BOARD OF SELECTMEN AGENDA
June 11, 2020 – 5:30 P.M.
Sandwich Town Hall at 130 Main Street & Via Remote Participation Software

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, M.G.L. c.30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitation of the number of people that may gather in one place, this meeting of the Town of Sandwich Board of Selectmen will be conducted via remote participation to the greatest extent possible. Special information and the general guidelines for remote participation by the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town’s website, at www.sandwichmass.org. For this meeting, members of the public who wish to listen and watch the meeting may do so via the Sandwich Community Television website, at www.sandrichtv.org. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town’s website an audio or video recording, transcript, or other comprehensive record of the proceedings as soon as possible after the meeting. Thank you for your consideration and understanding during this unique public health emergency.

1. Convene Open Session
2. Pledge of Allegiance
3. Review & Approval of Minutes – 5/28/20
4. Town Manager Report
5. Correspondence / Statements / Announcements / Future Items / Follow-up
6. Old Business
   - FY’20 Budget Update – Receipts Reserved for Appropriation Accounts
     Balance Returns; 25% of Cape Cod Municipal Health Group to Public Employee Committee (PEC) Fund
   - FY’21 Budget Update
   - 6/15/20 Annual Town Meeting (ATM) Overview – Discuss and Vote to Execute Confirmatory Deed for Terrapin Ridge, Subject to an Affirmative Vote on Article 12 at the June 15, 2020 Annual Town Meeting
   - Beach Facilities Operations Overview & Recommended Authorizations
   - Adopt Policy on Temporary Amendment to Licensed Premises Description & Process for Approval of Temporary Changes
7. New Business
   - Accept 1st Quarter 2020 Donations
   - Report on Any Approved Vendor & Payroll Warrants
   - Other Matters Not Reasonably Anticipated by the Chairman

8. Public Comment – publiccomment@sandwichmass.org

9. Closing Remarks

10. Adjournment

NEXT MEETING: 6/25/20
1. **Authorization to Return FY'20 Departmental Balances from Receipts Reserved for Appropriation Accounts back to Same Receipts Reserved for Appropriation Account:**

Move to return all remaining departmental balances from transfers made from receipts reserved for appropriation accounts back to the same receipts reserved for appropriation account at the close of FY'20.

2. **Authorization to Transfer 25% of Cape Cod Municipal Health Group Fund Balance Payment to Public Employee Committee (PEC) Fund:**

Move in accordance with M.G.L. c.32B, §19 to transfer 25% – or $213,549 – of the payment received by the Town of Sandwich during FY'20 from the Town's proportionate share of the Cape Cod Municipal Health Group fund balance to the Public Employee Committee (PEC) Fund.
FY’21 BUDGET

PROJECTED GENERAL FUND REVENUES AND EXPENSES - FY’21

REVENUES

FY’21 Tax Levy:
FY’20 Levy Limit 66,281,547
2.5% Increase 1,657,039
Est. New Growth 500,000
Excess Levy Reserve Est. -3,550,000
Overrides / Exclusions 0
County Assess. Outside 2.5: CCC 190,835
Debt Outside 2.5 2,111,100 67,190,521

Other Revenue:
MSBA Funds 1,279,534
State Aid: Discretionary (-6.30%) 2,250,000
State Ch. 70 Aid: School (0.00%) 7,151,788
Est. Local Receipts 5,000,000
Surplus Revenue / Free Cash 2,640,082
FY’20 Health Insur. to Capital 800,000
Overlay Release 50,000
Transfer from Stabilization Fund 0 19,171,404

Total Estimated Revenues 86,361,925

EXPENSES

ReCeP Sheet Items:
State: Tuition Assess. (10.00%) 4,895,534
State: All Other Assess. (3.00%) 633,854
Abatements / Overlay 550,000
FY’20 Snow & Ice Deficit 0 6,079,388

Town Meeting Items:
Group Health Insur. (-2.54%) 11,500,000
County Retire. Assess. (-5.69%) 3,769,883
Property & Liability Insur. (4.17%) 1,250,000
Medicare (4.00%) 676,000
Unemployment Account 100,000
OPEB Trust Fund 25,000
Debt: Long Term - General Fund 3,834,470
Borrowing Expenses 100,000
Reserve Fund 500,000
Capital Budget - Net 326,138
Capital - 100 Route 6A Reno. 1,800,000
Transfer to Stabilization Fund 25,000 23,906,491

Operating Budgets:
School Budget: Local (3.75%) 27,992,918
Ch. 70 (0.00%) 7,151,788 35,144,706

