

**TOWN OF SANDWICH
ANNUAL TOWN MEETING
May 7, 2018**

The Annual Town Meeting was called to order in the Sandwich High School auditorium by Moderator Garry Blank at 7:08 P.M. The total number of eligible voters for this meeting was 15,531 and the clerks checked in a total of 589 voters, which is a 3.79% turnout.

The Moderator swore in the following Sandwich residents as tellers: Nancy Crossman, Daryl Crossman, Phyllis Helfrich, Paul Houlihan, Nancy Lawrence, Maryellen Anderson, Denise Dever, Gene Parini, John & Donna Leiss, William Fleming, Randy Hunt and Sharon Walker. Taylor White, Town Clerk, and Susan Lundquist, Assistant Town Clerk served as the timekeepers. Finance Committee member, Mark Snyder, led Town Meeting in the Pledge of Allegiance. First Church Pastor John Terry gave the invocation.

ARTICLE 1

To see if the Town will vote to hear the reports of all Town Officers and Committees and to act thereon and to hear the report of the Board of Selectmen on the Long Range Plan, or take any other action relative thereto.

Susan James, Chairman of the Board of Selectmen, read the report on the Long Range Plan on behalf of the Board.

UNANIMOUSLY VOTED: That the Town accept the Report of all Town Officers and Committees as printed in the 2016 Annual Town Reports and hear the report of the Board of Selectmen on the Long Range Plan. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 2

To see if the Town will vote to hear the report of the Finance Committee and to see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$75,144,512.00, or any other amount, to defray Town expenses for the Fiscal Year July 1, 2018 to June 30, 2019 as itemized below in the third column entitled FY'19 Recommendation, or take any other action relative thereto.

Fiscal Year 2019 Finance Committee Budget Message:

The process of creating a municipal budget with finite funds and competing priorities is always a challenge. Town employees, including department heads, our Superintendent of Schools and our Town Manager, together with various boards and committees, work diligently to research, build and execute a budget plan that enables our schools, public safety and municipal service departments to continue to provide quality services to our residents.

Over the last several years, Town Meeting has adopted budgets, created and recommended by your municipal government leaders, which have modestly enhanced reserves while addressing both new and some long-neglected maintenance, repair and capital needs. Thanks to responsible planning, good fiscal management and the on-going support of Town Meeting, our town's financial condition remains sound and has been modestly improved.

While our budget news is generally good, there are a number of real and significant obstacles in the path of our continued progress. At our regular, public, budget-related hearings and in consultation with our Superintendent of Schools, our Town Manager and various boards and committees, the Finance Committee routinely provides objective, balanced assessments of operational reporting processes, expense planning and

prioritization, financial controls and also identifies opportunities to stabilize operating costs and or potentially mitigate ongoing and future expenditures. Recent Finance Committee written reports to our municipal leaders included:

- Recommendation that the Board of Selectmen (“BOS”) make a policy decision to “freeze” the school’s School Choice revenue line item at its current amount (FY’17) and, effective immediately (FY’18) and hereafter, “adjust” to the benefit of the municipal (non-school) budget (and reduce the School budget) annually an amount equal to any year-over-year increase in School Choice revenues.
- Recommended the creation and implementation of new, town-wide (and uniform) detailed position level compensation report. The new report should, at a minimum, present:
 - (i) current employee total compensation (separately - salary, benefit costs and overtime) by individual position and by department/team:
 - (ii) historic employee total compensation by individual position and department/team for the prior 3 or 5 years highlighting % change year-over-year; and,
 - (iii) other benefits paid such as personal use of a municipal vehicle, travel reimbursements or educational reimbursements, etc, and the estimated value of such benefits.
- Recommended that the BOS and School Committee should in each year’s budget create and fund specific technology related line items to ensure hardware, software, (including new service) initiatives and associated expenses are being adequately planned for and funded.
- Recommended that the BOS and Town Manager should centralize all recreation related planning and spending under the direction of a recreation head; and, should direct the recreation head to create a master plan of prioritized recreation-related capital needs including repair and replacement projects as well as new recreation initiatives . The master plan should among other things detail the population served by each recreation activity/project being funded in order to help demonstrate community benefit.
- Recommended that the Town Manager create and implement a standardized reporting process that provides the Town’s Capital Planning Committee, Finance Committee and other town supervisory entities regular updates on the Town’s: (i) current vehicle inventories, (ii) vehicle conditions, (iii) vehicle operation and maintenance costs, (iv) vehicle purchase and disposition activity (including cost) and (v) fuel usage reports. Also, the BOS should instruct all departments that as a matter of policy that these “in department” vehicle budget line items are only to be used to purchase, maintain and operate traditional fleet vehicles (ie cars and trucks) and that all other transportation expenses, including for example: trailers, ATVs, boats, other watercraft, buses, snowmobiles, etc. must be presented as Capital requests to the Capital Planning Committee for review, prioritization and approval.

During the last several budget cycles, the Finance Committee has communicated recommendations specific to other significant immediate financial risks including for example, the disposition of the H. T. Wing School, funding beach re-nourishment efforts and creating and implementing a waste water management program. Each recommendation is intended to help regulate and perhaps avoid operating cost increases and or potentially mitigate future expenditures. A number of past recommendations and observations have already been acted upon by the BOS, School Committee, Superintendent of Schools and our Town Manager. We are very appreciative of the ongoing partnership and responsiveness.

Finance Committee members take their work very seriously. We work diligently to deliver a complete, fair and reasonable assessment of the Town’s financial plan, current budget and longer-term fiscal stewardship. We are grateful for the opportunity and honor that we have to work with so many talented municipal professionals; including our Superintendent of Schools and Town Manager, as well as the dedicated volunteers serving on our School Committee and Board of Selectmen as together we represent you our neighbors and fellow taxpayers.

Respectfully submitted,

Bob Guerin, Chairman
 Mark I. Snyder, Vice Chairman
 Matthew D. Anderson
 Gwendolyn (Gwenn) Hope Dyson
 Daniel E. Frye

Charles M. Holden
 James W. Pierce
 Richard J. Reilly
 Laura B. Wing

FY'19 GENERAL FUND BUDGET TOTALS

No.	Department	FY'17 Appropriation	FY'18 Appropriation	FY'19 Recommendation
114	Moderator	450	450	450
123	Selectmen/Manager	479,632	497,081	512,583
	Personnel Expenses	414,500	259,426	247,271
131	Finance Committee	3,400	3,400	3,400
135	Accounting	214,338	208,269	216,347
141	Assessing	387,126	385,229	377,372
145	Treasurer	210,809	225,081	231,977
146	Tax Collector	197,601	202,711	210,855
147	Tax Title	35,000	35,000	35,000
151	Legal	300,000	300,000	300,000
152	Human Resources	176,338	181,656	186,761
161	Town Clerk	172,001	182,361	188,406
162	Elect. & Registration	70,250	50,250	60,750
171	Natural Resources	274,814	281,237	287,093
175	Planning & Development	218,046	218,160	225,857
190	Facilities Management	530,350	599,440	613,232
195	Town Reports	11,000	11,000	11,000
196	Bind Records	6,000	6,000	7,000
197	Info. Technology	537,012	574,902	656,517
	Total 100s	4,238,667	4,221,653	4,371,871
210	Police Department	4,333,512	4,479,098	4,567,104
220	Fire Department	3,273,122	3,409,792	3,701,971
241	Inspections	273,268	278,281	293,402
244	Sealer of Weights & Measures	200	200	200
291	Emergency Management	11,500	11,500	17,500
294	Forest Warden	1,500	1,500	1,500
297	Bourne Shellfish	4,000	4,000	4,000
299	Greenhead Fly	2,000	2,000	2,000
	Total 200s	7,899,102	8,186,371	8,587,677
300	School Department	31,715,518	32,578,784	33,273,259
313	UCCRVTS	2,184,779	2,157,422	2,288,389
	Total 300s	33,900,297	34,736,206	35,561,648
410	DPW - Engineering	194,367	201,142	207,514
420	DPW	1,678,698	1,722,366	1,750,218

