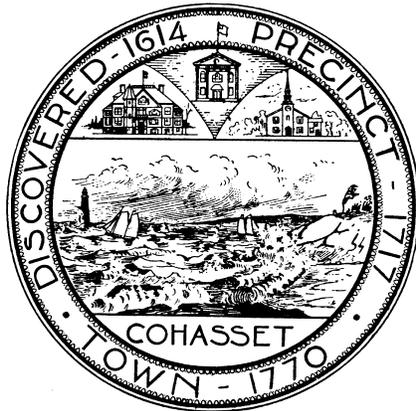


TOWN OF COHASSET

WARRANT



**ANNUAL TOWN MEETING
SATURDAY, MAY 12, 2012
9:00 A.M.**

**SECOND DAY
MONDAY, MAY 21, 2012
7:00 P.M.**

**COHASSET HIGH SCHOOL
SULLIVAN GYMNASIUM
COHASSET, MASSACHUSETTS**

From the entire Board of Selectmen -- Diane Kennedy, Lee Jenkins, Fred Koed, Paul Carlson, and myself - it has been our pleasure to serve you, the citizens of Cohasset. The year in review has been a trying time for our town. However, I am pleased to report that our town is stronger and offers a positive future for us all.

The last year has been difficult as our town has been in transition. In the last two years, we have had three Town Managers and just as many finance directors. The town has experienced several structural difficulties with our infrastructure which required investment. We have had to take a hard look at how the town operates and where we can save money. With reform comes a new, improved way in which this town will be governed. Many of the articles we present to you today for consideration are intended to help Cohasset maintain and strengthen its financial position and governance.

A Balanced Budget: I am pleased to recognize the hard work of our Town Employees, interim Town Manager Michael Milanoski, the Advisory Committee, Capital Budget and the Budget Planning Group and everyone who worked so hard to develop a level-funded budget that will help us to live within our means.

Town Finances: Mary Gallagher serves as Financial Manager, returning to us from Scituate where she experienced tremendous success. Under her guidance, the town will implement new financial policies the Board of Selectman has created with tools and services which include financial software, Purchase Orders, payment options, and a new town audit company. We also present new options to help us strengthen our stabilization fund and other funding sources for maintenance of our town buildings to ensure that financial strain remains in our past and not a part of our future.

Little Harbor Sewer Project: Nearly three decades after inception, the town will complete the Little Harbor Sewer Project. We thank all those involved in the project and the more than 350 homes and homeowners in Cohasset who are contributing to protecting our environment.

Management of Public Utilities: With newly elected board members in both the water and sewer enterprises, these committees will present multiple options for successful long term management of our town's resources.

New Housing: The Avalon Development project will be completed soon and the Cedarmere development is under consideration by the Planning Board. Both projects grow our local economy and provide diversified housing options in Cohasset.

As we look ahead, we can learn from the challenges we have had in the past. It is with great honor we present this warrant for your consideration.

Respectfully yours,

Edwin G. Carr ("Ted")

Chairman of the Cohasset Board of Selectmen

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TOWN OF COHASSET
WARRANT FOR 2012
ANNUAL TOWN MEETING
May 12th FOR THE TRANSACTION OF BUSINESS
MAY 19TH FOR THE ELECTION OF OFFICERS
May 21st FOR THE CONTINUATION TRANSACTION OF BUSINESS
COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

To the Constables of the Town of Cohasset, in the County of Norfolk.

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Cohasset who are qualified to vote in Elections and Town Affairs to meet at the Cohasset High School Gym.

SATURDAY, TWELFTH DAY OF MAY, 2012.

At 9:00 o'clock in the forenoon, then and there to act on the following articles:

Article: 1 Resolution – Town Meeting Support Town of Cohasset Financial Management Policies

To see if the Town will vote to adopt the following nonbinding resolution: That Town Meeting is fully supportive of the Town of Cohasset's Financial Management Policies as voted on February 28, 2012 as may be amended, and that the Town Manager is encouraged to implement these policies with the goal of securing a AAA bond rating including increasing the Town's Stabilization Funds, and developing a financial plan to fully fund the Town's unfunded debt obligations, a copy of which policies is available in the office of the Town Clerk, Board of Selectmen, and published on the Town's Web Site.

BOARD OF SELECTMEN for Town Manager

INFORMATIONAL SUMMARY: With guidance from the Town's Budget Planning Group, consisting of members from the Board of Selectmen, School Committee, Advisory Committee, Capital Budget Committee and the Town Manager and Finance Director, the Board of Selectmen approved the Town of Cohasset Financial Management Policy. This policy enables the Town to present to bonding agencies a comprehensive plan to address long-term debt, contribute recommended funds to the Town's Stabilization Funds and to put the Town in the best possible financial condition to meet its current and future obligations. This Article is a Non-Binding resolution. As defined, a non-binding resolution is a statement passed by the governing body. It stands as a confirmation of the current position of Town Meeting on a particular issue.

Board of Selectmen Recommendation: 5-0

Advisory Committee Recommendation: 6-0

Article: 2 Annual Town Report

To act upon the reports of the various Town Officers as printed in the Annual Town Report for 2011, or take any other action related thereto.

Board of Selectmen

INFORMATIONAL SUMMARY: This article asks the Town Meeting to accept the reports of the Town Officers that are printed in the Annual Town Report for Calendar Year 2011. Copies of the Town Report are available in the Town Clerk's Office and the Office of the Board of Selectmen.

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 3 Reports of Committees

To hear the reports of any Committee heretofore chosen and act thereon, or take any other action related thereto.

- Governance Committee

Board of Selectmen

INFORMATIONAL SUMMARY: This article provides an opportunity for Boards and Committees to present a report directly to the Annual Town Meeting. As of the printing of this Warrant, the Board of Selectmen has not requested any specific reports. Any recommended reports will take place at the Annual Town Meeting.

Article: 4 Unpaid Bills from Previous Years

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, to pay for unpaid bills from previous fiscal years, or to take any other action related thereto.

Board of Selectmen for the Town Manager

INFORMATIONAL SUMMARY: This article is required in case funding from available funds is needed to pay for bills incurred by the Town from previous fiscal years that for one reason or another were not paid during the particular fiscal year in which the bill was received.

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 5 Transfer of Funds to Cohasset Schools from Settlement

To see if the Town will vote to appropriate Five Hundred Thousand Dollars (\$500,000.00) to spent by the Town Manager and School Superintendent for the purpose of repairing and/or replacing the damaged floors at the schools and for paying for the cost associated with emergency floor repairs it being the intent that such funds be immediately available in FY 12; and to meet this appropriation, Five Hundred Thousand Dollars (\$500,000.00) be transferred in accordance with G.L. Chapter 44, Section 53, from the funds recovered by the Town in FY 12 in restitution for damages done by third parties to School property with respect to the floors in the school district, or to take any other action related thereto.

Board of Selectmen for the Town Manager

INFORMATIONAL SUMMARY: Passage of this article allows the funds to pay for the repair and/or replacement of the damaged floors.

Board of Selectmen Recommendation: 5-0
Advisory Committee Recommendation: 6-0

Article: 6 Rescission of Authorized but Unissued Debt

To see if the Town will vote to rescind the balance of the loans authorized and un-issued pursuant prior authorization of Town Meeting, or take any other action relative thereto.

INFORMATIONAL SUMMARY: This article would rescind prior town meeting authorizations for projects that either 1) never came to fruition or 2) have an unexpected balance after completion that the Town can close out.

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 7 New projects or old projects requiring additional funding.

To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute and/or transfer from available funds, a sum or sums of money, to be expended by the Town Manager to fund new projects, or an old projects needing additional funding issued pursuant prior authorization of Town Meeting, or take any other action relative thereto.

INFORMATIONAL SUMMARY: This article would rescind prior town meeting authorizations for projects that either 1) never came to fruition or 2) have an unexpected balance after completion that the Town can close out.

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 8 Supplemental Appropriations for Fiscal 2012

To see if the Town will vote to raise and appropriate, borrow pursuant to any applicable statute and/or transfer from available funds, a sum or sums of money, to be expended by the Town Manager, needed by various departmental budgets and appropriations to complete the fiscal year ending June 30, 2012 or to decrease or otherwise adjust any budget line item as appropriated by the town at the 2011 annual town meeting or the December 5, 2011 Special Town Meeting, or fund deficits in grants, or to take any other action related thereto.

INFORMATIONAL SUMMARY: This article requests additional funding for various departmental budgets that are experiencing a shortfall for Fiscal 2012. For background, the Director of Finance / Town Account within a few weeks of starting her position identified a net structural deficit for the rest of FY12 in the amount of over \$350,000. Immediately thereafter the Acting Town Manager instituted a spending freeze on all town expenditures under direct oversight of the Town Manger. After transferring any surplus funds from other departments as a result of the spending freeze, additional funds will be required in order to balance the FY12 budget..

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 9 Operating Budget

To see if the Town will vote to fix salaries and compensation of Elected Officers, and to see what sums the Town will vote to raise and appropriate from available funds or otherwise, for the payment of the salaries and compensation, expenses, equipment and outlays, capital and otherwise, of the several Town Departments, and to modify the Town Manager’s Department and Employee Organizational Chart, compensation schedule, and for all positions for the ensuing fiscal year, or to take any other action related thereto.

INFORMATIONAL SUMMARY: This article requests Town Meeting to accept the Proposed Fiscal 2013 Operating Budget that is less than a 2.5% increase year over year and Department and Employee Organizational Chart. For a more detailed explanation of the Proposed Budget, please refer to the Town Manager's Annual Report contained at the beginning of this Warrant.

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 10 Stabilization Fund

To see if the Town will vote to raise and appropriate , transfer from available funds or borrow pursuant to any applicable statute a sum of money to be deposited in the Town's Stabilization Fund, in accordance with Massachusetts General Laws, Chapter 40, Section 5B, or take any action related thereto.

Board of Selectmen for the Town Manager

INFORMATIONAL SUMMARY: Per the Town's Financial Policies, an allocation to the Stabilization Fund should be made each year and especially when one-time revenue is collected by the Town. The Town should allocate more than 5% of its annual operating budget to the Stabilization Fund, with a goal of 10% programmed into this fund. It is anticipated that one time money in the amount of \$400,000 will be allocated.

Board of Selectmen Recommendation: 5-0
Advisory Committee Recommendation: 6-0

Article: 11 Capital Stabilization Fund

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to be deposited into the Capital Stabilization Fund, or to take any other action related thereto.

Board of Selectmen for the CAPITAL BUDGET COMMITTEE

INFORMATIONAL SUMMARY: The purpose of this article is to transfer sums of money into the Capital Stabilization Fund. Sources of the funds include declining debt service on previously financed capital projects and unexpended balances for prior capital projects, for a net of 5% of the operating budget as agreed to in 1998. The Capital Stabilization Fund is used to finance new capital appropriations through direct appropriations from this fund and/or new debt service.

Board of Selectmen Recommendation: 5-0
Advisory Committee Recommendation: 6-0

Article: 12 Capital Improvements Budget

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money to fund various capital improvements, capital projects and/or capital equipment for the various departments, boards, commissions and agencies of the town, or take any other action related thereto.

Board of Selectmen for the CAPITAL BUDGET COMMITTEE

INFORMATIONAL SUMMARY: The Capital Budget Committee works within its Capital Improvement Plan, a multi-year fiscal planning process that identifies long-term improvements to the Town's infrastructure and facilities. This article would provide for the funding for various capital projects and equipment for Town departments. Presently known and anticipated appropriations pursuant to this Article are as follows

<i>Entity</i>	<i>Purpose</i>
Fire	Replacement of a second Thermal Imaging Camera
Fire	Replacement of Hydraulic Extrication Tools
School	Purchase of one 77 passenger bus
Police	Frontline Cruiser
Police	Unmarked Hybrid Vehicle for Chief
Police	Physical plant repairs, building security per regional dispatch.
DPW	Replacement of Utility Truck
Town Manager	Additional Funding for MIS Software Implementation (Capital)

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Article: 13 Other Post-Employment Benefits Liability Trust Fund

To see if the Town will vote to accept and create an Other Post-Employment Benefits Liability Trust Fund, per MGL 32B Section 20, copy of which is set forth below, or take any other action related thereto.