UCCRVTS Budget (-1.21%) 2,135,468

General Gov’t. Budget (2.58%) 18,256,108

Total Estimated Expenses 85,522,161

Stabilization Fund & OPEB Trust Fund Balances:

<table>
<thead>
<tr>
<th>Stabilization Fund</th>
<th>OPEB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Actual Balance on 7/1/19:</td>
<td>1,829,888</td>
</tr>
<tr>
<td>Proposed Transfer From/To Fund:</td>
<td>25,000</td>
</tr>
<tr>
<td>Projected Post ATM Balance:</td>
<td>1,854,888</td>
</tr>
</tbody>
</table>

ESTIMATED FY’21 BUDGET BALANCE 839,764
## FY'21 General Fund Operating Budget Totals

<table>
<thead>
<tr>
<th>No.</th>
<th>Department</th>
<th>FY20 Approp</th>
<th>FY21 Salary</th>
<th>FY21 Oper</th>
<th>FY21 Total</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>114</td>
<td>Moderator</td>
<td>450</td>
<td>450</td>
<td>0</td>
<td>450</td>
<td>0.00%</td>
</tr>
<tr>
<td>123</td>
<td>Select./Manager</td>
<td>529,874</td>
<td>465,980</td>
<td>57,850</td>
<td>523,830</td>
<td>-1.14%</td>
</tr>
<tr>
<td></td>
<td>Personnel Expn.</td>
<td>500,000</td>
<td>300,000</td>
<td>0</td>
<td>300,000</td>
<td>-40.00%</td>
</tr>
<tr>
<td>131</td>
<td>Finance Comm.</td>
<td>3,400</td>
<td>2,000</td>
<td>1,400</td>
<td>3,400</td>
<td>0.00%</td>
</tr>
<tr>
<td>135</td>
<td>Accounting</td>
<td>222,961</td>
<td>172,615</td>
<td>15,250</td>
<td>187,865</td>
<td>-15.74%</td>
</tr>
<tr>
<td>141</td>
<td>Assessing</td>
<td>394,166</td>
<td>341,124</td>
<td>29,125</td>
<td>370,249</td>
<td>-6.07%</td>
</tr>
<tr>
<td>145</td>
<td>Treasurer</td>
<td>232,727</td>
<td>283,372</td>
<td>-15,450</td>
<td>267,922</td>
<td>15.12%</td>
</tr>
<tr>
<td>146</td>
<td>Tax Collector</td>
<td>212,154</td>
<td>162,087</td>
<td>58,900</td>
<td>220,987</td>
<td>4.16%</td>
</tr>
<tr>
<td>147</td>
<td>Tax Title</td>
<td>35,000</td>
<td>0</td>
<td>35,000</td>
<td>35,000</td>
<td>0.00%</td>
</tr>
<tr>
<td>151</td>
<td>Legal</td>
<td>300,000</td>
<td>0</td>
<td>300,000</td>
<td>300,000</td>
<td>0.00%</td>
</tr>
<tr>
<td>152</td>
<td>Human Resour.</td>
<td>179,354</td>
<td>176,413</td>
<td>10,000</td>
<td>186,413</td>
<td>3.94%</td>
</tr>
<tr>
<td>161</td>
<td>Town Clerk</td>
<td>192,156</td>
<td>196,390</td>
<td>6,200</td>
<td>202,590</td>
<td>5.43%</td>
</tr>
<tr>
<td>162</td>
<td>Elect. &amp; Regist.</td>
<td>49,750</td>
<td>23,000</td>
<td>52,750</td>
<td>75,750</td>
<td>52.26%</td>
</tr>
<tr>
<td>171</td>
<td>Natural Resour.</td>
<td>303,997</td>
<td>286,968</td>
<td>28,150</td>
<td>315,118</td>
<td>3.66%</td>
</tr>
<tr>
<td>175</td>
<td>Plan. &amp; Devel.</td>
<td>231,213</td>
<td>209,383</td>
<td>29,625</td>
<td>239,008</td>
<td>3.37%</td>
</tr>
<tr>
<td>190</td>
<td>Facilities Mgmt.</td>
<td>642,652</td>
<td>381,314</td>
<td>341,974</td>
<td>723,288</td>
<td>12.55%</td>
</tr>
<tr>
<td>195</td>
<td>Town Reports</td>
<td>11,000</td>
<td>0</td>
<td>12,500</td>
<td>12,500</td>
<td>13.64%</td>
</tr>
<tr>
<td>196</td>
<td>Bind Records</td>
<td>7,000</td>
<td>0</td>
<td>7,000</td>
<td>7,000</td>
<td>0.00%</td>
</tr>
<tr>
<td>197</td>
<td>Info. Technology</td>
<td>663,873</td>
<td>259,430</td>
<td>440,000</td>
<td>699,430</td>
<td>5.36%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 100s</strong></td>
<td>4,711,727</td>
<td>3,260,526</td>
<td>1,410,274</td>
<td>4,670,800</td>
<td>-0.87%</td>
</tr>
<tr>
<td>210</td>
<td>Police Dept.</td>
<td>4,558,510</td>
<td>4,427,906</td>
<td>354,335</td>
<td>4,782,241</td>
<td>4.91%</td>
</tr>
<tr>
<td>220</td>
<td>Fire Dept.</td>
<td>3,679,534</td>
<td>3,247,302</td>
<td>550,800</td>
<td>3,798,102</td>
<td>3.22%</td>
</tr>
<tr>
<td>241</td>
<td>Inspections</td>
<td>291,605</td>
<td>286,591</td>
<td>16,155</td>
<td>302,746</td>
<td>3.82%</td>
</tr>
<tr>
<td>244</td>
<td>Sealer of W &amp; M</td>
<td>200</td>
<td>0</td>
<td>14,000</td>
<td>14,000</td>
<td>6900.00%</td>
</tr>
<tr>
<td>291</td>
<td>Emerg. Mgmt.</td>
<td>17,500</td>
<td>12,500</td>
<td>10,000</td>
<td>22,500</td>
<td>28.57%</td>
</tr>
<tr>
<td>294</td>
<td>Forest Warden</td>
<td>1,500</td>
<td>0</td>
<td>1,500</td>
<td>1,500</td>
<td>0.00%</td>
</tr>
<tr>
<td>297</td>
<td>Bourne Shellfish</td>
<td>4,000</td>
<td>0</td>
<td>4,000</td>
<td>4,000</td>
<td>0.00%</td>
</tr>
<tr>
<td>299</td>
<td>Greenhead Fly</td>
<td>2,500</td>
<td>0</td>
<td>2,500</td>
<td>2,500</td>
<td>0.00%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 200s</strong></td>
<td>8,555,349</td>
<td>7,974,299</td>
<td>953,290</td>
<td>8,927,589</td>
<td>4.35%</td>
</tr>
<tr>
<td>300</td>
<td>School Dept.</td>
<td>34,132,914</td>
<td>35,144,706</td>
<td>0</td>
<td>35,144,706</td>
<td>2.96%</td>
</tr>
<tr>
<td>313</td>
<td>UCCRVTS</td>
<td>2,161,680</td>
<td>2,135,468</td>
<td>0</td>
<td>2,135,468</td>
<td>-1.21%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 300s</strong></td>
<td>36,294,594</td>
<td>37,280,174</td>
<td>0</td>
<td>37,280,174</td>
<td>2.72%</td>
</tr>
</tbody>
</table>

