for the purpose of funding the Wastewater Treatment Plant operations and expenses, for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 409,328.00
Other Expenses	\$ 2,527,200.00

UNANIMOUS VOTE

ARTICLE 9. Transfer Station Enterprise Fund

WARRANT To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury the sum of \$1,238,795.00, or a greater or

lesser sum, for the purpose of funding the Landfill and Transfer Station operations and expenses for the ensuing fiscal year commencing July 1, 2010; or take any other action relative thereto

Sponsored by the Board of Selectmen

MOTION To see if the town will vote to raise and appropriate the sum of \$100,000.00 and transfer from Transfer Station Enterprise Receipts the sum of \$1,020,280.00 for the purpose of funding the Landfill and Transfer Station operations and expenses for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 192,000.00
Other Expenses	\$ 928,280.00

VOTED to raise and appropriate the sum of \$100,000.00 and transfer from Transfer Station Enterprise Receipts the sum of \$1,020,280.00 for the purpose of funding the Landfill and Transfer Station operations and expenses for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 192,000.00
Other Expenses	\$ 928,280.00

UNANIMOUS VOTE

ARTICLE 10. Water Enterprise Fund

WARRANT To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds in the Treasury, the sum of \$2,608,418.00, or a greater or lesser sum, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2010; or take any other action relative thereto.

Sponsored by the Board of Selectmen

MOTION To see if the Town will vote to transfer from available funds in the Water Enterprise Receipts the sum of \$2,381,601.00, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 705,303.00
Expenses	\$1,676,298.00

VOTED to transfer from available funds in the Water Enterprise Receipts the sum of \$2,381,601.00, for the purpose of funding Water Division operations and expenses for the ensuing fiscal year commencing July 1, 2010 as follows:

Personal Services	\$ 705,303.00
Expenses	\$1,676,298.00

UNANIMOUS VOTE

ARTICLE 11. Stabilization Fund

WARRANT AND MOTION To see if the Town will vote to raise and appropriate the difference between the levy net and the levy limit to the Stabilization Fund, in accordance with Massachusetts General Laws, Chapter 40, Section 5B, or take any other action relative thereto.

Sponsored by the Board of Selectmen

VOTED to raise and appropriate the difference between the levy net and the levy limit to the Stabilization Fund, in accordance with Massachusetts General Laws, Chapter 40, Section 5B

UNANIMOUS VOTE

ARTICLE 12. Massachusetts General Laws Chapter 91 Liability

WARRANT AND MOTION To see if the Town will vote to assume liability in the manner provided by Massachusetts General Laws, Chapter 91, Section 29, as amended, for all damages that may be incurred by work to be performed by the Massachusetts Department of Environmental Protection for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach in accordance with Section 11 of said Chapter 91 and to authorize the Selectmen to execute and deliver a bond on indemnity therefore to the Commonwealth. or take any other action relative thereto.

Sponsored by the Board of Selectmen

VOTED to assume liability in the manner provided by Massachusetts General Laws, Chapter 91, Section 29, as amended, for all damages that may be incurred by work to be performed by the Massachusetts Department of Environmental Protection for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach in accordance with Section 11 of said Chapter 91 and to authorize the Selectmen to execute and deliver a bond on indemnity therefore to the Commonwealth

UNANIMOUS VOTE

ARTICLE 13. Community Preservation

WARRANT To see if the Town will vote to hear and act on the recommendations of the Community Preservation Committee on the Fiscal Year 2011 Community Preservation Budget and pursuant to Massachusetts General Laws, Chapter 44B to appropriate and/or reserve the sums of money as indicated below (i) to meet the

administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2011; (ii) for the acquisition, creation and preservation of open space; (iii) for the creation of land for recreational use; (iv) for acquisition and preservation of historic resources; and (v) for the creation, preservation and support of community housing. Appropriations for items 5 through 12 are to be expended first from any existing reserves for the purposes of such item, then appropriated from Community Preservation FY 2011 estimated revenues, with any excess to be appropriated from Community Preservation unreserved funds. All such sums appropriated are further to be expended subject to all of the terms and conditions of the votes and applications regarding such projects filed with the Community Preservation Committee.