Section 20. (a) A city, town, district, county or municipal lighting plant that accepts this section may establish an Other Post-Employment Benefits Liability Trust Fund, and may appropriate amounts to be credited to the fund. Any interest or other income generated by the fund shall be added to and become part of the fund.

Amounts that a governmental unit receives as a sponsor of a qualified retiree prescription drug plan under 42 U.S.C. section 1395w-132 may be added to and become part of the fund. All monies held in the fund shall be segregated from other funds and shall not be subject to the claims of any general creditor of the city, town, district, county or municipal lighting plant.

(b) The custodian of the fund shall be (i) a designee appointed by the board of a municipal lighting plant; (ii) the treasurer of any other governmental unit; or (iii) if designated by the city, town, district, county or municipal lighting plant in the same manner as acceptance prescribed in this section, the Health Care Security Trust board of trustees established in section 4 of chapter 29D, provided that the board of trustees accepts the designation. The custodian may employ an outside custodial service to hold the monies in the fund. Monies in the fund shall be invested and reinvested by the custodian consistent with the prudent investor rule established in chapter 203C and may, with the approval of the Health Care Security Trust board of trustees, be invested in the State Retiree Benefits Trust Fund established in section 24 of chapter 32A.

(c) This section may be accepted in a city having a Plan D or Plan E charter, by vote of the city council; in any other city, by vote of the city council and approval of the mayor; in a town, by vote of the town at a town meeting; in a district, by vote of the governing board; in a municipal lighting plant, by vote of the board; and in a county, by vote of the county commissioners.

(d) Every city, town, district, county and municipal lighting plant shall annually submit to the public employee retirement administration commission, on or before December 31, a summary of its other post-employment benefits cost and obligations and all related information required under Government Accounting Standards Board standard 45, in this subsection called "GASB 45", covering the last fiscal or calendar year for which this information is available. On or before June 30 of the following year, the public employee retirement administration commission shall notify any entity submitting this summary of any concerns that the commission may have or any areas in which the summary does not conform to the requirements of GASB 45 or other standards that the commission may establish. The public employee retirement administration commission shall file a summary report of the information received under this subsection with the chairs of the house and senate committees on ways and means, the secretary of administration and finance and the board of trustees of the Health Care Security Trust.

INFORMATIONAL SUMMARY: The OPEB Liability Trust Fund is being created for the purpose of funding health insurance expenses for future retired town employees as part of the Financial Policies adopted by the Board of Selectmen. In 2008, legislation was passed in Massachusetts (the Acts of 2008) allowing cities, towns to create OPEB Trust Funds. Under this statute, OPEB Trust Funds are authorized to invest "consistent with the prudent investor rule established in chapter 203C", honoring the same rules applicable to pension trust funds. Investment options under 203C are broader, and more likely to meet the return assumption used to calculate our ARC payment. Since the nature of our OPEB obligations are analogous to the Town's pension obligations, it makes sense that these funds be invested using a similar long-term strategy. Further legislation in 2011 now allows such funds to be invested in the State Retiree Benefits Trust Fund.

Board of Selectmen Recommendation: 5-0
Advisory Committee Recommendation: 6-0

Article: 14 Funding Other Post-Employment Benefits Liability Trust Fund

To see if the Town will vote to raise and appropriate, or transfer from available funds and/or borrow pursuant to any applicable statute a sum of money to be deposited into Other Post-Employment Benefits Liability Trust Fund established pursuant to MGL Chapter 32B, Section 20, or take any other action related thereto.

INFORMATIONAL SUMMARY: The OPEB Liability Trust Fund is for the purpose of funding health insurance expenses for future retired town employees as part of the Financial Policies adopted by the Board of Selectmen and these transferred funds will be invested in the State Retiree Benefits Trust Fund. It is anticipated that the first transfer will be \$20,000 and the second transfer will be \$144,000 into the Trust Fund. It is important to note that there is over a \$30,000,000 liability in OPEB.

Board of Selectmen Recommendation: 5-0
Advisory Committee Recommendation: 7-0

Article: 15 Betterment Debt Service Stabilization Trust Fund

To see if the Town will vote to create a Betterment Debt Service Stabilization Fund, per MGL 40 Section 5B, for the purpose of funding debt service payments incurred for sewer project or take any other action related thereto.

INFORMATIONAL SUMMARY: The Betterment Debt Service Stabilization Fund is being created for the purpose of restricting betterment payments to fund betterment debt service. It is anticipated that in FY2013 funds will be available to transfer into this Trust Fund.

Board of Selectmen Recommendation: 5-0
Advisory Committee Recommendation: 6-0

Article: 16 Meals and Hotel Tax Stabilization Fund

To see if the town will vote to create a Meals and Hotel Tax Stabilization Fund, per MGL 40 Section 5B, for the purpose of funding maintenance and repair of existing facilities (vertical buildings owned by the Town of Cohasset) with improvements that have an individual value of over \$10,000 per project, or take any other action related thereto.

INFORMATIONAL SUMMARY: The Massachusetts Legislature approved a new local-option meals tax, along with a hotel tax option, to provide a measure of relief for towns facing budget shortfalls, in part due to cuts in State Aid. Hingham has collected \$581,156.48 during the past four quarters as a result of the local option levy on just its restaurant meals. Approval of this Article also would create a Meals and Hotel Tax Stabilization Fund. These funds can be withdrawn in the future only by a two-thirds Town Meeting vote. A significant amount of the funds collected would be generated by people who do not reside in Cohasset

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 17 Acceptance of Local-Option Hotel Tax.

To see if the town will accept sections 51 and 52 of Ch. 27 of the Acts of 2009 amending s. 3A of Ch. 64G of the General Laws of the Commonwealth and further to see what rate the town will establish for local room occupancy excise under such Ch. 64G, s. 3A, to take effect on July 1, 2012, on the rental of rooms in hotels establishments in the town; as provided by such law, or take any other action related thereto.

INFORMATIONAL SUMMARY: The Massachusetts Legislature approved a hotel tax option, The purpose of this article is to seek town approval to implement an excise tax on hotel & motel stays in the Town of Cohasset that will take effect on July 1, 2012.

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 18 Acceptance of Local-Option Meals Tax.

To see if the town will accept Section 2 of Chapter 64 L of the General Laws of the Commonwealth to impose a .75% meals tax to take effect on July 1, 2012 in accordance with section 60 of Chapter 27 of the Acts of 2009, or take any other action related thereto.

INFORMATIONAL SUMMARY: The Massachusetts Legislature approved a new local-option meals tax, The purpose of this article is to seek town approval to implement a three quarter of one percent (.75%) tax on the sales of restaurant, catered, and prepared meals including functions such as weddings; that will take effect on July 1, 2012.

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 19 Assessor's Article

To see if the town will vote to accept Section 4 of Chapter 73 of the Acts of 1986 of the Massachusetts Legislature to grant an additional real estate tax exemption of not more than one hundred percent (100%). Such additional exemption may be granted to persons who qualify for property tax exemptions under clauses 17, 17C ½, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B, 41C, 42 and 43 of Section 5 of Chapter 59 of the Massachusetts General Laws and also, to see if the town will vote to accept the amendment of Clause 41C in accordance with Chapter 184, Section 51 of the Acts of 2002, to subsequently grant an additional real estate tax exemption of not more than one hundred percent (100%). Such additional exemption may be granted to persons

who qualify for property tax exemption under clause 41C of Section 5 of Chapter 59 of the Massachusetts General Laws, or take any other action related thereto.

BOARD OF SELECTMEN for Board of Assessor

INFORMATIONAL SUMMARY: Annual article from the Board of Assessors. Part 1, acceptance of Section 4 of Chapter 73 of the Acts of 1986 doubles the exemption for qualified elderly, veterans and legally blind taxpayers. For example, a veteran with at least a 10% service related disability would receive a \$400 real estate tax exemption. If this article is adopted, that veteran would receive an \$800 exemption. Part 2 acceptance of the amendment of Clause 41C, Elderly with low income, doubles the exemption for qualified elderly taxpayers. For example, a qualified elderly taxpayer would receive a \$500 exemption which would double to \$1,000 under Part 1 above and double to \$2,000 under Part 2. This was adopted to benefit seniors on fixed incomes who have been taxpayers in Cohasset for many years and are finding it increasingly difficult to pay their taxes

Board of Selectmen Recommendation: 5-0

Advisory Committee Recommendation:

Article: 20 Sewer Enterprise Fund FY13 Budget

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, the FY 13 operating budget and capital projects of the Sewer Enterprise Fund for the ensuing fiscal year commencing on July 1, 2012, or take any other action related thereto.

BOARD OF SELECTMEN for Sewer Commission

INFORMATIONAL SUMMARY: The Sewer Enterprise Fund was established as a separate account pursuant to Chapter 44, Section 53F½ of the Mass General Laws.

Board of Selectmen Recommendation

Advisory Committee Recommendation:

Article: 21 Citizen's Petition to Reorganize Water & Sewer

Consistent with the recommendations of the 2004 MMA Consulting Group Report and the 2010 Melanson and Heath Audit the undersigned citizens submit the following multi-part article for consideration at Town Meeting:

To see if the Town will authorize the Board of Selectmen and its representatives in the General Court to submit to the General Court a Home Rule Petition repealing any and all past Acts that created the elected Water Commission and Sewer Commission in their present form, and authorizing management of those utilities to be under such governing structures as determined by the Town through local bylaw, and taking such other and further steps in that legislation as are necessary to accomplish the end result of the abolition of these Commissions and control of governance of these departments to the Town via local bylaw.

Contingent on the passage of the above-referenced state legislation to see if the Town will vote to combine the Water and Sewer Commissions into one body consisting of five members and to make this body advisory, responsible for policy and planning.

Existing elected officials to serve out their terms with the term expiring in 2012 to be left unfilled; the remaining 5 positions to be filled by the remaining elected officials if they so choose; appointments to be made by the Troika for three-year terms; or the Troika to appoint citizens at large as the elected positions expire if the elected officials choose to step down; and

To see if the Town will vote to approve and fund a new town position, Public Works Supervisor, reporting to the Town Manager as a department head; to have the full authority and responsibility of the daily management of the water and sewer plants and infrastructure, capital improvements and construction; including but not limited to accountability for enterprise fund budgets; and oversight of any management contractor and/or engineering services.

Recommended minimum qualifications: Bachelor's Degree in civil engineering, or a related field; ten years experience in municipal public works administration, engineering and construction; or an equivalent combination of education and experience. (2004 MMA Report) and

To see if the Town will vote to approve and fund three new town positions, Assistant Public Works Supervisor; said position to be filled and funded by the present position of Administrative Assistant to the Sewer Commission; and two clerical positions to be filled and funded by the two positions that currently exist in the Water Operating Contract. and

To see if the Town will vote to make the Finance Director/Town Accountant the Business Manager to the Water and Sewer Departments; and

To see if the Town will vote to authorize the Town Manager to continue to execute contracts for professional plant management of the water and sewer plants; and/or

To vote to have the Town manage and operate the water and sewer plants in-house upon the expiration of existing contracts; and

To see if the Town will vote to authorize the Board of Selectmen and the Town Manager to:

- 1) Take the necessary steps to revise by Home Rule Petition the Town Manager Act and any and all state legislature pertaining to the authority of the Water and Sewer Commissions as elected bodies to reflect the change to an advisory role responsible for policy and planning; and
- 2) Take the necessary steps to revise any local bylaws pertaining to the Water and Sewer Commissions as elected bodies to reflect the change to an advisory role responsible for policy and planning; and
- 3) Take the necessary steps to revise any local bylaws pertaining to the water enterprise fund and the sewer enterprise fund to place responsibility for said funds under the co-management of the Town Manager and Finance Director/Town Accountant;

or take any other action related thereto.