*Note: School Dept. amount includes Ch. 70 aid.*
<table>
<thead>
<tr>
<th>NO.</th>
<th>DEPARTMENT</th>
<th>FY20 APPROP</th>
<th>FY21 SALARY</th>
<th>FY21 OPER</th>
<th>FY21 TOTAL</th>
<th>% CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>410</td>
<td>DPW - Engineer.</td>
<td>227,086</td>
<td>269,522</td>
<td>9,800</td>
<td>279,322</td>
<td>23.00%</td>
</tr>
<tr>
<td>420</td>
<td>DPW</td>
<td>1,825,761</td>
<td>1,161,063</td>
<td>713,375</td>
<td>1,874,438</td>
<td>2.67%</td>
</tr>
<tr>
<td>421</td>
<td>Snow &amp; Ice</td>
<td>400,000</td>
<td>100,000</td>
<td>300,000</td>
<td>400,000</td>
<td>0.00%</td>
</tr>
<tr>
<td>424</td>
<td>Streetlights</td>
<td>25,000</td>
<td>0</td>
<td>20,000</td>
<td>20,000</td>
<td>-20.00%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 400s</strong></td>
<td><strong>2,477,847</strong></td>
<td><strong>1,530,585</strong></td>
<td><strong>1,043,175</strong></td>
<td><strong>2,573,760</strong></td>
<td><strong>3.87%</strong></td>
</tr>
<tr>
<td>510</td>
<td>Health Dept.</td>
<td>214,691</td>
<td>217,308</td>
<td>10,175</td>
<td>227,483</td>
<td>5.96%</td>
</tr>
<tr>
<td>522</td>
<td>Nursing Dept.</td>
<td>165,829</td>
<td>123,705</td>
<td>46,200</td>
<td>169,905</td>
<td>2.46%</td>
</tr>
<tr>
<td>540</td>
<td>Social Services</td>
<td>35,000</td>
<td>0</td>
<td>35,000</td>
<td>35,000</td>
<td>0.00%</td>
</tr>
<tr>
<td>541</td>
<td>Senior Services</td>
<td>231,800</td>
<td>224,962</td>
<td>13,500</td>
<td>238,462</td>
<td>2.87%</td>
</tr>
<tr>
<td>543</td>
<td>Veterans</td>
<td>88,320</td>
<td>0</td>
<td>103,500</td>
<td>103,500</td>
<td>17.19%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 500s</strong></td>
<td><strong>735,640</strong></td>
<td><strong>565,975</strong></td>
<td><strong>208,375</strong></td>
<td><strong>774,350</strong></td>
<td><strong>5.26%</strong></td>
</tr>
<tr>
<td>610</td>
<td>Library</td>
<td>991,595</td>
<td>826,470</td>
<td>179,437</td>
<td>1,005,907</td>
<td>1.44%</td>
</tr>
<tr>
<td>630</td>
<td>Recreation</td>
<td>229,684</td>
<td>203,877</td>
<td>48,725</td>
<td>252,602</td>
<td>9.98%</td>
</tr>
<tr>
<td>650</td>
<td>DPW - Parks</td>
<td>25,850</td>
<td>0</td>
<td>30,850</td>
<td>30,850</td>
<td>19.34%</td>
</tr>
<tr>
<td>671</td>
<td>Hoxie / Grist Mill</td>
<td>53,500</td>
<td>3,500</td>
<td>0</td>
<td>3,500</td>
<td>-93.46%</td>
</tr>
<tr>
<td>693</td>
<td>Memorial Day</td>
<td>1,200</td>
<td>0</td>
<td>1,200</td>
<td>1,200</td>
<td>0.00%</td>
</tr>
<tr>
<td>694</td>
<td>Historic District</td>
<td>14,800</td>
<td>2,250</td>
<td>13,300</td>
<td>15,550</td>
<td>5.07%</td>
</tr>
<tr>
<td></td>
<td><strong>Total 600s</strong></td>
<td><strong>1,316,629</strong></td>
<td><strong>1,036,097</strong></td>
<td><strong>273,512</strong></td>
<td><strong>1,309,609</strong></td>
<td><strong>-0.53%</strong></td>
</tr>
</tbody>
</table>

