

# TOWN OF SANDWICH

THE OLDEST TOWN ON CAPE COD

130 MAIN STREET  
SANDWICH, MA 02563

TEL: 508-888-4910 AND 508-888-5144  
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EMAIL: [selectmen@townofsandwich.net](mailto:selectmen@townofsandwich.net)  
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BOARD OF  
SELECTMEN

TOWN  
MANAGER

## BOARD OF SELECTMEN AGENDA

July 8, 2010 – 7:00 P.M.

Human Services Building – 270 Quaker Meetinghouse Road

1. Pledge of Allegiance
2. Review & Approval of Minutes *(Vote)*
3. Town Manager Report
4. Correspondence / Statements / Announcements / Follow-up *(10 Minutes)*
5. Public Forum *(15 Minutes)*
6. Staff Meeting *(60 Minutes)*  
Town Manager's Office & Department Heads – Override Presentation # 1:  
Overview
7. Old Business *(20 Minutes)*  
CCC Ocean Management Plan DCPC Representative *(Vote)*  
Requested DHCD Letter of Support for Forestdale Village *(Vote)*  
Special Acts for Sandwich Hollows Golf Club Property  
Other
8. New Business *(5 Minutes)*  
Other
9. Public Forum
10. Closing Remarks
11. Executive Session  
(If Needed)
12. Adjournment

**NEXT MEETING:** Thursday, July 22, 2010, 7:00 P.M. – Human Services Building

## OVERRIDE PRESENTATION TIMELINE

June 24

### Pre-Overview

- review & confirm current budget assumptions & projections
- identify assumption areas that may change as FY'12 approaches & flexibility to address these changes
- review outline of planned presentation schedule & topics

July 8

### Overview

- goal = informing the Board of Selectmen and general public about the budgets we are facing in the near future & identifying the time needed for the Board to make a decision on an override request
- series of presentations focusing on higher-level aspects of the financial issues we're facing
- supporting material & documentation in terms public can understand – transparent as always
- focusing on facts & data with human element to come down the road
- we will also make available to the public a handout of very detailed financial & demographic data which serves as the primary source of all the overview material we will be presenting
- separate “folder” is being set up on the Town's website to access this and all future material we review with the Selectmen ([www.sandwichmass.org](http://www.sandwichmass.org))
- projected deficits & what's needed to address deficits, focusing only on General Government aspects
- Sandwich is at the point of no return so solution = override or continue to reduce services drastically
- realistic projections of the Town's upcoming budgets show an approximate \$2.2 million deficit for FY'12 which increase by about \$1.0 million each succeeding fiscal year
- over the ensuing meetings in July and August we will show actions the Town has taken to hold down costs in an attempt to make the last override the public supported in FY'06 last as long as possible
- when this override was requested, voters were told the Town would try to make it last 3 fiscal years – we've made it last 6
- we will also go into more detail on specific revenue and expense categories that have most contributed to the deficits we project, including substantial reductions in revenue outside of our control
- best example of this = State Aid which has collectively decreased by more than \$1.3 million over the last 2 fiscal years; as a recurring revenue source, it's important to highlight that this loss of \$1.3

- million is substantially greater than the approximate \$1.0 million amount the deficit is projected to increase each fiscal year
- important to point out Sandwich is not alone in the financial difficulties it is facing – virtually every municipality in the Commonwealth is experiencing the same problems
  - if fact, in many instances, Sandwich has fared much better than most other towns due to the financial decisions it has made over the last many years
  - positive example of this is the Town's recent upgrade in it's bond rating to a AA rating, despite the difficult national and state economies
  - one of the keys aspects we will be highlighting is the quality public services Town residents receive for their tax dollars
  - an excellent example of this is the staffing levels & comparisons with similar towns (all department summary in handout; FY'09 Big 3 comparison; 2002 study)
  - this data shows we do more with less and we are proud of our ability to be so efficient, but at this point we our questioning our effectiveness
  - demands & requirements from all levels of government and the public has increased substantially
  - again, more examples and greater detail will be provided in the ensuing weeks
  - one key component of any successful override is the leadership role the Selectmen play in the effort with staff support
  - by what date would the Selectmen like to make a decision on an override request and what additional information can we provide to help?

**July 22**

**Revenues**

- Sandwich's tax bill – how it works and where it comes from
- Sandwich v. State average
- sources of revenue other than taxes
- how State aid, local receipts, etc. have changed since FY'06 override
- Sandwich's total budget – where each dollar comes from
- long-term effects of Proposition 2.5 across Commonwealth
- Sandwich v. Cape towns v. South Shore towns
- demographic comparisons on % of second homes, % of K-12 aged children, % of 60+ population, etc.
- year-round service demands & requirements; best example = student enrollments
- economic development realities...but every little bit helps!

