

**TOWN OF SANDWICH
2014 ANNUAL TOWN MEETING
May 5, 2014**

The Annual Town Meeting was called to order in the Sandwich High School auditorium by Moderator Garry Blank at 7:05 P.M. The total number of eligible voters was 15,756 and the clerks checked in a total of 416 voters, which is a 2.6% turnout. Frank Pannorfi, Chairman of the Board of Selectmen, led the Pledge of Allegiance. The Sandwich High School Choral sang the Star Spangled Banner. The Moderator swore in the following Sandwich residents as tellers: Denise Dever, Tobin Wirt, Kathryn Siranosian, Edward Siranosian, Mary Snyder, Robert King and Dorothy Grady. Taylor White, Town Clerk, and Susan Lundquist, Assistant Town Clerk served as the timekeepers.

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 action relative thereto.

James Pierce, Chair of the Board of Selectmen read the Long Range Plan message.

Fiscal Year 2015 Long Range Plan Message:

First I'd like to read a sentence from the Town Charter. "The Board of Selectmen shall annually review a long-range plan including capital planning, to project the future needs of the town and report on this at town meeting."

The plan is written for you, the voters. It changes every year and has been printed in each annual TM warrant starting in 2011. It is meant to be a unifying document. There is not a separate plan for the school district, or, public safety, or, senior services, for example.

I doubt that you can read it in this light. However, by coincidence the plan is right at the center fold of this evenings warrant, starting on p. 21. The first page has a mission statement, a summary and four guiding principles. You can read them at your convenience. I'm going to focus on the four sections of the action plan.

Section 1 deals with improving everyday operations. Planning to restructure the school district actually began over four years ago with the Wing Task Team. Over three years ago that became the district master plan team. In the summer of 2011 a new superintendent joined us. He and the SC stepped up to three major issues; declining enrollment, a deteriorating building and a hemorrhage of money following students to other schools. Phase 1 will see grades 7 and 8 consolidated in the high school this fall. Phase 2 will decommission Wing in the fall of 2015 resulting in considerable savings. The budget you are asked to approve in article 2 will allow completion of that transition.

Also in section 1 is a long sought unification of accounting software. Thanks to cooperation between municipal and school officials that process is over 50% complete.

It will reach 80% when the school payroll adopts it on July 1, 2014 and 100% when assessing switches in 2015.

Pay-As-You-Throw is also in section 1. Four years ago solid waste disposal was subsidized with about \$750K from the general fund. In article 2 this evening that figure is reduced to \$250K. There is not a one-to-one correlation, but, those savings are in large part why no operational override was required in article 2. I'll leave you to read the rest of section one.

Section 2 deals with capital planning. For two years we carried an item "Adopt a capital plan." Last spring we did that. The capital plan is available on the town web site. On page 7 there is a list. First is public safety, personnel and infrastructure. Last spring you said no to a proposal which was deemed too costly, removed coverage from the village and only had a single substation north of route 6. The plan calls on the BoS to bring an alternate proposal to TM in May 2015.

Second is road repairs. Article 7 this evening asks you to approve the first of five installments of \$1.3M to address that problem.

Next is water resource management. I'll talk about that in section 3. Fourth is beach erosion. Article 15 asks you to approve using \$1M from the community preservation account to address that. We are not, I repeat not, trying to beat global warming. We are trying to use human ingenuity to address the unintended consequences of a human project, The Canal. Much has been made of the statement that the fix will only last 7-10 years. What has been missed is that, although the sand won't stay where we put it, it won't evaporate either. It will renourish beaches east of Town Neck for a century. The plan also calls for periodic placement of canal dredgings on our beaches which will feed sediment flow indefinitely.

After the big four priorities is a group of five dealing with optimal use of existing facilities. Step one is exit Wing. Step two is figure out how we can reuse the space. One only has to go to Mashpee Town Hall to see what can be done with a retired school building. We won't know until we ask the right question how this will impact seniors, library and municipal offices. Article 5 includes funding a professional assessment of Wing and what options exist for the future of the building and site.

Section 3 is economic development. The water resource project produced an interim proposal. It called on us to adopt sewer regulations. The Selectmen did that and serve as sewer commissioners. Last fall you gave us the authority to issue licenses under those regulations. In recent TM's you approved designating land for construction of a wastewater treatment facility and for discharge of treated effluent. You also approved zoning changes designed to facilitate mixed use development. Last Wednesday marked the first CCC hearing on adopting Chapter H in our industrial park. All of this has been incorporated in the new Request for Proposals issued two weeks ago. Also, the budget in article 2 includes a modest amount to increase internal resources for ED. The idea is to move from unpaid volunteers to internal resources for ED.

