

**Town of Mashpee  
Mashpee High School  
500 Old Barnstable Road  
Mashpee, MA 02649  
Special Town Meeting  
Monday, May 6, 2019**

Barnstable, ss:

Greetings to the Constables of the Town,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and summon the inhabitants of the Town of Mashpee who are qualified to vote in the elections to meet at the Mashpee High School on Monday, the 6th day of May 2019 at 7:00 p.m. for the following purposes:

To act on the articles contained in the following Warrant:

**Article 1**

To see if the Town will vote to appropriate and transfer a sum of money from revenue available for appropriation to the Snow & Ice Account, or take any other action relating thereto.

Submitted by the Department of Public Works

**Explanation:** This article is necessary to fund a deficit in the Snow & Ice Account.

**The Board of Selectmen recommends approval of Article 1 by a vote of 4-0  
The Finance Committee will make a recommendation at Town Meeting**

**Article 2**

To see if the Town will vote to appropriate and transfer the sum of \$15,000 from the Waterways Improvement Fund to the Ramp Scraping account for the purpose of providing funds to be used for ramp safe boating access at any of the salt or fresh water ramps. This will improve safe boating access to and from the ramp or take any other action thereto.

Submitted by the Waterways Commission

Explanation: This Article will transfer funds from the Waterways Improvement Fund to scrape sand piling that has been created over time by boat "power loading".

**The Board of Selectmen recommends approval of Article 2 by a vote of 4-0  
The Finance Committee recommends approval of Article 2 by a vote of 6-0**

**Article 3**

To see if the Town will vote to appropriate and transfer from available funds \$45,000 to the Human Resources Accrued Benefit Account, or take any other action relating thereto.

Submitted by the Human Resources Department

**Explanation:** This article is necessary to replenish the Human Resources Accrued Benefits Account.

**The Board of Selectmen recommends approval of Article 3 by a vote of 4-0**

**The Finance Committee recommends approval of Article 3 by a vote of 6-0**

**Article 4**

To see if the Town will appropriate and transfer pursuant to the provisions of M.G.L. C. 44B, §6 to reserve from the Community Preservation Fund Budgeted for Appropriation Reserve, the following amounts:

\$13,896	10% Open Space/Recreation Purposes
\$13,896	10% for Historic Purposes
\$13,896	10% for Community Housing Purposes

or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 4 by a vote of 7-0

**Explanation:** This is a “clean-up” article to meet the requirement of reserving funds from the supplemental CPA FY 2019 Trust Fund distribution. The amount of FY 2019 CPA state reimbursement received by the Town of Mashpee was \$138,957 higher than the initial estimate. We are required to set aside 10% of those excess funds and deposit them into each of the CPA reserves. Funding shall derive from the Community Preservation Budgeted for Appropriation Reserve.

**The Board of Selectmen recommends approval of Article 4 by a vote of 4-0**

**The Finance Committee recommends approval of Article 4 by a vote of 6-0**

**Article 5**

To see if the Town will vote to re-authorize the appropriation and transfer from the Community Preservation Fund Budgeted Reserve for Appropriation, in accordance with the provisions of M.G.L. Chapter 44B, §5, \$161,900 for the purpose of extending the time limit of the appropriation to fund the acquisition of the property located at 9 Quashnet Road, Mashpee, identified on Assessor’s Map 44, Parcel 11 comprised of 4.212 acres, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, and further to authorize the Board of Selectmen to acquire the fee interest in said property by gift, purchase, or eminent domain taking, for open space and passive recreational use purposes, said land to be held under the jurisdiction and control of the Conservation Commission in accordance with the provisions of G.L. c. 40, §8C, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 5 by a vote of 6-0-2.

**Explanation:** This article seeks to re-authorize funding that is encumbered from the Community Preservation Fund to purchase 4.212 acres on a small freshwater pond for open space and passive recreation purposes and to authorize the Town to acquire title to the subject property by gift, purchase or eminent domain taking. Town Meeting had previously authorized this appropriation at the May 4, 2015 Special Town Meeting; however, due to issues beyond the Town's control, the transfer was not consummated within three years, thus, the appropriation lapsed under the Town's Bylaws. Acquisition of the property by eminent domain taking will address any title issues with respect to the property and assure that the Town will obtain clear title to the property upon transfer.

The calculated wetland is .216 acres and includes a 20' wide buffer zone around the wetlands. The remainder, 3.996 acres is upland. The land is located in an R-5 zoning district which would allow the property to be subdivided into (2) Approval Not Required (ANR) subdivision lots. The acquisition of the property conforms to the Town of Mashpee Local Comprehensive Plan (LCP) five-year Open Space & Recreation Plan for the protection of, and access to, Washburn Pond, for agricultural preservation and for the protection of BioMap Core Habitat. The vacant lot is accessible by public road. The property is wooded. The rear of the site lot fronts Washburn Pond.

SEE MAP IN APPENDIX A

**The Board of Selectmen recommends approval of Article 5 by a vote of 4-0**

**The Finance Committee recommends approval of Article 5 by a vote of 4-1**

## **Article 6**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Budgeted for Appropriation Reserve in accordance with the provisions of M.G.L. Chapter 44B, §5 \$320,000 for the purpose of funding the Restoration of the Upper Quashnet River System in the John's Pond Conservation Land including necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 6 by a vote of 8-0.

**Explanation:** The goal of this project is to improve water quality, aquatic and riverbank habitat associated to the headwaters of the Quashnet River. This undertaking would restore fish passage and re-establish a once prolific cold-water fishery for Sea Brook Trout. The project, a part of the Mashpee National Wildlife Refuge would support increased recreational activities such as fishing, hiking, biking, bird and wildlife viewing as well as other passive recreational opportunities.

The Upper Quashnet River was once a pristine river system. It has been heavily degraded over time from manmade activities including groundwater contamination. Funding has been secured from the Air Force Civil Engineering Center in the amount of \$844,000 for remediation which would include the actual construction of the restoration project. CPA funding would support the planning and permitting phases. The revitalization project in combined effort would restore the Quashnet River to its historic condition.

**The Board of Selectmen recommends approval of Article 6 by a vote of 4-0**

**The Finance Committee recommends approval of Article 6 by a vote of 6-0**

**Article 7**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund 10% Open Space/Recreation Reserve in accordance with the provisions of M.G.L. Chapter 44B, §5 \$240,510 for the purpose of funding the Garner Bogs/Upper Childs River Restoration Project including necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 7 by a vote of 7-0-1

**Explanation:** The goal of this project is to create a cold-water fishery in the Upper Childs River and to restore the abandoned Garner and Farley cranberry bogs to wetlands. The scope of this project encompasses approximately 40-acres of land and water located in the Towns of Mashpee and Falmouth. The project would rehabilitate 1.5 miles of the Upper Childs River and restore 15.1 acres of abandoned cranberry bogs in both towns.

The conservation and restoration project would provide recreational opportunities such as hiking, bird watching, nature viewing, and future catch and release fishing. With the restoration of the wetlands as a natural water filtration system water quality would improve in the community watersheds. In the event of severe storms and sea level rise, the improved wetlands would act as water storage areas to reduce the effects of flooding.

The Town of Mashpee Board of Selectmen and its Town Meeting has agreed to a 30-year lease of the 24.7acre Garner Bog to the Falmouth Rod & Gun Club. The entire project lies within the Mashpee National Wildlife Refuge, and the Town of Falmouth has given unanimous support to this project.

The estimated construction cost is nearly \$2 million. Over \$750,000 in grant funding has been secured. The Mashpee CPA contribution would be used to rehabilitate the Upper Childs River and restore the two Garner Bogs.

SEE MAP IN APPENDIX A

**The Board of Selectmen recommends approval of Article 7 by a vote of 3-0-1**

**The Finance Committee recommends approval of Article 7 by a vote of 6-0**

**Article 8**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund 10% Open Space/Recreation Reserve in accordance with the provisions of M.G.L. Chapter 44B, §5 \$44,996 for the purpose of funding the Mashpee Community Garden Reconstruction project including necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 8 by a vote of 6-1-1

**Explanation:** The goal of this project is to continue the community gardening initiative by reconstructing the garden areas and improving the soils to promote a healthy and productive growing environment and add recreational activities in the community. The site of the gardens established with the use of CPA funding in 2009 is the former Attaquin Park Hotel located off Route 130, Main Street. With CPA funding, the reconstruction project would begin in the fall of 2019. The new plan re-designs the layout of the garden bed areas to allow for additional public areas outside of the garden for historic, cultural and recreational activities. Garden pathways, with improved on-site parking, and garden fencing is proposed. Site plans also include the removal of invasive tree species, extending the existing water line, and adding a kiosk and signage for parking restrictions.

The new garden areas are proposed for completion in preparation for the Mashpee 150<sup>th</sup> Anniversary celebration in 2020. Plantings at the site location will include native and herb display gardens as well as pollinator garden areas.

**The Board of Selectmen recommends approval of Article 8 by a vote of 4-0**

**The Finance Committee recommends approval of Article 8 by a vote of 5-1**

### **Article 9**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund 10% Open Space/Recreation Reserve in accordance with the provisions of M.G.L. Chapter 44B, §5 \$123,500 for the purpose of funding proposed Improvements to Attaquin Park to include the construction of a half basketball court, the installation of a shade shelter in the picnic area and the installation of additional playground equipment including necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 9 by a vote of 8-0

**Explanation:** Attaquin Park is one of two fresh water beaches owned by the Town. The project goal is to enhance and improve the site amenities at the park. This includes the construction of a half basketball court, installation of a shade shelter in the picnic area and the installation of additional playground equipment. The project includes the reconfiguration of the court and parking lot. The location of the basketball court in the parking lot has been deemed unsafe and the site as it is presently configured reduced the amount of parking spaces for the users and visitors of the Attaquin Park.