CITIZEN'S NAMES – TO BE INSERTED

Board of Selectmen Recommendation:

Advisory Committee Recommendation: 0-5

PROPOSED TOWN MEETING BREAK to May 21st

Article 22: Land and Easement Transfers for Proposed Senior Center Site

To see if the Town will vote to authorize the Board of Selectmen to file with the General Court a petition for the enactment of a Home Rule special act as set forth below to authorize the Board of Selectmen to sell, convey,

release or otherwise dispose of portions of Town land located off North Main Street and Sohier Street and known as Town of Cohasset Tax Assessor Map 15, Parcels 1, 12 and 13 and to request the Town's representatives to the General Court to introduce a Special Act set forth below; and further to authorize the General Court, with the approval of the Board of Selectmen, to make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage; or to take any other actions related thereto.

AN ACT APPROVING THE TOWN OF COHASSET TO TRANSFER
CERTAIN INTERESTS IN LAND SITUATED IN COHASSET
ACQUIRED FOR WATER SUPPLY PURPOSES AND TO USE
AND DISPOSE OF SUCH LAND FOR OTHER PURPOSES

SECTION 1. The town of Cohasset, acting by and through its board of water commissioners and board of selectmen may transfer to its board of selectmen the care, custody and control of a portion of a certain parcel of land acquired for water supply purposes to be used for general municipal purposes. The parcel is described in an order of taking made by the town on October 25, 1950 and recorded at the Norfolk county registry of deeds in book 2950, page 182 and is located northwesterly of Sohier street and is shown on assessor map 15 as parcel 1. The portion of the parcel to be transferred by the town contains 6,244 square feet and is shown on a plan entitled "Plan of Land, North Main Street & Sohier Street in Cohasset, MA," dated October 25, 2011 and prepared by Cavanaro Consulting as parcel 1A.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, said board of selectmen, may transfer to the Social Service League of Cohasset, Inc., or its designee, said parcel 1A.

SECTION 3. Notwithstanding the provisions of any general or special law to the contrary, said board of selectmen, may transfer to the Cohasset Swimming and Recreation Trust under declaration of trust dated November 23, 1970 and recorded at the Norfolk county registry of deeds in book 4885, page 256 a portion of the parcel of land located southerly of North Main street and described in certificate of title no. 2241 and plan 4899-A on file with the Norfolk county registry district of the land court that contains 10,877 square feet and is shown on the plan described in section 1 above as parcel 13A.

SECTION 4. The selectmen may transfer to said corporation and said trust easements over a portion of the parcel located southerly of North Main street described by section 3 that contains 13,790 square feet and is shown on said plan as "40' Wide Access and Utility Easement" for access and utility purposes.

SECTION 5. If the land of said corporation ceases to be used for public purposes, then said first parcel shall revert to the town of Cohasset board of selectmen for general municipal purposes and said easements to said corporation shall terminate.

SECTION 6. This act shall take effect upon its passage.

Board of Selectmen

INFORMATIONAL SUMMARY: Passage of this article allows the Selectmen to include this small parcel of land (which was inadvertently missed in the 2009 article) in a transaction as authorized by article 16 and 18 of the 2009 Town Meeting, in conjunction with the Senior Center project. Passage of this article allows the Selectmen to convey to the Cohasset Swimming and Recreation Trust (CSRT) a parcel of land on North Main Street in conjunction with the Senior Center project. A portion of this parcel was voted to be sold to the CSRT at the 1974 Annual Town Meeting an action that never took place. Passage of this article authorizes the Selectmen grant easements needed for utilities and passage for the Senior Center project.

Board of Selectmen Recommendation: 5-0
Advisory Committee Recommendation:
Senior Center Planning Group Recommendation: 9-0

Article: 23 Zoning Bylaw Amendments – Section 2.1: Definitions And Section 5.2.6, Area Regulations General Provisions

To see if the Town will vote to amend the Town’s Zoning Bylaw, Section 2.1 Definitions by:

a). Adding a new definition: “Permitted Projections: 1). Construction elements that extend beyond the building wall surface no more than two feet, including but not limited to projecting eaves, chimneys, bay windows (that do not provide additional floor area), and belt courses, and are no closer to the property line than six feet. 2). Unenclosed entry porches, steps, and bulkheads, which do not project more than six feet beyond the line of the foundation wall, do not exceed (30) square feet in area, with a landing not over four feet in height, and are no closer to the property line than six feet.” And, b). Amending the definition of Yard, Required by adding after set forth in Section 5.3.1 – “except for permitted projections” so as to read: “Yard, Required: With respect to any Front Yard, Side Yard, or Rear Yard, the distance required between the principal building and the respective lot lines for such yard in the Table of Area Regulations set forth in Section 5.3.1, except for permitted projections.”

And,

c) Amend Section 5.2.6 Area Regulations General Provisions, by deleting the last sentence and replacing it with the following: “Except for a perimeter wall, fence or similar enclosure not in excess of six feet in height, a flag pole, utility pole, mailbox or Permitted Projection, no point of any structure shall be closer than the required setback distance to any point of the front lot line, or center line of the street, as the case may be.”

Or to take any other action related thereto.

PLANNING BOARD

INFORMATIONAL SUMMARY: Various normal and nominal projections into the required setback are a reasonable way to allow design flexibility and increase options for existing homeowners to make reasonable improvements to existing homes on what are often tight lots by zoning setback standards.

Board of Selectmen Recommendation: 5-0
Advisory Committee Recommendation: 5-0

Article: 24 Zoning Bylaw Amendment- Section 2.1 - Home Occupation Definition And Section 4.3.5.B – Additional Use Regulations

To see if the Town will vote to amend the Town’s Zoning Bylaws, Section 2.1 Definitions and 4.3.5.b Additional Use Regulations:

a). Amend section 2.1 existing definition: Home Occupation: By changing “dwelling unit” to “permitted structure” in the first sentence so as to read: “Home Occupation: Any activity conducted by the inhabitants of and entirely within a permitted structure which use is incidental and subordinate to the dwelling use, and which does not in any manner change the residential character of the building or its surrounding lot.” b). Amend Section 4.3.5 .b Additional Use Regulations, single family home occupation By changing “principal building” to “permitted structure”, deleting the reference to ground floor percentage, and increasing the maximum floor area allowed from 500 to 600 square feet so as to read: “Not more than 600 square feet of total floor area shall be devoted to such use and the use is carried on strictly within the permitted structure.”

Or to take any other action related thereto.

PLANNING BOARD

Informational Summary: Current zoning excludes normal and typical use of detached structures for an artist studio, workshop, home office or tradesmen's storage in a garage or similar structure. This is unnecessarily restrictive and is not reflective of historic practice within the Town. In addition, there is no definition for "principal building" in the Zoning Bylaws.

Board of Selectmen Recommendation: 5-0

Advisory Committee Recommendation: 5-0

Article: 25 Zoning Bylaw Amendment- Sections 2.1, 5.2.6 And 5.2.8 Fence And Wall Reference

To see if the Town will vote to amend the Town's Zoning Bylaw, Sections 2.1 (Definitions), 5.2.6 and 5.2.8 (Area Regulations, General Provisions) as follows:

a). Add the following definitions to Section 2.1:

Fence: A barrier constructed of posts, panels, rails, pickets or wire. Fence height shall be measured to the top of the panel, exclusive of posts and caps which may extend up to eight inches above the panel.

Wall, Retaining and Perimeter: an enclosing structure of stone and/or masonry at a fixed location

b). Amend Section 5.2.6, last sentence, to read as follows: "Except for structures cited in 5.2.8,a & b, no point of any structure shall be closer than the required setback distance to any point of the front lot line, or centerline of the street, as the case may be."

c). Amend Section 5.2.8 to read as follows: "No open storage or display of goods, products, materials, or equipment, no gasoline pump, vending machine, or similar commercial device and no other structure, except for those listed in subsections a. and b. immediately below, shall be located nearer to any side or rear lot line than either fifteen feet or the permitted setback distance for a building on the lot, whichever distance is lesser.

a. A fence not in excess of six feet in height, flag pole, utility pole, and mail box may be located within the permitted setback distance for a building on the lot,

b. A retaining or perimeter wall not in excess of three (3) feet in height may be located within minimum required setback distances of a property line."

Or to take any other action related thereto.

PLANNING BOARD

Informational Summary: The only mention of "retaining wall" in the Bylaws is in Section 2.1 (Definitions) appearing as one of many examples of a "structure" which provide "support or shelter". Some of the examples cited clearly must comply with building setbacks (e.g. a swimming pool, a tennis court) while others (e.g. a flag pole) are allowed within setbacks. Whether or not Retaining Walls must comply with setbacks has been the subject of a number of costly law suits for the town, without clear resolution by the courts. Furthermore, low-profile septic system retaining walls within setbacks are not uncommon in Town, often driven by Title 5 design requirements rather than aesthetics. The distinction between a permanent retaining wall and a permanent

Board of Selectmen Recommendation: 5-0

Advisory Committee Recommendation: 5-0

PLANNING BOARD

Article: 26 Zoning Bylaw Amendment- Section 9.7.5 - Special Permit Uses

To see if the Town will vote to amend the Town's Zoning Bylaws, Section 9.7.5: Special Permit Uses, in the Flood Plain and Watershed Protection District, by adding the phrase "such as private boat docks," so as to read: "Nonresidential structures incidental to any of the uses allowed under Section 9.5 of this section, such as private boat docks, provided, however, that the same do not exceed twenty feet in height or two hundred square feet in total ground coverage, and that the water quality or natural drainage pattern of any watercourse is not adversely affected thereby."

Or to take any other action related thereto.

Informational Summary: Dimensional/ structural characteristics of Private Boat Docks are primarily found in regulations of the two principal agencies having wetlands jurisdiction: the Town's Conservation Commission and State DEP. Section 9.7.5 of our Zoning Bylaws imposes two limitations which supplement, rather than conflict with these regulations: structural height and ground coverage. Private Boat Docks have, at times, been confused with "Footbridges and plank walks" which are separately defined in Section 9.7.1 as "walking surfaces [which] do not exceed eighteen inches in width." An 18-inch wide "private dock" is illegal by State standards.

Board of Selectmen Recommendation: 5-0

Advisory Committee Recommendation:

Article: 27 Zoning Bylaw Amendment – Section 9: Special Flood Plain And Watershed Protection
District: Section 9.2 Location And, Sections 9.12, 9.12.1 And 9.12.2 General Provisions Relating To The Flood Plain District

To see if the Town will vote to amend the Town's Zoning Bylaw: Section 9.2 Location; and, Sections 9.12, 9.12.1 and 9.12.2 General Provisions Relating To The Flood Plain District as follows:

- a). Amend Section 9.2 Location by deleting the existing Section 9.2 Location in its entirety and replacing new wording for Section 9.2 Location so as to read: "Section 9.2 Location: The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Cohasset designated as Zone A, AE, AO, or VE on the Norfolk County Flood Insurance Rate Map (such map, hereinafter the "FIRM") issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Cohasset are panel numbers 25021C0113E, 25021C0114E, 25021C0118E, 25021C0251E, 25021C0252E, 25021C0254E, 25021C0256E, and 25021C0258E dated July 17, 2012. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) report dated July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Inspector, and Board of Selectmen."
- b). Amend Section 9.12 General Provisions Relating to the Flood Plain District by adding, after the existing 9.12.4, new sections 9.12.5, 9.12.6, 9.12.7, 9.12.8, 9.12.9, 9.12.10 as follows:
 - "5. Within Zone AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
 6. Man-made alteration of sand dunes within Zone VE which would increase potential flood damage are prohibited.
 7. All subdivision proposals must be designed to assure that:
 - a) such proposals minimize flood damage;
 - b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c) adequate drainage is provided to reduce exposure to flood hazards.
 8. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
 9. In a riverine situation, the Conservation Commission shall notify the following of any alteration or relocation of a watercourse:
 - Adjacent Communities
 - NFIP State Coordinator

Massachusetts Department of Conservation and Recreation
 251 Causeway Street, Suite 600-700

Boston, MA 02114-2104

- NFIP Program Specialist

Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110”

c). Amend Section 9.12.1 General Provisions Relating to the Flood Plain District by deleting “In any area outside of the flood plain as shown on the flood plain and watershed protection map within Zone A,” from the first sentence in Section 9.12.1 and replacing it with the following: “In any area outside of the flood plain as shown on the flood plain and watershed protection map, or within unnumbered A Zones” so the first sentence will read: “In any area outside of the flood plain as shown on the flood plain and watershed protection map, or within unnumbered A Zones where the 100 year flood elevation is not provided on the FIRM, the applicant for a special permit shall obtain any existing flood elevation data and it shall be reviewed by the conservation commission and the building inspector.”

d). Amend Section 9.12.2 General Provisions Relating to the Flood Plain District by deleting Section 9.12.2 in its entirety and adding a new Section 9.12.2 so as to read:

“9.12.2. The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.”