Last, but far from least, section 4 is community preservation and lifestyle. The bubbler project will be completed this month. Work on the Deacon Eldred House roof has been done. In article 14 you are asked to approve use of \$1.3M of CPA funds for lighting, seating and drainage at the DeConto Veterans Memorial Stadium. A survey is

circulating seeking public input regarding additional athletic facility needs. A state grant paid to complete four miles of sidewalks along QMHR through our population center which connects our three future schools, several churches and a major shopping hub.

In summary, there is a plan. It's available to every voter in an easy to read format. And, it leads to some specific warrant articles you are being asked to approve this evening. The planning process will lead to articles at future TM's.

The Moderator declared the message accepted.

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 \$66,854,242.00, or any other amount, to defray Town expenses for the Fiscal Year July 1, 2014 to June 30, 2015 as itemized below in the third column entitled FY'15 Recommendation, or take any action relative thereto.

Ellen Yaffe, Chair of the Finance Committee read the budget message.

Fiscal Year 2015 Finance Committee Budget Message:

In accordance with Section 7.2.b of the Town Charter, the Finance Committee hereby presents its Fiscal Year 2015 budget message to Town Meeting and to the taxpayers and residents of Sandwich.

The budget being presented this evening is based on sound assumptions regarding our anticipated revenues and expenses for FY'15. As the Town Manager will explain in his budget presentation, it is always difficult to estimate State aid and assessments because these amounts are not finalized until well after tonight's a vote on the budget. Nevertheless, the Finance Committee believes the assumptions relied upon in preparation of this budget with respect to State aid are reasonable, with the only real concern being the Tuition Assessment line item for our students attending other public education options outside of Sandwich. As will be highlighted shortly, this figure has grown substantially over the last eight years to the extent that this assessment alone is almost \$1.0 million greater than all of the Town's discretionary aid. In the event that State aid and assessment figures change substantially from our current projections, we will have to come back to a future Special Town Meeting to make the proper adjustments to balance the FY'15 budget.

It is important to keep in mind that in comparison to other communities, we budget extremely close to our allowed limits and have very little leeway if assumptions change during the fiscal year. This is particularly true for FY'15. One of our concerns this year has been how to support the implementation of the School Department's STEM effort, which includes relocating all 7th and 8th grades to Sandwich High School, within the funds available and to avoid an override request. After lengthy discussions and deliberations, the Finance Committee voted to support the School Budget and associated increased costs with the caveat that next year's school budget presented by the School Committee to the Board of Selectmen and the Finance Committee must show significant reductions.

This is a risk but we have made a decision to take this risk because we believe the School Department will be able to make significant budget reductions in FY'16 from the amount they would typically be seeking by fully implementing the STEM initiative and closing the Henry T. Wing School in the 2015 – 2016 school year. Enrollments have declined too significantly over the past 12 years to avoid this decision. For example, Sandwich High School, which is designed for 1,450 students, has less than 800 students enrolled this school year. In 2002, Sandwich had a total enrollment of 4,212 students and this year we have 3,018 – a 28 per cent decrease.

In order to implement the School Department's priorities, the Board of Selectmen and Finance Committee support a 3.78 per cent increase in the School budget and a General Government increase of 2.50 per cent. It is clear to the Committee that in future years there needs to be a significant budgetary shift to migrate funding from school operations to municipal operations. Town staffing and funding levels are far below similar communities and we believe municipal operations need to catch up to the growth Sandwich experienced during the last 30 years. The Town was able to make some small staffing improvements with the 2.50 per cent budget increase we have recommended, but it is clear to the Committee that additional personnel needs have to be addressed in future years.

In balancing the FY'15 budget, we were very fortunate that our appropriations to some key budget line items increased very little or even decreased. For example, Group Health Insurance increased by just 0.86 per cent, our County Retirement Assessment increased by 0.34 per cent, our Property & Liability Insurance decreased by 6.25 per cent, and our assessment to the Upper Cape Cod Regional Technical School decreased by 8.51 per cent. Without these favorable figures and the General Government's diligence in containing its request to a 2.50 per cent increase, we would not have been able to fund the additional requests of the School Department.

In addition to the budget amounts being voted in Article 2, the Committee fully supports the FY'15 capital budget recommendation in Article 5. This year you will see that more than \$930,000 has been allotted for several needed capital purchases, many of which have been on request lists for several years. Some key focus areas of the capital budget include a re-lifing analysis of the Wing School, replacing several departmental vehicles, appropriating money for beach capital improvements, and fully implementing a unified financial system for Town and School operations.