421	Snow & Ice	400,000	400,000	400,000
424	Streetlights	30,000	25,000	25,000
Total 400s		2,303,065	2,348,508	2,382,732
510	Health Department	191,771	199,288	208,531
522	Nursing Department	152,412	144,468	151,925
540	Social Services	35,000	35,000	35,000
541	COA	230,048	236,711	241,427
543	Veterans	55,500	73,000	73,320
Total 500s		664,731	688,467	710,203
610	Library	949,833	998,332	997,589
630	Recreation	161,834	170,252	190,533
650	DPW - Parks	20,850	25,850	25,850
671	Hoxie / Grist Mill	20,000	25,500	25,500
693	Memorial Day	1,200	1,200	1,200
694	Historic District	14,750	14,750	14,750
Total 600s		1,168,467	1,235,884	1,255,422
Operating Budget Subtotal:		50,174,329	51,417,089	52,869,553
135	Sanitation, Marina & SHGC Indirect Costs Transfers			45,000
171	Waterways Fund Transfer			7,500
220	Ambulance Fund Transfer			1,200,000
630	Beach & Recreation Account Transfers (incl. Sandy Neck)			241,249
650	Cemetery Trust Fund Transfer			25,000
671	Hoxie House / Grist Mill Transfer			27,500
Inter-Fund Transfers Subtotal:				1,546,249
132	Reserve Fund			500,000
710	Short Term Debt			50,000
750	Debt			2,860,718
910	Group Health Insurance			11,500,000
912	Medicare			625,000
940	Property & Liability Insurance			1,150,000
941	Unemployment Account			100,000
941	OPEB Trust Fund			100,000
950	Retirement Assessment			3,842,992
Other Budget Accounts Subtotal:				20,728,710
FY'19 BUDGET TOTAL:				75,144,512

UNANIMOUSLY VOTED: That the Town hear the report of the Finance Committee and raise and appropriate \$72,222,290; transfer and appropriate \$1,337,351 from Free Cash; transfer and appropriate \$1,200,000 from the ambulance receipts reserved for appropriation account; transfer and appropriate \$50,000 from overlay surplus; transfer and appropriate \$15,000 from Sandwich East Boat Basin Marina funds; transfer and appropriate \$15,000 from the Sandwich Hollows Golf Club enterprise fund; transfer and appropriate \$15,000 from the DPW – Sanitation Division enterprise fund; transfer and appropriate \$229,871 from the beach parking receipts reserved for appropriation account; transfer and appropriate \$27,500 from the Hoxie House / Grist Mill receipts reserved for appropriation account; transfer and appropriate \$7,500 from the Waterways Fund; transfer and appropriate \$25,000 from cemetery trust funds; and raise and appropriate \$100,000 for the OPEB Trust Fund; to defray Town expenses for the Fiscal Year 2019 as itemized in the third column entitled FY'19 Recommendation, as printed in the Warrant under Article 2, and set the compensation of elected officials as follows:

Moderator	450
Chairman Board of Selectmen	3,000
Selectmen – 4 each	2,500
Chairman Board of Assessors	2,000
Assessors – 2 each	1,500
Town Clerk	80,574

This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 3

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53F½ to raise and appropriate or transfer from available funds a sum of money, to be expended under the direction of the Board of Selectmen, for the purpose of establishing the FY'19 enterprise fund budget for the Department of Public Works Sanitation Division, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$950,000 from DPW – Sanitation Division receipts and transfer and appropriate \$96,823 from the DPW – Sanitation Division enterprise fund retained earnings, to be expended under the direction of the Board of Selectmen, for establishing the Fiscal Year 2019 Enterprise Fund operating budget for the DPW – Sanitation Division. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 4

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53F½ to raise and appropriate or transfer from available funds a sum of money, to be expended under the direction of the Board of Selectmen, for the purpose of establishing the FY'19 enterprise fund budget for Sandwich Hollows Golf Club, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$900,000 from Golf Department Receipts and transfer and appropriate \$62,466 from the Golf Department enterprise fund retained earnings, to be expended under the direction of the Board of Selectmen, for establishing the Fiscal Year 2019 Enterprise Fund operating budget for Sandwich Hollows Golf Club. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 5

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53F½ to raise and appropriate or transfer from available funds a sum of money, to be expended under the direction of the Board of Selectmen, for the purpose of establishing the FY'19 enterprise fund budget for the Sandwich Marina – East Boat Basin, or take any other action relative thereto.

VOTED: That the Town transfer and appropriate \$1,600,000 from Sandwich East Boat Basin Marina Receipts and transfer and appropriate \$152,850 from the Marina enterprise fund retained earnings, to be expended under the direction of the Board of Selectmen, for establishing the Fiscal Year 2019 Enterprise Fund operating budget for the Sandwich East Boat Basin Marina. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 6

To see if the Town will vote to amend the Sandwich Town Bylaws, Section 2.11, Departmental Revolving Funds by adding a new Revolving Fund listing, to read as follows:

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund
Senior & Community Services Programs	Senior & Community Services Director & Town Manager	Program fees & charges	Recreation programs

AND FURTHER,

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53E1/2 and Section 2.11 of the Sandwich Town Bylaws to authorize the spending limits of revolving funds for the following Town departments for FY'19, to be expended under the direction of the Board of Selectmen, in accordance with the following list:

Revolving Account	Expenditure Limit
Recreation Programs	\$425,000
Solar Energy / Town Utilities	\$100,000
Town Hall Meeting Room	\$10,000
Oak Crest Cove Expenses	\$10,000
Sandwich: A Cape Cod Town Book	\$3,000
Senior & Community Services Programs	\$60,000

or take any other action relative thereto.

VOTED: That the Town amend the Sandwich Town Bylaws by adding a new listing for Senior & Community Services Programs under Section 2.11, Departmental Revolving Funds, and to set the spending limit for all Town Department revolving funds for Fiscal Year 2019, all as printed in

the Warrant under Article 6. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 7

To see if the Town will vote to hear the report of the Capital Improvement Planning Committee, and further, to raise and appropriate the sum of \$1,047,987.58 or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of purchasing and repairing equipment, vehicles, and buildings, and providing related services in accordance with the following list:

Town Clerk – Poll IT Tablets & Improvements	22,260
Natural Resources – Boom Mower Attachment	14,200
Facilities Department – Town Building Repairs/Improvements	125,000
Information Technology –Software & Hardware Upgrades	100,000
Police Department – Law Enforcement Virtual Training System	66,859
Police Department – Radio System Upgrades	53,600
Fire Department – Gas Meter Replacement	12,745
Fire Department – SCBA Fill Station	50,000
Fire Department – Boat Engine Repowering & Improvements	12,000
Fire Department – Dive Recovery Equipment	5,500
Inspections – Vehicle Replacement	29,219
DPW – Highway – Asphalt Paver	147,651
DPW – Sanitation – Open Top Ejection Trailer Replacement	62,191
DPW – Parks – Utility Body Pickup Truck Replacement	50,000
DPW – Parks – Gravely Brush Mower Replacement	8,500
School Department – School Building Repairs/Improvements	125,000
School Department – Demolition & Removal Wing Portables	50,000
School Department – Facilities Maintenance Software	53,759
School Department – Ford T350 Wheelchair Van Replacement	54,603
School Department – School Safety Improvements	200,000