The new court will be located in the area adjacent to the parking lot and the picnic area. A fence will separate the court from the parking lot. A 20'x24' shade shelter will allow for sun protection. Additional playground equipment is proposed. In 2015 CPA funding supported Phase 1 of the project by adding new playground equipment for safety. Improvements to the park would provide healthy and constructive activities for visitors of all ages.

**The Board of Selectmen recommends approval of Article 9 by a vote of 4-0**

**The Finance Committee recommends approval of Article 9 by a vote of 6-0**

**Article 10**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund 10% Historic Reserve in accordance with the provisions of M.G.L. Chapter 44B, §5 \$285,000 for the purpose of funding the Mashpee War Monument, Community Park Project including necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 10 by a vote of 7-0

**Explanation:** A goal of this project is to honor, recognize and pay tribute to all veterans from the Town of Mashpee to ensure their service and sacrifice to our country is made visible and never forgotten. The monument will be located at the Community Park visible from Route 130, Main Street in the heart of the Mashpee community. Six bronze sculpted military logos for each branch of service will be depicted on the black etched monument where names would be organized alphabetically by conflict. Flagpoles are planned on site acknowledging the American Flag, the Town of Mashpee Flag and the Wampanoag Flag. In addition, benches, lighting and new pathways would be incorporated into the design.

The total cost of this project is \$300,000. Through SHRAB granting funding \$15,000 has been secured to complete this phase. It is anticipated the project would be completed to compliment the 150<sup>th</sup> Anniversary of the Town of Mashpee in 2020. A CPA award in May of 2018 supported landscape architectural services. An additional planning phase is under consideration.

**The Board of Selectmen recommends approval of Article 10 by a vote of 4-0**

**The Finance Committee recommends approval of Article 10 by a vote of 6-0**

**Article 11**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund 10% Historic Reserve in accordance with the provisions of M.G.L. Chapter 44B, §5 \$150,742 for the purpose of funding the Historic Document Restoration Project Phase I including necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 11 by a vote of 7-0.

**Explanation:** The goal of this project is to begin the restoration of historical documents required by the Commonwealth of Massachusetts to be maintained as permanent records. The documents are in distressed condition and are currently being stored in the attic of the Mashpee Town Hall an area lacking climate control. When they are restored and bound they would be filed in the Town Clerk's climate controlled vault. Documents in this phase include valuations from the early 1900's, personal property valuations, tax records and tax listings.

**The Board of Selectmen recommends approval of Article 11 by a vote of 4-0**

**The Finance Committee recommends approval of Article 11 by a vote of 5-0**

## Article 12

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Historic Preservation Reserve, in accordance with the provisions of M.G.L. Chapter 44B §5, the sum of \$400,000 for the purpose of funding the Mashpee Parsonage Restoration Project including any necessary costs and expenses related thereto as recommended by the Community Preservation Committee, said sum to be disbursed subject to and contingent upon prior execution of a Memorandum of Understanding between the fund recipient and the Board of Selectmen establishing milestones for full Project funding and a schedule for release of the subject appropriated CPA funds in relation thereto, and, further, subject to the recording of a Preservation Restriction to assure that the subject historic property's intrinsic values will be preserved through any subsequent ownership by restricting the demolition or alteration of its significant historic features, all as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 12 by a vote of 4-3.

**Explanation:** The project seeks to restore and preserve one of the few remaining historic buildings in Town, the Tribal Parsonage. The building has fallen into disrepair and requires immediate action before the structure is lost. This project represents a partnership between the Town and the Wampanoag Tribe and relies on the Tribe raising the balance of the funds needed to complete the reconstruction. The details and timing of the release of funds to the Tribe for work that is completed will be based on a Memorandum of Understanding between the Town and the Tribe.

SEE MAP IN APPENDIX A

**The Board of Selectmen recommends approval of Article 12 by a vote of 3-2**

**The Finance Committee recommends approval of Article 12 by a vote of 4-1**

## Article 13

To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate and transfer from the Community Preservation Fund Budgeted for Appropriation Reserve in accordance with the provisions of M.G.L. Chapter 44B §5, the sum of \$300,000 to the Mashpee Affordable Housing Trust ("Trust"); said funds to be held and expended by the Board of Trustees of said Trust for the purpose of Affordable Housing, including any necessary costs and expenses related thereto as recommended by the Community Preservation Committee provided, however, that said sum shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of M.G.L. c. 44B when expended by the Trust, shall be accounted for separately by the Trust, and, provided further, that at the end of each fiscal year, the Trust shall ensure that all expenditures of said funds are reported to the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 13 by a vote of 8-0.

**Explanation:** The goal of this project is to allow a more efficient procedure to enable the acquisition and subsequent development of affordable housing projects in the Town of Mashpee. The Affordable Housing Trust is the authority who may purchase, hold, and make decisions regarding the development of affordable units. Granting available funds to the Affordable Housing Trust will empower the Trust to negotiate with developers and execute real estate transactions effectively and efficiently.

**The Board of Selectmen recommends approval of Article 13 by a vote of 4-0**

**The Finance Committee recommends approval of Article 13 by a vote of 5-1**

#### **Article 14**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund 10% Affordable Housing Reserve, in accordance with the provisions of M.G.L. Chapter 44B §5, the sum of \$330,000 for the purpose of funding the Mashpee Housing Assistance Program II for an additional three-year period, said sum to be allocated as a CPA award of \$110,000 per year, including any necessary costs and expenses related thereto as recommended by the Community Preservation Committee, said sum to be disbursed subject to and contingent upon prior execution of a Memorandum of Understanding between the fund recipient and the Board of Selectmen, the terms of which shall be acceptable to said Board of Selectmen, said funds to be held and expended by the Affordable Housing Trust ("Trust") Board of Trustees for the purpose of funding Affordable Housing, including any necessary costs and expenses related thereto, provided, however, that said sum shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of M.G.L. c. 44B when expended by the Trust, shall be accounted for separately by the Trust, and, provided further, that at the end of each fiscal year, the Trust shall ensure that all expenditures of said funds are reported to the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

The Community Preservation Committee recommends approval of Article 14 by a vote of 7-0-1

**Explanation:** This article seeks funding from the Community Preservation Fund Affordable Housing Reserve to continue the Housing Assistance Program for an additional (3) three-year period, by way of a CPA award of \$110,000 per year, for a total of \$330,000. The program during the three-year period is estimated to assist 40 Mashpee families including the funding of administrative costs in the amount of \$8,000 to manage the program.

For ease of management and efficiencies, it is the recommendation of the Community Preservation Committee to grant the Affordable Housing Trust ("Trust") Board of Trustees of said Trust the recipient of all Affordable Housing projects.

In addition to the submission of quarterly reports, a Memorandum of Understanding between the Board of Selectmen and Mashpee Housing Authority is required for the operation of the program and limitation of the expenditures to \$110,000 per year, \$27,500 per quarter.

The goal of this project is to assist Mashpee residents in one or more of the following areas;

- Ongoing short-term rental assistance (12-24 months)
- One-time assistance for first/last/security deposits
- One-time emergency assistance for rent
- Mortgage assistance for short-term (1-3 months)
- Down payment assistance for first-time homebuyers

Mashpee Veterans will receive first priority for all programs. Second priority is given to those who live and work in Mashpee, and third priority is given to those who live (only) in Mashpee. The Housing Assistance Program was previously funded for a three-year period with CPA Affordable Housing funds in 2012. The program provides support to low income residents and offers support to those in need as a result of prolonged illness, loss of employment, divorce or other family or personal crisis.

**The Board of Selectmen recommends approval of Article 14 by a vote of 4-0**

**The Finance Committee recommends approval of Article 14 by a vote of 5-1**

**THIS CONCLUDES THE BUSINESS OF THE SPECIAL TOWN MEETING**

And you are hereby directed to serve this Warrant by posting up attested copies thereof, one at the Town Hall, one at the Post Office, and one each on the bulletin boards, thirty days at least before said meeting.

Hereof fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 25th day of March in the year two thousand and nineteen.

Per Order of,  
**Board of Selectmen**

Carol A. Sherman, Chairman  
John J. Cahalane, Vice-Chairman  
Andrew R. Gottlieb, Clerk  
John J. Cotton  
Thomas F. O'Hara

**Town of Mashpee  
Mashpee High School  
500 Old Barnstable Road  
Mashpee, MA 02649  
Annual Town Meeting  
Monday, May 6, 2019**

Barnstable, ss:

Greetings to the Constables of the Town,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and summon the inhabitants of the Town of Mashpee who are qualified to vote in the elections to meet at the Mashpee High School on Monday, the 6th day of May 2019 at 7:00 p.m. for the following purposes:

To act on the articles contained in the following Warrant:

**Article 1**

To see if the Town will vote to accept the reports of the Town officers, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** The 2018 Annual Town Report in which the reports of Town officers are presented is available at the Town Meeting and at the Town Hall.

**The Board of Selectmen recommends approval of Article 1 by a vote of 4-0**

**The Finance Committee recommends approval of Article 1 by a vote of 6-0**

**Article 2**

To see if the Town will vote to fix the salaries of the following elected officers as provided in Chapter 41, Section 108, of the Massachusetts General Laws for the period of July 1, 2019 to June 30, 2020, and further, to see if the Town will vote to appropriate, raise, and/or transfer a sum of money to defray the Town's expenses for the ensuing fiscal year, according to the following line item budget, with the maximum amount to be appropriated as shown in the column entitled "FY 2020 Department Request" (see Omnibus Budget), or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** This article seeks to fund the annual operating budgets for the various Town Departments.