Although the FY'15 budget addresses many issues and areas of importance, there are others that need to be addressed in the future and we would be remiss if we did not call these to the attention of Town Meeting. One is the understaffing of our Police and Fire Departments and the inadequate facilities in which they are housed. The second pressing issue is the state of our roads. The Committee supports passage of Warrant Article 7 for a \$1.3 million dollar outlay expenditure knowing that this amount is not adequate to address the road and public facility infrastructure and repairs needed. The Committee encourages our elected officials and town staff to continue their efforts to address these needs in the next budget year.

Finally, we would like to publicly thank the Town and School staff that met with us regularly over the last many months, presented detailed budget information, and answered numerous questions during our deliberations on the FY'15 budget. As our diligent review efforts have proven over the years, even when we have slight

disagreements about specific spending amounts or funding sources, we all recognize that Sandwich is operated very efficiently, follows extremely sound financial practices, and consistently makes very wise budget decisions.

FY'15 BUDGET TOTALS

No.	Department	FY'13 Appropriation	FY'14 Appropriation	FY'15 Recommendation
114	Moderator	450	450	450
123	Selectmen/Administrator	408,966	432,571	451,549
	Personnel Expenses	158,495	388,878	252,254
131	Finance Committee	3,400	3,400	3,400
135	Accounting	199,489	204,731	217,367
141	Assessing	363,186	364,148	373,800
145	Treasurer	185,888	184,461	190,328
146	Tax Collector	251,359	254,595	193,336
147	Tax Title	25,000	20,000	25,000
151	Legal	275,000	275,000	275,000
152	Human Resources	152,282	156,551	161,271
161	Town Clerk	146,722	151,400	158,168
162	Elections & Registrations	57,500	42,750	77,250
171	Natural Resources	233,872	238,627	245,608
175	Planning & Development	153,345	150,334	202,623
190	Facilities Management	491,176	496,100	502,862
195	Town Reports	11,000	11,000	11,000
196	Bind Town Records	1,000	6,000	6,000
197	Data Processing	390,482	393,379	492,219
	Total 100s	3,508,662	3,774,375	3,839,485
210	Police Department	3,330,197	3,326,005	3,479,919
220	Fire Department	3,182,286	3,096,128	3,264,912
241	Inspections	239,002	247,616	257,631
244	Weights & Measures	200	200	200
291	Emergency Management	7,750	7,750	11,500
294	Forest Warden	1,500	1,500	1,500
297	Bourne Shellfish	4,000	4,000	4,000
299	Greenhead Fly	1,500	2,000	2,000
	Total 200s	6,766,435	6,685,199	7,021,662
300	School Department	29,626,393	30,324,286	31,300,000
313	UCCRVTs	1,906,350	1,998,563	1,828,435
	Total 300s	31,532,743	32,322,849	33,128,435
410	DPW – Engineering	143,188	146,059	184,212
420	DPW – Highways	1,343,672	1,362,853	1,449,207
421	Snow & Ice	250,011	250,012	250,013
424	Streetlights	30,000	30,000	30,000
	Total 400s	1,766,871	1,788,924	1,913,432

No.	Department	FY'13 Appropriation	FY'14 Appropriation	FY'15 Recommendation
510	Health Department	174,752	169,748	177,515
522	Nursing Department	123,991	125,873	132,121
541	Council on Aging	187,540	191,191	198,448
543	Veterans Services	42,883	43,383	44,006
	Total 500s	529,166	530,195	552,090
610	Library	918,962	939,639	985,336
630	Recreation Department	88,086	93,746	108,320
650	DPW – Parks	13,850	13,850	13,850
693	Memorial Day	1,200	1,200	1,200
694	Historic District	12,000	12,750	13,000
	Total 600s	1,034,098	1,061,185	1,121,706
OPERATING SUBTOTAL:		45,137,975	46,162,727	47,576,810
135	Sanitation, Marina & SHGC Indirect Costs Transfers			45,000
171	Waterways Fund Transfer			25,000
220	Ambulance Fund Transfer			1,000,000
630	Beach and Recreation Account Transfer (incl. Sandy Neck)			191,211
645	Community Preservation Act Debt			1,161,614
650	Cemetery Trust Fund Transfer			22,000
671	Hoxie House / Grist Mill Income Transfer			33,000
INTER-FUND TRANSFERS SUBTOTAL:				2,477,825
132	Reserve Fund			500,000
540	Social Services Programs			21,200
710	Short Term Debt			50,000
750	Debt			2,978,190
910	Group Health Insurance			8,775,000
912	Medicare			588,470
940	Property & Liability Insurance			825,000
941	Unemployment Account			75,000
950	Retirement Assessment			2,986,747
OTHER ACCOUNTS SUBTOTAL:				16,799,607
FY'15 BUDGET TOTAL:				66,854,242