Capital List Total 1,243,087

AND FURTHER,

To see if the Town will vote to transfer and appropriate the sum of \$195,099.42, or any other amount, from the revenue and unexpended balance sources in accordance with the following list, to be expended under the direction of the Board of Selectmen, for a total FY'19 capital appropriation of \$1,243,087.00, or any other amount:

<u>Capital Project</u>	<u>Date of Vote</u>	<u>Balance</u>
Ambulance Fund Transfer		35,745.00
School – HTW School Relifing Study	5/5/14 ATM, Article 5	3,876.07
DNR – Mobile Radio Upgrades	5/4/15 ATM, Article 6	8,424.00
DNR – Trailer & Equipment Replacement	5/4/15 ATM, Article 6	1,311.88
DNR – Tractor Replacement	5/4/15 ATM, Article 6	3,289.88
DNR – AED Purchases	5/2/16 ATM, Article 6	1,215.00
DNR – Tractor Improvements	5/2/16 ATM, Article 6	673.48
Facilities – Debris & Leaf Blower	5/2/16 ATM, Article 6	4,155.00
Emergency Management – Communication Sys.	5/4/15 ATM, Article 6	4,867.76
DPW – Packer Truck Replacement	5/7/12 ATM, Article 5	2,865.69
DPW – Chipper Replacement	5/4/15 ATM, Article 6	3,280.27

Nursing – Refrigerator & Freezer Replacement	5/2/16 ATM, Article 6	1,447.37
Library – Restroom Renovations	5/7/12 ATM, Article 5	3,326.02
Sandwich High School HVAC System Repairs	11/21/16 ATM, Article 1	120,622.00

Capital Offset Total 195,099.42

or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town hear the report of the Capital Improvement Planning Committee and transfer and appropriate \$1,047,987.58 from Free Cash, transfer and appropriate \$35,745 from the Ambulance Fund receipts reserved for appropriation account, and transfer and appropriate \$159,354.42 from unexpended balances in prior fiscal year capital projects, to be expended under the direction of the Board of Selectmen, for the purpose of repairing equipment, vehicles and buildings, and providing related services all as printed in the Warrant under Article 7. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 8

To see if the Town will vote in accordance with M.G.L. c.40, §5B to raise and appropriate or transfer from available funds the sum of \$100,000.00, or any other amount, to be transferred into the Stabilization Fund, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$100,000 from Free Cash to the Stabilization Fund. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 9

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$36,595.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of funding the FY'19 Sandwich Promotions Fund as established under Chapter 227 of the Acts of 1997, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$36,595 from the Sandwich Promotions Fund, to be expended under the direction of the Board of Selectmen, for funding the Fiscal Year 2019 Sandwich Promotions Fund as established under Chapter 227 of the Acts of 1997. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 10

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation , in the form set forth below, to replace the existing special legislation establishing the Town of Sandwich Promotions Fund with new special legislation, for the primary purpose of changing the percentage of room occupancy tax revenue that is deposited into the Fund and changing the manner in which revenue from the Fund is distributed; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition; or take any other action relative thereto.

AN ACT ESTABLISHING A PROMOTIONS FUND IN THE TOWN OF SANDWICH.

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 section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, the town of Sandwich is hereby authorized to establish in the town treasury a special account to be known as the Promotions Fund of the town of Sandwich, into which account shall be deposited certain receipts comprising a portion of the total local room occupancy tax received annually by the town under the provisions of section 3A of chapter 64G of the General Laws, as set forth in section 2, as well as any grants, gifts, or donations made to the town in furtherance of the purposes of this act.

SECTION 2. For the purposes of establishing the portion of the local room occupancy tax that may be deposited in said Fund, the town is hereby authorized to deposit, commencing during fiscal year 2019, 25 per cent of all local room occupancy tax revenue received during the course of each fiscal year, with the remaining 75 percent being deposited into the general fund of the Town of Sandwich. All interest earned from said Fund shall be treated as general fund revenue of the town of Sandwich.

SECTION 3. There is hereby established in the town of Sandwich a visitor services board consisting of 7 members to be appointed by the board of selectmen, 1 of whom shall be nominated by the Cape Cod canal region chamber of commerce, 1 of whom shall be nominated by the Sandwich chamber of commerce, 1 of whom shall be nominated by the Sandwich economic development committee, 1 of whom shall represent the hospitality interests within the town, and 3 of whom shall be members at large. If any of the organizations with nominating privileges hereunder cease to exist or operate, the board of selectmen may appoint in place of such nominee a member at large to serve on said visitor services board. The board of selectmen shall fill any vacancies on said visitor services board in a like manner. Said visitor services board shall be charged with the expenditure of revenue from the Fund, as appropriated by town meeting, and shall make an annual report of its doings to the board of selectmen at least thirty days prior to the date of the annual town meeting.

SECTION 4. Expenditures from said Fund shall be made as follows: 40 percent of the revenue deposited into the Fund each fiscal year shall be paid to the Sandwich Chamber of Commerce and 20 percent of the revenue deposited into the Fund each fiscal year shall be paid to the Canal Region Chamber of Commerce; payments shall be made annually, subject to town meeting appropriation, provided that the recipients and the town, acting by and through the visitor services board and town manager, enter into a grant agreement for the expenditure of such funds for programs and projects that enhance the beautification, recreational resources, public safety, promotional and marketing activities, events, services, and public improvements which are of clear mutual interest to the residents and visitors of the town of Sandwich, and which strengthen said town as an attractive center for tourism, conventions, and related purposes of the visitor industry. Recipients shall provide an annual report to the board of selectmen and visitor services board at least thirty days prior to the date of the annual town meeting, detailing expenditures made during the fiscal year and including a forecast of expenditures for the following fiscal year. If any of the recipients designated hereunder cease to exist, the portion of Fund revenue allocated for that recipient shall be available for appropriation and expenditure by the visitor services board in accordance with section 5 of this act.

SECTION 5. Any revenue remaining in said Fund after distribution in accordance with section 4 of this act, shall be available for appropriation by town meeting for expenditure by the visitor services board for programs and projects that enhance the beautification, recreational resources, public safety, promotional and marketing activities, events, services, and public improvements which are of clear mutual interest to the residents and visitors of the town of Sandwich, and which strengthen said town as an attractive center for tourism, conventions, and related purposes of the visitor industry. The cost of such programs shall not exceed the funds available in the Promotions Fund of the town of Sandwich. Any revenue remaining in said fund at the end of the fiscal year shall be available for appropriation during the following fiscal year. Any and all contracts for services, programs and projects authorized hereunder shall be awarded and executed by the board of selectmen, or its designee, upon the recommendation of the visitor services board, subject to compliance with all applicable procurement laws of the commonwealth.

SECTION 6. Chapter 227 of the Acts of 1997 and Chapter 153 of the Acts of Chapter 2009 are hereby repealed.

SECTION 7. This act shall take effect upon passage.