Further, as to items 5 through 7, I move that the Town vote that such properties acquired be managed and controlled by the Conservation Commission of the Town of Scituate in accordance with Chapter 40, Section 8C for conservation and passive recreation purposes and that the Town Administrator, with approval of the Board of Selectmen, be authorized to file on behalf of the Town of Scituate any and all applications deemed necessary, or any other applications for funds in any way connected with the scope of these acquisitions, including but not limited to the Self-Help Act (Massachusetts General Laws, Chapter 132A, Section 11) or the Land Water Conservation Fund (LWCF) or Urban Self Help Fund grant programs, and the Town Administrator, Board of Selectmen and Conservation Commission be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance of a perpetual conservation restriction in accordance with Massachusetts General Law, Chapter 184 as required by Section 12(a) of Chapter 44B or Chapter 293 Section 10 of the Acts of 1998 as amended, as may be necessary on behalf of the Town of Scituate to affect said purchase. Said conservation restriction shall be granted by the Board of Selectmen to any organization qualified and willing to hold such restriction.

Sponsored by the Community Preservation
Committee

1. \$128,000.00 Community Preservation FY 2011 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Community Preservation Act;
2. \$128,000.00 Community Preservation FY 2011 estimated revenues, to be reserved for acquisition and preservation of historic resources consistent with the Community Preservation Act;
3. \$128,000.00 Community Preservation FY 2011 estimated revenues to be reserved for acquisition and preservation of Open Space consistent with the Community Preservation Act;
4. \$ 64,000.00 From Community Preservation FY 2011 estimated revenues for Administrative Expense of the Community Preservation Committee;
5. \$128,350.00 for Acquisition of Open Space - Bjorklund Property;
6. \$814,200.00 for Acquisition of Open Space - Wheelwright Property;

TOWN OF SCITUATE
ANNUAL TOWN MEETING – APRIL 12, 2010

7. \$ 35,000.00 Acquisition of Open Space - Mirarchi Family Property;
8. \$350,000.00 for Historic Resources – Bates House Acquisition;
9. \$ 5,000.00 for Historic Resources-1st Baptist Church National Register
Nomination
10. \$ 8,000.00 for Historic Resources-1st Baptist Church National Historical
Records Preservation
11. \$ 25,000.00 for Historic Resources-Town Archives Preservation;
12. \$220,000.00 for Land for Recreational Use-Harborwalk

or take any other action relative thereto.

Sponsored by the Community
Preservation Committee

MOTION I move that the Town hear and act on the recommendations of the Community Preservation Committee on the Fiscal Year 2011 Community Preservation Budget and pursuant to Massachusetts General Laws, Chapter 44B as printed in the warrant with the exception of Item 5 which is revised downward by the sum of \$8,000.00.

1. To see if the Town will vote to transfer from Community Preservation FY 2011 estimated revenues, the sum of \$128,000.00, to be reserved for the creation and support of Community Housing consistent with the Community Preservation Act;
2. To see if the Town will vote to transfer from Community Preservation FY 2011 estimated revenues, the sum of \$128,000.00, to be reserved for acquisition and preservation of historic resources consistent with the Community Preservation Act;
3. To See if the Town Will vote to transfer from Community Preservation FY 2011 estimated revenues the sum of \$128,000.00 to be reserved for acquisition and preservation of Open Space consistent with the Community Preservation Act;
4. To see if the Town will vote to transfer from Community Preservation FY 2011 estimated revenues the sum of \$64,000.00 for Administrative Expense of the Community Preservation Committee;
5. To see if the Town will vote to appropriate the sum of \$120,000.00 for Acquisition of Open Space - Bjorklund Property
6. To see if the Town will vote to appropriate the sum of \$814,200.00 for Acquisition of Open Space - Wheelwright Property
7. To see f the Town will vote to appropriate the sum of \$ 35,000.00 Acquisition of Open Space - Mirarchi Family Property;

8. To see if the Town will vote to appropriate the sum of \$350,000.00 for Historic Resources – Bates House Acquisition;
9. To see if the Town will vote to appropriate the sum of \$5,000.00 for Historic Resources-1st Baptist Church National Register Nomination
10. To see if the Town will vote to appropriate the sum \$ 8,000.00 for Historic Resources-1st Baptist Church National Historical Records Preservation
11. To see if the Town will vote to appropriate the sum \$ 25,000.00 for Historic Resources-Town Archives Preservation;
12. To see if the Town will vote to appropriate the sum of \$220,000.00 for Land for Recreational Use-Harborwalk