Or, to take any action related thereto.

Board of Selectmen for the Town Manager

Informational Summary: The National Flood Insurance Program (NFIP) acting through the Federal Emergency Management Agency (FEMA) has completed the revision of the Flood Insurance Rate Map (FIRM) and the Flood Insurance Study (FIS) for the Town of Cohasset. No significant changes have been made to the flood hazard data and the new FIS and FIRM will become effective on July 17, 2012. These zoning bylaw amendments make required changes to refer to the new map panels and to add to and amend Cohasset’s existing Floodplain Bylaw to bring it into compliance with approved floodplain management measures in accordance with Title 44 Code of Federal Regulations Section 60.3(d) and (e). The language of the new and amended bylaw sections was provided by the Commonwealth of Massachusetts Flood Hazard Management Program and its adoption is required to ensure Cohasset’s continued participation in the NFIP.

Board of Selectmen Recommendation: 5-0

Advisory Committee Recommendation: 5-0

Article: 28 Community Preservation Committee Report & Recommendations

To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2013, and to see if the Town will vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and by authorizing the Board of Selectmen, with the approval of the Community

Preservation Committee to acquire, by purchase, gift or eminent domain such real property interests in the name of the Town, or enforceable by the Town, including real property interests in the form of permanent affordable housing restrictions and historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws, or to dispose of or grant such real property interests applicable such restrictions upon town property to third parties as may be necessary or proper to carry out the foregoing, or to rescind prior unused appropriations, or to take any action related thereto.

Board of Selectmen for COMMUNITY PRESERVATION COMMITTEE

INFORMATIONAL SUMMARY: Under the Community Preservation Act, the Community Preservation Committee may request unexpended funds that remain in specific accounts to be returned to the CPC general fund. Approval of this article will allow the Town to transfer unused funds back into the CPC general balance fund to be appropriated for future projects that come before the committee. The Community Preservation Committee is required each year to make a recommendation to the Annual Town Meeting as to how the Community Preservation funds raised through local taxation and state matching funds are to be spent. A recommendation to the Annual Town Meeting is required even if the Committee recommends that the money be reserved rather than spent.

Board of Selectmen Recommendation:

Advisory Committee Recommendation:

Article: 29 General Bylaw Amendment – Section 33 Smoking Bylaw

To see if the Town will vote to amend Article VII Section 33 of the General Bylaws by adding the following text to the bylaws to reads as set forth below, or to take any action related thereto:

SECTION 33.1 SMOKING IN THE WORKPLACE

SECTION 33.1 Smoking in the Workplace

(a) No person shall smoke in any Public Place or Workplace in accordance with the Massachusetts Smoke-Free Workplace Law, MGL Ch. 270 §22.

(b) For the purpose of this By-law, the following terms, phrases, words and their definitions shall have the meaning given herein:

- i. E-Cigarette: Any electronic Nicotine Delivery Product composed of a mouthpiece, heating element, battery and/or electronic circuits that provides a vapor of liquid nicotine to the user, or relies on vaporization of solid nicotine, or any liquid. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes or under any other product name.
- ii. Employee. The word employee means any individual who performs services for an employer in return for wages or profit.
- iii. Employer. The word employer means any individual, partnership, association, corporation, trust, or other organized group of individuals, including the Town of Cohasset or any department thereof, which regularly uses the services of one (1) or more employees.
- iv. Enclosed. The word enclosed means a space bounded by walls, with or without windows or fenestrations, continuous from floor to ceiling and enclosed by one (1) or more doors, including but not limited to an office, function room or hallway.
- v. Public Place. The words public place means an enclosed, indoor area and outdoor eating areas associated with restaurants when open to and used by the general public, including but not limited to the following facilities: auditoriums; licensed childcare locations; educational facilities; elevators; hotel and motel lobbies; stairwells, halls, entranceways and public restrooms; libraries; municipal buildings; museums; retail stores; restaurants; retail food establishments; sports arenas; theaters; transit facilities; and any other rooms or halls when used for public meetings.

vi. Restaurant. The word restaurant means any establishment serving food for consumption on the premises, which maintains tables for the use of its customers. This includes, without limitation, cafeterias and cafeterias in the workplace.

vii. Retail Food Establishment. The words retail food establishment means any establishment in which the primary activity is the sale of food items to the public for off – premises consumption, including without limitation, supermarkets and grocery stores.

viii. Retail Store. The words retail store means any establishment selling goods or articles to the public.

ix. Smoking. The word smoking means the lighting of a cigar, cigarette, pipe or other tobacco product or possessing a lighted cigar, cigarette, pipe or other tobacco or non-tobacco product designed to be combusted and inhaled.

x. Sports Arena. The words sports arena means any sports pavilion, gymnasium, health spa, boxing arena, swimming pool, roller or ice rink, bowling alley or other place where members of the general public assemble to engage in physical exercise, participate in athletic competition or witness sports events.

xi. Workplace. The word workplace means an indoor area, structure or facility or a portion thereof, at which one (1) or more employees perform a service for compensation for an employer, other enclosed spaces rented to or otherwise used by the public; and where the employer has the right or authority to exercise control over the space. It also includes an area outside the structure within 20 feet of any entrance to the structure.

(c) The use of e-cigarettes is prohibited wherever smoking is prohibited per Section 33.1 (i)

(d)

i. Any person having control of premises upon which smoking is prohibited by this section shall conspicuously display upon the premises an appropriate number of signs reading “Smoking Prohibited by Law.”

ii. It shall be unlawful for any person having control of any premises in which smoking is prohibited by this section to permit, or for its, his, or her agent to permit a violation of this section.

(e) No person or employer shall discharge, refuse to hire, or in any manner retaliate against any employee or applicant for employment because such employee or applicant exercises rights afforded by this section.

(f) The Board of Health may promulgate regulations for the administration of this section of the Bylaws.

SECTION 33.2 SALE OF TOBACCO PRODUCTS

(a) Whereas there exists conclusive evidence that tobacco smoke causes cancer, respiratory and cardiac diseases, negative birth outcomes, irritations to the eyes, nose and throat; and whereas more than eighty percent of all smokers begin smoking before the age of eighteen years (Centers for Disease Control and Prevention, "Youth Surveillance - United States 2000," 50 MMWR 1 (Nov. 2000); and whereas nationally in 2000, sixty nine percent of middle school age children who smoke at least once a month were not asked to show proof of age when purchasing cigarettes (Id.); and whereas the U.S. Department of Health and Human Services has concluded that nicotine is as addictive as cocaine or heroin; and whereas despite state laws prohibiting the sale of tobacco products to minors, access by minors to tobacco products is a major problem; and whereas the sale of tobacco products is incompatible with the mission of health care institutions because it is detrimental to the public health and undermines efforts to educate patients on the safe and effective use of medication; now, therefore it is the intention of this bylaw to regulate the access of tobacco products.

(b) For the purpose of this Section, the following terms, phrases, words and their definitions shall have the meaning given herein:

i. Business Agent: An individual who has been designated by the owner or operator of any establishment to be the manager or otherwise in charge of said establishment.

ii. E-Cigarette: Any electronic Nicotine Delivery Product not approved by the Food and Drug Administration composed of a mouthpiece, heating element, battery and/or electronic circuits that provides a vapor of liquid nicotine to the user, or relies on vaporization of solid nicotine, or any liquid nicotine. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes or under any other product name.

iii. Employee: Any individual who performs services for an employer in return for wages or profit.

iv. Employer: Any individual, partnership, association, corporation, trust or other organized group of individuals, including the town of Cohasset or any agency thereof, which uses the services of two (2) or more employees.

v. Health Care Institution: An individual, partnership, association, corporation or trust or any person or group of persons that provides health care services and employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Public Health under M.G.L. ch. 112 or a retail establishment that provides pharmaceutical goods and services and subject to the provisions of 247 CMR 6.00. Health care institution includes, but is not limited to, hospitals, clinics, health centers, pharmacies, drug stores, doctor offices and dentist offices.

vi. Minor: Any individual who is under the age of eighteen (18).

vii. Nicotine Delivery Product: Any article or product made wholly or in part of a tobacco substitute or containing nicotine that is expected or intended for human consumption, but not including a tobacco substitute prescribed by a licensed physician or a product that has been approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose. Nicotine Delivery Product includes, but is not limited to, e-cigarettes.

viii. Permit Holder: Any person engaged in the sale or distribution of tobacco products directly to consumers who applies for and receives a tobacco sales permit or any person who is required to apply for a tobacco sales permit pursuant to these regulations, or his or her business agent.

ix. Person: An individual, employer, employee, retail store manager or owner, or the owner or operator of any establishment engaged in the sale or distribution of tobacco products directly to consumers.

x. Self Service Display: Any display from which customers may select a tobacco product or a Nicotine Delivery Product without assistance from an employee or store personnel, excluding vending machines.

xi. Tobacco Product: Cigarettes, cigars, chewing tobacco, pipe tobacco, bidis, snuff or tobacco in any of its forms.

xii. Vending Machine: Any automated or mechanical self service device, which upon insertion of money, tokens or any other form of payment, dispenses cigarettes, any other tobacco product or Nicotine Delivery Products.

(c) No person shall sell tobacco or nicotine delivery products or permit tobacco or nicotine delivery products to be sold to a minor; or not being the minor's parent or legal guardian, give tobacco or nicotine delivery products to a minor.

i. In conformance with and in addition to Massachusetts General Law, Chapter 270, Section 7, a copy of Massachusetts General Laws, Chapter 270, Section 6, shall be posted conspicuously by the owner or other person in charge thereof in the shop or other place used to sell tobacco products at retail. The notice shall be provided by the Massachusetts Department of Public Health and made available from the Cohasset Board of Health. The notice shall be at least 48 square inches and shall be posted conspicuously by the permit holder in the retail establishment or other place in such a manner so that it may be readily seen by a person standing at or approaching the cash register. The notice shall directly face the purchaser and shall not be obstructed from view or placed at a height of less than four (4) feet or greater than nine (9) feet from the floor. The owner or other person in charge of a shop or other place used to sell tobacco products at retail shall conspicuously post any additional signs required by the Massachusetts Department of Public Health. The owner or other person in charge of a shop or other place used to sell tobacco products at retail shall conspicuously post signage provided by the Cohasset Board of Health that discloses current referral information about smoking cessation.

ii. The owner or other person in charge of a shop or other place used to sell Nicotine Delivery Products at retail shall conspicuously post a sign stating that "The sale of Nicotine Delivery Products to minors under 18 years of age is prohibited." The owner or other person in charge of a shop or other place used to sell e-cigarettes at retail shall conspicuously post a sign stating that "The use of e-cigarettes at indoor establishments may be prohibited by local law." The notices shall be no smaller than 8.5" by 11" and shall be posted conspicuously in the retail establishment or other place in such a manner so that they may be readily seen by a person standing at or approaching the cash register. These notices shall directly face the purchaser and shall not be obstructed from view or placed at a height of less than four (4) feet or greater than nine (9) feet from the floor.

iii. Each person selling or distributing tobacco or nicotine delivery products shall verify the age of the purchaser by means of valid government-issued photographic identification containing the bearer's date of birth that the purchaser is 18 years old or older. Verification is required for any person under the age of 27.

iv. All retail sales of tobacco or Nicotine Delivery Products must be face-to-face between the seller and the buyer.