**GEN. GOVT. TOTAL**

(no School)

17,797,192  14,367,482  3,888,626  18,256,108  2.58%

FY'21 @ 3.00% = 18,331,108
Current Difference vs. 3.00% = -75,000

**GRAND TOTAL**

(incl. School)

54,091,786  51,647,656  3,888,626  55,536,282  2.67%
Town of Sandwich
Annual Town Meeting

WARRANT

Monday, June 15, 2020
7:00 p.m. – Sandwich High School

BOARD OF SELECTMEN
David J. Sampson, Chair
Michael J. Miller, Vice-Chair
Robert J. George
Shane T. Hoctor
Charles M. Holden

FINANCE COMMITTEE
Mark I. Snyder, Chair
Matthew D. Anderson, Vice-Chair
Nancy Crossman
Gwenn H. Dyson
Robert Guerin
James McCormick
James W. Pierce
Laura B. Wing

MODERATOR
Garry N. Blank
May 28, 2020

Dear Residents of Sandwich,

As you all know, our community, region, state, and nation have been living in a very unique period in our history with the ongoing COVID-19 public health emergency. We want to thank you for your patience and support as we have tried to address this crisis in the best interests of our residents and the community as a whole.

Because of our collective efforts and the prudent leadership and cooperation with our state and regional partners and Town Counsel, KP Law, decisions have been made by the Board of Selectmen and Town staff over the last several months to change how and when we normally complete municipal business. These actions were taken in accordance with Governor Baker’s March 15, 2020 Order and March 23, 2020 Order that imposed strict limitations on the number of people that may gather in one place, and in accordance with the Town of Sandwich’s March 14, 2020 declaration of a local emergency, all of which were related to the COVID-19 public health response.