VOTED To hear and act on the recommendations of the Community Preservation Committee on the Fiscal Year 2011 Community Preservation Budget and pursuant to Massachusetts General Laws, Chapter 44B to appropriate and/or reserve the sums of money as indicated below (i) to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2011; (ii) for the acquisition, creation and preservation of open space; (iii) for the creation of land for recreational use; (iv) for acquisition and preservation of historic resources; and (v) for the creation, preservation and support of community housing. Appropriations for items 5 through 12 are to be expended first from any existing reserves for the purposes of such item, then appropriated from Community Preservation FY 2011 estimated revenues, with any excess to be appropriated from Community Preservation unreserved funds. All such sums appropriated are further to be expended subject to all of the terms and conditions of the votes and applications regarding such projects filed with the Community Preservation Committee.

Further, as to items 5 through 7, I move that the Town vote that such properties acquired be managed and controlled by the Conservation Commission of the Town of Scituate in accordance with Chapter 40, Section 8C for conservation and passive recreation purposes and that the Town Administrator, with approval of the Board of Selectmen, be authorized to file on behalf of the Town of Scituate any and all applications deemed necessary, or any other applications for funds in any way connected with the scope of these acquisitions, including but not limited to the Self-Help Act (Massachusetts General Laws, Chapter 132A, Section 11) or the Land Water Conservation Fund (LWCF) or Urban Self Help Fund grant programs, and the Town Administrator, Board of Selectmen and Conservation Commission be authorized, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance of a perpetual conservation restriction in accordance with Massachusetts General Law, Chapter 184 as required by Section 12(a) of Chapter 44B or Chapter 293 Section 10 of the Acts of 1998

as amended, as may be necessary on behalf of the Town of Scituate to affect said purchase. Said conservation restriction shall be granted by the Board of Selectmen to any organization qualified and willing to hold such restriction.

1. **VOTED** to transfer from Community Preservation FY 2011 estimated revenues, the sum of \$128,000.00, to be reserved for the creation and support of Community Housing consistent with the Community Preservation Act. **TWO-THIRDS VOTE**
2. **VOTED** to transfer from Community Preservation FY 2011 estimated revenues, the sum of \$128,000.00, to be reserved for acquisition and preservation of historic resources consistent with the Community Preservation Act. **TWO THIRDS VOTE**
3. **VOTED** to transfer from Community Preservation FY 2011 estimated revenues the sum of \$128,000.00 to be reserved for acquisition and preservation of Open Space consistent with the Community Preservation Act. **TWO-THIRDS VOTE**
4. **VOTED** to transfer from Community Preservation FY 2011 estimated revenues the sum of \$64,000.00 for Administrative Expense of the Community Preservation Committee. **UNANIMOUS VOTE**
5. **VOTED** to appropriate the sum of \$120,000.00 for Acquisition of Open Space - Bjorklund Property **TWO-THIRDS VOTE**
6. **VOTED** to appropriate the sum of \$814,200.00 for Acquisition of Open Space - Wheelwright Property **UNANIMOUS VOTE**
7. **VOTED** to appropriate the sum of \$ 35,000.00 Acquisition of Open Space - Mirarchi Family Property; **UNANIMOUS VOTE**
8. **VOTED** to appropriate the sum of \$350,000.00 for Historic Resources – Bates House Acquisition;
9. **VOTED** to appropriate the sum of \$5,000.00 for Historic Resources-1st Baptist Church National Register Nomination. **UNANIMOUS VOTE**
10. **VOTED** to appropriate the sum \$ 8,000.00 for Historic Resources-1st Baptist Church National Historical Records Preservation. **UNANIMOUS VOTE**
11. **VOTED** to appropriate the sum \$ 25,000.00 for Historic Resources-Town Archives Preservation. **UNANIMOUS**

13. **VOTED** To see if the Town will vote to appropriate the sum of \$220,000.00 for Land for Recreational Use – Harborwalk **UNANIMOUS**

ARTICLE 14. Community Preservation Act Reconciliations

WARRANT To see if the Town will vote to transfer the sum of \$173,825.00, or a greater or lesser sum, from authorized but unexpended appropriations for community preservation projects to the Community Preservation Committee Fund Balance, or take any other action relative thereto.