VOTED: That the Town hear the report of the Finance Committee and raise and appropriate \$62,916,836; transfer and appropriate \$1,309,581 from Free Cash; transfer and appropriate \$1,000,000 from the ambulance receipts reserved for appropriation account; transfer and appropriate \$150,000 from overlay surplus; transfer and appropriate \$1,161,614 from the Community Preservation Fund Fiscal Year 2015 estimated annual revenues; transfer and appropriate \$15,000 from Sandwich Marina funds; transfer and appropriate \$15,000 from the Sandwich

Hollow Golf Club enterprise fund; transfer and appropriate \$15,000 from the DPW – Sanitation Division enterprise fund; transfer and appropriate \$191,211 from the beach parking receipts reserved for appropriation account; transfer and appropriate \$33,000 from the Hoxie House / Grist Mill receipts reserved for appropriation account; transfer and appropriate \$25,000 from the Waterways Fund; transfer and appropriate \$22,000 from cemetery trust funds; to defray Town expenses for the Fiscal Year 2015 as itemized in the third column entitled FY'15 Recommendation, as printed in the Warrant under Article 2, and set the compensation of elected officials as follows:

Moderator	450
Chairman Board of Selectmen	2,000
Selectmen – 4 each	1,500
Chairman Board of Assessors	2,000
Assessors – 2 each	1,500
Town Clerk	72,691

This was a voice vote and declared carried 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'15 enterprise fund budget for the Department of Public Works Sanitation Division, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town raise and appropriate \$250,000 and transfer and appropriate \$823,509 from DPW – Sanitation Division Receipts, to be expended under the direction of the Board of Selectmen, for establishing the Fiscal Year 2015 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'15 enterprise fund budget for Sandwich Hollows Golf Club, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$850,000 from Golf Course Receipts, to be expended under the direction of the Board of Selectmen, for establishing the Fiscal Year 2015 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 to hear the report of the Capital Improvement Planning Committee, and further, to raise and appropriate or transfer from available funds the sum of \$932,495.00, 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, with any unexpended balance for each item identified below to be placed in the Building Repairs / Capital Purchases account to be expended under the direction of the Board of Selectmen:

Selectmen – Re-lifing Study of Henry T. Wing School	75,000
Assessing Department – Vehicle Replacement	23,000
Natural Resources Department – Beach Renourishment	21,995
Facilities Department – Town Building Repairs/Improvements	125,000
Facilities Department – Public Beach Capital Improvements	50,000
Data Processing – Financial Software & Hardware	104,600
Police Department – Replace Vests	35,000
Police Department – Weapons Equipment	12,000
DPW – Highway Department – Replace Dump Truck w/Plow	150,000
DPW – Highway Department – Compressor / Jack Hammer	25,000
DPW – Sanitation Department – Replace Solid Waste Tractor	180,000
DPW – Sanitation Department – Replace 6-Wheel Dump	75,000
Recreation Department – Vehicle Replacement	22,000
Police Department – Replace Radios	9,500
Engineering Department – Boardwalk Maintenance	9,900
Recreation Department – Playground & Skate Park Maintenance	5,000
Recreation Department – Oak Crest Cove Capital Improvements	9,500

or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town hear the report of the Capital Improvement Planning Committee and raise and appropriate \$604,531; transfer and appropriate \$21,995 from the Beach Nourishment receipts reserved for appropriation account; transfer and appropriate \$50,000 from the beach parking receipts reserved for appropriation account; transfer and appropriate \$255,000 from the DPW-Sanitation Division Enterprise Fund retained earnings; transfer and appropriate \$969 from the Boardwalk receipts reserved for appropriation account; to be expended under the direction of the Board of Selectmen, for the purpose of repairing equipment, vehicles and buildings, and providing related services as listed in Article 5 of the Warrant, with any unexpended funds to be placed in the Building Repairs / Capital Purchases account to be expended under the direction of the Board of Selectmen. This was a voice vote and declared unanimously carried by the Moderator.

ARTICLE 6

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the Sandwich High School multi-purpose synthetic turf athletic field located at 365 Quaker Meetinghouse Road, including design, site improvements, equipment, furnishings and costs incidental thereto, and further to authorize the School Committee 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 capital expenditure exclusion referendum in accordance with M.G.L. c.59, §21C(i½), or take any action relative thereto.

James Coogan of Main Street made a motion to move the question. The motion was seconded. This was a voice vote and declared carried by the Moderator.