(d) No person shall sell or otherwise distribute tobacco or Nicotine Delivery Products at retail within Cohasset without first obtaining a Tobacco and Nicotine Delivery Product Sales Permit issued annually by the Town of Cohasset General Bylaw Section 33. Only owners of establishments with a permanent, non-mobile location in Cohasset are eligible to apply for a permit and sell tobacco products or Nicotine Delivery Products at the specified location in Cohasset.

i. As part of the Tobacco and Nicotine Delivery Product Sales Permit application process, the applicant will be provided with the Cohasset Board of Health regulation. Each applicant is required to sign a statement declaring that the applicant has read said regulation and that the applicant is responsible for instructing any and all employees who will be responsible for tobacco and Nicotine Delivery Product sales regarding both state laws regarding the sale of tobacco and this regulation.

ii. Each applicant who sells tobacco is required to provide proof of a current Tobacco Retailer License issued by the Massachusetts Department of Revenue before a Tobacco and Nicotine Delivery Product Sales Permit can be issued.

iii. The fee for a Tobacco and Nicotine Delivery Product Sales Permit shall be determined by the Cohasset Board of Health annually. All such permits shall be renewed annually by January 1. A separate permit is required for each retail establishment selling tobacco or Nicotine Delivery Products. Issuance of a Tobacco and Nicotine Delivery Product Sales Permit shall be conditioned on an applicant's consent to unannounced, periodic inspections of his/her retail establishment to ensure compliance with this regulation. A Tobacco and Nicotine Delivery Product Sales Permit is non-transferable. A new owner of an establishment that sells tobacco or Nicotine Delivery Products must apply for a new permit. No new permit will be issued unless and until all outstanding penalties incurred by the previous permit holder are satisfied in full.

iv. Each Tobacco and Nicotine Delivery Product Sales Permit shall be displayed at the retail establishment in a conspicuous place.

v. No Tobacco and Nicotine Delivery Product Sales Permit holder shall allow any employee to sell cigarettes, other tobacco products, or Nicotine Delivery Products until such employee reads this regulation and state laws regarding the sale of tobacco and signs a statement, a copy of which will be placed on file in the office of the employer, that he/she has read the regulation and applicable state laws.

vi. A Tobacco and Nicotine Delivery Product Sales Permit will not be renewed if the permit holder has failed to pay all fines issued and the time period to appeal the fines has expired.

(e) Regulated retail practices:

i. No person shall distribute, or cause to be distributed, any free samples of tobacco products or Nicotine Delivery Products.

ii. No person may sell or cause to be sold or distribute or cause to be distributed, any cigarette package that contains fewer than twenty (20) cigarettes, including single cigarettes.

iii. All self-service displays of tobacco products and/or Nicotine Delivery Products are prohibited. All humidors including, but not limited to, walk-in humidors must be locked.

iv. All tobacco and/or Nicotine Delivery Product vending machines are prohibited.

v. No health care institution located in Cohasset shall sell or cause to be sold tobacco products. No retail establishment that operates or has a health care institution within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products.

(f) Penalties:

i. It shall be the responsibility of the establishment, permit holder and/or his or her business agent to ensure compliance with all sections of this regulation pertaining to his or her distribution of tobacco and/or Nicotine Delivery Products. The violator shall receive in the case of a first violation, a fine of one hundred dollars (\$100.00). In the case of a second violation within twenty-four (24) months of the date of the current violation, a fine of two hundred dollars (\$200.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for seven (7) consecutive business days. In the case of three or more violations within a twenty-four (24) month period, a fine of three hundred dollars (\$300.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for thirty (30) consecutive business days.

- ii. Refusal to cooperate with inspections pursuant to this regulation shall result in the suspension of the Tobacco and Nicotine Delivery Product Sales Permit for thirty (30) consecutive business days.
 - iii. In addition to the monetary fines set above, any permit holder who engages in the sale or distribution of tobacco products or Nicotine Delivery Products directly to a consumer while his or her permit is suspended shall be subject to the suspension of all board of health issued permits for thirty (30) consecutive business days.
 - iv. The Cohasset Board of Health shall provide notice of the intent to suspend a Tobacco and Nicotine Delivery Product Sales Permit, which notice shall contain the reasons therefor and establish a time and date for a hearing which date shall be no earlier than seven (7) days after the date of said notice. The permit holder or its business agent shall have an opportunity to be heard at such hearing and shall be notified of the Board of Health's decision, and the reasons therefore in writing. After a hearing, the Cohasset Board of Health shall suspend the Tobacco and Nicotine Delivery Product Sales Permit if the Board finds that a sale to a minor occurred. For purposes of such suspensions, the Board shall make the determination notwithstanding any separate criminal or non-criminal proceedings brought in court hereunder or under the Massachusetts General Laws for the same offense. All tobacco products and Nicotine Delivery Products shall be removed from the retail establishment upon suspension of the Tobacco and Nicotine Delivery Product Sales Permit. Failure to remove all tobacco products and Nicotine Delivery Products shall constitute a separate violation of this regulation.
 - v. Enforcement of this regulation shall be by the Cohasset Board of Health or its designated agent(s).
 - (g) Whoever violates any provision of this regulation may be penalized by the non-criminal method of disposition as provided in General Laws, Chapter 40, Section 21 D or by filing a criminal complaint at the appropriate venue. For the purpose of this Section the penalty to apply in the event of a violation shall be as follows: \$100 for the first offense; \$200 for the second offense; and \$300 for the third and each subsequent offense. Each day any violation exists shall be deemed to be a separate offense.
 - (h) If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.
 - (i) The Board of Health may promulgate regulations for the administration of this section of the Bylaws.
- SECTION 33.3 SALE OF TOBACCO PRODUCTS IN HEALTH CARE INSTITUTIONS**
- (a) Whereas there exists conclusive evidence that tobacco smoke causes cancer, respiratory and cardiac diseases and negative birth outcomes; and whereas the sale of tobacco products is incompatible with the mission of health care institutions because it is detrimental to the public health and undermines efforts to educate patients on the safe and effective use of medication; now, therefore it is the intention of this bylaw to regulate the access of tobacco products.
 - (b) No health care institution located in Cohasset shall sell or cause to be sold tobacco products. No retail establishment that operates or has a health care institution within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products.
 - (c) It shall be the responsibility of the establishment and/or his or her business agent to ensure compliance with all sections of this regulation pertaining to his or her distribution of tobacco products. The violator shall receive a fine of three hundred dollars (\$300.00) for each offense. Enforcement of this regulation shall be by the Cohasset Board of Health or its designated agent(s).
 - (d) Whoever violates any provision of this regulation may be penalized by the non-criminal method of disposition as provided in General Laws, Chapter 40, Section 21 D or by filing a criminal complaint at the appropriate venue. For the purpose of this Section, the penalty to apply in the event of a violation shall be as follows: \$300 for each offense. Each day any violation exists shall be deemed to be a separate offense.
 - (e) If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.
 - (f) The Board of Health may promulgate regulations for the administration of this section of the Bylaws.

BOARD OF SELECTMEN for Board of Health

INFORMATIONAL SUMMARY: The purpose article is to amend the existing by law to bring it into compliance with current thinking regarding the health effects of environmental tobacco smoke. (a) The bylaw is amended to add the Board of Health's Regulation regarding Tobacco Sales to Minors. (b) The bylaw is amended to add to

the definitions: (i.) E-Cigarette: Any electronic Nicotine Delivery Product composed of a mouthpiece, heating element, battery and/or electronic circuits that provides a vapor of liquid nicotine to the user, or relies on vaporization of solid nicotine, or any liquid. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes or under any other product name. (c) The bylaw is amended to add The use of e-cigarettes is prohibited wherever smoking is prohibited per Section 33.1 (i). (d) The bylaw is amended to add that: No health care institution located in Cohasset shall sell or cause to be sold tobacco products. No retail establishment that operates or has a health care institution within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products. The above changes to become effective May 12, 2012.

Board of Selectmen Recommendation: 0-5

Advisory Committee Recommendation: 0-6

Article: 30 Scoping and Feasibility Study- Treat's Pond Flood

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, the sum of Fifteen Thousand Dollars (\$15,000), to be expended by the Town Manager, for professional services including but not limited to obtaining an engineering evaluation of alternatives for an ocean outlet for Treat's Pond through Sandy Cove providing flood relief for Atlantic Ave homes and the development of conceptual design criteria and preliminary costs for said alternatives; the investigation of funding options; the preparation of an Environmental Notification Form and the coordination of a Environmental Impact Report Scoping Meeting with State regulators for the purpose of defining required environmental evaluations and infrastructure requirements necessary to implement a selected flood relief improvement alternative, or to take any other action related thereto.

BOARD OF SELECTMEN for Town Manager

INFORMATIONAL SUMMARY: In an effort to begin the process of more fully assessing Treat's Pond area flood relief alternatives using a Sandy Cove option, an initial alternatives evaluation will be conducted by an engineering consultant to better determine the best flood relief alternative on a cost/benefit basis. Upon said determination, a conceptual design of sufficient detail shall be developed to enable the filing of a Environmental Notification Form (ENF) with MEPA so as to initiate environmental review and to better determine future project costs. A resulting Environmental Impact Report (EIR) Scoping Meeting would then be conducted to refine environmental study requirements and infrastructure needs associated with the selected alternative to facilitate subsequent Town Meeting approval of design, permitting and construction funding. Alternate funding options shall also be investigated as part of these initial study assessments.

Board of Selectmen Recommendation: 5-0

Advisory Committee Recommendation:

Article: 31 Massachusetts General Laws Chapter 91 Liability

To see if the Town will vote to assume liability in the manner provided by the MGL Chapter 91, Section 29, as amended, for all damages that may be incurred by the 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 bond on indemnity therefore to the Commonwealth; or take any action related thereto.

Board of Selectmen for the Town Manager

INFORMATIONAL SUMMARY: This is an article is a prerequisite for state funds and oversight for performing work any dredging related activities in the harbor.

Board of Selectmen Recommendation: 5-0
Advisory Committee Recommendation:

Article: 32 Water System Operations Contract

To see if the Town will vote to authorize the Water Commissioners to negotiate and, with the approval of the Town Manager, enter into a five (5) year contract for the operation, maintenance and management of the Town's waterworks on terms and conditions the Commissioners and Town Manager determine to be in the best interests of the Town; and further to vote to authorize the Water Commissioners and Town Manager to lease any Town property under the care and custody of the Water Commissioners in connection with such contract for a term not to exceed five (5) years; or take any action related thereto.

INFORMATIONAL SUMMARY: To be provided at Town Meeting

BOARD OF SELECTMEN for Water Commission

Board of Selectmen Recommendation:
Advisory Committee Recommendation:

Article: 33 Water Enterprise Fund - FY13 Budget

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds or borrow pursuant to any applicable statute for the FY13 operating budget and capital projects of the Water Enterprise Fund for the ensuing fiscal year commencing on July 1, 2012, or take any other action related thereto.

BOARD OF SELECTMEN for Water Commission

INFORMATIONAL SUMMARY: The Water Enterprise Fund was established as a separate account pursuant to Chapter 44, Section 53F½ of the Mass General Laws.

Board of Selectmen Recommendation
Advisory Committee Recommendation:

Article: 34 General Bylaw Amendment – Annual Town Meeting

To see if the Town will vote to amend Article II Section 1 (a) of the General Bylaws by deleting the words "1st" and "on a Saturday" and replacing the word "31st", so that the text of the bylaws after amendment reads as follows:

ARTICLE II, SECTION 1. ANNUAL TOWN MEETING

The Board of Selectmen shall set the date for the Annual Town Meeting on or before December 31st of the preceding year. The Annual Town Meeting shall be held commencing at a time of that day established by the Board of Selectmen at the time of issuance of the warrant in the months of March, April or May of any year. The meeting for the election of those officers who by law must be elected by ballot, and for determining, such matters as by law must be decided by ballot, shall take place within the thirty-five (35) days after the opening of the Annual Town Meeting: the time that the polls shall be open for each election shall be determined by the Board of Selectmen in accordance with Massachusetts General Laws Chapter 54, Section 64. or take any other action related thereto.