MOTION To see if the Town will vote to rescind the balance of funds authorized but unexpended from prior Community Preservation projects, totaling \$152,407.52.00, and transfer said funds into the Community Preservation Committee General Fund Balance in accordance with the Community Preservation Act as follows:

Sponsored by the Board of Selectmen

Town MeetingDate	Description	Appropriation Balance
September 29, 2003	Local Housing Partnership	\$ 23,400.00
March 3, 2007	Affordable Housing Plan	\$ 5,300.00
March 5, 2005	Historical Survey	\$ 8,000.00
March 4, 2006	Burial Site Survey	\$ 1,000.00
March 4, 2006	Restoration of Life Saving Station	\$ 100.00
March 3, 2007	Atlas Workbook Restoration	\$ 3,175.00
September 29, 2003	South Swamp Preservation	\$ 76,460.15
March 3, 2007	Hatherly School Field	\$ 291.31
March 3, 2007	Tennis Courts-Gates Middle School	\$ 34,681.06

VOTED to rescind the balance of funds authorized but unexpended from prior Community Preservation projects, totaling \$152,407.52.00, and transfer said funds into the Community Preservation Committee General Fund Balance in accordance with the Community Preservation Act as follows:

Town MeetingDate	Description	Appropriation Balance
September 29, 2003	Local Housing Partnership	\$ 23,400.00
March 3, 2007	Affordable Housing Plan	\$ 5,300.00
March 5, 2005	Historical Survey	\$ 8,000.00
March 4, 2006	Burial Site Survey	\$ 1,000.00
March 4, 2006	Restoration of Life Saving Station	\$ 100.00
March 3, 2007	Atlas Workbook Restoration	\$ 3,175.00
September 29, 2003	South Swamp Preservation	\$ 76,460.15
March 3, 2007	Hatherly School Field	\$ 291.31
March 3, 2007	Tennis Courts-Gates Middle School	\$ 34,681.06

UNANIMOUS VOTE

ARTICLE 15. Workers' Compensation Trust Fund Statute Adoption

WARRANT To see if the Town will vote to revoke its acceptance of Massachusetts General Laws Chapter 40, Section 13C under Article 27 of the March 12, 1992 annual town meeting warrant and in its place substitute and accept the provisions of Massachusetts General Laws Chapter 40, Section 13A, for the purpose of funding and paying claims for the Workers' Compensation Self-Insured Fund, or take any other action relative thereto.

MOTION To see if the Town will vote to revoke its acceptance of Massachusetts General Laws Chapter 40, Section 13C under Article 27 of the March 12, 1992 annual town meeting warrant and in its place substitute and accept the provisions of Massachusetts General Laws Chapter 40, Section 13A, for the purpose of funding and paying claims for the Workers' Compensation Self-Insured Fund

Sponsored by the Board of Selectmen

VOTED to revoke the Town's acceptance of Massachusetts General Laws Chapter 40, Section 13C under Article 27 of the March 12, 1992 annual town meeting warrant and in its place substitute and accept the provisions of Massachusetts General Laws Chapter 40, Section 13A, for the purpose of funding and paying claims for the Workers' Compensation Self-Insured Fund

UNANIMOUS VOTE

ARTICLE 16. Educational Incentive for Police Officers

WARRANT To see if the Town will vote to revoke its acceptance of Massachusetts General Laws Chapter 41, 108L, "Police career incentive pay program; salary increases; reimbursement of cities or towns." accepted by the Town pursuant to Article 17 of the March 3, 1999 town meeting, as a result of the Commonwealth's discontinuance of the program July 1, 2009, or take any other action relative thereto.

MOTION To see if the town will vote to revoke its acceptance of Massachusetts General Laws Chapter 41, 108L, "Police career incentive pay program; salary increases; reimbursement of cities or towns." accepted by the Town pursuant to Article 17 of the March 3, 1999 town meeting, as a result of the Commonwealth's discontinuance of the program for new officers on July 1, 2009

Sponsored by the Board of Selectmen

MOVED TO INDEFINITELY POSTPONE
UNANIMOUS VOTE

ARTICLE 17. General Bylaw: Municipal Liens

WARRANT To see if the Town will vote as authorized under Massachusetts General Laws Chapter 40, Section 58, to impose a municipal lien charge for the purpose of non-payment of Returned Check Replacement Fees with a Return Check Fee and the non-payment of recreation fees, or take any other action relative thereto.