COUNTED VOTED: That the Town raise and appropriate \$500,000 for constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the Sandwich High School multi-purpose synthetic turf athletic field located at 365 Quaker Meetinghouse Road, including design, site improvements, equipment, furnishings and costs incidental thereto; and further, authorize the School Committee to enter into any and all contracts necessary to carry out such project; provided, however, that no amounts shall be expended hereunder unless and until the Town shall have approved a so-called proposition two and one-half capital expenditure exclusion referendum in accordance with M.G.L. c.59, §21C(i1/2). This was a counted vote and declared carried by the Moderator. The vote was 219 Yea and 146 Nay.

ARTICLE 7

To see if the Town will vote to raise and appropriate, or transfer from available funds, 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 design, site improvements, equipment, furnishings and costs incidental 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 capital expenditure exclusion referendum in accordance with M.G.L. c.59, §21C(i½), or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town raise and appropriate \$1,300,000 for constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the Sandwich public roads and public infrastructure, including design, site improvements, equipment, furnishings and costs incidental thereto; and further, authorize the Board of Selectmen to enter into any and all contracts necessary to carry out such project; provided, however, that no amounts shall be expended hereunder unless and until the Town shall have approved a so-called proposition two and one-half capital expenditure exclusion referendum in accordance with M.G.L. c.59, §21C(i1/2). This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 8

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money, said funds to be expended under the direction of the Board of Selectmen, for the purpose of reducing a projected FY'14 deficit in the Snow and Ice Account, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town raise and appropriate \$165,000 for funding the Fiscal Year 2014 Snow & Ice deficit. 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 a sum of \$23,326.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of funding the FY'15 Sandwich Promotions Fund as established under Chapter 227 of the Acts of 1997, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$23,326 from the Sandwich Promotions Fund, to be expended under the direction of the Board of Selectmen, for funding the Fiscal Year 2015 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 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'15, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town appropriate amounts to be received from Chapter 90 State Aid to Highways Program for highway construction and/or maintenance on any State approved road during Fiscal Year 2015. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 11

To see if the Town will vote to reduce the rate of interest that accrues on property taxes deferred by eligible seniors under M.G.L. c.59, §5, Clause 41A, the so-called Property Tax Deferral for Seniors program, from 8.0% to 5.0%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2014, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town reduce the rate of interest that accrues on property taxes deferred by eligible seniors under M.G.L. c.59,§5, Clause 41A, the so-called Property Tax Deferral for Seniors program, from 8.0% to 5.0%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2014. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 12

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 accept the terms and conditions of the tax valuation agreement from Fiscal Year 2015 through Fiscal Year 2018 between the Town of Sandwich and NRG Canal, LLC dated April 3, 2014 and entitled "Tax Valuation Agreement", a copy of which is attached to the warrant as Article 12 – NRG Tax Valuation Agreement, or take any action relative thereto.

UNANIMOUSLY VOTED: That the Town accept, in accordance with the regulations issued by the Department of Revenue in the Informational Guideline Release No. 98-403, the terms and conditions of the "Tax Valuation Agreement" from Fiscal

Year 2015 through Fiscal Year 2018 between the Town of Sandwich and NRG Canal, LLC dated April 3, 2014. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 13

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY'15 Community Preservation budget and to appropriate from the Community Preservation Fund FY'15 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'15; 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'15 Budgeted Reserve for general Community Preservation Act purposes; 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 2015 Community Preservation budget and transfer and appropriate \$75,000 from the Community Preservation Fund Fiscal Year 2015 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 2015; and further reserve for future appropriation from the Fiscal Year 2015 Community Preservation Fund estimated annual revenues the following sums: \$182,500 for open space purposes; \$182,500 for historic resources purposes; and \$182,500 for community housing purposes. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 14

To see if the Town will vote to appropriate under the Community Preservation Act – open space and recreation program, the sum of \$1,300,000.00, or any other amount, to be expended under the direction of the School Committee, for the purpose of making improvements to the multi-purpose field at Sandwich High School and installing associated bleachers and lighting, and to authorize the Board of Selectmen to enter into a Memorandum of Understanding with the School Committee to provide public access to said facilities in accordance with School Department policies, rules and regulations; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose, and that the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow up to \$1,300,000.00 and issue bonds and notes therefor pursuant to M.G.L. c.44B, §11, or any other enabling authority; or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town appropriate \$1,300,000 under the Community Preservation Act for open space and recreation purposes, to be expended under the direction of the School Committee, for the purposes of making improvements to the multi-purpose field at Sandwich High School and installing associated bleachers and lighting; and authorize the Board of Selectmen to enter into a Memorandum of Understanding with the School

Committee to provide public access to said facilities in accordance with School Department policies, rules and regulations; and authorize the Treasurer, with the approval of the Board of Selectmen, to borrow up to \$1,300,000 and issue bonds and notes therefore pursuant to M.G.L. c.44B, §11, or any other enabling authority. This was a voice vote and declared carried unanimously by the required two-thirds majority by the Moderator.