Furthermore, the General Court has enacted several emergencies measures that have afforded the Town flexibility in scheduling the annual town meeting and the annual election, as well as key municipal finance tools that will allow the Town to continue providing critical services to Town residents during these challenging times.

The March 23, 2020 Special Town Meeting, which was initially rescheduled until April 13, 2020, was officially cancelled in its entirety by the Selectmen in early April. Any warrant articles scheduled for the Special Town Meeting that still needed to be acted upon appear in the Annual Town Meeting warrant before you.

The Annual Town Election, originally scheduled for May, 7, 2020, was officially moved to May 19, 2020 to align with the special State election for the vacant State Senate seat. This decision not only saved us the added expense of a separate election, but it allowed us to limit the public’s health exposure to just one election rather than two.

By reading the Annual Town Meeting warrant closely, you will see that a few standard votes and actions do not appear on the warrant. We have purposefully attempted to reduce the number of articles that have to be voted upon at this time and are trying to be prudent with Sandwich’s financial projections, not knowing yet how the COVID-19 emergency will impact the finances of the State and our community over the next fiscal year or more. In light of this, we have delayed some normal budget votes until a future Town Meeting and have focused only on the essential votes we need to move our community forward heading into FY’21.

As we write this, we do not know if we will be forced for public health reasons to move the planned June 15, 2020 Annual Town Meeting even further into FY’21. If this happens, we will take the appropriate votes as allowed under State law to address the
FY'21 Budget for town and school operations to continue. We also plan to take whatever actions we can to address the capital projects and purchases recommended in the warrant.

We thank you for your patience and understanding during this unprecedented public health emergency. Without question, by working together we are better able to function in a reduced capacity and expedite our return to more normal living conditions and operations. We could not have done this without all of you.

Thank you again for your patience, understanding, and support.

Sincerely,

Board of Selectmen
INDEX OF WARRANT ARTICLES

June 15, 2020 Annual Town Meeting

1. Report of Town Officials (p. 5)
2. FY'21 Budget (p. 5)
3. FY'21 Enterprise Fund Budgets: DPW – Sanitation Division, Sandwich Hollows Golf Club, Sandwich Marina, & Cable Public Access (p. 10)
4. FY'21 Revolving Fund Appropriation Limits (p. 10)
5. FY'21 Capital Budget (p. 11)
6. Amend Purpose for Fire Department Capital Appropriation (p. 11)
7. Transfer to Stabilization Fund (p. 11)
8. Transfer to OPEB Trust Fund (p. 12)
9. Ch. 90 State Aid to Highways Program (p. 12)
10. Appropriation to Fund 100 Route 6A Renovations (p. 12)
11. Authorization to File Special Act for Filling of School Committee Vacancy (p. 12)
12. Deed Clarification for Terrapin Ridge Project Site (p. 13)
13. Authorization to Expand Senior Exemption Program Qualifying Standards (p. 13)
14. CPA Fund Expenditure – Administrative Costs, 10% Allocations, & Debt Payment (p. 13)
15. Authorization to Dispose of Henry T. Wing School to SCG Development & Approve CPA Appropriation for Community Housing Resources (p. 14)
17. Petition: Commercial Single-Use Plastic Water Bottle Ban Town Bylaw (p. 14)
18. Petition: Adoption of Climate Policy Town Bylaw (p. 17)

NOTE: Petition articles have been printed as submitted and may contain typographic and other errors.

Reference Material:
1. Article 2 – FY’21 Estimated General Fund Revenues & Expenses (p. 20)
2. Article 15 – Authorization to Dispose of Henry T. Wing School (p. 21)
3. A Glossary of Commonly Used Terms (p. 22)
4. Table of Basic Points of Motions (p. 25)
Ross-

Enclosed please find for your review the proposed Confirmatory Deed from the Town of Sandwich to the Sandwich Housing Authority for Tract A, Quaker Meeting House Road, Sandwich. The Selectmen are meeting on June 11 at which time they will vote to execute the Confirmatory Deed upon Town Meeting approval. I would appreciate it if you can advise me if this Deed is in acceptable form so that the final Confirmatory Deed will be available at that Selectmen meeting. They will then execute the Deed after the Town Meeting, so they will not need to wait for an additional meeting.

If you have any questions concerning this matter, please do not hesitate to contact me.