MOTION To see if the Town will vote, as authorized under Massachusetts General Laws Chapter 40, Section 58, to impose a municipal lien charge for the purpose of non-payment of Returned Check Replacement Fees with a Return Check Fee and the non-payment of recreation fees.

Sponsored by the Board of Selectmen

VOTED, as authorized under Massachusetts General Laws Chapter 40, Section 58, to impose a municipal lien charge for the purpose of non-payment of Returned Check Replacement Fees with a Return Check Fee and the non-payment of recreation fees.

MAJORITY VOTE

Article 18. General Bylaw: Delinquent Licenses and Fees

WARRANT To see if the Town will vote to amend the General Bylaws of the Town by inserting a new section, Section 10250 to read: Any permit granting or licensing authority is authorized in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 57 to deny any application for, or revoke or suspend any local license or permit including renewals or transfers issued to any person, corporation or business enterprise who has neglected or refused to pay any local taxes, fees, assessment, betterments or any other municipal charge except that such bylaw shall not apply to open burning permits under Chapter 48, Section 13, bicycle helmets under Chapter 85, Section 11A; dog licenses under Chapter 140, Section 137, marriage licenses under Chapter 207, Section 28, or sales for charitable purposes under Chapter 101, Section 33, or take any other action relative thereto.

MOTION To see if the Town will vote to amend the General Bylaws of the Town by inserting a new section, Section 10250 to read: Any permit granting or licensing authority is authorized in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 57 to deny any application for, or revoke or suspend any local license or permit including renewals or transfers issued to any person, corporation or business enterprise who has neglected or refused to pay any local taxes, fees, assessment, betterments or any other municipal charge except that such bylaw shall not apply to open burning permits under Chapter 48, Section 13, bicycle helmets under Chapter 85, Section 11A; dog licenses under Chapter 140, Section 137, marriage licenses under Chapter 207, Section 28, or sales for charitable purposes under Chapter 101, Section 33, or take any other action relative thereto.

Any permit granting or licensing authority is authorized in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 57 to deny any application for, or revoke or suspend a building permit, or any local license or permit including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise; who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, including amounts assessed under the provisions of section twenty-one D or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges provided that:

- (a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement or such tax or a pending petition before the appellate tax board.
- (b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provision of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority received a certified issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments,

betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

- (c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.
- (d) The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eightA in the business or activity conducted in or on said property.

This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty.

Sponsored by the Board of Selectmen
AS WRITTEN IN HANDOUT PROVIDED AT ANNUAL TOWN MEETING

VOTED to amend the General Bylaws of the Town by inserting a new section, Section 10250 to read: Any permit granting or licensing authority is authorized in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 57 to deny any application for, or revoke or suspend any local license or permit including renewals or transfers issued to any person, corporation or business enterprise who has neglected or refused to pay any local taxes, fees, assessment, betterments or any other municipal charge except that such bylaw shall not apply to open burning permits under Chapter 48, Section 13, bicycle helmets under Chapter 85, Section 11A; dog licenses under Chapter 140, Section 137, marriage licenses under Chapter 207, Section 28, or sales for charitable purposes under Chapter 101, Section 33, or take any other action relative thereto.

Any permit granting or licensing authority is authorized in accordance with the provisions of Massachusetts General Laws Chapter 40, Section 57 to deny any application for, or revoke or suspend a building permit, or any local license or permit

including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise; who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, including amounts assessed under the provisions of section twenty-one D or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges provided that:

- (e) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement or such tax or a pending petition before the appellate tax board.
- (f) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provision of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority received a certified issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

- (g) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.
- (h) The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eightA in the business or activity conducted in or on said property.

This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty.

UNANIMOUS VOTE

ARTICLE 19. General Bylaw: Utility Poles

WARRANT To see if the Town will vote to amend the General Bylaws of the Town by inserting a new section, Section 30360, “Utility Poles” to read:

A distribution company or a telephone company engaging in the removal of an existing pole and the installation of a new pole in place thereof shall complete the transfer of wires, all repairs, and the removal of the existing pole from the site within 90 days from the date of installation of the new pole; provided, however, that for any approved commercial or industrial construction project, the completion of which is expected to take longer than one year, said company shall be required to remove such pole within six months from the date of installation of the new pole. The owner of such pole shall notify all other users of the starting date of such removal and installation work at least 48 hours prior to the commencement of such work, and said owner shall require all other users to remove their wiring and other attachments from the poles in a timely manner, or take any other action relative thereto.