**The Board of Selectmen recommends approval of Article 2 by a vote of 4-0**

**The Finance Committee recommends approval of Article 2 "FINANCE COMMITTEE RECOMMEND" column by a vote of 4-1**

DEPARTMENT		FY 2019 DEPARTMENT BUDGET	FY 2020 DEPARTMENT REQUEST	FY 2020 FINANCE COMMITTEE RECOMMEND	FY 2020 TOWN MANAGER RECOMMEND
<b>MODERATOR</b>					
SALARY	1	200	200	200	200
<b>TOTAL</b>		<b>200</b>	<b>200</b>	<b>200</b>	<b>200</b>
<b>SELECTMEN</b>					
SALARY-ELECTED	2	15,500	15,500	15,500	15,500
SALARY/WAGE	3	369,822	380,859	378,859	378,859
EXPENSE	4	38,500	38,500	38,500	38,500
LEG/ENG/CONSULTING	5	310,000	385,000	385,000	385,000
<b>TOTAL</b>		<b>733,822</b>	<b>819,859</b>	<b>817,859</b>	<b>817,859</b>
<b>FINANCE COMMITTEE</b>					
RESERVE FUND	6	100,000	100,000	100,000	100,000
EXPENSE	7	65,000	67,000	67,000	67,000
<b>TOTAL</b>		<b>165,000</b>	<b>167,000</b>	<b>167,000</b>	<b>167,000</b>
<b>TOWN ACCOUNTANT</b>					
SALARY/WAGE	8	256,280	277,213	277,213	277,213
EXPENSE	9	2,790	2,790	2,790	2,790
<b>TOTAL</b>		<b>259,070</b>	<b>280,003</b>	<b>280,003</b>	<b>280,003</b>
<b>ASSESSORS</b>					
SALARY-APPOINTED	10	3,000	3,000	3,000	3,000
SALARY/WAGE	11	269,067	284,179	284,179	284,179
EXPENSE	12	7,800	6,800	6,800	6,800
<b>TOTAL</b>		<b>279,867</b>	<b>293,979</b>	<b>293,979</b>	<b>293,979</b>
<b>TREASURER/TAX COLLECTOR</b>					
SALARY/WAGE	13	246,441	243,903	243,903	243,903
EXPENSE	14	52,200	53,900	48,900	48,900
DEBT SERVICE	15	2,500	2,500	2,500	2,500
FORECLOSURE	16	10,000	12,000	12,000	12,000
<b>TOTAL</b>		<b>311,141</b>	<b>312,303</b>	<b>307,303</b>	<b>307,303</b>
<b>HUMAN RESOURCES</b>					
SALARY/WAGE	17	308,363	330,621	330,621	330,621
EXPENSE	18	87,184	94,869	94,869	94,869
<b>TOTAL</b>		<b>395,547</b>	<b>425,490</b>	<b>425,490</b>	<b>425,490</b>

DEPARTMENT		FY 2019 DEPARTMENT BUDGET	FY 2020 DEPARTMENT REQUEST	FY 2020 FINANCE COMMITTEE RECOMMEND	FY 2020 TOWN MANAGER RECOMMEND
<b>INFORMATION TECHNOLOGY</b>					
SALARY/WAGE	19	254,388	269,063	269,063	269,063
EXPENSE	20	242,503	277,077	277,077	277,077
EQUIPMENT REPLACEMENT	21	27,000	27,000	27,000	27,000
<b>TOTAL</b>		<b>523,891</b>	<b>573,140</b>	<b>573,140</b>	<b>573,140</b>
<b>GIS</b>					
SALARY/WAGE	22	73,800	76,645	76,645	76,645
EXPENSE	23	10,037	10,540	10,540	10,540
<b>TOTAL</b>		<b>83,837</b>	<b>87,185</b>	<b>87,185</b>	<b>87,185</b>
<b>TOWN CLERK</b>					
SALARY-ELECTED	24	79,875	85,770	85,770	85,770
SALARY/WAGE	25	87,177	89,641	89,641	89,641
EXPENSE	26	9,350	9,175	9,175	9,175
<b>TOTAL</b>		<b>176,402</b>	<b>184,586</b>	<b>184,586</b>	<b>184,586</b>
<b>ELECTIONS &amp; REGISTRATIONS</b>					
SALARY/WAGE	27	55,703	51,077	51,077	51,077
EXPENSE	28	16,300	15,050	15,050	15,050
<b>TOTAL</b>		<b>72,003</b>	<b>66,127</b>	<b>66,127</b>	<b>66,127</b>
<b>CONSERVATION</b>					
SALARY/WAGE	29	200,512	209,944	209,944	209,944
EXPENSE	30	4,764	4,930	4,930	4,930
HERRING EXPENSE	31	500	500	500	500
<b>TOTAL</b>		<b>205,776</b>	<b>215,374</b>	<b>215,374</b>	<b>215,374</b>
<b>NATURAL RESOURCES</b>					
SALARY/WAGE	32	462,987	419,504	419,504	419,504
EXPENSE	33	96,200	99,500	99,500	99,500
PROPAGATION	34	80,000	162,000	162,000	162,000
<b>TOTAL</b>		<b>639,187</b>	<b>681,004</b>	<b>681,004</b>	<b>681,004</b>
<b>PLANNING BOARD</b>					
EXPENSE	35	7,765	7,765	7,765	7,765
<b>TOTAL</b>		<b>7,765</b>	<b>7,765</b>	<b>7,765</b>	<b>7,765</b>

DEPARTMENT		FY 2019 DEPARTMENT BUDGET	FY 2020 DEPARTMENT REQUEST	FY 2020 FINANCE COMMITTEE RECOMMEND	FY 2020 TOWN MANAGER RECOMMEND
<b>PLANNING DEPARTMENT</b>					
SALARY/WAGE	36	112,355	128,275	128,275	128,275
EXPENSE	37	5,300	4,750	4,750	4,750
<b>TOTAL</b>		<b>117,655</b>	<b>133,025</b>	<b>133,025</b>	<b>133,025</b>
<b>TOWN HALL</b>					
EXPENSE	38	264,000	274,000	274,000	274,000
<b>TOTAL</b>		<b>264,000</b>	<b>274,000</b>	<b>274,000</b>	<b>274,000</b>
<b>POLICE</b>					
SALARY/WAGE	39	3,725,050	3,955,643	3,952,438	3,952,438
EXPENSE	40	317,681	317,681	317,681	317,681
DISPATCHERS SALARY/WAGE	41	478,639	492,525	492,525	492,525
<b>TOTAL</b>		<b>4,521,370</b>	<b>4,765,849</b>	<b>4,762,644</b>	<b>4,762,644</b>
<b>FIRE</b>					
SALARY/WAGE	42	3,416,595	3,674,979	3,674,979	3,674,979
EXPENSE	43	476,961	500,241	500,241	500,241
<b>TOTAL</b>		<b>3,893,556</b>	<b>4,175,220</b>	<b>4,175,220</b>	<b>4,175,220</b>
<b>BUILDING INSPECTOR</b>					
SALARY/WAGE	44	326,063	316,752	316,752	316,752
EXPENSE	45	17,325	16,594	16,594	16,594
<b>TOTAL</b>		<b>343,388</b>	<b>333,346</b>	<b>333,346</b>	<b>333,346</b>
<b>TREE WARDEN</b>					
EXPENSE	46	425	425	425	425
<b>TOTAL</b>		<b>425</b>	<b>425</b>	<b>425</b>	<b>425</b>
<b>SCHOOL</b>					
BUDGET	47	21,381,532	22,176,919	22,176,919	22,176,919
<b>TOTAL</b>		<b>21,381,532</b>	<b>22,176,919</b>	<b>22,176,919</b>	<b>22,176,919</b>
<b>D.P.W.</b>					
SALARY/WAGE	48	2,569,043	2,695,269	2,604,269	2,695,269
EXPENSE	49	778,992	801,114	801,114	801,114
BUILDINGS & GROUNDS	50	1,204,519	1,253,323	1,253,323	1,253,323
<b>TOTAL</b>		<b>4,552,554</b>	<b>4,749,706</b>	<b>4,658,706</b>	<b>4,749,706</b>
<b>SNOW &amp; ICE</b>					
EXPENSE	51	116,570	116,570	116,570	116,570
<b>TOTAL</b>		<b>116,570</b>	<b>116,570</b>	<b>116,570</b>	<b>116,570</b>