Vicki

Vicki S. Marsh, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 556 0007
F: (617) 654 1735
vmash@k-plaw.com
www.k-plaw.com

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CONFIRMATORY DEED

The Town of Sandwich, a Massachusetts municipal Corporation, acting by and through its Board of Selectman, (the “Grantor”) with offices at Sandwich Town Hall, 130 Main Street, Sandwich, Massachusetts 02563, for consideration paid of One ($1.00) Dollar, pursuant to the authority of the Vote of Article 12 of Annual Town Meeting held on June 15, 2020, a certified copy of which is attached hereto, grants to the Sandwich Housing Authority, a Massachusetts public corporation, having its principal place of business at 20 Toms Way, Sandwich, Massachusetts 02563 (the “Grantee”) with QUITCLAIM COVENANTS:

A certain parcel of land on Quaker Meeting House Road, Sandwich, Massachusetts, shown as Tract “A” on a plan of land entitled “Town of Sandwich, Plan of Land on Quaker Meeting House Road,” revised May 15, 1987, drawn by engineer Edward S. Kelly, recorded with Barnstable County Registry of Deeds in Plan Book 436, Page 68, containing 10.00 acres, more or less, according to said Plan, to be held for public housing purposes or affordable housing purposes.

For Grantor’s title see Order of Taking dated May 22, 1987, recorded with said Deeds in Book 5470, Page 179.

The purpose of this Confirmatory Deed is to correct the Deed from the Town of Sandwich to the Sandwich Housing Authority recorded with said Deeds in Book 6380, Page 251 by correcting the purpose for which the above- described Tract A is to be held, as authorized by vote of Article 34 of the 1988 Annual Town Meeting and by Article 13 of the 1999 Annual Town Meeting.
Witness our hands and seals this _____ day of __________, 2020.

Town of Sandwich
By its Board of Selectmen

__________________________________

__________________________________

__________________________________

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this _____ day of __________, 2020, before me, the undersigned notary public, personally appeared ____________________________________________

__________________________________

proved to me through satisfactory evidence of identification, which were __________________________ to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose on behalf of the Town of Sandwich Board of Selectmen.

__________________________________

Notary Public

My Commission Expires:
Recommended Beach Operating Plan
June 5, 2020

Formal Beach Opening - June 26, 2020
All features of the 2020 Beach Operating Plan depend on the continued respectful behavior of residents and visitors to our beaches. We will continue to monitor compliance with social distancing including a six (6) foot separation from individuals, limitations of groups to no more than 10 individuals and a twelve (12) foot separation from groups. Masks are recommended at any time you cannot sustain a six (6) foot separation from others. The Town will consider more limited access to beaches if social distancing recommendations are not consistently respected.

Occupancy
The COVID-19 Command team has evaluated the parking available and the occupancy of the Town of Sandwich Beaches. Our ocean front beaches can support social distancing for the number of patrons parked in designated parking areas. A reduction in the parking areas is not recommended as it will likely push parking onto streets and into neighborhoods creating additional problems requiring public safety intervention. If social distancing is not respected, parking and occupancy may be limited.

Fresh water beaches a recommended for residents only for the 2020 Season to limit the number of visitors to these small beach areas.

Staffing
Additional supervisory staff will be added for the Summer 2020 Beach Season. This staff will be assigned to support gate attendants and life guards to support COVID-19 required recommendations. The Sandwich Police Department and Fire Department will routinely monitor Beaches and will be in regular contact with the Beach Department management team and will be prepared to respond to public safety calls.

Restrooms
At our ocean front beaches, portable Comfort Stations have been placed at Town Neck Beach, First Beach, and the Boardwalk. A larger mobile unit will be placed at Town Neck beach prior to June 26, 2020. Portable facilities will be placed at the Two East Sandwich lots and at Oak Crest Cove. On June 26th (beach will be staffed) the bathhouse at Snake, Ryder will be open the smaller portable bathroom units at Town Neck and Oak Crest will also be opened.

Facilities will be cleaned at least once daily with CDC recommended disinfectants. *Ryder Park will be open daily through June 26th but comfort facilities will not be open.
Concessions & Kayaking
Transient Beach Concessions and Kayaking will be solicited in June. If Beach operations can support concessions and proposals meet COVID-19 safety guidance they may be considered after July 5th.

Payment
Payment will be accepted electronically. Electronic payment will be required at daily fee beaches unless the credit card system in inoperable.