BOARD OF SELECTMEN for Town Manager

INFORMATIONAL SUMMARY: This bylaw allows the Town to hold its Annual Town Meeting on any day of the week in April or May, with the Town's ultimate goal of increasing Town Meeting participation. The late spring dates also allow for more up to date information from the Commonwealth, allowing for more accurate budget projections for the upcoming Fiscal Year.

Board of Selectmen Recommendation: 5-0

Advisory Committee Recommendation: 6-0

You are further required and directed to notify and warn the inhabitants present at the Town Hall auditorium that sometime between the hours of 8:00 AM and close time 6:00 PM of the polls on Saturday, the nineteenth day of May, 2012, to cast and/or give their votes upon their official ballot for the following officers:

One Selectmen for a term of three years; Two School Committee members for a term of three years; Three Trustees of the Paul Pratt Memorial Library for a term of three years; One Assessor for a term of three years; One member of the Board of Health for a term of three years; One Water Commissioner for a term of three years; One Sewer Commissioner for a term of three years; One Sewer Commissioner for one year to fill an unexpired term; One member of the Planning Board for a term of five years; One Planning Board Associate member for one year to fill an unexpired term; Three members of the Recreation Commission for a term of five years; and One member of the Housing Authority for a term of five years.

And you are directed to serve this Warrant by posting copies thereof, attested by you in writing, at the Post Office of the Town of Cohasset and in not less than five (5) other public places in the Town seven (7) days at least before the time appointed for in the meeting called for in this Warrant.

Whereof, fail not and make due return of this Warrant, indicating your method of service, and posting thereon, to the Clerk of the Town of Cohasset, on or before the time and place of the meeting aforesaid.

Given under our hands this seventeenth day of April in the year two thousand and twelve.

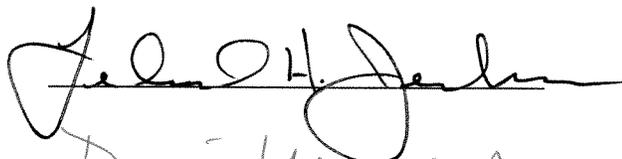


BOARD OF SELECTMEN

Edwin G. Carr, Chairman



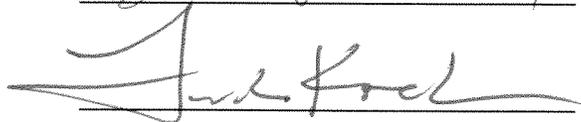
Paul Carlson



Leland H. Jenkins



Diane Kennedy



Frederick R. Koed

NORFOLK, ss

By virtue of the above Warrant, I hereby notify and warn the inhabitants of the Town of Cohasset, qualified to vote in elections and Town affairs, to meet at the time, place, and for the purposes therein mentioned.

ATTEST: Maria A. Plante, Constable of Cohasset

APPENDIX A

FISCAL 2013 GENERAL FUND OPERATING BUDGET

	<u>BUDGETED</u> <u>FISCAL 2010</u>	<u>BUDGETED</u> <u>FISCAL 2011</u>	<u>BUDGETED</u> <u>FISCAL 2012</u>	<u>REQUEST</u> <u>FISCAL 2013</u>	<u>RECOMMENDED</u> <u>FISCAL 2013</u>	<u>Inc/Decr</u> <u>%</u>
ADMINISTRATIVE SERVICES						
Moderator						
Personal Expenses	\$573	\$573	\$573	\$573	\$500	
Total	\$573	\$573	\$573	\$573	\$500	-13.0%
Board of Selectmen						
Personnel Services	\$5,500	\$5,500	\$5,500	\$5,500	\$8,100	
General Expenses*	\$62,650	\$65,100	\$62,800	\$66,550	\$228,818	
Total	\$68,150	\$70,600	\$68,300	\$72,050	\$236,918	247.0%
Town Manager						
Personnel Services	\$373,488	\$322,130	\$305,161	\$258,607	\$319,471	
General Expenses	\$43,400	\$40,900	\$36,300	\$6,300	\$51,300	
Total	\$416,888	\$363,030	\$341,461	\$264,907	\$370,771	9.0%
Advisory Committee						
General Expenses	\$345	\$345	\$345	\$345	\$360	
Reserve Fund	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	
Total	\$100,345	\$100,345	\$100,345	\$100,345	\$100,360	0.0%
Director of Finance						
Personnel Services	\$130,383	\$133,331	\$203,045	\$208,995	\$164,460	
General Expenses	\$29,193	\$27,398	\$39,898	\$84,795	\$65,597	
Total	\$159,576	\$160,729	\$242,943	\$293,790	\$230,057	-5.0%
Board of Assessors						
Personnel Services	\$163,193	\$169,476	\$163,521	\$183,682	\$182,134	
General Expenses	\$29,680	\$24,780	\$29,180	\$28,830	\$15,750	
Total	\$192,873	\$194,256	\$192,701	\$212,512	\$197,884	3.0%
Treasurer/Collector						
Personnel Services	\$163,717	\$156,704	\$161,499	\$185,271	\$191,398	
General Expenses	\$36,665	\$34,165	\$93,165	\$36,535	\$32,335	
Total	\$200,382	\$190,869	\$254,664	\$221,806	\$223,733	-12.0%
Legal Services						
Town Counsel Services	\$160,000	\$232,500	\$200,000	\$200,000	\$200,000	
Total	\$160,000	\$232,500	\$200,000	\$200,000	\$200,000	0.0%
Town Clerk						
Personnel Services	\$76,439	\$81,262	\$78,698	\$127,045	\$121,513	
General Expenses	\$8,825	\$10,494	\$8,925	\$14,200	\$6,500	
Total	\$85,264	\$91,756	\$87,623	\$141,245	\$128,013	46.0%
Conservation Commission						
Personnel Services	\$0	\$0	\$0	\$45,477	\$45,284	
General Expenses	\$29,697	\$29,697	\$30,000	\$30,250	\$25,750	
Total	\$29,697	\$29,697	\$30,000	\$75,727	\$71,034	137.0%
Planning Board						
Personnel Services	\$54,795	\$55,417	\$66,354	\$88,953	\$56,443	
General Expenses	\$11,034	\$10,487	\$11,387	\$13,887	\$550	
Total	\$65,829	\$65,904	\$77,741	\$102,840	\$56,993	-27.0%
Zoning Board of Appeals						
Personnel Services	\$0	\$0	\$0	\$3,305	\$5,200	
General Expenses	\$2,135	\$1,560	\$1,560	\$1,560	\$200	
Total	\$2,135	\$1,560	\$1,560	\$4,865	\$5,400	246.0%
Unclassified						
Annual Audit	\$12,000	\$12,000	\$17,500	\$35,000	\$37,000	
OPEB	\$0	\$0	\$0	\$6,000	\$6,000	
S.S. Regional Refuse District	\$4,000	\$4,000	\$4,500	\$4,500	\$4,500	
Town Water/Sewer	\$30,000	\$25,000	\$50,000	\$0	\$41,000	
Hingham Water	\$0	\$0	\$17,210	\$17,210	\$17,210	
Fire Protection Fee	\$0	\$0	\$247,000	\$247,000	\$247,000	
Regional Emergency Control Center	\$0	\$0	\$160,000	\$160,000	\$0	
Town Reports	\$13,000	\$13,000	\$13,000	\$13,000	\$12,000	
Total	\$59,000	\$54,000	\$509,210	\$482,710	\$364,710	-28.0%
ADMINISTRATIVE TOTAL	\$1,540,712	\$1,555,819	\$2,107,121	\$2,173,370	\$2,186,373	4.0%
PUBLIC SAFETY						

APPENDIX A

FISCAL 2013 GENERAL FUND OPERATING BUDGET

	<u>BUDGETED</u> <u>FISCAL 2010</u>	<u>BUDGETED</u> <u>FISCAL 2011</u>	<u>BUDGETED</u> <u>FISCAL 2012</u>	<u>REQUEST</u> <u>FISCAL 2013</u>	<u>RECOMMENDED</u> <u>FISCAL 2013</u>	<u>Inc/Decr</u> <u>%</u>
Police Department						
Personnel Services	\$1,541,526	\$1,546,462	\$1,379,115	\$1,418,972	\$1,343,424	
Overtime	\$225,000	\$364,955	\$350,000	\$400,000	\$265,000	
General Expenses	\$155,200	\$120,200	\$138,300	\$165,675	\$338,825	
Total	\$1,921,726	\$2,031,617	\$1,867,415	\$1,984,647	\$1,947,249	4.0%
Fire Department						
Personnel Services	\$1,529,749	\$1,517,798	\$1,593,430	\$1,653,791	\$1,645,388	
Overtime	\$210,000	\$210,000	\$216,427	\$237,226	\$215,000	
General Expenses	\$246,560	\$190,650	\$195,750	\$203,575	\$196,625	
Hydrant Services	\$17,120	\$264,120	\$0	\$0	\$0	
Total	\$2,003,429	\$2,182,568	\$2,005,607	\$2,094,592	\$2,057,013	3.0%
Inspections						
Personnel Services	\$76,867	\$78,385	\$80,007	\$89,828	\$85,983	
General Expenses	\$32,414	\$40,407	\$57,682	\$47,182	\$44,132	
Total	\$109,281	\$118,792	\$137,689	\$137,010	\$130,115	-6.0%
Civil Defense						
Salaries & General Expenses	\$5,100	\$5,100	\$5,350	\$16,000	\$11,000	
Total	\$5,100	\$5,100	\$5,350	\$16,000	\$11,000	106.0%
Harbormaster						
Personnel Services	\$67,136	\$68,479	\$70,200	\$70,200	\$72,396	
General Expenses	\$57,900	\$7,900	\$14,400	\$14,400	\$17,650	
Total	\$125,036	\$76,379	\$84,600	\$84,600	\$90,046	6.0%
Shellfish Constable						
Personal Services	\$475	\$475	\$475	\$475	\$475	
Total	\$475	\$475	\$475	\$475	\$475	
PUBLIC SAFETY TOTAL	\$4,165,047	\$4,414,931	\$4,101,136	\$4,317,324	\$4,235,898	3.0%
EDUCATION SERVICES						
Cohasset Schools						
Salaries & Expenses	\$14,713,000	\$15,034,478	\$15,402,478	\$15,884,536	\$15,866,062	
Total	\$14,713,000	\$15,034,478	\$15,402,478	\$15,884,536	\$15,866,062	3.0%
South Shore Voc. Tech						
Vocational Assessment	\$75,529	\$74,461	\$45,106	\$136,635	\$136,635	
Total	\$75,529	\$74,461	\$45,106	\$136,635	\$136,635	203.0%
EDUCATION TOTAL	\$14,788,529	\$15,108,939	\$15,447,584	\$16,021,171	\$16,002,697	4.0%
PUBLIC WORKS/FACILITIES						
Dept. of Public Works						
Personnel Services	\$767,822	\$777,927	\$792,618	\$841,514	\$853,728	
General Expenses	\$202,850	\$205,100	\$205,100	\$205,650	\$206,450	
Other Appropriations	\$413,800	\$368,000	\$388,000	\$413,000	\$279,200	
Total	\$1,384,472	\$1,351,027	\$1,385,718	\$1,460,164	\$1,339,378	-3.0%
Snow & Ice Control						
General Expenses	\$100,000	\$222,093	\$125,000	\$125,000	\$125,000	
Total	\$100,000	\$222,093	\$125,000	\$125,000	\$125,000	0.0%
Street Lighting						
General Expenses	\$70,000	\$80,000	\$80,000	\$80,000	\$75,000	
Total	\$70,000	\$80,000	\$80,000	\$80,000	\$75,000	-6.0%
Building Maintenance						
Personnel Services	\$248,690	\$254,500	\$267,183	\$275,816	\$260,111	
General Expenses	\$398,300	\$347,300	\$343,800	\$358,800	\$350,400	
Total	\$646,990	\$601,800	\$610,983	\$634,616	\$610,511	0.0%
PUB WORKS/FACILITIES TOTAL	\$2,201,462	\$2,254,920	\$2,201,701	\$2,299,780	\$2,149,889	-2.0%
HEALTH & WELFARE						
Board of Health						
Personnel Services	\$124,585	\$127,066	\$129,597	\$142,050	\$139,518	
General Expenses	\$4,600	\$4,550	\$4,550	\$6,185	\$19,055	
Total	\$129,185	\$131,616	\$134,147	\$148,235	\$158,573	18.0%
Elder Affairs						
Personnel Services	\$158,149	\$161,135	\$164,360	\$208,500	\$199,690	