- decreasing debt service without new projects / programs to maintain & replace infrastructure

**August 5**

**Expenses**

- Sandwich's total budget – where each dollar goes
- “problem” budget areas where expenses are increasing faster than revenues (i.e., health insurance, retirement, capital needs, Upper Cape Tech, Charter Tuition assessments, etc.)
- highlights of actions taken to hold down expenses
- wage concessions of Town staff; group insurance efforts, capital budget minimized, Stabilization Fund set asides, etc.
- level-funded operating budgets v. increased operating costs
- new demands & requirements
- efficiency v. effectiveness = comparison with other towns & national standards
- more time spent reacting v. time spent being proactive / planning
- pride in making things last & improving delivery of services for more people each year

**August 19**

**Conclusions & Recommendations**

- currently at the point of no return so solution = override or reduced services
- potential reductions in personnel and operating budgets to address deficit
- services we have today v. what's needed in terms of additional services
- history of last override, even with revenue reductions & underide
- cost / impact on average taxpayer (i.e., cost of each \$1.0 million = \$93)
- reality of other debt exclusion issues under consideration (i.e., building maintenance, new building needs, Old Harbor project, road bond)
- what additionally does the Board need to help make a decision?; by when?
- regardless of what happens, we need the Selectmen's leadership & offer our support

**Dunham, George**

**From:** Paul Niedzwiecki [pniedzwiecki@capecodcommission.org]  
**Sent:** Wednesday, June 02, 2010 3:17 PM  
**To:** Dunham, George; TGuerino@townofbourne.com; smulligan@chatham-ma.gov; jkelly@town.orleans.ma.us; john.klimm@town.barnstable.ma.us; rlawton@yarmouth.ma.us; slynn@provincetown-ma.gov; jmason@ci.mashpee.ma.us; jmerriam@town.harwich.ma.us; townadm@truro-ma.gov; townadministrator@townofwellfleet.org; csummer@town.brewster.ma.us; svanderhoef@eastham-ma.gov; rwhite@town.dennis.ma.us; rwhitenour@falmouthmass.us; council@town.barnstable.ma.us; JFord@townofbourne.com; elewis@town.brewster.ma.us; len@crowspound.com; paulmccormick@comcast.net; ccmac3@comcast.net; selectmen@falmouthmass.us; srobinson@town.harwich.ma.us; dmyers@ci.mashpee.ma.us; Marge Astles; mcouture@provincetown-ma.gov; Kennan, John; Kennan, John; dale.donovan@wellfleet-ma.gov; jhoben@yarmouth.ma.us  
**Cc:** Heather McElroy  
**Subject:** Ocean Management Planning DCPC; Follow-up Request for Policy Committee Appointees  
**Attachments:** 52010policycom\_itr (2).pdf

Dear Town Managers/Board Chairs:

On April 21, 2010, the Barnstable County Assembly of Delegates unanimously approved the designation of the first Cape-wide District of Critical Planning Concern (DCPC). The Ocean Management Planning DCPC addresses development of the Cape's ocean waters for renewable energy and other uses allowed by the state's Ocean Management Plan. In a letter to Cape Cod Boards of Selectmen (dated May 20, 2010, attached) we requested appointment of an individual from your chief elected board to actively participate on the Policy Committee that will oversee the DCPC planning process and technical working groups. **The tentative date for an initial "kick-off" meeting of the Policy Committee has been scheduled for July 13, 2010 from 2:00 – 4:00 PM** at the Cape Cod Commission's offices located 3225 Main Street in Barnstable Village.

**Please forward the name and contact information of your town's representative by June 18, 2010 to:**

Cape Cod Commission  
 3225 Main Street  
 Barnstable, MA 02630  
 Attn: Heather McElroy  
 Or via email: hmcElroy@capecodcommission.org

We look forward to working with your representative on this important project.

Thank you.

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3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

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(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

To: Cape Cod Boards of Selectmen  
Barnstable Town Council

From: Paul Niedzwiecki, Executive Director

cc: Cape Cod Commission

Re: Ocean Management Planning District of Critical Planning Concern  
Initiation of Planning Phase: Request for Policy Committee Appointee

Date: May 20, 2010

On April 21, 2010, the Barnstable County Assembly of Delegates, unanimously approved the designation of the first Cape-wide District of Critical Planning Concern (DCPC). The Ocean Management Planning DCPC addresses development of the Cape's ocean waters for renewable energy and other uses allowed by the state's Ocean Management Plan. The designation of this planning area (see attached map) by county ordinance initiates a year-long planning period to examine the issues of interest and concern regarding allowable types of development in the waters around Cape Cod and to adopt implementing regulations for the district. The Ocean Management Plan currently authorizes 24 wind energy facilities in the waters around Cape Cod.