UNANIMOUSLY VOTED: That the Town authorize the Board of Selectmen to petition the General Court for special legislation as printed in the Warrant under Article 10 to replace the existing special legislation establishing the Town of Sandwich Promotions Fund with new special legislation, for the primary purpose of changing the percentage of room occupancy tax revenue that is deposited into the Fund and changing the manner in which revenue from the Fund is distributed; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 11

To see if the Town will vote to appropriate the sum of money, received or to be received, from the Chapter 90 State Aid to Highways Program for highway construction and/or maintenance on any State approved road during FY'19, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town will vote to appropriate the sum of money, received or to be received, from the Chapter 90 State Aid to Highways Program for highway construction and/or maintenance on any State approved road during FY'19, or take any other action relative thereto. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 12

To see if the Town will vote to transfer and appropriate the sum of \$30,706.00, or any other amount, to be expended under the direction of the School Committee, from the Sandwich High School cellular antenna lease receipt reserved for appropriation account, under Chapter 154 of the Acts of 2009, for the purpose of the maintenance and improvement of exterior athletic fields and facilities at Sandwich High School, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$30,706 from the Sandwich High School cellular antenna lease receipts reserved for appropriation account, for the maintenance and improvement of exterior athletic fields and facilities at Sandwich High School as established under Chapter 154 of the Acts of 2009. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 13

To see if the Town will vote to transfer and appropriate the sum of \$57,468.00, or any other amount, from the beach renourishment receipts reserved for appropriation account, as established at the 2013 Annual Town Meeting under Article 23, to be expended under the direction of the Board of Selectmen, for the purpose of funding future public ocean beach and dune renourishment projects, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$57,468 from the beach renourishment receipts reserved for appropriation account, to be expended under the direction of the Board of Selectmen, for funding future public ocean beach and dune renourishment projects. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 14

To see if the Town will vote to transfer and appropriate \$55,006.00, or any other amount, from bond sale premiums from the Sandwich Marina Office and Garage construction project, as authorized at the February 9, 2015 Special Town Meeting under Article 7, to the Sandwich Marina – East Boat Basin enterprise fund, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$55,006 from bond sale premiums from the Sandwich Marina Office and Garage construction project, as authorized at the February 9, 2015 Special Town Meeting under Article 7, to the Sandwich Marina – East Boat Basin enterprise fund. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 15

To see if the Town will vote to transfer and appropriate \$33,131.00, or any other amount, from the Reserve for Debt fund balance Account #01-3200-3296, to be expended under the direction of the Board of Selectmen, for the purpose of funding the Fiscal Year 2018 bonding costs associated with the Public Safety construction projects, as authorized at the May 3, 2016 Annual Town Meeting under Article 13, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$33,131.00, or any other amount, from the Reserve for Debt fund balance Account #01-3200-3296, to be expended under the direction of the Board of Selectmen, for the purpose of funding the Fiscal Year 2018 bonding costs associated with the Public Safety construction projects, as authorized at the May 3, 2016 Annual Town Meeting under Article 13. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 16

To see if the Town will vote to rescind the following debt exclusion authorization amounts which were never bonded and are not needed to complete the authorized projects as listed below, or take any action relative thereto:

Project	Date of Vote	Amount
Cape Cod Land Bank Purchases	5/3/04 ATM, Article 39	850,000
Cape Cod Land Bank Purchase	5/3/04 ATM, Article 40	90,000
CPA George Fernandez Way Expansion	5/4/09 ATM, Article 18	1,850,000
Oak Ridge & Forestdale Roofs & Windows	5/2/11 ATM, Article 4	1,665,780
Sandwich Marina Office & Garage	2/9/15 STM, Article 7	500,000
CPA Lower Shawme Dam	5/2/16 ATM, Article 16	1,200,000
Total Amount to Rescind		6,155,780

UNANIMOUSLY VOTED: That the Town rescind the debt exclusion authorization amounts which were never bonded and are not needed to complete the authorized projects as listed in the Warrant under Article 16. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 17

To see if the Town will vote to accept the layout as a public way of the road known as “Clipper Circle,” as heretofore laid out by the Board of Selectmen, and as shown on a plan entitled “Town of Sandwich, Plan of Clipper Circle, as Laid Out as a Town Way by the Selectmen,” dated February 21, 2018 prepared by The Horsley Witten Group, said plan on file with the Town Clerk; and further to authorize the Board of Selectmen to

acquire by gift, purchase or eminent domain the fee to or lesser interests in said road and any and all related easements, and further to see if the Town will vote to raise by taxation, transfer from available funds and/or borrow a sum of money for said layout, acquisition of rights, and construction, improvement, repair and/or rehabilitation of said roadway and related structures, facilities and/or appurtenances, and any and all expenses related to the foregoing, the entire cost of which shall be assessed as a betterment by the Board of Selectmen, in accordance with M.G.L. c.80, upon each of those properties that receive benefit thereby, with such assessments to bear interest at a rate not to exceed two percent above the rate of interest chargeable to the Town; or take any action relative thereto.

UNANIMOUSLY VOTED: Move that the Town accept the layout as a public way of the road known as “Clipper Circle,” as laid out by the Board of Selectmen, and as shown on a plan entitled “Town of Sandwich, Plan of Clipper Circle, as Laid Out as a Town Way by the Selectmen,” dated February 21, 2018 prepared by The Horsley Witten Group; and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the fee to or lesser interests in said road and any and all related easements, and further to raise and appropriate \$15,000 for such purpose, with said amount to be repaid by assessment of betterments by the Board of Selectmen, in accordance with M.G.L. c.80, upon each of those properties that receive benefit thereby, as printed in the Warrant under Article 17. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 18

To see if the Town will vote to accept the layout as a public way of the road known as “Kensington Drive” as heretofore laid out by the Board of Selectmen, and as shown on a plan entitled “Town of Sandwich, Plan of Kensington Drive, as Laid Out as a Town Way by its Selectmen,” dated October 2017, prepared by David C. Thulin, PLS, said plan on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the fee interest or easements in said road for purposes for which public ways are commonly used, and any and all related easements; and further to see if the Town will vote to transfer the sum of \$13,892.00, or any other amount, from the FY’18 Legal Account, for said layout, acquisition of rights, and construction, repair and/or rehabilitation of said roadway and related structures and/or appurtenances, and any and all expenses related thereto; or take any action relative thereto.

UNANIMOUSLY VOTED: Move that the Town accept the layout as a public way of the road known as “Kensington Drive” as heretofore laid out by the Board of Selectmen, and as shown on a plan entitled “Town of Sandwich, Plan of Kensington Drive, as Laid Out as a Town Way by its Selectmen,” dated October 2017, prepared by David C. Thulin, PLS; and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain the fee interest or easements in said road for purposes for which public ways are commonly used, and any and all related easements; and transfer \$13,892 from the FY’18 Legal Account, for said layout, acquisition of rights, and construction, repair and/or rehabilitation of said roadway and related structures and/or appurtenance, as printed in the Warrant under Article 18. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 19

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to Sandwich public roads and public infrastructure, including the boardwalk and related structures, and all other costs incidental and related thereto; and further to authorize the Board of Selectmen to enter into any and all contracts necessary to carry out such project; provided that said appropriation shall be contingent upon the passage of a so-called Proposition Two and One-half debt exclusion referendum in accordance with M.G.L. c.59, §21 C(k), or take any action relative thereto.

Mike Evaul of 7 Kensington Drive made a Motion to Divide the Question. It was seconded from the floor.