DEPARTMENT		FY 2019 DEPARTMENT BUDGET	FY 2020 DEPARTMENT REQUEST	FY 2020 FINANCE COMMITTEE RECOMMEND	FY 2020 TOWN MANAGER RECOMMEND
<b>STREET LIGHTING</b>					
EXPENSE	52	28,000	28,000	28,000	28,000
<b>TOTAL</b>		<b>28,000</b>	<b>28,000</b>	<b>28,000</b>	<b>28,000</b>
<b>TRANSFER STATION</b>					
EXPENSE	53	859,685	946,231	896,231	896,231
<b>TOTAL</b>		<b>859,685</b>	<b>946,231</b>	<b>896,231</b>	<b>896,231</b>
<b>SEWER COMMISSION</b>					
EXPENSE	54	35,200	35,200	10,200	10,200
<b>TOTAL</b>		<b>35,200</b>	<b>35,200</b>	<b>10,200</b>	<b>10,200</b>
<b>CEMETERY</b>					
EXPENSE	55	15,000	15,000	15,000	15,000
<b>TOTAL</b>		<b>15,000</b>	<b>15,000</b>	<b>15,000</b>	<b>15,000</b>
<b>HEALTH</b>					
SALARY-APPOINTED	56	3,000	3,000	3,000	3,000
SALARY/WAGE	57	238,842	251,934	251,934	251,934
EXPENSE	58	23,590	23,590	23,590	23,590
<b>TOTAL</b>		<b>265,432</b>	<b>278,524</b>	<b>278,524</b>	<b>278,524</b>
<b>COUNCIL ON AGING</b>					
SALARY/WAGE	59	246,366	244,994	244,994	244,994
EXPENSE	60	37,492	44,703	44,703	44,703
<b>TOTAL</b>		<b>283,858</b>	<b>289,697</b>	<b>289,697</b>	<b>289,697</b>
<b>VETERANS</b>					
EXPENSE	61	105,000	105,000	105,000	105,000
MEMBERSHIP	62	35,500	40,000	40,000	40,000
<b>TOTAL</b>		<b>140,500</b>	<b>145,000</b>	<b>145,000</b>	<b>145,000</b>
<b>HUMAN SERVICES</b>					
SALARY/WAGE	63	72,066	76,593	76,343	76,343
EXPENSE	64	51,910	51,910	51,910	51,910
<b>TOTAL</b>		<b>123,976</b>	<b>128,503</b>	<b>128,253</b>	<b>128,253</b>
<b>LIBRARY</b>					
SALARY/WAGE	65	478,759	501,560	501,560	501,560
EXPENSE	66	189,073	191,105	191,105	191,105
<b>TOTAL</b>		<b>667,832</b>	<b>692,665</b>	<b>692,665</b>	<b>692,665</b>

DEPARTMENT		FY 2019 DEPARTMENT BUDGET	FY 2020 DEPARTMENT REQUEST	FY 2020 FINANCE COMMITTEE RECOMMEND	FY 2020 TOWN MANAGER RECOMMEND
<b>RECREATION</b>					
SALARY/WAGE	67	266,031	298,069	296,419	296,419
EXPENSE	68	32,000	32,075	32,075	32,075
<b>TOTAL</b>		<b>298,031</b>	<b>330,144</b>	<b>328,494</b>	<b>328,494</b>
<b>HISTORICAL</b>					
TEMP WAGE	69	9,000	10,330	6,830	6,830
EXPENSE	70	7,030	9,000	9,000	9,000
<b>TOTAL</b>		<b>16,030</b>	<b>19,330</b>	<b>15,830</b>	<b>15,830</b>
<b>CULTURAL COUNCIL</b>					
EXPENSE	71	90	90	90	90
<b>TOTAL</b>		<b>90</b>	<b>90</b>	<b>90</b>	<b>90</b>
<b>PRINCIPAL INSIDE 2 1/2</b>	72	<b>1,471,464</b>	<b>1,230,185</b>	<b>1,230,185</b>	<b>1,230,185</b>
<b>PRINCIPAL OUTSIDE 2 1/2</b>	73	<b>605,000</b>	<b>867,500</b>	<b>867,500</b>	<b>867,500</b>
<b>INTEREST INSIDE 2 1/2</b>	74	<b>182,166</b>	<b>323,602</b>	<b>323,602</b>	<b>323,602</b>
<b>INTEREST OUTSIDE 2 1/2</b>	75	<b>170,425</b>	<b>411,875</b>	<b>411,875</b>	<b>411,875</b>
<b>TEMP BORROW INSIDE 2 1/2</b>	76	<b>150,000</b>	<b>25,000</b>	<b>25,000</b>	<b>25,000</b>
<b>TEMP BORROW OUTSIDE 2 1/2</b>	77	<b>220,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>RETIREMENT EXPENSE</b>	78	<b>3,025,933</b>	<b>3,273,346</b>	<b>3,273,346</b>	<b>3,273,346</b>
<b>UNEMPLOYMENT</b>	79	<b>40,000</b>	<b>60,000</b>	<b>60,000</b>	<b>60,000</b>
<b>MEDICAL INSURANCE</b>	80	<b>8,385,320</b>	<b>9,236,950</b>	<b>8,062,572</b>	<b>8,062,572</b>
<b>GROUP INSURANCE</b>	81	<b>14,500</b>	<b>15,310</b>	<b>15,310</b>	<b>15,310</b>
<b>MEDICARE</b>	82	<b>453,318</b>	<b>453,318</b>	<b>453,318</b>	<b>453,318</b>
<b>TOWN INSURANCE</b>	83	<b>830,640</b>	<b>869,765</b>	<b>869,765</b>	<b>869,765</b>
<b>GRAND TOTAL</b>		<b>57,326,958</b>	<b>60,514,310</b>	<b>59,158,327</b>	<b>59,249,327</b>

### Article 3

To see if the Town will vote to appropriate and transfer the sum of \$1,472,692 from available funds to various department Capital Accounts, as specified in the chart accompanying this Article, or take any other action relating thereto.

Submitted by the Board of Selectmen

DEPARTMENT	FY 2020 CIP COMMITTEE RECOMMENDATIONS	FY 2020 TOWN MANAGER RECOMMENDATIONS
<b>DPW</b>		
2018 CAT 938M Loader-Year 2 of 3	\$76,950	\$76,950
Ford F350	\$45,000	\$45,000
Ford F350	\$45,000	\$45,000
Ford F350	\$45,000	\$45,000
Replace F350 with Ford F550-Year 1 of 2	\$40,000	\$40,000
<b>Total DPW</b>	<b>\$251,950</b>	<b>\$251,950</b>
<b>Fire</b>		
Ambulance	\$310,000	\$310,000
<b>Total Fire</b>	<b>\$310,000</b>	<b>\$310,000</b>
<b>Info Tech (IT)</b>		
Laserfiche	\$60,000	\$60,000
Time and Attendance Payroll System	\$100,000	\$100,000
<b>Total IT</b>	<b>\$160,000</b>	<b>\$160,000</b>
<b>Planning &amp; Construction</b>		
Flooring Replacement	\$50,000	\$50,000
MMHS Irrigation Well Head/Pump Replacement	\$25,000	\$25,000
Athletic Facilities Master Plan for the Mashpee Middle/High School	\$30,000	\$30,000
Needs Analysis for Department of Natural Resources Building	\$30,000	\$30,000
<b>Total Planning &amp; Construction</b>	<b>\$135,000</b>	<b>\$135,000</b>
<b>Police</b>		
10 Police Vehicles - Year 3 of 3	\$144,000	\$144,000
4 Police Vehicles - Year 2 of 3	\$52,000	\$52,000
<b>Total Police</b>	<b>\$196,000</b>	<b>\$196,000</b>
<b>Recreation</b>		
ADA Compliant Van-Year 2 of 3	\$17,742	\$17,742
<b>Total Recreation</b>	<b>\$17,742</b>	<b>\$17,742</b>
<b>School</b>		
Security System	\$110,000	\$110,000
MMHS Auditorium Sound System	\$25,000	\$25,000
MMHS Auditorium Lighting System	\$100,000	\$100,000
Chromebook Computers	\$36,000	\$36,000
Replace Teachers' PCs	\$56,000	\$56,000
Interactive Boards	\$25,000	\$25,000
Wireless Overhaul	\$25,000	\$25,000
Kitchen Upgrades	\$25,000	\$25,000
<b>Total School</b>	<b>\$402,000</b>	<b>\$402,000</b>
<b>TOTAL CAPITAL APPROPRIATION</b>	<b>\$1,472,692</b>	<b>\$1,472,692</b>

**Explanation:** This article is to appropriate funds for the FY 2020 capital budget.

**The Board of Selectmen recommends approval of Article 3 by a vote of 5-0**

**The Finance Committee recommends approval of Article 3 by a vote of 4-1**

#### **Article 4**

To see if the Town will vote to approve the annual regional school district budget for the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2019, in the amount of \$15,087,000, and further, to see if the Town will vote to raise and appropriate the sum of \$1,037,767 to meet its share of the cost of operation and maintenance of the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2019, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** Mashpee's share of the Cape Cod Regional Technical High School budget is \$1,037,767. There are 49 students from Mashpee at the Cape Cod Regional Technical High School, a decrease of 4 students from last year.

**The Board of Selectmen recommends approval of Article 4 by a vote of 4-0**

**The Finance Committee recommends approval of Article 4 by a vote of 6-0**

#### **Article 5**

To see if the Town will vote to approve the regional school district debt assessment for the Cape Cod Regional Technical High School District Building Project for the fiscal year beginning July 1, 2019, in the amount of \$7,732,364, and further, to see if the Town will vote to raise and appropriate the sum of \$611,150 to meet its share of the cost of debt for the Cape Cod Regional Technical High School District Building Project for the fiscal year beginning July 1, 2019, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** Mashpee's share of the Cape Cod Regional Technical High School debt for the Cape Cod Regional Technical High School Building Project for Fiscal Year 2020 is \$611,150.

**The Board of Selectmen recommends approval of Article 5 by a vote of 4-0**

**The Finance Committee recommends approval of Article 5 by a vote of 6-0**

#### **Article 6**

To see if the Town will vote to appropriate and transfer the sum of \$250,000 from revenue available for appropriation to the Other Postemployment Benefits Irrevocable Trust Fund, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** This article will add funds to the OPEB Irrevocable Trust Fund which was established in FY 2013 to assist the Town with meeting its potential post-employment benefits obligation.

**The Board of Selectmen recommends approval of Article 6 by a vote of 4-0**

**The Finance Committee recommends approval of Article 6 by a vote of 6-0**

#### **Article 7**

To see if the Town will vote to appropriate and transfer the sum of \$1,381,680 from revenue available for appropriation, to be deposited into the Capital Stabilization Fund, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** This article will set aside funds in to Capital Stabilization account for future capital expenditures in an effort to ensure the Town will maintain its assets at a level adequate to protect the Town's capital investments and to minimize future maintenance and replacement costs.