Enforcement Authority
The Team recommends that the Town Manager be granted the authority to close any or all Beaches or the Sandwich Board walk if at any time it is determined that a public health of safety threat will result from continued operation.
Dear Bud;

As we discussed, please find a proposed policy for adoption by the Board of Selectmen, which would authorize restaurants to provide dining services outdoors. The policy is intended to implement the Governor's order and would be effective once the outdoor dining is authorized by the Governor's re-opening plan.

I wanted to let you know that there is a bill under consideration by the General Court that largely tracks the Governor's order. The Senate version, however, includes a requirement for a public hearing for a change in premises for a liquor license. The House version, which has been voted, does not require a hearing. We anticipate that the Senate will likely remove the hearing requirement as well, but we will not know for certain until the Senate acts. The attached draft does not include the hearing requirement, but we would have to modify the policy depending on the final action by the Senate.

Please let me know if you have any questions.

John

John W. Giorgio, Esq.
KP | LAW
101 Arch Street, 12th Floor
Boston, MA 02110
O: (617) 556 0007
D: (617) 654 1705
F: (617) 654 1735
C: (617) 785 0725
jgiorgio@k-plaw.com
www.k-plaw.com

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TOWN OF SANDWICH
BOARD OF SELECTMEN
POLICY, PROCEDURES and RULES
USE OF OUTDOOR SPACE
FOR FOOD and ALCOHOL SERVICE

In accordance with Governor Baker's COVID-19 Order No. 35, or any other applicable law or executive order, the Board of Selectmen of the Town of Sandwich hereby issues the following policy to create an expedited process to enable food service establishments to expand their premises to accommodate the service of food and alcohol in designated outdoor areas.

For purposes of this policy, the term “Restaurant” shall apply to any facility with a Common Victualler License and/or Food Permit authorizing the consumption for food and drink on the premises of the establishment.

Only restaurants currently authorized to serve alcoholic beverages in their indoor premises may apply for permission to use outdoor areas for the service of alcohol through this procedure, otherwise, service shall be limited to food only.

This policy shall supersede any inconsistent Traffic Regulations for the duration of the application of the policy.

This policy shall remain in effect until November 1, 2020, unless superseding legislation or executive order extends such period, and then for the duration of such extended period, unless sooner revoked or modified. The use of any outdoor dining space approved in accordance with this policy shall cease on or before the close of business on November 1, 2020, unless superseding legislation or executive order extends such period, and then for the duration of such extended period, or unless sooner revoked or modified.

Nothing herein shall be deemed to prevent a restaurant from permanently expanding its premises through the normal statutory procedures, subject to any applicable zoning or other restrictions.

PROCEDURES AND RULES

1. Restaurants with permits that have designated outdoor areas may continue to use those areas and are not subject to the procedures in this Policy, provided that they comply with all applicable laws concerning the service of food and drink at their establishment and all applicable laws; provided, however, that there shall be no expansion or increase in occupancy of any existing outdoor area unless such expansion or increase is approved in accordance with this Policy.

2. Restaurants wishing to expand their premises to include outdoor dining areas, shall make written application to and receive the approval of the Building Commissioner prior to using any outdoor dining space; provided further, that if the applicant also wishes to serve alcoholic beverages in the outdoor area, the Board of Selectmen shall also approve an expansion of the licensed premises to include outdoor seating as an amendment to a liquor license.

3. The Planning Department, after consultation with the Health Department, Fire Department, Building Department and Police Department shall oversee the application process.
4. The application shall include a plan showing the location of the proposed dining area, the size of the dining area, the number of seats and tables that will be located in the dining area, a completed Restaurants MA COVID-19 Checklist, Social Distancing portion, and any other information required by the Planning Department.

5. Outdoor dining areas may be located outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area, or other outdoor space; provided, however, that if a parking lot is used, there shall be no reduction in handicapped accessible parking spaces.

6. The applicant shall demonstrate a legal right of access to use the proposed outdoor space, either through ownership, lease or written permission of the owner. Outdoor dining may be allowed on public sidewalks, within the Town’s public right of way or on any other Town-owned property, only through approval by the Board of Selectmen of a license for use of public property.

7. The applicant shall demonstrate that the outdoor area is adequately insured, either through a separate insurance policy or coverage under an existing policy.

8. No outdoor entertainment, including live or recorded music, will be allowed in the outdoor area unless the applicant already has an entertainment license allowing such entertainment or if the Board of Selectmen grants permission after a public hearing.

9. The outdoor area shall be within the control of the primary premises, such that wait staff and patrons shall not have to cross streets, private property or parking lots to access the outdoor area, and must be clearly visible by management from inside the establishment, unless the licensee dedicates management personnel to the area.