Move that the Town appropriate \$6,000,000 for the purpose of constructing improvements and remodeling, construction, reconstructing and making extraordinary repairs to Sandwich public roads and public infrastructure, and all other costs incidental and related thereto; and to meet this appropriation authorize the Treasurer, with approval of the Board of Selectmen, to borrow \$6,000,000 pursuant to M.G.L. c.44 sec 7 (1), or any other enabling authority, and further to authorize the Board of Selectmen to enter into any and all contracts necessary to carry out such project; provided that said appropriation shall be contingent upon the passage of a so-called Proposition Two and One-half debt exclusion referendum in accordance with M.G.L. c.59 sec. C(k). Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of coast approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such cost by a like amount.

David Darling of Old County Road called the Question. It was seconded from the floor.

VOTED: To call the question. This was a voice vote and declared carried by the Moderator.

VOTED: On the Motion to Divide the Question. This was a voice vote and declared carried by the Moderator. The vote was doubted and a hand count was requested from the floor. The Moderator called for a counted vote. The motion failed 250 to 228.

Paul Donoghue of Quaker Meetinghouse Road made a motion to amend Article 19 to exclude references to boardwalk repairs. The motion was seconded from the Floor.

COUNTED VOTE: That the Town amend Article 19 to exclude references to boardwalk repairs. This was a counted vote and declared not carried by the Moderator. 90 Yeas and 327 Nays.

Jim Galvano of Village Drive made a motion to call the question. His motion was seconded from the floor.

COUNTED VOTE: Move that the Town appropriate \$8,000,000 for the purpose of improvements and remodeling, constructing, reconstructing and making extraordinary repairs to Sandwich public roads and public infrastructure, including the boardwalk and related structures, and all other costs incidental and related thereto; and to meet this appropriation authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$8,000,000 pursuant to M.G.L. c.44, §7(1), or any other enabling authority, and further to authorize the Board of Selectmen to enter into any and all contracts necessary to carry out such project; provided that said appropriation shall be contingent upon the passage of a so-called Proposition Two and One-half debt exclusion referendum in accordance with M.G.L. c.59, §21 C(k). Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like

amount. This was a counted vote and declared carried by the required two-thirds majority by the Moderator. 379 Yeas and 63 Nays.

ARTICLE 20

To see if the Town will vote to direct the Board of Selectmen to issue a Request for Proposals pursuant to General Laws Chapter 30B, Section 16, to dispose, by either conveyance of the fee simple interests or by a long term lease of up to 99 years, a portion of the Henry T, Wing School parcel consisting of Assessor's Map 43, Parcel 005, as shown on a sketch plan entitled "H.T. Wing School May 2018 Annual Town Meeting Sketch", dated April 9, 2018, prepared by the Town of Sandwich Engineering Department, attached as "Article 20 – Sketch Plan for Henry T. Wing School Disposition Area" to the warrant, delineating the portion of the parcel to be made available for disposition and the portion to be retained by the Town; provided that the award of a sale or long-term lease shall be subject to approval of a future Town Meeting after the completion of the RFP process; and provided further, that the RFP shall contain the following restrictions and limitations: (1) the Town will retain ownership of all playing fields and open space as well as all Morse Road and Beale Avenue parking; (2) the Town will retain a historic preservation restriction requiring that all or a portion of the exterior façade of the 1927 building be retained; (3) the Town will grant an easement for all septic system and leaching bed components with a requirement that the owner/lessee pay to connect the building(s) to any sewer line installed in the future on Route 130 or Beale Avenue; (4) proposed uses of the buildings shall be consistent with existing zoning; (5) the owner/lessee shall be responsible for all demolition costs; (6) primary access to any new buildings shall be off Beale Avenue; and (7) such other terms and conditions deemed to be in the best interests of the Town of Sandwich as determined by the Board of Selectmen; or take any action relative thereto.

VOTED: That the Town direct the Board of Selectmen to issue a Request for Proposals pursuant to General Laws Chapter 30B, Section 16, to dispose, by either conveyance of the fee simple interests or by a long term lease of up to 99 years, a portion of the Henry T, Wing School parcel consisting of Assessor's Map 43, Parcel 005, as shown on a sketch plan entitled "H.T. Wing School May 2018 Annual Town Meeting Sketch", dated April 9, 2018, prepared by the Town of Sandwich Engineering Department, delineating the portion of the parcel to be made available for disposition and the portion to be retained by the Town; provided that the award of a sale or long-term lease shall be subject to approval of a future Town Meeting after the completion of the RFP process; and provided further, that the RFP shall contain the restrictions and limitations printed in the Warrant under Article 20. This was a voice vote and declared carried by the Moderator.

ARTICLE 21

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY'19 Community Preservation budget and to appropriate from the Community Preservation Fund FY'19 estimated annual revenues the sum of \$75,000.00, or any other sum, to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for FY'19; and further to reserve for future appropriation a sum of money from the Community Preservation Fund estimated annual revenues for open space, historic resources, and community housing purposes, as well as a sum of money to be placed in the FY'19 Budgeted Reserve for general Community Preservation Act purposes; and further to appropriate from the Community Preservation Fund a sum or sums of money for previously authorized Community Preservation Act debt payments; and further to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes as recommended by the Community Preservation Committee; or take any other action in relation thereto.

UNANIMOUSLY VOTED: That the Town hear and act on the report of the Community Preservation Committee on the Fiscal Year 2019 Community Preservation budget and transfer and appropriate \$75,000 from the Community Preservation Fund Fiscal Year 2019 estimated

annual revenues, to be expended under the direction of the Board of Selectmen, to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2019; and further reserve for future appropriation from the Fiscal Year 2019 Community Preservation Fund estimated annual revenues the following sums: \$203,549 for open space purposes; \$203,549 for historic resources purposes; and \$203,549 for community housing purposes; and further transfer and appropriate \$1,407,403 from the Community Preservation Fund undesignated fund balance for debt payments. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 22

To see if the Town will vote to raise and appropriate or transfer from available funds under the Community Preservation Act open space and recreation program, or borrow, the sum of \$2,100,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of securing professional services to design, permit, construct, and to rehabilitate and make extraordinary repairs to establish skate park and multi-purpose recreation court facilities to be located at 34 Quaker Meetinghouse Road; or take any other action relative thereto.

Bobby George of Service Road made a motion to call the question. There was a second from the floor. This was a voice vote and declared carried by the Moderator.

UNANIMOUSLY VOTED: That the Town appropriate \$2,100,000 under the Community Preservation Act open space and recreation program, to be expended under the direction of the Board of Selectmen, for the purpose of securing professional services to design, permit, construct, and to rehabilitate and make extraordinary repairs to establish a skate park and multi-purpose recreation court facilities to be located at 34 Quaker Meetinghouse Road, and further that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is hereby authorized to borrow \$2,100,000 pursuant to M.G.L. c. 44, § 7(1), M.G.L. c.44B, or any other enabling authority, and to issue bonds and notes of the Town therefor. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c.44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 23

To see if the Town will vote to transfer and appropriate under the Community Preservation Act affordable housing program the sum of \$10,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of supporting the Housing Assistance Corporation Cape Community Housing Partnership down payment and closing cost assistance program; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; and further, to authorize the Board of Selectmen to enter into a grant agreement with said Housing Assistance Corporation, on such terms and conditions as the Board of Selectmen deems appropriate; or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$10,000 from the Community Preservation Act affordable housing reserve, to be expended under the direction of the Board of Selectmen, for the purpose of supporting the Housing Assistance Corporation Cape Community Housing Partnership down payment and closing cost assistance program as printed in the Warrant under Article 23. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 24