Sponsored By: Board of Selectmen

MOTION To see if the Town will vote to amend its General Bylaws by inserting a new section, Section 30360, “Utility Poles” to read:

A distribution company or a telephone company engaging in the removal of an existing pole and the installation of a new pole in place thereof shall complete the transfer of wires, all repairs, and the removal of the existing pole from the site within 90 days from the date of installation of the new pole; provided, however, that for any approved commercial or industrial construction project, the completion of which is expected to take longer than one year, said company shall be required to remove such pole within six months from the date of installation of the new pole. The owner of such pole shall notify all other users of the starting date of such removal and installation work at least 48 hours prior to the commencement of such work, and said owner shall require all other users to remove their wiring and other attachments from the poles in a timely manner

Sponsored by the Board of Selectmen

VOTED to amend its General Bylaws by inserting a new section, Section 30360, “Utility Poles” to read:

A distribution company or a telephone company engaging in the removal of an existing pole and the installation of a new pole in place thereof shall complete the transfer of wires, all repairs, and the removal of the existing pole from the site within 90 days from the date of installation of the new pole; provided, however, that for any approved commercial or industrial construction project, the completion of which is expected to take longer than one year, said company shall be required to remove such pole within six months from the date of installation of the new pole. The owner of such pole shall notify all other users of the starting date of such removal and installation work at least 48 hours prior to the commencement of such work, and said owner shall require all other users to remove their wiring and other attachments from the poles in a timely manner.

UNANIMOUS VOTE

RESOLUTION/SENSE OF THE MEETING – Mr. George Kelly would like it noted that signs for yard sales put up on utility poles should be removed in a timely fashion.

UNANIMOUS VOTE

**ARTICLE 20. South Shore Regional Vocational Technical High School
Repair of Roof and Window Systems**

WARRANT To see if the Town will vote to approve and accept the appropriation for acceptance of the cost, site, type, scope and timeline for the repair of the roof and window systems at the South Shore Vocational Technical High School as voted by the South Shore Regional Technical Vocational Technical School District School Committee on February 17, 2010, and further provided that such approval is contingent upon anticipated reimbursement of eligible costs from the Massachusetts School Building

Authority (MSBA) of approximately fifty-two (52%) of the total cost of \$3,300,000.00, and that the proposed such project shall extend the useful life of the school and support the required education program, with said sum to be expended under the direction of the South Shore Regional Vocational Technical High School Building Committee, and to meet said appropriation the South Shore Regional School Committee is authorized to borrow said sum under Massachusetts General Laws Chapter 44, or any other enabling authority; and that any project costs the South Shore Regional School District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the South Shore Regional School District; and that the amount of borrowing authorized pursuant to the School Committee's vote shall be reduced by any grant amounts set forth in the Project Funding Agreement that may be executed between the South Shore Regional School District and the MSBA or take any other action relative thereto.

Sponsored by: Board of Selectmen

MOTION To see if the Town will vote to approve the \$3,300,000.00 borrowing authorized by the vote of the South Shore Regional School district for the Roof and Window Replacement Project at the South Shore Vocational Technical High School, located at 476 Webster Street, Hanover, Massachusetts; said vote provides as follows:

That the South Shore Regional School District appropriate the sum of three million, three hundred thousand (\$3,300,000.00) for the Roof and Window Replacement Project at the South Shore Vocational Technical High School, located at 476 Webster Street, Hanover, Massachusetts, 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, said sum to be expended under the direction of the School Building Committee, and to meet said appropriation the South Shore Regional School Committee is authorized to borrow said sum under Massachusetts General Laws Chapter 44 or any other enabling authority; that the South Shore Regional School District acknowledges that the Massachusetts School Building Authority ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the South Shore Regional School District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the South Shore Regional School District; provided further that any grant that the South Shore Regional School District may received from the MSBA for the Project shall not exceed the lesser of (1) fifty two and six hundredths percent (52.06%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount as determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced to any grant amount set forth in the Project Funding Agreement that may be executed between the South Shore Regional School District and the MSBA.