10. The outdoor area shall be physically designated with ropes, fencing or other barriers and the restaurant shall be responsible for ensuring that there is no consumption of food or alcohol outside of the designated area.

11. The outdoor area may be provided under awnings or table umbrellas or other cover from the elements, provided, however, that at least 50 percent of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times.

12. The outdoor area shall comply with all requirements of the Americans with Disabilities Act and applicable regulations of the Massachusetts Architectural Access Board.

13. The Restaurant shall comply with and enforce all rules, orders and guidance of the Governor, the Department of Public Health and the Town relative to COVID-19 safety measures, including but not limited to any applicable regulations of the Alcoholic Beverages Control Commission and the Massachusetts Department of Health COVID-19 Safety Standards for Restaurants, as may be amended from time-to-time. The standards are currently available at the following link: https://www.mass.gov/info-details/safety-standards-and-checklist-restaurants

14. The Restaurant shall be solely responsible for sanitizing the tables and chairs after each use, cleaning the outdoor area and securing tables, chairs and equipment when the area is not in use.

15. All other regulations and permit conditions, including hours of operation, shall remain in effect, and the outdoor areas shall be subject to inspection by agents of the Board of Selectmen and Board of
Health. Once approved, the conditions set forth in this policy shall become part of the licenses and permits for the restaurant and any violations shall be considered a violation of the terms of said licenses and permits.

16. The Building Commissioner may deny any application or suspend or revoke any approval for use of outdoor space if he or she determines that the proposed outdoor space does not comply with the requirements of this policy or any other applicable law, including but not limited to the orders and guidance of the Governor, the Department of Public Health and the Board of Health, or if the use of the outdoor spaces poses a threat to public health, safety or welfare, or if the seating plan is likely to cause unreasonable impacts to the neighborhood.

17. The Building Commissioner reserves the right to impose additional requirements on a case-by-case basis as may be necessary to protect public health, safety and welfare.

18. If any provision of this order or the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
Good Morning Bud,

I know we covered a lot of ground the other week, but I wanted to follow up with you on the Real Estate component. Would the town be able to send a letter of support acknowledging/supporting the non-standard easement language to be used on the CCC 111 project? RE is trying to keep that process moving and the next step requires support from the non-fed sponsor.

Thanks,
Mike
PROPOSED EASEMENT

A perpetual and assignable easement and right-of-way in, on, over and across the land described in Schedule A (Tract Nos. ____) for use by the United States and/or the Town of Sandwich, MA, its representatives, agents, contractors, and assigns, to construct; preserve; patrol; operate; maintain; repair; rehabilitate; and replace; a public beach, a dune system and other erosion control and storm damage reduction measures together with appurtenances thereto, including the right to deposit sand; to accomplish any alterations of contours on said land; to construct berms and dunes; to nourish and renourish periodically; to move, store and remove equipment and supplies; to erect and remove temporary structures; and to perform any other work necessary and incident to the construction, periodic renourishment and maintenance of the Cape Cod Canal Section 111 Mitigation of Storm Damage Attributable to a Federal Navigation Project, Sandwich, Massachusetts, together with the right of public use and access; to plant vegetation on said dunes and berms; to erect, maintain and remove silt screens and sand fences; to facilitate preservation of dunes and vegetation through the limitation of access to dune areas; to trim, cut, fell, and remove from said land all trees, underbrush, debris, obstructions, and any other vegetation, structures and obstacles within the limits of the easement (except ____); reserving, however, to the grantor(s), (his) (her) (its) (their) (heirs), successors and assigns, the right to construct dune overwalk structures in accordance with any applicable Federal, State or local laws or regulations, provided that such structures shall not violate the integrity of the dune in shape, dimension or function, and that prior approval of the plans and specifications for such structures is obtained from the designated representative of the United States and/or the Town of Sandwich, MA and provided further that such structures are subordinate to the construction, operation, maintenance, repair, rehabilitation and replacement of the project; and further reserving to the grantor(s), (his) (her) (its) (their) (heirs), successors and assigns all such rights and privileges as may be used and enjoyed without interfering with or abridging the rights and easements hereby acquired; subject however to existing easements for public roads and highways, public utilities, railroads and pipelines.
**FY 20 CONSENT AGENDA**  
BOARD OF SELECTMEN

**Date:**  
1/01/2020 - 3/31/2020

**DONATION APPROVAL LIST:**

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**TOTAL:**  
$11,605.67

**APPROVED:** ___________________________  
**DATE:** ___________________________