To see if the Town will vote to transfer and appropriate under the Community Preservation Act affordable housing program the sum of \$100,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of supporting the Latham Centers, Inc. and Residential Rehabilitation Housing, Inc. Headwaters Replacement Housing program located at 2 Symphony Lane; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; and further, to authorize the Board of Selectmen to enter into a grant agreement with said Latham Centers, Inc. and Residential Rehabilitation Housing, Inc., on such terms and conditions as the Board of Selectmen deems appropriate; or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$100,000 from the Community Preservation Act affordable housing reserve, to be expended under the direction of the Board of Selectmen, for the purpose of supporting the Latham Centers, Inc. and Residential Rehabilitation Housing, Inc. Headwaters Replacement Housing program located at 2 Symphony Lane, as printed in the Warrant under Article 24. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 25

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$75,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and protecting the Nye Family of America Association Inc. Grange Mill at the Benjamin Nye Homestead located at Old County Road; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; and further, to authorize the Board of Selectmen to enter into a grant agreement with said Nye Family of America Association, Inc., on such terms and conditions as the Board of Selectmen deems appropriate, setting forth the conditions under which such funds may be expended; and to further authorize the Board of Selectmen to accept a historic preservation restriction pursuant to the grant agreement; or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$75,000 from the Community Preservation Act historic resources reserve, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and protecting the Nye Family of America Association Inc. Grange Mill at the Benjamin Nye Homestead located at Old County Road, as printed in the Warrant under Article 25. This was a voice vote and declared carried unanimously by the Moderator.

In accordance with Section 1.15 of the Town of Sandwich Bylaws, the Moderator asked Town Meeting to vote to continue past 11PM. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 26

To see if the Town will vote to transfer and appropriate under the Community Preservation Act open space and recreation program the sum of \$15,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of designing, constructing, and installing a Vietnam memorial monument with the American Legion Post 188 to be located at Town Hall Square; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; and further, to authorize the Board of Selectmen to enter into a grant agreement with said American Legion Post 188, on such terms and

conditions as the Board of Selectmen deems appropriate, setting forth the conditions under which such funds may be expended, or take any other action relative thereto.

Norman Eklund of Quaker Meetinghouse Road asked to reconsider the vote on Article 22. The Moderator ruled the motion out of order.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$15,000 from the Community Preservation Act open space and recreation reserve, to be expended under the direction of the Board of Selectmen, for the purpose of designing, constructing, and installing a Vietnam memorial monument with the American Legion Post 188 to be located at Town Hall Square, as printed in the Warrant under Article 26. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 27

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by amending the definition of Accessory Dwelling Unit, by deleting the crossed out wording and inserting the underlined wording as follows:

ACCESSORY DWELLING UNIT - A dwelling unit with the purpose of promoting affordable housing in the Town for year-round residents that is no larger than 1,000 square feet in size or thirty (30) percent of the gross square footage of a principal dwelling, whichever is ~~smaller~~ larger.

or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town amend the Sandwich Protective Zoning By-laws by amending the definition of Accessory Dwelling Unit as printed in the Warrant under Article 27. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 28

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by deleting the reference in Article IV, Section 4138 to the "1987 Master Plan update" and replacing it with the "2009 Local Comprehensive Plan", or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town amend the Sandwich Protective Zoning By-laws by deleting the reference in Article IV, Section 4138 to the "1987 Master Plan update" and replacing it with the "2009 Local Comprehensive Plan". This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 29

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by amending Article IV, Section 4182, Procedure, and Section 4186, Application Requirements for Building Permit and Special Permit" so that both sections reference the correct section numbers as follows:

Section 4182, Procedure, Second Paragraph: change reference to read "...Sections 4180 through 4196 and other applicable sections of this bylaw."

Section 4186, Application Requirements for Building Permit and Special Permit, Paragraph I: change reference to read "...Section 4195 if on town land."

or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town amend the Sandwich Protective Zoning By-laws by correcting the section references in Article IV, Section 4182, Procedure, and Section 4186, Application Requirements for Building Permit and Special Permit, as printed in the Warrant under Article 29. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 30

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by deleting Article VIII, Temporary Moratorium on Recreational Marijuana Establishment, in its entirety, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town amend the Sandwich Protective Zoning By-laws laws by deleting Article VIII, Temporary Moratorium on Recreational Marijuana Establishment, in its entirety. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 31

To see if the Town will vote to amend the Town of Sandwich Bylaws by adding a new Part 10, Protocols for Dangerous Dog issues, to Section 3.75, Animal Control, to read as follows:

Part 10 PROTOCOL FOR DANGEROUS DOG ISSUES

1. In the case of a dog that attacks a person without justification and causes serious bodily injury; which includes but not limited to, inflicting serious bodily harm or death to a person requiring emergency ambulance transportation to a medical facility and/or hospitalization from medical treatment resulting from the attack and/or permanent loss of function and/or serious disfigurement and/or a serious fracture, a "Dangerous Dog Hearing" shall be requested of the hearing authority by the Town Animal Control Officer. During said hearing, shall be conducted in accordance with G.L. c. 140, §157, and euthanization shall be seriously considered by the Hearing Authority.
2. The process for investigating an attack shall include, when feasible, a thorough background check into the:
 - a. behavioral history of the animal, including records from rescue/adoption shelters if applicable
 - b. proper licensing and vaccinations
 - c. an evaluation of the seriousness of the injuries shall be taken into consideration, provided that the injured person consents to disclosure of their medical records
3. If the Animal Control Officer has probable cause to believe that a dog has attacked a person without justification and caused serious bodily injury, as defined above, the animal shall immediately be impounded at the facility used by the Town to shelter animals, provided that the following conditions are met:
 - a. The dog is voluntarily surrendered by the owner; or
 - b. If the dog is not voluntarily surrendered by the owner the Hearing Authority shall file a petition in the District Court for an order of confinement in accordance with G.L. c. 140, §157(e)(2);
 - c. To the extent permitted by law, the owner will incur all cost for the impoundment and subsequent evaluations until issuance of a final order by the Hearing Authority. The order of the Hearing Authority shall be considered final when all appeals have been taken or the time for taking an appeal has expired; and
 - d. Notwithstanding the foregoing, the terms of confinement of the dog, if any, shall be subject to such conditions as the District Court sees fit to impose.

4. If, after conducting a hearing and investigation as set forth in this Bylaw and G.L. c. 140, §157, the Hearing Authority determines that a dog impounded pursuant this bylaw is a Dangerous Dog, before the animal is released from impoundment:
 - a. The animal shall be evaluated for aggressive behavior by a trained animal behaviorist, who shall issue a written opinion and any recommendations to retrain the dog or the owner to reduce the likelihood of another incident shall be completed before the animal is released. The written opinion shall be provided to the Animal Control Officer, the animal owner and the victim of the attack;
 - b. The animal's home environment, including the adequacy of the physical conditions to humanely control the animal and the owner's ability to properly care for the animal, shall be evaluated by responsible Town authorities or by a trained animal behaviorist; and
 - c. The owner of the dog shall provide to responsible Town authorities proof of insurance in an amount not less than \$100,000 insuring the owner or keeper against any future claim, loss, damage or injury to persons, domestic animals, or property resulting from actions, whether intentional or unintentional of the dog.
5. Any recommendations received in accordance with Section 4 of this bylaw shall be incorporated into any order of restraint or confinement issued by the Hearing Authority in accordance with G.L. c. 140, §157.
6. Nothing in this By-law is intended to limit or restrict the authority of the Hearing Authority to act in accordance with G.L. c. 140, §157.

Or take any action relative thereto.

(Submitted by Petition)

VOTED: That the Town amend the Town of Sandwich Bylaws by adding a new Part 10, Protocols for Dangerous Dog issues, to Section 3.75, Animal Control, as printed in the Warrant under Article 31. This was a voice vote and declared carried by the Moderator.