**The Board of Selectmen recommends approval of Article 7 by a vote of 4-0**

**The Finance Committee recommends approval of Article 7 by a vote of 6-0**

### **Article 8**

To see if the Town will vote to accept Section 3A of c. 337 of the Acts of 2018 (Section 3A of G. L. c. 64G) authorizing the imposition of a local excise tax upon the transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel at the rate of 6% of the total amount of rent paid for each such occupancy, or take any other action relative thereto.

Submitted by the Board of Selectmen

**Explanation:** This article authorizes the imposition of a local excise tax of 6% of the total amount of rent paid for on the transfer of occupancy of various types of short-term rentals as authorized by c. 337 of the Acts of 2018, effective on July 1, 2019.

**The Board of Selectmen recommends approval of Article 8 by a vote of 4-0**

**The Finance Committee recommends approval of Article 8 by a vote of 3-2**

### **Article 9**

To see if the Town will vote to accept Paragraph 4 of Chapter 40, Section 5B of the General Laws and dedicate, without further appropriation, into a special purpose Capital Expenditure Stabilization Fund, created hereby for the purposes of implementation of the Town's wastewater management program, affordable housing, and transportation improvements, seventy-five percent of the local option rooms excise tax that the Town receives on the transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental or motel, pursuant to its acceptance of General Laws Chapter 64G, Section 3A, as amended by Chapter 337 of the Acts of 2018; provided that said dedication shall take effect beginning in Fiscal Year 2020 which begins on July 1, 2019; and provided further that the Town shall not revoke its acceptance of said dedication for at least three fiscal years; or to take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** The Municipal Modernization Act in 2016 allows a Town which accepts G.L. c. 40, §5B, to dedicate not less than 25% of the local rooms excise tax to any stabilization fund. This would include any new revenue generated from short-term rentals. The Town must accept paragraph 4 of §5B at Town Meeting, establish the stabilization fund (if an appropriate one does not already exist), and designate the percentage of the room excise (not less than 25%) to be deposited in the stabilization fund. No further appropriation into the fund is required to dedicate the funds. As with any appropriation from a stabilization fund, a two-thirds vote is required by Town Meeting. Once a town accepts the stabilization fund dedication statute, the Town cannot revoke its acceptance for at least three fiscal years. This article creates a special purpose stabilization fund for clean water projects, transportation improvements and affordable housing, and directs 75% of short term rental tax receipts to this fund to offset the cost of said capital expenditures on the property tax.

**The Board of Selectmen recommends approval of Article 9 by a vote of 3-2**

**The Finance Committee does not recommend approval of Article 9 by a vote of 4-1**

#### **Article 10**

To see if the Town will vote to raise or transfer from available funds and appropriate the sum of \$50,000, for the purpose of funding the Mashpee Library project “Preserving our Past: Digitization of the Mashpee Enterprise Newspaper”, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** The goal of this project is to digitize the content of the Mashpee Enterprise weekly newspaper from the beginning of its publication in 1994 to the present. Digitization of the content to a public online archive will preserve this valuable historic resource while making it easily accessible and searchable to those in the Mashpee community and beyond.

**The Board of Selectmen recommends approval of Article 10 by a vote of 5-0**

**The Finance Committee recommends approval of Article 10 by a vote of 3-1-1**

#### **Article 11**

To see if the Town will vote to adopt, by local option pursuant to G.L. c. 64N, §3, the additional 3% local sales tax on the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** This article would adopt a 3% local sales tax on the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town.

**The Board of Selectmen recommends approval of Article 11 by a vote of 5-0**

**The Finance Committee recommends approval of Article 11 by a vote of 5-0**

#### **Article 12**

To see if the Town will vote to transfer from available funds the sum of \$50,000, to be expended under the direction of the Mashpee 150th Anniversary Committee with approval by the Board of Selectmen, for the purpose of funding the Town of Mashpee’s Sesquicentennial Celebration in 2020, or take any other action relating thereto.

Submitted by the Board of Selectmen

**The Board of Selectmen recommends approval of Article 12 by a vote of 5-0**

**The Finance Committee recommends approval of Article 12 by a vote of 5-0**

**Article 13**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift or otherwise title to those certain parcels of land located in Mashpee, Barnstable County, Massachusetts and identified by Mashpee Assessor's Map reference and address as follows:

Mashpee Assessor's Map 062 as Parcel 0052, and located at Delphic Avenue consisting of 0.057 acres, more or less; Map 070 as Parcel 0013 and located at Florence Street consisting of 0.046 acres, more or less; Map 120 as Parcel 0102 and located at 46 Hamblin Road consisting of 0.11 acres, more or less; Map 062 as Parcel 0066 and located at 48 Delphic Avenue consisting of 0.287 acres, more or less; Map 062 as Parcel 0063 and located at 32 Delphic Avenue consisting of 0.115 acres more or less; Map 062 as Parcel 0048 and located at 44 Cretic Avenue consisting of 0.23 acres, more or less; Map 062 as Parcel 0049 and located at 41 Delphic Avenue consisting of 0.23 acres more or less; Map 062 as Parcel 0124 and located at 38 Arabic Avenue consisting of 0.172 acres more or less; Map 062 as Parcel 0126 and located at 41 Arctic Street consisting of 0.115 acres more or less; Map 062 as Parcel 0049 and located at 41 Delphic Avenue consisting of 0.23 acres more or less; Map 062 as Parcel 0121 and located at 51 Baltic Avenue consisting of 0.172 acres more or less; Map 062 as Parcel 0123 and located at 42 Arabic Avenue consisting of 0.115 acres more or less; Map 062 as Parcel 0119 and located at 43 Baltic Avenue consisting of 0.172 acres more or less; Map 062 as Parcel 0118 and located at 35 Baltic Avenue consisting of 0.459 acres more or less; Map 062 as Parcel 0117 and located at 19 Arabic Avenue consisting of 0.23 acres more or less; Map 062 as Parcel 0024 and located at 34 Arabic Avenue consisting of 0.23 acres more or less; Map 062 as Parcel 0013 and located at 43 Arabic Avenue consisting of 0.126 acres more or less; Map 062 as Parcel 0035 and located at 22 Arctic Street consisting of 0.115 acres more or less; Map 062 as Parcel 0045 and located at 28 Cretic Avenue consisting of 0.23 acres more or less; Map 062 as Parcel 0034 and located at 39 Cretic Avenue consisting of 0.517 acres more or less; Map 062 as Parcel 0142 and located at 45 Delphic Avenue consisting of 0.115 acres more or less; Map 062 as Parcel 0044 and located at 18 Cretic Avenue consisting of 0.115 acres more or less; Map 062 as Parcel 0140 and located at 50 Cretic Avenue consisting of 0.23 acres more or less; Map 062 as Parcel 0141 and located at 47 Delphic Avenue consisting of 0.115 acres more or less; Map 062 as Parcel 0145 and located at Arctic Street consisting of 0.057 acres more or less; Map 062 as Parcel 0146 and located at 38 Cretic Avenue consisting of 0.115 acres more or less; Map 062 as Parcel 0131 and located at 24 Arctic Street consisting of 0.115 acres more or less; Map 062 as Parcel 0130 and located at 42 Baltic Avenue consisting of 0.115 acres more or less; Map 062 as Parcel 0128 and located at 48 Baltic Avenue consisting of 0.115 acres more or less; Map 062 as Parcel 0129 and located at 44 Baltic Avenue consisting of 0.115 acres more or less; Map 062 as Parcel 0138 and located at 31 Delphic Avenue consisting of 0.23 acres more or less; Map 062 as Parcel 0135 and located at 10 Baltic Avenue consisting of 0.172 acres more or less; Map 070 as Parcel 0093 and located at Hawthorne Street consisting of 0.046 acres more or less; Map 062 as Parcel 10 and located at Arabic Avenue consisting of 0.057 acres more or less; Map 070 as Parcel 0117 and located at Florence Street consisting of 0.046 acres more or less; Map 070 as Parcel 0016 and located at 24 Laurel Street consisting of 0.92 acres more or less; said properties to be acquired for general municipal purposes; and, further, to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments on behalf of the Town as may be necessary to effect said transfer of title, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** This article will authorize the Board of Selectmen to acquire title to 36 properties by gift or otherwise. SEE MAP IN APPENDIX A

**The Board of Selectmen recommends approval of Article 13 by a vote of 4-0**

**The Finance Committee recommends approval of Article 13 by a vote of 6-0**

**Article 14**

To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant to G.L. Ch 44 Section 53E ½ for the fiscal year beginning July 1, 2019 to be expended in accordance with the Bylaw establishing said revolving funds, heretofore approved, or take any other action relating thereto.

<b>FUND</b>	<b>FY 2020 AUTHORIZATION</b>
<b>RECREATION</b>	\$580,000
<b>LIBRARY</b>	\$ 20,000
<b>SENIOR CENTER</b>	\$ 15,000
<b>HISTORICAL COMMISSION</b>	\$ 2,500

Submitted by the Finance Director

**Explanation:** This article establishes the FY 2020 expenditure limits for departmental revolving funds.

**The Board of Selectmen recommends approval of Article 14 by a vote of 4-0**

**The Finance Committee recommends approval of Article 14 by a vote of 6-0**

**Article 15**

To see if the Town will vote to appropriate \$498,098 to establish a budget for the PEG Access and Cable Related fund for fiscal year 2020, with said appropriation to be funded through the current balance of the fund, or take any other action relating thereto.

Submitted by the Finance Director

**Explanation:** The Department of Revenue now requires the Town to vote a yearly budget based on estimated expenditures from the fund for the next fiscal year. The total budget voted may not exceed the current balance within the fund.