The purposes of the DCPC are, broadly, to identify appropriate areas within the district boundaries that may support wind power generation and other renewable energy projects, and to establish criteria for determining the appropriate scale and review procedures of those projects at the local and regional level.

To ensure that each of the Cape's fifteen towns are represented and participate in this important regional planning task, the Cape Cod Commission will establish a Policy Committee to oversee the process. The Policy Committee's task is to distill recommendations from a Technical Workgroup, a Stakeholder Committee, and testimony from the general public, in order to make final recommendations to the Cape Cod Commission about the placement and regulation of wind turbines and other renewable energy facilities, and other allowed uses in the state's ocean waters. Because the process may result in recommended bylaw language for adoption by town legislative bodies next spring, we anticipate that the planning process should conclude by December 2010.

**We are asking that you appoint an individual from your chief elected board** to actively participate on this important committee. We plan to hold an initial "kick off" forum in late June, where the Technical Workgroups receive their charges and tasks. The Policy Committee will likely not meet again until September, after which it is proposed that the Committee will hold monthly meetings through November.

For your information, we have attached the ordinance establishing the district and detailing its purposes and potential outcomes, a map of the district, and a conceptual timeline of meeting dates and milestones for the Policy Committee.

Please forward the name and contact information (see form, attached) of your town's representative to:

Cape Cod Commission  
3225 Main Street  
Barnstable, MA 02630  
Attn: Heather McElroy

Or via email: [hmcclroy@capecodcommission.org](mailto:hmcclroy@capecodcommission.org)

We look forward to working with your representative on this important project.

## Dunham, George

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**From:** Chris Bailey [chrisbailey123@hotmail.com]  
**Sent:** Friday, July 02, 2010 9:58 AM  
**To:** Dunham, George  
**Cc:** Steve Powers  
**Subject:** letter of support (again)

Hi Bud,

We're working on completing our Regulatory Agreement with DHCD for Forestdale Village. One issue that has come up is that the prices for the affordable units have gone up slightly from what I put in the application last year, based on DHCD's formula, from '09 to '10. Here are the numbers:

1 bedroom: \$148,000 - this one is unchanged  
2 bedroom: \$166,100, up from \$161,750 in the application  
3 bedroom: \$184,700, up from \$179,500 in the application

Toni Coyne Hall wrote to me: "we can entertain a request for a change in price w/in the affordability limits prior to execution of the regulatory agreement. I'd like some acknowledgment that any proposed change is ok w/ the town."

So, at the risk of being presumptuous, and in an effort to make it easier for you to assist us, I'll offer the following suggested language for a letter (I think it could even be an email) to me from you: (it could also be from Dana and/or to Toni, if you prefer)

Mr. Bailey:

I understand that you are finalizing the regulatory agreement with the Department of Housing and Community Development for Forestdale Village, and are requesting price modifications for the affordable units, raising the prices on the the two and three bedroom units to \$166,100 and \$184,700 respectively. The town acknowledges and supports these requested prices and reiterates the position of the Board of Selectmen regarding the Forestdale Village Local Initiative Program as stated in our letter of support dated July 2, 2009.

If you have any questions about this support, please feel free to contact me at 508.888.5144.

Bud, you are, of course, welcome to handle this any way you see fit, or call me, Steve, or Toni Coyne-Hall for clarification any time.

thanks again for all your help,  
Chris

Christopher E. Bailey, CCIM  
Bailey Brokerage & Consulting, LLC  
Forestdale Village, Development Consultant and Broker  
(m) 508.259.3408

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## Dunham, George

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**From:** Lapp, Doug  
**Sent:** Friday, July 02, 2010 3:37 PM  
**To:** John Giorgio; Vicki Marsh; Dunham, George  
**Subject:** special acts: question from state

Hi guys. I just got a phone call from someone named Bob O'Connor, who said he's the Director of Land & Forest Conservation at the Executive Office of Energy and Environmental Affairs (I think I got that straight!). He was calling about our two special acts pending for Sandwich Hollows. At first it seemed he didn't understand what we were trying to accomplish, so I explained it to him. He was ultimately ok with it, but he said his one concern was about maintaining access to the area for the general public. I explained that there were two components to what we were trying to accomplish: (1) regular rec ball fields for all the public youth sports groups, Rec Dept, etc; and (2) a potential lease with a private entity for additional recreational uses which could have a private/membership component.