APPENDIX A

FISCAL 2013 GENERAL FUND OPERATING BUDGET

	<u>BUDGETED FISCAL 2010</u>	<u>BUDGETED FISCAL 2011</u>	<u>BUDGETED FISCAL 2012</u>	<u>REQUEST FISCAL 2013</u>	<u>RECOMMENDED FISCAL 2013</u>	<u>Inc/Decr %</u>
General Expenses	\$84,350	\$34,350	\$46,850	\$49,400	\$38,700	
Total	\$242,499	\$195,485	\$211,210	\$257,900	\$238,390	13.0%
Veterans Services						
Personnel Services	\$0	\$0	\$0	\$30,000	\$10,400	
General Expenses	\$1,700	\$31,900	\$63,165	\$92,120	\$83,720	
Total	\$1,700	\$31,900	\$63,165	\$122,120	\$94,120	49.0%
HEALTH & WELFARE TOTAL	\$373,384	\$359,001	\$408,522	\$528,255	\$491,083	20.0%
CULTURE & RECREATION						
Library						
Personnel Services	\$395,083	\$398,027	\$398,729	\$462,050	\$417,145	
General Expenses	\$88,410	\$88,410	\$88,163	\$113,012	\$103,012	
Capital Outlay	\$0	\$0	\$0	\$12,000	\$0	
Total	\$483,493	\$486,437	\$486,892	\$587,062	\$520,157	7.0%
Recreation						
Personnel Services	\$123,293	\$125,049	\$126,394	\$101,378	\$101,389	
General Expenses	\$2,677	\$2,677	\$2,677	\$2,677	\$0	
Total	\$125,970	\$127,726	\$129,071	\$104,055	\$101,389	-21.0%
Common Historical Com.						
General Expenses	\$100	\$50	\$50	\$50	\$0	
Total	\$100	\$50	\$50	\$50	\$0	-100.0%
Historical Preservation						
Personnel Services	\$800	\$800	\$800	\$800	\$800	
General Expenses	\$100	\$100	\$100	\$100	\$0	
Total	\$900	\$900	\$900	\$900	\$800	-11.0%
Celebrations						
General Expenses	\$5,000	\$2,500	\$2,500	\$2,500	\$2,500	
Total	\$5,000	\$2,500	\$2,500	\$2,500	\$2,500	0.0%
CULTURE & RECREATION TOTAL	\$615,463	\$617,613	\$619,413	\$694,567	\$624,846	1.0%
DEBT SERVICE						
Non-Excluded Principal & Interest	\$1,532,996	\$1,223,058	\$1,026,178	\$1,010,335	\$1,010,335	
Excluded Principal & Interest	\$2,451,923	\$2,384,335	\$2,308,725	\$2,201,184	\$2,201,184	
Capital Stab. Principal & Interest	\$107,804	\$254,359	\$222,709	\$167,067	\$167,067	
CPC Principal and Interest	\$0	\$0	\$35,838	\$34,823	\$34,823	
MWPAT Administrative Fees	\$0	\$0	\$0	\$16,361	\$16,361	
DEBT SERVICE TOTAL	\$4,092,723	\$3,861,752	\$3,593,450	\$3,429,770	\$3,429,770	-5.0%
BENEFITS & INSURANCE						
Pension Assessment						
County Assessment	\$1,224,487	\$1,270,561	\$1,323,182	\$1,388,631	\$1,388,631	
Total	\$1,224,487	\$1,270,561	\$1,323,182	\$1,388,631	\$1,388,631	5.0%
Workers Compensation						
General Expenses	\$92,000	\$92,000	\$112,000	\$123,200	\$123,200	
Total	\$92,000	\$92,000	\$112,000	\$123,200	\$123,200	10.0%
Unemployment						
General Expenses	\$5,000	\$14,175	\$10,000	\$40,000	\$20,000	
Total	\$5,000	\$14,175	\$10,000	\$40,000	\$20,000	100.0%
Health Insurance						
General Expenses	\$2,786,400	\$2,702,903	\$3,060,360	\$3,155,879	\$3,155,879	
Total	\$2,786,400	\$2,702,903	\$3,060,360	\$3,155,879	\$3,155,879	3.0%
Life Insurance						
General Expenses	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	
Total	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000	0.0%
Medicare Tax						
General Expenses	\$237,300	\$249,300	\$257,000	\$267,280	\$267,280	
Total	\$237,300	\$249,300	\$257,000	\$267,280	\$267,280	4.0%
Property & Liability						
General Expenses	\$231,000	\$225,925	\$236,350	\$255,765	\$255,765	
Total	\$231,000	\$225,925	\$236,350	\$255,765	\$255,765	8.0%
BENEFITS & INSURANCE TOTAL	\$4,585,187	\$4,563,864	\$5,007,892	\$5,239,755	\$5,219,755	4.0%

APPENDIX A

FISCAL 2013 GENERAL FUND OPERATING BUDGET

	<u>BUDGETED</u> <u>FISCAL 2010</u>	<u>BUDGETED</u> <u>FISCAL 2011</u>	<u>BUDGETED</u> <u>FISCAL 2012</u>	<u>REQUEST</u> <u>FISCAL 2013</u>	<u>RECOMMENDED</u> <u>FISCAL 2013</u>	<u>Inc/Decr</u> <u>%</u>
<u>GENERAL FUND GRAND TOTAL</u>	<u>\$32,362,507</u>	<u>\$32,736,839</u>	<u>\$33,486,819</u>	<u>\$34,703,992</u>	<u>\$34,340,311</u>	<u>3.0%</u>

* effective July 1, central purchasing of various supplies & services for Town Departments will be done from the Selectmen's office, these items have reallocated to this budget.

APPENDIX B

Proposed FY13 Salary and Wage Classification Plan

Grade	Step	1st - step	2nd - step	3rd - step	4th - step	5th - step	6th - step	7th - step	8th - step	9th - step	10th - step
I	Hourly	\$ 11.50	\$ 11.73	\$ 11.96	\$ 12.20	\$ 12.45	\$ 12.70	\$ 12.95	\$ 13.21	\$ 13.47	\$ 13.74
	35	\$ 402.50	\$ 410.55	\$ 418.76	\$ 427.14	\$ 435.68	\$ 444.39	\$ 453.28	\$ 462.35	\$ 471.59	\$ 481.02
		\$ 20,930.00	\$ 21,348.60	\$ 21,775.57	\$ 22,211.08	\$ 22,655.31	\$ 23,108.41	\$ 23,570.58	\$ 24,041.99	\$ 24,522.83	\$ 25,013.29
II	Hourly	\$ 12.65	\$ 12.90	\$ 13.16	\$ 13.42	\$ 13.69	\$ 13.97	\$ 14.25	\$ 14.53	\$ 14.82	\$ 15.12
	35	\$ 442.75	\$ 451.61	\$ 460.64	\$ 469.85	\$ 479.25	\$ 488.83	\$ 498.61	\$ 508.58	\$ 518.75	\$ 529.13
		\$ 23,023.00	\$ 23,483.46	\$ 23,953.13	\$ 24,432.19	\$ 24,920.84	\$ 25,419.25	\$ 25,927.64	\$ 26,446.19	\$ 26,975.11	\$ 27,514.62
III	Hourly	\$ 13.92	\$ 14.19	\$ 14.48	\$ 14.77	\$ 15.06	\$ 15.36	\$ 15.67	\$ 15.98	\$ 16.30	\$ 16.63
	35	\$ 487.03	\$ 496.77	\$ 506.70	\$ 516.83	\$ 527.17	\$ 537.71	\$ 548.47	\$ 559.44	\$ 570.63	\$ 582.04
		\$ 25,325.30	\$ 25,831.81	\$ 26,348.44	\$ 26,875.41	\$ 27,412.92	\$ 27,961.18	\$ 28,520.40	\$ 29,090.81	\$ 29,672.63	\$ 30,266.08
IV	Hourly	\$ 15.31	\$ 15.61	\$ 15.92	\$ 16.24	\$ 16.57	\$ 16.90	\$ 17.24	\$ 17.58	\$ 17.93	\$ 18.29
	35	\$ 535.73	\$ 546.44	\$ 557.37	\$ 568.52	\$ 579.89	\$ 591.49	\$ 603.32	\$ 615.38	\$ 627.69	\$ 640.24
		\$ 27,857.83	\$ 28,414.99	\$ 28,983.29	\$ 29,562.95	\$ 30,154.21	\$ 30,757.30	\$ 31,372.44	\$ 31,999.89	\$ 32,639.89	\$ 33,292.69
V	Hourly	\$ 16.84	\$ 17.17	\$ 17.52	\$ 17.87	\$ 18.23	\$ 18.59	\$ 18.96	\$ 19.34	\$ 19.73	\$ 20.12
	35	\$ 589.30	\$ 601.09	\$ 613.11	\$ 625.37	\$ 637.88	\$ 650.64	\$ 663.65	\$ 676.92	\$ 690.46	\$ 704.27
		\$ 30,643.61	\$ 31,256.49	\$ 31,881.61	\$ 32,519.25	\$ 33,169.63	\$ 33,833.02	\$ 34,509.69	\$ 35,199.88	\$ 35,903.88	\$ 36,621.95
VI	Hourly	\$ 18.52	\$ 18.89	\$ 19.27	\$ 19.65	\$ 20.05	\$ 20.45	\$ 20.86	\$ 21.27	\$ 21.70	\$ 22.13
	35	\$ 648.23	\$ 661.19	\$ 674.42	\$ 687.91	\$ 701.67	\$ 715.70	\$ 730.01	\$ 744.61	\$ 759.51	\$ 774.70
		\$ 33,707.97	\$ 34,382.13	\$ 35,069.78	\$ 35,771.17	\$ 36,486.60	\$ 37,216.33	\$ 37,960.65	\$ 38,719.87	\$ 39,494.26	\$ 40,284.15
VII	Hourly	\$ 20.37	\$ 20.78	\$ 21.20	\$ 21.62	\$ 22.05	\$ 22.49	\$ 22.94	\$ 23.40	\$ 23.87	\$ 24.35
	35	\$ 713.05	\$ 727.31	\$ 741.86	\$ 756.70	\$ 771.83	\$ 787.27	\$ 803.01	\$ 819.07	\$ 835.46	\$ 852.16
		\$ 37,078.77	\$ 37,820.35	\$ 38,576.75	\$ 39,348.29	\$ 40,135.25	\$ 40,937.96	\$ 41,756.72	\$ 42,591.85	\$ 43,443.69	\$ 44,312.56
VIII	Hourly	\$ 22.41	\$ 22.86	\$ 23.32	\$ 23.78	\$ 24.26	\$ 24.74	\$ 25.24	\$ 25.74	\$ 26.26	\$ 26.78
	35	\$ 784.36	\$ 800.05	\$ 816.05	\$ 832.37	\$ 849.02	\$ 866.00	\$ 883.32	\$ 900.98	\$ 919.00	\$ 937.38
		\$ 40,786.65	\$ 41,602.38	\$ 42,434.43	\$ 43,283.12	\$ 44,148.78	\$ 45,031.76	\$ 45,932.39	\$ 46,851.04	\$ 47,788.06	\$ 48,743.82
IX	Hourly	\$ 24.65	\$ 25.14	\$ 25.65	\$ 26.16	\$ 26.68	\$ 27.22	\$ 27.76	\$ 28.32	\$ 28.88	\$ 29.46
	35	\$ 862.79	\$ 880.05	\$ 897.65	\$ 915.60	\$ 933.92	\$ 952.59	\$ 971.65	\$ 991.08	\$ 1,010.90	\$ 1,031.12
		\$ 44,865.31	\$ 45,762.62	\$ 46,677.87	\$ 47,611.43	\$ 48,563.66	\$ 49,534.93	\$ 50,525.63	\$ 51,536.14	\$ 52,566.87	\$ 53,618.20
X	Hourly	\$ 27.12	\$ 27.66	\$ 28.21	\$ 28.78	\$ 29.35	\$ 29.94	\$ 30.54	\$ 31.15	\$ 31.77	\$ 32.41
	35	\$ 949.07	\$ 968.06	\$ 987.42	\$ 1,007.16	\$ 1,027.31	\$ 1,047.85	\$ 1,068.81	\$ 1,090.19	\$ 1,111.99	\$ 1,134.23
		\$ 49,351.85	\$ 50,338.88	\$ 51,345.66	\$ 52,372.57	\$ 53,420.02	\$ 54,488.42	\$ 55,578.19	\$ 56,689.76	\$ 57,823.55	\$ 58,980.02
XI	Hourly	\$ 29.83	\$ 30.42	\$ 31.03	\$ 31.65	\$ 32.29	\$ 32.93	\$ 33.59	\$ 34.26	\$ 34.95	\$ 35.65
	35	\$ 1,043.98	\$ 1,064.86	\$ 1,086.16	\$ 1,107.88	\$ 1,130.04	\$ 1,152.64	\$ 1,175.69	\$ 1,199.21	\$ 1,223.19	\$ 1,247.65
		\$ 54,287.03	\$ 55,372.77	\$ 56,480.23	\$ 57,609.83	\$ 58,762.03	\$ 59,937.27	\$ 61,136.01	\$ 62,358.73	\$ 63,605.91	\$ 64,878.03
XII	Hourly	\$ 32.81	\$ 33.47	\$ 34.14	\$ 34.82	\$ 35.52	\$ 36.23	\$ 36.95	\$ 37.69	\$ 38.44	\$ 39.21
	35	\$ 1,148.38	\$ 1,171.35	\$ 1,194.77	\$ 1,218.67	\$ 1,243.04	\$ 1,267.90	\$ 1,293.26	\$ 1,319.13	\$ 1,345.51	\$ 1,372.42
		\$ 59,715.73	\$ 60,910.05	\$ 62,128.25	\$ 63,370.81	\$ 64,638.23	\$ 65,930.99	\$ 67,249.61	\$ 68,594.61	\$ 69,966.50	\$ 71,365.83
XIII	Hourly	\$ 36.09	\$ 36.81	\$ 37.55	\$ 38.30	\$ 39.07	\$ 39.85	\$ 40.65	\$ 41.46	\$ 42.29	\$ 43.13
	35	\$ 1,263.22	\$ 1,288.48	\$ 1,314.25	\$ 1,340.54	\$ 1,367.35	\$ 1,394.69	\$ 1,422.59	\$ 1,451.04	\$ 1,480.06	\$ 1,509.66
		\$ 65,687.31	\$ 67,001.05	\$ 68,341.07	\$ 69,707.89	\$ 71,102.05	\$ 72,524.09	\$ 73,974.58	\$ 75,454.07	\$ 76,963.15	\$ 78,502.41
XIV	Hourly	\$ 39.70	\$ 40.50	\$ 41.31	\$ 42.13	\$ 42.97	\$ 43.83	\$ 44.71	\$ 45.60	\$ 46.52	\$ 47.45
	35	\$ 1,389.54	\$ 1,417.33	\$ 1,445.68	\$ 1,474.59	\$ 1,504.08	\$ 1,534.16	\$ 1,564.85	\$ 1,596.14	\$ 1,628.07	\$ 1,660.63
		\$ 72,256.04	\$ 73,701.16	\$ 75,175.18	\$ 76,678.68	\$ 78,212.26	\$ 79,776.50	\$ 81,372.03	\$ 82,999.47	\$ 84,659.46	\$ 86,352.65