**The Board of Selectmen recommends approval of Article 15 by a vote of 4-0**

**The Finance Committee recommends approval of Article 15 by a vote of 6-0**

**Article 16**

To see if the Town will vote to accept the last paragraph of G.L. c.41, §111F to authorize the Town to create a special fund to be known as a special injury leave indemnity fund to be expended by the Board of Selectmen without further appropriation for payment of injury leave compensation or medical bills incurred under G.L. c.41, §111F or 100, to which appropriations may be made, and amounts received from insurance proceeds or restitution for injuries to firefighters or police officers shall be credited, provided further that said board may, if the amounts therein are not immediately necessary or required in the foreseeable future, release specific amounts to the General Fund, or take any other action relating thereto.

Submitted by the Finance Director

**Explanation:** This article seeks to accept the last paragraph of G.L. c.41, §111F which thereby authorizes the Town to create a fund for unanticipated medical costs associated with the police and fire departments for which the Town would be liable.

**The Board of Selectmen recommends approval of Article 16 by a vote of 4-0**

**The Finance Committee recommends approval of Article 16 by a vote of 6-0**

**Article 17**

To see if the Town will vote to establish a special injury leave indemnity fund, (Injured on Duty Fund), in accordance with the provisions of General Law Chapter 41, Section 111F for the purposes of funding injury leave compensation or medical bills incurred under said law, and to appropriate and transfer the sum of \$300,000 from revenue available for appropriation, to be deposited into said fund, or take any other action relating thereto.

Submitted by the Finance Director

**Explanation:** This article would create and deposit \$300,000 into said fund (Injured on Duty Fund).

**The Board of Selectmen recommends approval of Article 17 by a vote of 4-0**

**The Finance Committee recommends approval of Article 17 by a vote of 6-0**

**Article 18**

To see if the Town will vote to raise, borrow or transfer from available funds and appropriate \$599,277 to provide for road improvement projects under the Chapter 90 program, or take any other action relating thereto.

Submitted by the Department of Public Works

**Explanation:** This article authorizes use of funds which will be 100% reimbursed by the Commonwealth of Massachusetts. The budget approved each fiscal year by the Legislature and Governor establishes the total funding available for Chapter 90 local transportation aid for that year. These funds are then apportioned to the 351 Massachusetts towns and cities.

The funding authorized by this article is the maximum anticipated Town's share of the FY20 Chapter 90 program.

**The Board of Selectmen recommends approval of Article 18 by a vote of 4-0**

**The Finance Committee recommends approval of Article 18 by a vote of 6-0**

**Article 19**

To see if the Town will vote to upgrade one part-time Waterways Assistant position (30 hours/week with benefits) to a full-time Waterways Assistant position within the Department of Natural Resources with said position to be classified under the Personnel Administration Plan, Appendix B, to be effective July 1, 2019, and to appropriate and transfer the sum of \$11,268.05 from revenue available for appropriation with said funds to be distributed as follows: \$11,107 to the Department of Natural Resources Full-Time Salary Account and \$161.05 to the Medicare Account, or take any other action relating thereto.

Submitted by the Department of Natural Resources

**Explanation:** The new full-time Waterways Assistant position is needed to help implement the shellfish component of the Mashpee Comprehensive Watershed Nitrogen Management Plan for water quality restoration. The Waterways Assistant would also participate in water quality monitoring, and function as an Assistant Harbormaster and Deputy Shellfish Constable.

**The Board of Selectmen recommends approval of Article 19 by a vote of 4-0**

**The Finance Committee recommends approval of Article 19 by a vote of 5-1**

**Article 20**

To see if the Town will vote to create an additional position of full-time (40 hours/week) Assistant Health Agent within the Health Department, with said position to be classified under Unit A of the Managers Laborers' International Union of North America, to be effective July 1, 2019, and to appropriate and transfer the sum of \$96,341 from revenue available for appropriation, with said funds to be distributed as follows: \$57,705 to the Health Department Salary/Wage account, \$25,272 to the Medical Insurance account, \$35 to the Group Life Insurance account, \$837 to the Medicare expense account, and \$12,492 to the Barnstable County Retirement expense account, or take any other action relating thereto.

Submitted by the Board of Health

**Explanation:** A town bylaw is being proposed that requires short-term rental properties to register, pay a fee for inspection and to obtain permitting in the form of a rental certificate. The fee for the rental certificate shall be set by the Selectmen. The Board of Health shall be the department that registers, tracks the certificates and inspection via the Permiteyes permitting software. A portion of the revenue obtained from the rental certificate program and a portion from the excise tax with an approximate number of rentals in town at 400 will be sufficient to pay for the new position. The Assistant Health Agent position shall perform the rental certificate program inspections and all other required duties of the Board of Health as specified in the position job description.

**The Board of Selectmen recommends approval of Article 20 by a vote of 5-0**

**The Finance Committee does not recommend approval of Article 20 by a vote of 5-0**

**Article 21**

To see if the Town will vote to appropriate and transfer the sum of \$25,000 from the Waterways Improvement Fund to the Great River/Little River Channel Expansion Account for the purpose of providing engineering, surveying and testing services for the expansion project or take any other action thereto.

Submitted by the Waterways Commission

**Explanation:** The Expansion Project will require these engineering, surveying and testing services for the permitting phase of the project.

**The Board of Selectmen recommends approval of Article 21 by a vote of 5-0**

**The Finance Committee recommends approval of Article 21 by a vote of 5-0**

**Article 22**

To see if the Town will vote to transfer the sum of \$3,411 from the Waterways Improvement Wage Fund to the Waterways Improvement Fund or take any other action thereto.

Submitted by the Waterways Commission

**Explanation:** This account is no longer needed as the Wage account has not been used for an extended period of time. The funds could be used in a manner as recommended by the Waterways Commission to the Board of Selectmen in the future, which would be beneficial to the Town.

**The Board of Selectmen recommends approval of Article 22 by a vote of 4-0**

**The Finance Committee recommends approval of Article 22 by a vote of 6-0**

**Article 23**

To see if the Town will vote to appropriate the sum of \$414,450 for the operation of the Kids Klub Enterprise Fund for Fiscal Year 2020; said sum to be raised from \$414,450 in receipts of the Enterprise, or take any other action relating thereto.

Submitted by the Recreation Department

**Estimated Revenues**

Registration Fees	\$ 4,250
Tuition	\$ 410,000
Investment Income	\$ 200
<b>Total Budgeted Revenue</b>	<b>\$ 414,450</b>

**Estimated Expenses**

Salary (full-time; incl. long.)	\$ 270,270
Salary (part-time)	\$ 39,130
Benefits (Health, Life, Medicare)	\$ 44,800
Building Expenses	<u>\$ 60,250</u>
<b>Total Budgeted Expenses</b>	<b>\$ 414,450</b>
<b>Net Profit/Loss</b>	<b>\$ 0</b>

**The Board of Selectmen recommends approval of Article 23 by a vote of 4-0**

**The Finance Committee recommends approval of Article 23 by a vote of 6-0**

**Article 24**

To see if the Town will vote to appropriate and transfer from the FY 2020 Community Preservation Fund Estimated Revenues the sum of \$40,000 to the Community Preservation Committee Administrative and Operating Expense Account, pursuant to the provisions of M.G.L., C. 44B, §5, including any necessary costs related thereto, as recommended by the Community Preservation Committee or take any other action relating thereto.

Submitted by the Community Preservation Committee

**Explanation:** To provide annual funding in FY 2019 for the administrative and operational costs of the Community Preservation Committee which includes project costs associated with and incidental to the Community Preservation Committee. Under the CPA Act, up to 5% of the annual CPA funds may be spent on the operation and administrative costs of the Community Preservation Committee. Funding supports legal and professional fees, technical reviews, appraisal costs, signage, annual Community Preservation Coalition dues, administrative wages, office supplies and similar costs associated with and incidental to the development of a CPA project.

The vote of the Community Preservation Committee was 9-0 in support of this article.

**The Board of Selectmen recommends approval of Article 24 by a vote of 4-0**

**The Finance Committee recommends approval of Article 24 by a vote of 6-0**

**Article 25**

To see if the Town will vote to continue participation in the Community Septic Management Program and the Massachusetts Clean Water Trust for the purpose of making loans to residents of the Town for repairing and/or upgrading residential septic systems pursuant to agreements between the Board of Health and residential property owners, including all costs incidental and related thereto, or to take any other action relating thereto.

Submitted by the Board of Health

**Explanation:** The Commonwealth of Massachusetts, through the Clean Water Trust (formerly Water Pollution Abatement Trust), has provided approximately \$660,000.00 at 0% interest to the Town of Mashpee to assist homeowners in complying with failed Title V systems since 1998. The loans are available to homeowners at 5% interest, to cover any ongoing costs of the program. Loans must be secured by a betterment assessed by the Town on the property being improved by the loan. In 2006, Barnstable County created their own community loan program. The repayment of the loans to the Town with the 5% interest is being repaid through previously issued property betterments. In order for the Town to be able to re-loan funds to future additional septic projects, the Town must annually reauthorize/re-approve participation in the Community Septic Management Program. Failure to reauthorize participation in the Program will restrict the Town from re-lending funds to homeowners with failed septic systems. The repaid monies will be held in an account with the principal amount repaid to the Massachusetts Clean Water Trust as scheduled.