Sponsored by the Board of Selectmen

VOTED to approve the \$3,300,000.00 borrowing authorized by the vote of the South Shore Regional School district for the Roof and Window Replacement Project at the South Shore Vocational Technical High School, located at 476 Webster Street, Hanover, Massachusetts; said vote provides as follows:

That the South Shore Regional School District appropriate the sum of three million, three hundred thousand (\$3,300,000.00) for the Roof and Window Replacement Project at the South Shore Vocational Technical High School, located at 476 Webster Street, Hanover, Massachusetts, 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, said sum to be expended under the direction of the School Building Committee, and to meet said appropriation the South Shore Regional School Committee is authorized to borrow said sum under Massachusetts General Laws Chapter 44 or any other enabling authority; that the South Shore Regional School District acknowledges that the Massachusetts School Building Authority (“MSBA”) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the South Shore Regional School District incurs in excess of any grant approved by and received from the MSBA shall be the soled responsibility of the South Shore Regional School District; provided further that any grant that the South Shore Regional School District may received form the MSBA for the Project shall not exceed the lesser of (1) fifty two and six hundredths percent (52.06%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount as determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced to any grant amount set forth in the Project Funding Agreement that may be executed between the South Shore Regional School District and the MSBA

UNANIMOUS VOTE

ARTICLE 21. Musquashicut Pond Area Easements

WARRANT To see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and permanent easements, and any property in fee simple by gift, purchase, eminent domain, or otherwise, for the property located in the Town of Scituate, Massachusetts, and further described and shown on a plan entitled “Plan of Sewer Easements in Scituate, Massachusetts, Musquashicut Pond Area-Phase II Sewers” dated March 2010 and prepared by Ross Engineering Company, Incorporated, a copy of which is on file in the Office of the Town Clerk and is incorporated herein by reference, for the purpose of constructing and maintaining sewer mains, pumping stations, and all other appurtenances thereto; and to see if the Town will transfer from available funds in the Wastewater Enterprise Fund such sums of money to defray all necessary costs, fees and expenses in connection with the acquisitions of such lands and easements and for applying damages which may be awarded as the result of any such takings, or take any other action relative thereto.

Sponsored by: Board of Selectmen

MOTION To see if the Town will authorize the Board of Selectmen to acquire any and all temporary and permanent easements, and any property in fee simple by gift, purchase, eminent domain, or otherwise, for the property located in the Town of Scituate, Massachusetts, and further described and shown on a plan entitled “Plan of Sewer Easements in Scituate, Massachusetts, Musquashicut Pond Area-Phase II Sewers” dated March 2010 and prepared by Ross Engineering Company, Incorporated, a copy of which is on file in the Office of the Town Clerk and is incorporated herein by reference, for the purpose of constructing and maintaining sewer mains, pumping stations, and all other appurtenances thereto; and to see if the Town will transfer from available funds in the Wastewater Enterprise Fund a sum not to exceed \$20,000.00 to defray all necessary costs, fees and expenses in connection with the acquisitions of such lands and easements and for applying damages which may be awarded as the result of any such takings.

VOTED to authorize the Board of Selectmen to acquire any and all temporary and permanent easements, and any property in fee simple by gift, purchase, eminent domain, or otherwise, for the property located in the Town of Scituate, Massachusetts, and further described and shown on a plan entitled “Plan of Sewer Easements in Scituate, Massachusetts, Musquashicut Pond Area-Phase II Sewers” dated March 2010 and prepared by Ross Engineering Company, Incorporated, a copy of which is on file in the Office of the Town Clerk and is incorporated herein by reference, for the purpose of constructing and maintaining sewer mains, pumping stations, and all other appurtenances thereto; and to see if the Town will transfer from available funds in the Wastewater Enterprise Fund a sum not to exceed \$20,000.00 to defray all necessary costs, fees and expenses in connection with the acquisitions of such lands and easements and for applying damages which may be awarded as the result of any such takings

UNANIMOUS TWO THIRDS VOTE

ARTICLE 22. Stockbridge Road

WARRANT To see if the Town will vote to transfer to the Board of Selectmen all or a portion of the land identified as Lot 59-11, as shown on the Scituate Assessors’ Maps, and further shown on a plan of land entitled “Plan of Land in the Town of Scituate, Massachusetts, STOCKBRIDGE ROAD, dated January 7, 2010 prepared by Ross Engineering Company, Incorporated, and authorize the Board of Selectmen to sell and convey such land for such purposes and upon such terms as the Board of Selectmen deem in the best interest of the Town, and vote to dispose of the proceeds from such land, or take any other action relative thereto.