TOWN MEETING PROCEDURES

Our Town Meeting is conducted in accordance with the Town Bylaws and traditions adopted in our Town Meetings over the years. Several matters of procedure are summarized below. Anyone with questions about procedure should see the Moderator, ideally prior to the start of the meeting.

- Discussion should be **courteous** and **respectful**, and should be confined to the subject under consideration. Sarcasm is generally not respectful, and the subject under consideration does not include the individuals involved in the debate. All questions should be directed to the Moderator, who will ask the appropriate person to respond. Under our Bylaws, no one may speak a second time on any subject for longer than five minutes, nor more than twice on any subject (except to correct an error or make an explanation), without permission of the Meeting.
- If you desire to speak, please rise and seek the attention of the Moderator. When recognized by the Moderator, please use a microphone and begin by stating your name and address.
- Persons who are not registered voters may be admitted to the meeting as **guests**. Guests must display the nametags provided and, except with the permission of the Moderator (denoted by a colored sticker on the nametag), must remain in the designated guest seating area. Guests may address the meeting with the permission of the Moderator.
- An **article** in the warrant describes the subject matter to be acted on by the Town Meeting. A **motion** is proposed action to be taken by the Meeting, and must be within the scope of the article (i.e., the motion must not go beyond the subject matter, dollar amounts, restriveness, etc., contemplated by the article). Articles will be acted on in the order in which they are published in the warrant unless the Meeting otherwise determines. On each article, the first main motion will be the Town Manager's (or citizen proponent's) proposed motion.
- All **motions** (including proposed amendments) should be **in writing** unless they are so brief and simple as to be easily understood orally. If you plan in advance to make a motion, please let the Moderator know before the meeting so any wording issues can be resolved smoothly.
- Votes will generally be taken first by voice vote. If the Moderator is in doubt as to the results or if seven voters stand to express doubt as to the result declared by the Moderator, a **hand count** will taken. Voters wishing to participate in the hand count must be in designated seating areas.
- A **motion for the previous question**, if adopted, will be followed immediately by a vote on the pending question. The motion is not debatable and requires a two-thirds vote for adoption. The Moderator will not accept a motion for the previous question if both sides have not had a fair opportunity to be heard, and may allow voters who have sought recognition to speak to be heard prior to considering the motion. A person who "**moves the previous question**" may not accompany the motion with remarks on the.
- Only those who were on the winning side of a vote may move to reconsider that vote. A vote may not be reconsidered a second time or after a motion to reconsider it has failed. A vote adopted at one session of the town meeting may not be reconsidered at a later (adjourned) session of the meeting unless notice of the intended reconsideration is given at the session at which the vote was passed.
- A **quorum** for the transaction of business is **100**. Once a quorum is determined, the presence of a quorum is presumed unless a point of no quorum is raised and a count shows that a quorum is not present. A quorum is not required to adjourn or dissolve.

Daniel S. Evans, Moderator

COHASSET TOWN HALL, LIBRARY AND WATER DEPARTMENTS

TOWN HALL HOURS

Monday	8:30 a.m. – 4:30 p.m.
Tuesday	8:30 a.m. – 7:00 p.m.
Wednesday	8:30 a.m. – 4:30 p.m.
Thursday	8:30 a.m. – 4:30 p.m.
Friday	8:30 a.m. – 1:00 p.m.

TOWN HALL PHONE NUMBERS

Town Hall Fax Number:	1-781-383-0228
Board of Assessors	1-781-383-4114
Board of Health	1-781-383-4116
Board of Selectmen & Town Manager	1-781-383-4105
*Building Commissioner/Zoning Officer	1-781-383-4112
Conservation Commission	1-781-383-4119
Director of Finance/Town Accountant	1-781-383-4118
Director of Veterans' Services	1-781-383-0505
Greenbush/Engineering Office	1-781-383-3094
Planning Board	1-781-383-3517
Recreation Commission	1-781-383-4109
Sewer Commission	1-781-383-4108
Town Clerk	1-781-383-4100
Town Treasurer/Tax Collector	1-781-383-4102
Zoning Board of Appeals	1-781-383-4105

*Call for appointments on Monday and Friday

LIBRARY

Phone – 1-781-383-1348

HOURS

Monday & Tuesday	10:00 a.m. – 8:00 p.m.
Wednesday	10:00 a.m. – 5:00 p.m.
Thursday	10:00 a.m. – 8:00 p.m.
Friday	10:00 a.m. – 5:00 p.m.
Saturday	9:00 a.m. – 5:00 p.m.
Sunday	2:00 p.m. – 5:00 p.m. (hours may vary)

WATER DEPARTMENT

Phone – 1-781-383-0057

HOURS - Monday – Friday 7:30 a.m. – 4:00 pm.

**FOR MORE INFORMATION GO TO
www.townofcohasset.org**

TOWN OF COHASSET
* * Office of * *
EMERGENCY MANAGEMENT
41 Highland Ave. * Cohasset, Ma 02025

**COHASSET
EMERGENCY PLANNING GUIDE**

EMERGENCY TELEPHONE NUMBERS

Life Threatening Emergencies
Fire Department Business Line
Police Department Business Line

911
(781) 383-0260
(781) 383-1212

Fallen Trees, Limbs, etc. (call in this order)
1. (781) 783-0273 **Department of Public Works**
2. (781) 383-1212 **Police Department**
3. (781) 383-0260 **Fire Department**

Electrical Problems (800) 322-3223 National Grid

(781) 383-0057 **Cohasset Water Department**
(671) 469-2300 **Gas – National Grid**
(781) 740-6635 **Aquarian Water (No. Cohasset)**

COHASSET EMERGENCY SHELTER

Deer Hill School, 208 Sohier Street

***Notice of Shelter Opening will be made by Connect-CTY phone call
Check before coming to shelter with Police at 781-383-1212**

COHASSET FAMILY EMERGENCY PLANNING GUIDELINES

During hurricanes, blizzards, or other disasters, you should be prepared to be self-sustaining for 24-36 hours.

To help keep you as safe as possible, check the following and be prepared:

- Working flashlight (extra batteries)
- Portable radio (extra batteries)
- WATD, 95.9 FM, Marshfield, MA or Cable Channel 10 for local news.
- Three (3) day supply of food and water
- Propane or charcoal for cooking
- Necessary Prescription Drugs
- Car gas tank full
- Supply of canned goods
- First aid supplies
- Fresh water in containers
- Charge any batteries you may need

If you are evacuating your home during a hurricane:

1. Turn off oil and gas burners and furnace
2. Cut off water service at meter
3. Turn off electrical power at main switch
4. Secure the house when leaving

FAMILY DISASTER PLAN

- Discuss the types of hazards that could affect your family. Know your homes vulnerability to storm surge, flooding or wind.
- Locate a safe room or the safest areas in your home for each hurricane hazard. In certain circumstances the safest areas may not be your home but within your community.
- Determine escape routes from your house and places to meet. These should be measured in tens of miles, rather than hundreds of miles.
- Have out-of-state friend as a family contact, so all of your family members have a single point of contact.
- Make a plan now for what to do with your pets if you need to evacuate.
- Post emergency telephone numbers by your phones and make sure your children know **how** and **when** to call 911.
- Stock non-perishable emergency supplies and a disaster supply kit.
- Add cell phone numbers to Connect CTY, go to Town website or call 781-353-0666.

Town of Cohasset
Office of the Board
of Selectmen
41 Highland Avenue
Cohasset, MA 02025

POSTAL PATRON
COHASSET, MA 02025

PRESORTED
STANDARD
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