ARTICLE 32

To Elect the following Officers:

- One Board of Assessor member for a term of three years;
- One Board of Health member for a term of three years;
- One Board of Selectmen member for a term of three years;
- One Constable for a term of three years;
- One Moderator for a term of three years;
- Three Planning Board members for terms of three years;
- One Sandwich Housing Authority member for a term of five years;
- One Sandwich Housing Authority member for a term of four years;
- Three School Committee members for terms of three years;
- Three Trustees of the Sandwich Public Library for a term of three years;
- Two Trustees of the Sandwich Public Library for unexpired terms of one year;
- One Trustee of the Weston Memorial Fund for a term of three years;

and all other candidates that may appear on the official ballot,

and to vote YES or No on the following question.

BALLOT QUESTION #1

Shall the Town of Sandwich be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to Sandwich public roads and public infrastructure, including the boardwalk and related structures, and all other costs incidental and related thereto?

YES: _____

NO: _____

The polls for the election will be open at 7:00 a.m. and close at 8:00 p.m. on said

THURSDAY, THE TENTH DAY OF MAY, 2018.

VOTED: To adjourn to the Town Election on May 10, 2018. This was a voice vote and declared carried by the moderator.

The meeting was adjourned at 11:37 P.M.

I hereby certify that this is a true record of the Annual Town Meeting held on May 7, 2018.

Respectfully Submitted,



Taylor D. White
Town Clerk

**TOWN OF SANDWICH
SPECIAL TOWN MEETING
November 3, 2018**

The Special Town Meeting was called to order in the Sandwich High School auditorium by Moderator Garry Blank at 1:08 P.M. The total number of eligible voters for this meeting was 16,005 and the clerks checked in a total of 363 voters, which is a 2.2% turnout.

The Moderator swore in the following Sandwich residents as tellers: Nancy Crossman, Daryl Crossman, Phyllis Helfrich, Paul Houlihan, Nancy Lawrence, Maryellen Anderson, Richard Lawrence, James Lehane, Sarah Regan, Jan Czarnetkzki, Matthew Cubetus, Gerry Nye John Vibberts and Susan Vibberts. Taylor White, Town Clerk, and Susan Lundquist, Assistant Town Clerk served as the timekeepers. Board of Selectmen Chairman, David Sampson, led Town Meeting in the Pledge of Allegiance. Fire Department Chaplin Joseph Giampietro gave the invocation.

ARTICLE 1

To see if the Town will vote to accept General Laws Chapter 40, Section 39M, which establishes a special "Municipal Water Infrastructure Investment Fund" that may be appropriated and spent for maintenance, improvements and investments to municipal drinking, wastewater and stormwater infrastructure assets, and further to approve a property tax surcharge in the amount of two percent of the taxes assessed annually on real property, which will be dedicated to the fund, the surcharge to be imposed starting with taxes assessed for fiscal year 2021, beginning on July 1, 2020; or take any other action relative thereto.

Steve Barr of Craft Road made a motion to amend Article 1 by adding at the end thereof the following. There was a second from the floor.

"Upon completion of each phase of construction there shall be a betterment charged to each user of the system. The total betterment charge shall be equal to the total cost of that phase of completion. To ascertain the amount of the betterment, the total cost of the phase shall be divided by the users or parcels connected to the system. Betterment charges collected will be returned to the Municipal Water Infrastructure Investment Fund. Sewer charges will be set so that the operation and maintenance will be paid from the annual revenues from the system's users. One year following the completion of all phases, the Municipal Water Infrastructure Investment Fund shall be dissolved and the money shall be refunded to the taxpayers of Sandwich using the same formulation that was used to collect such funds."

The Moderator ruled the amendment outside the scope of the meeting and therefor out of order.

Chase Terrio of Edward Kelly Road made a motion to commit Article 1 to further study. There was a second from the floor.

A motion to move the question to commit Article 1 to further study was called for from the floor. There was a second from the floor. This was a voice vote and declared carried by the Moderator.

VOTED: To commit Article 1 to further study. This was a voice vote and declared not carried by the Moderator.

Robert Deroeck of Sunrise Lane made a motion to move the main question. This was a voice vote and declared carried by the Moderator.

VOTED: That the Town accept General Laws Chapter 40, Section 39M, which establishes a special “Municipal Water Infrastructure Investment Fund” that may be appropriated and spent for maintenance, improvements and investments to municipal drinking, wastewater and stormwater infrastructure assets, and approve a property tax surcharge in the amount of two percent of the taxes assessed annually on real property to be dedicated to the fund, the surcharge to be imposed starting with taxes assessed for fiscal year 2021 beginning on July 1, 2020; provided, however, that the surcharge shall not take effect unless it is approved by the voters at the next Annual Town Election. This was a voice vote and declared carried by the Moderator.

ARTICLE 2

To see if the Town will vote to amend its acceptance of General Laws Chapter 44B, Sections 3 to 7 (known as the Community Preservation Act) by decreasing the surcharge imposed on real property from three percent (3%) to two percent (2%) starting with taxes assessed for fiscal year 2021, beginning July 1, 2020; or take any other action relative thereto.

Mark Snyder of Wolf Hill made a motion to call the question. There was a second from the floor. This was a voice vote and declared carried by the Moderator.

COUTED VOTE: That the Town amend its acceptance of General Laws Chapter 44B, Sections 3 to 7 (known as the Community Preservation Act) by decreasing the surcharge imposed on real property from three percent (3%) to two percent (2%) starting with taxes assessed for fiscal year 2021 beginning on July 1, 2020; provided, however, that this amended acceptance shall not take effect until it is approved by the voters at the next Annual Town Election. This was a counted vote and declared carried by the Moderator, 197 yeas and 89 nays.

ARTICLE 3

To see if the Town will vote to establish a revolving fund in accordance with the provisions of M.G.L. c.44, §53E1/2 for the Sand Hill School Community Center building use fees and charges and to amend the Sandwich Town Bylaws, Section 2.11, Departmental Revolving Funds by adding a new Revolving Fund listing, to read as follows:

Revolving Fund	Authorized to Spend Fund	Revenue Source	Use of Fund
Sand Hill School Community Center	Public Facilities Director & Town Manager	Building use fees & charges	Sand Hill School Community Center Expenses

AND FURTHER,

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53E1/2 and Section 2.11 of the Sandwich Town Bylaws to authorize the spending limit for the Sand Hill School Community Center Revolving Fund at \$10,000; or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town establish a revolving fund in accordance with the provisions of M.G.L. c.44, §53E1/2 for the Sand Hill School Community Center building use fees and charges and amend the Sandwich Town Bylaws, Section 2.11, Departmental Revolving Funds, by adding a new Revolving Fund as printed in the Warrant under Article 3, and further, authorize the spending limit for the Sand Hill School Community Center Revolving Fund at \$10,000 for FY’19. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 4

To see if the Town will vote to transfer and appropriate the sum of \$260,000.00, or any other amount, from the Ambulance Fund, to be expended under the direction of the Board of Selectmen, for the purpose of purchasing an ambulance and related supplies and equipment for the Fire Department, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate the sum of \$260,000 from the Ambulance Fund, to be expended under the direction of the Board of Selectmen, for the purpose of purchasing an ambulance and related supplies and equipment for the Fire Department. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 5

To see if the Town will vote to amend the Town of Sandwich Bylaws by adding a new Section 1.60: Authority of Town Clerk to Assign Headings and Numbering, to read as follows:

The Town Clerk, or an agent designated by the Town Clerk, shall be authorized to assign appropriate numbers to sections, subsections, paragraphs, and subparagraphs of Town general bylaws and zoning bylaws, where none are approved by Town Meeting.