Sponsored By: Board of Selectmen

MOTION To see if the Town will vote to transfer to the Board of Selectmen all or a portion of the land identified as Lot 59-11, as shown on the Scituate Assessors’ Maps, and further shown on a plan of land entitled “Plan of Land in the Town of Scituate,

Massachusetts, STOCKBRIDGE ROAD, dated March 12, 2010, prepared by Ross Engineering Company, Incorporated, and authorize the Board of Selectmen to sell and convey such land for such purposes and upon such terms as the Board of Selectmen deem in the best interest of the Town, and to dispose of the proceeds from such land, and further provided that a minimum of two lots be reserved and conveyed to the Affordable Housing Trust for the exclusive purpose of building affordable housing with preference given to Scituate residents

VOTED to transfer to the Board of Selectmen all or a portion of the land identified as Lot 59-11, as shown on the Scituate Assessors' Maps, and further shown on a plan of land entitled "Plan of Land in the Town of Scituate, Massachusetts, STOCKBRIDGE ROAD, dated March 12, 2010, prepared by Ross Engineering Company, Incorporated, and authorize the Board of Selectmen to sell and convey such land for such purposes and upon such terms as the Board of Selectmen deem in the best interest of the Town, and to dispose of the proceeds from such land, and further provided that a minimum of two lots be reserved and conveyed to the Affordable Housing Trust for the exclusive purpose of building affordable housing with preference given to Scituate residents

TWO-THIRDS VOTE

ARTICLE 23. Zoning Bylaw Revision

WARRANT To see if the Town will vote to amend its Zoning Bylaws as set forth in the proposed amended Zoning Bylaws provided for all members at this meeting, and on file with the Town Clerk, or take any other action relative thereto.

Sponsored By: Bylaw Review Committee

MOTION To see if the Town will vote to amend its Zoning Bylaws as set forth in the proposed amended Zoning Bylaws provided for all members at this meeting, and on file with the Town Clerk.

MOTION: from Chairman William Limbacher from the floor representing the Zoning Bylaw Review Committee to further amend the by-laws presented to include the following:

I move that the Town amend its Zoning Bylaws as set forth in the proposed Zoning Bylaws date February 9, 2010, provided as a handout for this town meeting and on file with the Town Clerk, the following amendments:

- 1. To changes Section 520.4.C to add the Water Resources Committee to the committees notified about Water Resource Protection District special permits, so this Section will read "Such special permit shall be granted if the SPGA determines, in conjunction with the Department of Public Works, Board of Health,*

Conservation Commission and Water Resources Committee that the intent of this bylaw, as well as its specific criteria are met.”

2. *To change 520.5.A.4 by changing the word “of” to “or” so it will read “any surface or sub-surface discharge including, but not limited to, storm water runoff an domestic or industrial wastewater.”:*
3. *To change the title, footer and page numbers in the Table of Content to reflect the date and page numbers at the time of printing and to amend the Zoning Map to conform to the provisions of said amended Zoning Bylaws*

VOTED to amend the Zoning Bylaws as set forth in the proposed amended Zoning Bylaws provided for all members at this meeting, and on file with the Town Clerk. Including the motion from Chairman Limbacher. to further amend the by-laws presented to include the following:

I move that the Town amend its Zoning Bylaws as set forth in the proposed Zoning Bylaws date February 9, 2010, provided as a handout for this town meeting and on file with the Town Clerk, the following amendments:

1. *To changes Section 520.4.C to add the Water Resources Committee to the committees notified about Water Resource Protection District special permits, so this Section will read “Such special permit shall be granted if the SPGA determines, in conjunction with the Department of Public Works, Board of Health, Conservation Commission and Water Resources Committee that the intent of this bylaw, as well as its specific criteria are met.”*
2. *To change 520.5.A.4 by changing the word “of” to “or” so it will read “any surface or sub-surface discharge including, but not limited to, storm water runoff an domestic or industrial wastewater.”*
3. *To change the title, footer and page numbers in the Table of Content to reflect the date and page numbers at the time of printing and to amend the Zoning Map to conform to the provisions of said amended Zoning Bylaws.*

UNANIMOUS VOTE

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY ATTEST.

Bernice R. Brown, Town clerk