ARTICLE 15

To see if the Town will vote to appropriate under the Community Preservation Act – open space and recreation program, the sum of \$1,000,000.00, 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, and construct a beach renourishment, restoration and resiliency project on Town Neck Beach, provided that no funds may be expended from this appropriation until the Town has received notification that it has received a grant from the National Fish and Wildlife Foundation – Hurricane Sandy Coastal Resiliency Competitive Grants program; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose, and that the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow up to \$1,000,000.00 and issue bonds and notes therefor pursuant to M.G.L. c.44B, §11, or any other enabling authority; or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town appropriate \$1,000,000 under the Community Preservation Act for open space and recreation purposes, to be expended under the direction of the Board of Selectmen, for the purposes of securing professional services to design, permit, and construct a beach renourishment, restoration and resiliency project on Town Neck Beach, provided that no funds may be expended from this appropriation until the Town has received notification that it has received a grant from the National Fish and Wildlife Foundation Hurricane Sandy Coastal Resiliency Competitive Grants program; and authorize the Treasurer, with the approval of the Board of Selectmen, to borrow up to \$1,000,000 and issue bonds and notes therefore pursuant to M.G.L. c.44B, §11, or any other enabling authority. This was a voice vote and declared carried unanimously by the required two-thirds majority by the Moderator.

ARTICLE 16

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$19,281.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving and protecting the holdings of the Sandwich Town Archives located at the Sandwich Public Library; 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 \$19,281 from the Community Preservation Fund Fiscal Year 2015 estimated annual revenues for historic resource purposes under the Community Preservation Act, to be expended under the direction of the Board of Selectmen, for the purpose of preserving and protecting the holdings of the Sandwich Town Archives located at

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

ARTICLE 17

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$20,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of securing professional services to complete an assessment on preserving, restoring, and protecting burial stones in the Town of Sandwich Cedarville Cemetery located at the corner of Ploughed Neck Road and Route 6A; 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 \$20,000 from the Community Preservation Fund Fiscal Year 2015 estimated annual revenues for historic resource purposes under the Community Preservation Act, to be expended under the direction of the Board of Selectmen, for the purpose of securing professional services to complete an assessment on preserving, restoring, and protecting burial stones in the Town of Sandwich Cedarville Cemetery located at the corner of Ploughed Neck Road and Route 6A. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 18

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources 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 securing professional services to complete an assessment of the condition of Lower Shawme Pond Dam, the Dexter Grist Mill, and surrounding property, including the development of design and construction documents for recommended repairs, renovations, and improvements, or take any other action relative thereto.

UNANIMOUSLY VOTED: That the Town transfer and appropriate \$100,000 from the Community Preservation Fund, with \$1,605 coming from Fiscal Year 2015 estimated annual revenues and \$98,395 coming from the Community Preservation Historic Resources Reserve, for historic resource purposes under the Community Preservation Act, to be expended under the direction of the Board of Selectmen, for the purpose of securing professional services to complete an assessment of the condition of Lower Shawme Pond Dam, the Dexter Grist Mill, and surrounding property, including the development of design and construction documents for recommended repairs, renovations, and improvements. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 19

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, or otherwise for open space purposes pursuant to the Community

Preservation Act, the fee simple interest in the property shown on Assessor's Map 25, as Parcel 25, off Chase Road, 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 \$239,000.00, or any other amount; and further to authorize the Board of Selectmen to grant a conservation restriction in 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 action relative thereto.

UNANIMOUSLY VOTED: To indefinitely postpone Article 19. This was a voice vote and declared carried unanimously by the Moderator.

ARTICLE 20

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, or otherwise, for open space purposes pursuant to the Community Preservation Act, the fee simple interest in the property identified as Parcel 1, Holway's Road, shown on a plan of land entitled recorded with Barnstable Registry of Deeds in Plan Book 650, Page 20, 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 \$51,000.00, or any other amount; and further to authorize the Board of Selectmen to grant a conservation restriction in 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 action relative thereto.

UNANIMOUSLY VOTED: Town authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, or otherwise for open space purposes pursuant to the Community Preservation Act, the fee simple interest in the property identified as Parcel 1, Holway's Road, shown on a plan of land entitled recorded with Barnstable Registry of Deeds in Plan Book 650, Page 20, and further that said land shall be under the care, custody and control of the Conservation Commission, and as funding therefore to transfer and appropriate \$51,000 from the Community Preservation Fund Open Space Reserve, to be expended under the direction of the Board of Selectmen, and further authorize the Board of Selectmen to grant a conservation restriction in said property, pursuant to G.L. c.44B, §12 and G.L. c. 184, §§31-33. This was a voice vote and declared carried unanimously by the required two-thirds majority by the Moderator.