Re: # 2 above, I said that in general, when leasing Town land, the Selectmen give preference to proposers that offer to provide public access or other public benefits, but that wasn't good enough for him. He asked if we'd consider adding language to the bills to ensure that we'd maintain some level of public access so it wouldn't turn into an exclusive area available only to wealthy members, etc. He asked if we could draft a sentence or two and e-mail it to him. I told him that we'd certainly consider his request, and that I'd speak with Town Counsel and get back to him. What do you think? His e-mail address is [Robert.Oconnor@state.ma.us](mailto:Robert.Oconnor@state.ma.us) if you want to ask him any questions about our conversation (I didn't get his phone number). He also asked about the alternative energy wording in the bills; and after I explained it (i.e., potential wind turbines, since it's high up on the ridge, to offset the electric load at the site) he interestingly didn't appear to have any problems with that part...

See what you think...

Thanks!

- Doug

## **AN ACT AUTHORIZING THE TOWN OF SANDWICH TO LEASE CERTAIN ACTIVE RECREATIONAL LAND**

*Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary and pursuant to the provisions of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, the Town of Sandwich is hereby authorized to transfer the care, custody, management and control of Parcel B or a portion thereof shown on a plan of land entitled "Town of Sandwich Acquisition of Verbon Trust Property, dated March 1, 1999, by Outback Engineering, Inc. 321 West Grove Street, Middleborough, Mass.," recorded with Barnstable County Registry of Deeds in Plan Book 551, Page 32, from its Board of Selectmen for active recreation purposes, namely golf course, and water supply and protection purposes, to its Board of Selectmen for the purposes of water supply and water protection, and active recreation, including but not limited to active recreational fields and facilities and golf course purposes, and for the purposes of leasing said recreational fields or facilities for recreation purposes and for alternative energy purposes, upon such terms and conditions as the Selectmen shall deem appropriate.

SECTION 2. This act shall take effect upon passage.

**AN ACT AUTHORIZING THE TOWN OF SANDWICH TO ENTER INTO A LEASE FOR THE CONSTRUCTION OF AN ACTIVE RECREATION FACILITY.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** Notwithstanding the provisions of any general or special law to the contrary and pursuant to the provisions of Article 97 of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, the Town of Sandwich is hereby authorized to enter into a lease of a portion of the land shown as Parcel B on a plan of land entitled "Town of Sandwich Acquisition of Verbon Trust Property," dated March 1, 1999 by Outback Engineering, Inc., 321 Grove Street, Middleborough, Mass., recorded with Barnstable County Registry of Deeds in Plan Book 551, Page 32 for the construction of an active recreation facility. Said lease may be a ground lease of the land only, or the lease may provide for the financing, design and construction of an active recreation facility by a party or the parties, or a combination thereof for a term of up to or more than 20 years. The construction of an active recreation facility under a lease awarded pursuant to this section shall not be subject to the competitive bid requirements set forth in sections 38A½ to 38O, inclusive, of chapter 7, section 39M of chapter 30 or sections 44A to 44M, inclusive, of chapter 149 of the General Laws, but each such lease shall be awarded pursuant to section 16 of chapter 30B of the General Laws.

**SECTION 2.** The request for proposals for such lease shall specify the method for comparing proposals to determine the proposal offering the lowest overall cost to the town including, but not limited to, all capital financing. If the town awards a contract to an offeror who did not submit the proposal offering the lowest overall cost, the town shall explain the reason for the award in writing.

**SECTION 3.** Notwithstanding the provisions of any general or special law to the contrary, the lease awarded pursuant to section 1 may include an option and/or a right of first refusal for the Town to acquire the land and the active recreation facility at the termination of the lease. Any option and/or right of first refusal shall be at the sole discretion of the town of Sandwich in accordance with the original terms and conditions set forth in the request for proposals or terms and conditions more favorable to and acceptable to the town. A lease entered into pursuant to this act may provide that the town shall not be exempt from liability for payment over the term of the lease of the costs to finance, design and construct the active recreation facility.

**SECTION 4.** Subject to this act, any lease awarded hereunder shall be subject to such additional terms and conditions as the town manager and the board of selectmen of the

town shall determine to be in the best interests of the town and shall be authorized by a majority vote of the board of selectmen.

**SECTION 5.** This act shall take effect upon its passage.

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