**The Board of Selectmen recommends approval of Article 25 by a vote of 4-0**

**The Finance Committee recommends approval of Article 25 by a vote of 6-0**

**Article 26**

**To see if the Town will vote to amend Section E of §174-5 (G) Light Industrial Overlay District to read as follows:**

Base zoning dimensional requirements defined in the Land Space Requirements Table in Section 174-31 of the Mashpee Zoning Bylaw shall apply in the Light Industrial Overlay District. The design and construction of buildings and structures, and site designs within the Light Industrial Overlay District shall conform to "Design Guidelines for Cape Cod: Designing the Future to Honor the Past" prepared by the Cape Cod Commission and Community Vision, Inc. (as approved by the Cape Cod Commission on September 1994, 2<sup>nd</sup> Edition March 1998) and its addendum, "Contextual Design on Cape Cod" (as approved by the Cape Cod Commission on October 1, 2009), copies of which shall be on file and available for review at the Office of the Town Clerk and the Planning Department Office and shall be subject to approval by the permitting authority, or take any other action relating thereto.

Submitted by the Planning Board

**Explanation:** This article will require that developments permitted within the Light Industrial Overlay District conform to design guidelines for Cape Cod as approved by the Cape Cod Commission.

SEE MAP IN APPENDIX A

**The Board of Selectmen recommends approval of Article 26 by a vote of 5-0**

**The Finance Committee recommends approval of Article 26 by a vote of 5-0**

**Article 27**

To see if the Town will vote to amend §174-25 (I) (10) of the Zoning Bylaw “Accessory uses” by adding the letters “SP” under the columns identified as, C-3 and I-1 to read:

Type of Use		Residential		Commercial			Industrial
I. Accessory Uses		R-3	R-5	C-1	C-2	C-3	I-1
(10)	Outdoor dining shall be allowed in commercial districts as an accessory use to an allowed eating place serving food and beverage, provided that visual screening shall be required in any area abutting a residential zone. Such screening shall consist of a solid fence, wall or mature hedge or other screen type planting of such height as to screen any diners from the said residential zone.	--	--	PR	PR	<b>SP</b>	<b>SP</b>

And further to amend §174-25 (E) (2), Principal retail business and consumer service establishments by adding the letters “SP” under the column identified as I-1 to read:

Type of Use		Residential		Commercial			Industrial
E. Principal retail business and consumer service establishments		R-3	R-5	C-1	C-2	C-3	I-1
(2)	Eating places serving food and beverages to be consumed within the building.	--	--	PR/SP	PR/SP	SP	<b>SP</b>

or take any other action relating thereto.

Submitted by the Planning Board

**Explanation:** This article will make outdoor dining an allowed accessory use, by special permit, in the C-3 and I-1 zoning district accessory to an allowed eating place serving food and beverage, provided that visual screening shall be required in any area abutting a residential zone. Such screening shall consist of a solid fence, wall or mature hedge or other screen type planting of such height as to screen any diners from view from the said residential zone per section 174-25 (I)(10) of the Zoning Bylaw and will also make eating places serving food and beverages to be consumed within the building an allowed principal retail and consumer service use in the I-1 zoning district by special permit per section 174-25(E)(2) of the Zoning Bylaw an allowed use in the I-1 district to establish consistency with the provisions in the Light Industrial Overlay District.

SEE MAP IN APPENDIX A

**The Board of Selectmen recommends approval of Article 27 by a vote of 5-0**

**The Finance Committee recommends approval of Article 27 by a vote of 5-0**

## Article 28

To see if the Town will vote to adopt the following Bylaw relative to the regulation of rental properties in the Town:

### §106-8 RENTAL PROPERTY

#### § A. Purpose

This chapter is adopted in accordance with the Town of Mashpee's Home Rule Authority in furtherance of the following public purposes: to protect the health, safety, and welfare of both the occupant(s) of rental housing units and the general public; to monitor and enhance compliance with basic life safety and sanitary codes through the registration and permitting of residential rental properties; to provide clear and accessible guidelines for the operation of rental properties for tenants, owners, landlords, and neighbors; to extend awareness of related Town bylaws and health regulations related to operation of a rental property; and to maintain the quality of life in Mashpee's residential neighborhoods. This chapter will assist the Town in the enforcement of state and local health and safety laws, codes and regulations, and will provide a method for correcting violations when conditions require immediate attention, in particular, situations associated with rental tenancy in the Town of Mashpee. This chapter is intended to further the objectives of, and to be implemented in conformance with any applicable federal, state, and local laws concerning the maintenance of property and the habitation of dwellings.

#### § B. Definitions

For purposes of this chapter, the following terms have the meanings indicated:

- 1.) **Applicant** – any owner(s) who makes a formal application/registration with the Board of Health for a Rental Certificate.
- 2.) **Dwelling** – any building or area in a building used or intended for use for human habitation including, but not limited to, apartments, condominiums, cottages, guest houses, one-, two- or multi-unit residential buildings and rooming houses, but not including any licensed facility and/or affordable housing facilities.
- 3.) **Licensed Facility** – any facility licensed under any state housing or local housing laws or by-laws, including affordable housing facilities other than those registered under this chapter.
- 4.) **Occupant** – anyone residing overnight in a dwelling.
- 5.) **Owner(s)** – any person who, alone or severally with others, has legal title to any dwelling, dwelling unit, rooming unit or parcel of land, vacant or otherwise; mortgagee in possession; or agent, trustee, or other person appointed by the courts.
- 6.) **Person** – any individual, partnership, corporation, firm, association or group, including a governmental unit, other than the Town of Mashpee or any of its agencies.
- 7.) **Rental Property** – any dwelling that is rented or leased including, but not limited to, those dwellings that are rented or leased on a seasonal, daily, weekly and/or monthly basis.

#### § C. Rental Certificates

1. No person(s) shall rent or lease, or offer to rent or lease, any dwelling or any portion of a dwelling to be used for human habitation without first registering with the Board of Health and obtaining a Rental Certificate. The Board of Health shall determine the number of bedrooms and the number of persons such dwelling or portion of a dwelling may lawfully accommodate under the provisions of any state or local health and safety by-law or regulation.

2. The Board of Health shall, pursuant to the above subsection, issue a Rental Certificate which shall be renewed on the following December 31<sup>st</sup>, provided that the Certificate may be renewed each year.
3. The Rental Certificate shall be issued subject to such conditions as the Board of Health deems necessary for the protection of the public health, safety and welfare.
4. The following information shall be provided on the Rental Certificate:
  - I. The owner(s) name, address and telephone number.
  - II. The number of dwelling units and the number of bedrooms in each dwelling unit.
  - III. The maximum number of occupants that may be permitted in each dwelling unit.
  - IV. The name, address, and telephone number(s) of the responsible individual(s) who will be available to respond to emergencies and requests for assistance from owner(s) or Town of Mashpee staff within one hour of being called.
  - V. A summary of other laws, by-laws, and regulations that are applicable to the rental of dwelling units within the Commonwealth. The summary is provided to the owner(s) and occupant(s) as an advisory of the requirements for proper conduct, safety and public health.

#### **§ D. Application for Rental Certificate**

1. An owner of a dwelling which is rented for residential use shall provide the Board of Health with a rental application which includes their current residential address and telephone number. If the owner is a corporation, the name, address, and telephone number of the president or legal representative of the corporation shall be provided. If the owner is a realty trust or partnership, the name, address, and telephone number of the managing trustee or partner shall be provided. If the owner is not available to provide access or to service the occupant(s) or Town of Mashpee in a timely manner, the owner shall designate one or more responsible individuals who can be reached, and who shall be available at all times (twenty-four hours per day, seven days per week) to respond to emergencies and requests for assistance from occupant(s) or Town of Mashpee staff within one hour of being called. The name, address and telephone number of the responsible individual(s) so designated shall be provided on the application.
2. The application shall specify the rental dwelling address, number of dwelling units, number of rooms, and number of bedrooms in each unit, as well as the size of each room in square feet. Up-to-date floor plans must be submitted if no current plans are on file.
3. The application shall include a certification by the owner(s) or their authorized agent, under pains and penalties of perjury, that they have inspected each unit and have verified compliance with all applicable laws including, but not limited to, the State Sanitary Code, 105 CMR 410.000, et seq., the State Building Code, 780 CMR and the State Fire Marshall's Code.

#### **§ E. Posting of Rental Certificate**

No person(s) shall rent or lease, or offer to rent or lease, any dwelling or any portion of a dwelling to be used for human habitation without first conspicuously posting within such dwelling or portion of a dwelling a Rental Certificate issued by the Board of Health.

**§ F. Keeping of Register**

The owner(s) shall be responsible for maintaining a register of all the names, addresses, and telephone numbers of current occupants in the dwelling. The register shall be retained for a period of two years and shall be made available to the Town of Mashpee, its agents, or a police officer, upon request.

**§ G. Fee for Registration**

The fee to procure a Rental Certificate shall be listed in the fee schedule as determined by the Board of Selectmen. The rental certificate fee shall be waived for licensed facilities.

**§ H. Inspections**

1. Dwelling units covered by this by-law shall be subject to inspection at reasonable times by the Board of Health and its agents. The Board, at its discretion, may request other inspectional service personnel (Building, Electrical, Plumbing and Fire Departments) to accompany them to the property for inspection. All interior inspections shall be done in the company of the owner(s), occupant(s) or the representative of either.
2. Required inspections shall occur prior to issuance of a Rental Certificate and annually thereafter.
3. Health inspections shall be performed in accordance with Chapter II of the State Sanitary Code 105 CMR 410.000.

**§ I. Parking Restrictions**

Vehicles owned or operated by the owner(s) or the occupant(s) of a dwelling shall, at no time, obstruct rights-of-ways, as determined by the Town of Mashpee, its authorized and/or an officer of the Mashpee Police Department.