Where Town Meeting has approved numbering of sections, subsections, paragraphs, and subparagraphs of Town general bylaws and zoning bylaws, the Town Clerk or an agent designated by the Town Clerk, after consultation with the Town Manager, shall be authorized to make non-substantive editorial revisions to the numbering to ensure consistent and appropriate sequencing, organization, and numbering of the bylaws.

or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town amend the Town of Sandwich Bylaws by adding a new Section 1.60: Authority of Town Clerk to Assign Headings and Numbering, as printed in the warrant under Article 5. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 6

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by amending the last sentence of Section 1330, Special Permits, by deleting the word “less” shown in strikethrough and adding the word “more” shown in bold and underline so the last sentence will read as follows, or take any action relative thereto.

1330. Special Permits

... Construction or operations under a building or special permit shall conform to any subsequent amendment of the ordinance or by-law unless the use or construction is commenced within a period of not ~~less~~ **more** than twelve (12) months after the issuance of the permit and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

UNANIMOUSLY VOTED: That the Town amend the Sandwich Protective Zoning By-laws by amending the last sentence of Section 1330, Special Permits, as printed in the Warrant under Article 6. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 7

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by amending Section 2110, Establishment of Districts, by adding new references to the Medical Marijuana Overlay District and Municipal Reuse Overlay District to the list of Districts to read as follows, and amending the first sentence of the first paragraph by deleting the word “and” shown in strikethrough and adding the words “May 4, 2015, and November 13, 2017” shown in bold and underline so the changes will read as follows, or take any action relative thereto.

2110. For the purpose of the by-law, the Town is divided into the following Districts:

q) Medical Marijuana Overlay District

r) Municipal Reuse Overlay District

The boundaries of these districts are defined and bounded on the map entitled "Zoning Map, Sandwich, Massachusetts," dated and revised April 24, 1978, as amended May 1 and 2, 1978 (Articles 12, 13, and 14), May 4, 1981 (Article 31), May 19, 1986 (Article 9), revised November, 14, 1988 (Article 33), revised May 24, 1989 (Article 26), revised May 1, 2000, (Article 31), revised March 19, 2001(Article 2) and as amended and revised through May 7, 2001and as further amended and revised through May 6, 2002 (Article 31) and as further amended on March 21, May 2, 2005, October 2009 and, May 2013, **May 4, 2015 and November 13, 2017** on file with the Town Clerk. The map and all explanatory matters thereon are hereby made part of this by-law. Overlay districts shall be superimposed on other districts established in this by-law.

Medical Marijuana Overlay District, as described in Section 8000, is herein established as an overlay district and shall be superimposed on other districts as established in this by-law.

Municipal Reuse Overlay District, as described in Section 8100, is herein established as an overlay district and shall be superimposed on other districts as established in this by-law.

UNANIMOUSLY VOTED: That the Town amend the Sandwich Protective Zoning By-laws by amending Section 2110, Establishment of Districts, by adding new references to the Medical Marijuana Overlay District and Municipal Reuse Overlay District to the list of Districts, and amending the first sentence of the first paragraph, as printed in the Warrant under Article 7. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 8

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by amending Section 4910, Purpose, Development Scheduling, by deleting the reference to “Master Plan Update of 1987” in the second sentence and changing the reference to “2009 Local Comprehensive Plan”, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town amend the Sandwich Protective Zoning By-laws by amending Section 4910, Purpose, Development Scheduling, by deleting the reference to “Master Plan Update of 1987” in the second sentence and changing the reference to “2009 Local Comprehensive Plan”, as printed in the Warrant under Article 8. This was a voice vote and declared carried by the required two-thirds majority by the Moderator.

ARTICLE 9

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, or otherwise, on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, for open space and water protection purposes pursuant to the Community Preservation Act, all or a portion of the fee simple interest or lesser interest in a certain parcel of land off Chase Road shown on

Assessor's Map 25 as Parcel 077, 12 Chase Road, consisting of approximately 2.90 acres, and further that said land shall be under the care, custody and control of the Conservation Commission, and as funding therefor to transfer and appropriate from the Community Preservation Fund the sum of \$145,000.00, or any other amount; and further to authorize the Board of Selectmen to grant a conservation restriction on said property, pursuant to G.L. c. 44B, sec. 12 and G.L. c. 184, secs. 31-33, and to execute any and all instruments as may be necessary on behalf of the Town to effect said purchase, or take any other action relative thereto.

COUTED VOTE: Move that the Town authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, or otherwise, on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, for open space and water protection purposes pursuant to the Community Preservation Act, all or a portion of the fee simple interest or lesser interest in a parcel of land off Chase Road shown on Assessor's Map 25 as Parcel 077, 12 Chase Road, consisting of approximately 2.90 acres, and further that said land shall be under the care, custody and control of the Conservation Commission, and as funding therefor to transfer and appropriate from the Community Preservation Fund the sum of \$145,000 from the open space and recreation reserve; and further authorize the Board of Selectmen to grant a conservation restriction on said property, pursuant to G.L. c. 44B, sec. 12 and G.L. c. 184, secs. 31-33, and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase. This was a voice vote and declared not carried by the required two-thirds majority by the Moderator, 95 yeas and 96 nays.

ARTICLE 10

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$17,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving and protecting holdings of the Sandwich Town Archives; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$17,000 from the Community Preservation Fund historic resources reserve under the Community Preservation Act, to be expended under the direction of the Board of Selectmen, for the purpose of preserving and protecting holdings of the Sandwich Town Archives. This was a voice vote and declared carried unanimously by the Moderator.

Steve Barr of Craft Road made a motion to reconsider Article 1. The Moderator ruled the motion out of order as Mr. Barr voted against Article 1.

ARTICLE 11

To see if the Town will vote in accordance with the regulations issued by the Department of Revenue in the Informational Guideline Release No. 98-403 to extend by one fiscal year for Fiscal Year 2019 the terms and conditions of the tax valuation agreement between the Town of Sandwich and NRG Canal, LLC dated April 3, 2014 and entitled "Tax Valuation Agreement", which was previously approved at the May 5, 2014 Annual Town Meeting under Article 12, a copy of which is on file with the Town Clerk's Office, said extension to include a Fiscal Year 2019 valuation amount of \$100,000,000.00 which is equal to the Fiscal Year 2018 valuation amount, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town vote in accordance with the regulations issued by the Department of Revenue in the Informational Guideline Release No. 98-403 to extend by one fiscal year for Fiscal Year 2019 the terms and conditions of the tax valuation agreement between the Town of Sandwich and NRG Canal, LLC dated April 3, 2014 and entitled "Tax Valuation

Agreement”, which was previously approved at the May 5, 2014 Annual Town Meeting under Article 12, said extension to include a Fiscal Year 2019 valuation amount of \$100,000,000 which is equal to the Fiscal Year 2018 valuation amount, as printed in the Warrant under Article 11. This was a voice vote and declared carried unanimously by the Moderator.

VOTED: To adjourn the Special Town Meeting. This was a voice vote and declared carried by the moderator.

The meeting was adjourned at 3:46 P.M.

I hereby certify that this is a true record of the Special Town Meeting held on November 3, 2018.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Taylor D. White", is written over a light gray rectangular background.

Taylor D. White
Town Clerk