ARTICLE 21

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article VIII by extending the Temporary Moratorium on Medical Marijuana Treatment Centers for an additional one year period as follows with the text to be deleted shown with strike throughs and the new text underlined, or take any action relative thereto:

TEMPORARY MORATORIUM

...The moratorium shall be in effect through ~~June 30, 2014~~ June 30, 2015...

UNANIMOUSLY VOTED: That the Town amend the Sandwich Protective Zoning By-laws, Article VIII by extending the Temporary Moratorium on Medical Marijuana Treatment Centers for an additional one year period through June 30, 2015, as printed in the Warrant under Article 21. This was a voice vote and declared carried unanimously by the required two-thirds majority by the Moderator.

ARTICLE 22

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by deleting Section 4300, Flood Plain District, in its entirety, and replacing it with a new Section 4300, Flood Plain District, as printed below, or take any action relative thereto:

4300. FLOOD PLAIN DISTRICT. Purpose. The purpose of these regulations is to ensure public safety by reducing personal injury and threats to life; to eliminate new hazards to emergency response officials; to prevent public emergencies resulting from water contamination due to flooding; to avoid the disruption or shutdown of the utility network due to flooding, to the detriment of areas beyond the flooding site; to eliminate costs associated with the response and cleanup of flooding conditions; and to reduce flood damage to public and private property.

4310. Creation.

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Sandwich designated as Zone AE, AO, or VE on the Barnstable County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Barnstable County FIRM that are wholly or partially within the Town of Sandwich are panel numbers 25001C0317J, 25001C0319J, 25001C0336J, 25001C0338J, 25001C0339J, 25001C0343J, 25001C0506J, 25001C0507J, 25001C0508J, 25001C0509J, 25001C0512J, 25001C0514J, 25001C0516J, 25001C0517J, 25001C0518J, 25001C0519J0526J, 25001C0527J, 25001C0528J, 25001C0529J, 25001C0531J, 25001C0532J, 25001C0533J, 25001C0534J, 25001C0536J, 25001C0537J and 25001C0541J dated July 16, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, Conservation Commission and Town Engineer.

4320. Definitions. For the purpose of this section of the Zoning By-Law, terms shall be defined as follows:

BASE FLOOD - The flood having one percent chance of being equaled or exceeded in any given year.

COASTAL HIGH HAZARD AREA - The area subject to high velocity waters, including but not limited to tidal waves or hurricane wave wash. The area is designated on the FIRM as Zone VE.

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DISTRICT - Flood Plain District.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) The agency which administers the National Flood Insurance Program and provides nationwide flood hazard area mapping and regulatory standards for development in flood hazard areas.

FLOOD HAZARD BOUNDARY MAP (FHBM) - An official map of a community issued by FEMA where the boundaries of the flood mudslide (i.e. mudflow), or related erosion areas having special hazards have been designated as Zones A, M and/or E.

FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) - An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e. mudflow) and/or flood related erosion hazards.

MANUFACTURED HOME - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" shall also include park trailers, travel trailers and other similar vehicles.

NEW CONSTRUCTION - Structures for which construction commenced on or after the effective date of the Town's Flood Plain District regulations.

ONE-HUNDRED-YEAR FLOOD - See Base Flood.

SPECIAL FLOOD HAZARD AREA - The land within a flood plain subject to a one- percent or greater chance of flooding in any given year. The area may be designated on the FIRM as Zone A, AO, AI-30, AE, A99, AH, V, V1-30, and VE.

STRUCTURE - A walled and roofed building, a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

SUBSTANTIAL IMPROVEMENT - Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged, before the damage occurred. "Substantial improvement" shall be deemed to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

ZONE A - The 100-year flood area where the base flood elevation (BFE) has not been determined. To determine the BFE, use the best available federal, state, local or other data.

ZONE AE - The 100-year flood area where the base flood elevation has been determined.

ZONE AH AND ZONE AO - The 100-year flood area with flood depths of one (1) to three (3) feet.

ZONE A99 - Areas to be protected from the 100-year flood by a federal flood protection system under construction. BFE's have not been determined.

ZONE VE - See Coastal High Hazard Area.

4330. Compliance With State, Federal And Local Regulations. All development activities within the District, whether structural or non-structural, shall comply with MGL Chapter 131, Section 40 and with all other applicable state regulations, unless a variance is granted according to the variance procedures required for such regulations, including:

- 780 CMR of the Massachusetts State Building Code or applicable sections of the Massachusetts
- State Building Code in effect at the time of the application which addresses flood plain and coastal high hazard areas;
- 310 CMR 10.00, Wetlands Protection Regulations, Department of Environmental Protection (DEP);
- 310 CMR 13.00, Inland Wetlands Restriction, DEP;
- 310 CMR 12.00, Coastal Wetlands Restriction, DEP;
- 310 CMR 15, Title 5, Minimum Requirements for the-Subsurface Disposal of Sanitary Sewage, DEP.

Any required federal or state permit shall be obtained prior to the issuance of a development permit. Further, the Town of Sandwich Wetlands Protection Bylaw and all Sandwich Board of Health regulations shall be adhered to.

In addition, the following requirements shall apply:

4340. No building permit shall be issued for construction where any land to be excavated or filled in conjunction with **such construction is below the base flood elevation** unless granted a special permit for an exception by the Board of Appeals. Such special permit shall be issued only upon demonstration by the applicant that the proposed development will pose no hazard to the health and safety of the occupants thereof and meets Flood Plain District requirements.

- In Zone AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- In a riverine situation, The Department of Natural Resources shall notify the following of any alteration or relocation of a watercourse:
 - a) Adjacent Communities
 - b) NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
 - c) NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110
- Within Zone AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
- Man-made alteration of sand dunes within Zone VE which would increase potential flood damage are prohibited.
- All new construction within Zone VE must be located landward of the reach of mean high tide.
- All subdivision proposals must be designed to assure that:
 - a) such proposals minimize flood damage;
 - b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c) adequate drainage is provided to reduce exposure to flood hazards.

4350. Without limiting the generality of the foregoing, the following are presumed to be hazardous to health and safety:

- a) Floor level, including basement or cellar of any structure, below the base flood elevation.
- b) Individual sewage disposal systems subject to inundation in the event of coastal flooding during a 100-year flood event.
- c) Methods of filling or foundations subject to displacement by coastal flooding during a 100-year flood event.
- d) Water supply subject to interruption or contamination in the event of coastal flooding during a 100-year flood event. Within ten (10) days of receipt of the application, the receiving agency shall transmit one copy of the development plan to the Conservation Commission, Planning Board, Board of Health, Town Engineer, and Building Inspector.

Final action shall not be taken until reports have been received from the above agencies or until thirty-five (35) days have elapsed.

4360. No fill may be placed on any lot, any portion of which is at or below the base flood elevation, without a special permit.

UNANIMOUSLY VOTED: That the Town amend the Sandwich Protective Zoning By-laws by deleting Section 4300, Flood Plain District, in its entirety, and replacing it with a new Section 4300, Flood Plain District, as printed in the Warrant under Article 22. This was a voice vote and declared carried unanimously by the required two-thirds majority by the Moderator.

ARTICLE 23

To see if the Town will vote to direct the Board of Selectmen to place the following question on the next election ballot: **“Shall the Town of Sandwich petition the General Court of the Commonwealth of Massachusetts asking that the Town of Sandwich be released from membership in and removed from the authority of the Cape Cod Commission and the Cape Cod Commission Act?”** or to take any other action relative thereto.

(Submitted By Petition)

VOTED: To approve the non-binding petition article as printed in the Warrant under Article 23. This was a voice vote and declared not carried unanimously by the Moderator.

ARTICLE 24

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;
Two Board of Selectmen members for a term of three years;
One Constable for a term of three years;
Two Planning Board members for a term of three years;
One Planning Board member for an unexpired term of one year;
Two School Committee members for a term of three years;
One School Committee member for an unexpired term of one year;
Three Trustees of the Sandwich Public Library for a term of three years;
One Trustee of the Sandwich Public Library for an unexpired term 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 questions:

BALLOT QUESTION #1

Shall the Town of Sandwich be allowed to assess an additional \$500,000 in real estate and personal property taxes for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the Sandwich High School

multi-purpose synthetic turf athletic field for the fiscal year beginning July first, two thousand fourteen?

YES: _____

NO: _____

BALLOT QUESTION #2

Shall the Town of Sandwich be allowed to assess an additional \$1,300,000 in real estate and personal property taxes for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to Sandwich public roads and public infrastructure for the fiscal year beginning July first, two thousand fourteen?

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 EIGHTH DAY OF MAY, 2014.

Voted: To adjourn to the Town Elections on May 8, 2014. This was a voice vote and declared carried by the Moderator.

The meeting was adjourned at 10:14 PM

I hereby certify that this is a true record of the Annual Town Meeting held on May 5, 2014.

Respectfully Submitted,

Taylor D. White
Town Clerk