**§ J. Refuse Requirements**

1. The occupant(s) of any dwelling unit shall be responsible for maintaining it in a clean and sanitary condition, and free of garbage, rubbish, and other filth or causes of sickness in that part of the dwelling which they exclusively occupy or control.
2. The owner(s) shall provide for disposal of garbage and rubbish. This requirement does not prohibit the owner(s) from requiring the occupant(s) to dispose of the refuse; however, the owner(s) shall be ultimately responsible for maintaining the dwelling unit and property in a clean and sanitary condition.

**§ K. Suspension, Modification or Revocation of Rental Certificate**

1. The Board of Health may suspend or revoke any Rental Certificate after a hearing, and in accordance with the procedures set forth in 105 CMR 410.830-860, for any violation of any provision of this bylaw, the State Sanitary Code, or any other applicable General Law, bylaw, or regulation intended to protect public health, safety or the environment.
2. The Board of Health may, in lieu of suspension or revocation, modify any Rental Certificate to impose additional conditions including, but not limited to, a requirement for periodic inspections and/or a limitation on the maximum number of occupants allowed.
3. If any Rental Certificate is suspended or revoked, the owner(s) of the premises shall be responsible for finding or providing alternative and comparable housing for any and all occupants, until such time as the tenancy ends or the Rental Certificate is reinstated.

4. This chapter is intended to further the objectives of, and to be implemented in conformance with any applicable federal, state, and local laws concerning the maintenance of property and the habitation of dwellings. Nothing in this chapter is intended to limit or restrict the authority of the Board of Health, or any other board, commission or officer of the Town, to act in accordance with federal, state, and local laws within their jurisdiction, including, but not limited to, the emergency condemnation procedures set forth within the State Sanitary Code.
5. The Town of Mashpee may enforce this bylaw or enjoin violations thereof through any lawful process, and the election of one remedy by the Town of Mashpee shall not preclude enforcement through any other lawful means.

#### **§ L. Enforcement, Fines and Penalties**

1. This chapter may be enforced by the Inspector of Buildings, Health Agent, a police officer or such other agent of the Town duly authorized by the Board of Selectmen. .
2. Any owner(s) or agent(s) thereof who shall offer for rent or lease any building, or portion thereof, which has not been issued a Rental Certificate shall be punished by a fine of three hundred dollars (\$300.00) per violation.
3. If it is determined that the number of occupants in any building or portion thereof used for habitation exceeds the number on the Rental Certificate, or if no Rental Certificate shall be in effect, the owner(s), lessee(s), or person(s) in control of said building or portion thereof shall be punished by a fine of three hundred dollars (\$300.00) per violation.
4. Whoever violates any provision of this by-law may be penalized by a non-criminal disposition process, as provided in M.G.L. c.40 §21D and the Town's non-criminal disposition law. If a non-criminal disposition is elected, then any person who violates any provision of this by-law shall be subject to a penalty of three hundred dollars (\$300.00) per violation.
5. Each day or portion thereof shall constitute a separate violation. If more than one, each provision hereof violated shall constitute a separate offense.

#### **§ M. Severability**

If a court determines that any provision of this chapter is invalid or unenforceable, the other provisions hereof shall not be affected thereby, and shall continue in full force and effect. or take any other action relating thereto.

Submitted by the Board of Health

**Explanation:** The purpose of this bylaw is to protect the health, safety, and welfare of both the occupant(s) of rental housing units and the general public, and to maintain the quality of life in residential neighborhoods. This bylaw will assist the Town of Mashpee in the enforcement of state and local health and safety laws and regulations, and will provide a method for correcting violations when conditions require immediate attention, in particular, situations associated with rental tenancy in the Town of Mashpee.

**The Board of Selectmen recommends approval of Article 28 by a vote of 5-0**  
**The Finance Committee recommends approval of Article 28 by a vote of 4-1**

**Article 29**

To see if the Town will vote to accept the layouts as public ways of **Leatherleaf Lane, Bog River Bend, Miller Farm Road and Ferngully Pass (Childs River East)**, as shown on plans entitled "Road Taking Plan Leather Leaf Road", "Road Taking Plan Bog River Bend" and "Road Taking Plan Fern Gully Pass & Miller Farm Road" in Mashpee MA, dated January 31, 2018, and prepared by Cape & Islands Engineering, which layouts shall have been filed in the Office of the Town Clerk not later than seven days prior to the date of vote hereunder, and to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain taking any land necessary for the purposes of such ways as so laid out, and, further, to appropriate the sum of \$408,030.00 to the Child's River East Roadways Account, and to raise said appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow at one time, or from time to time, under and pursuant to Chapter 44 Section 7 or 8, or any other enabling authority for such purchase or taking and layout, including costs of constructing such ways, and legal financing, and other costs incidental and related thereto, and further authorize the Board of Selectmen to assess betterments to the owners of the land abutting the ways. 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, or take any other action relating thereto.

Submitted by Petition

SEE MAP IN APPENDIX A

**The Board of Selectmen recommends approval of Article 29 by a vote of 4-0****The Finance Committee recommends approval of Article 29 by a vote of 6-0****Article 30**

To see if the Town will vote to replace the Holiday "Christopher Columbus Day" to "Indigenous Peoples Day", or take any other action relating thereto.

Submitted by Petition

**Explanation:** (Native's Day) is a holiday that celebrates and honors the Indigenous peoples of America and commemorates their shared history and culture. It is celebrated across the United States on the second Monday in October, and is an official city and state holiday in various localities. It began as a counter-celebration held on the same day as the U.S. federal holiday of Columbus Day, which honors European explorer Christopher Columbus. Some people now reject celebrating him, saying that he represents "the violent history of the colonization in the Western Hemisphere". Indigenous Peoples' Day was begun in 1989 in South Dakota, where Lynn Hart and Governor Mickelson backed a resolution to celebrate Native American day on the second Monday of October, marking the beginning of the year of reconciliation in 1990. It was instituted in Berkeley, California, in 1992, to coincide with the 500th anniversary of the arrival of Christopher Columbus in the Americas. Two years later, Santa Cruz, California, instituted the holiday, and in the 2010s, various other cities and states took it up.

**The Board of Selectmen recommends approval on Article 30 by a vote of 3-2****The Finance Committee recommends approval of Article 30 by a vote of 3-1-1**

**Article 31**

To see if the Town will vote to establish a “Town of Mashpee Youth Commission”. The Commission shall be composed of five members, all residents of the Town between the ages of 14 to 21 years of age. Members of the commission will be appointed by the Town of Mashpee Board of Selectmen and shall be comprised of a Chairperson, Vice Chairperson, Secretary and Two Members-At-Large, or take any other action relating thereto.

Submitted by Petition

**Explanation:** The Youth Commission shall meet monthly to research and study the needs and problems of youth in the Town of Mashpee, develop plans and programs to be run by the Town, implement programs in conjunction with the Town of Mashpee Recreation Department. The Youth Commission is to report directly to the Town Board of Selectmen all its findings and recommendations and request assistance from the various youth agencies in the Town of Mashpee and State to establish and implement youth programs

**The Board of Selectmen recommends approval of Article 31 by a vote of 4-0**

**The Finance Committee recommends approval of Article 31 by a vote of 6-0**

**Article 32**

To see if the Town will vote to replace the Town of Mashpee Seal and give direction to the Historical Commission to lead this project while providing updates to the Board of Selectmen, or take any other action relating thereto.

Submitted by Petition

**Explanation:** The Town of Mashpee Seal is a replica of the Commonwealth of Massachusetts State Seal, currently the state is looking at changing the Massachusetts State Seal as it is a reminder of the genocide and history between the Commonwealth and Indigenous inhabitants. This will give the Town of Mashpee’s Historical Commission the authority to conduct research and provide the Town with updates.

**The Board of Selectmen does not recommend approval of Article 32 by a vote of 3-1**

**The Finance Committee does not recommend approval of Article 32 by a vote of 6-0**

**Article 33**

To see if the Town will vote to adopt the following resolution to protect the civil liberties of Mashpee residents. We join here with the towns of Eastham, Dennis, Wellfleet, Provincetown, Brewster and Truro to adopt a resolution to protect the civil liberties of our residents.

Whereas the rights and liberties of the citizens and non-citizen residents of Mashpee, protected by the Constitutions of the Commonwealth of Massachusetts and the United States of America include: Freedom of speech and assembly; The right to privacy; The rights to counsel and due process in judicial proceedings; Protection from unreasonable searches and seizures; The right to be notified of charges against them.

and, whereas the mission of the Mashpee Police Department states that the “Department strongly embraces the philosophy of community policing...we hope to build a strong collaborative supportive relationship, which will build public trust and mutual respect between our citizens and our police department, increasing the quality of life for those that live, work and visit the beautiful Town of Mashpee.”

and, whereas the Town of Mashpee Inclusion and Diversity Committee includes the purpose to “Strive for a community characterized by the values of inclusion. Inclusion is defined as actively pursuing goals of including, integrating, engaging, and welcoming all persons regardless of their race, color, ethnicity, gender, sexual orientation, gender identity, disability, age, religion, creed, ancestry national origin, military or veteran status, marital status, family status, or receipt of public benefits.”

and, whereas the Supreme Judicial Court of Massachusetts has stated that the Tenth Amendment to the United States Constitution prohibits the Federal government from compelling States to employ their resources to administer and enforce Federal programs; and ruled “Conspicuously absent from our common law is any authority (in the absence of a statute) for police officers to arrest generally for civil matters, let alone authority to arrest specifically for Federal civil immigration matters.”

It Is Therefore Resolved and the Town Meeting is petitioned to forbid all local and non-local officials in Mashpee in the absence of probable cause of criminal activity, to the extent legally permissible, and in keeping with current practice, from:

1. Participating in or cooperating with any inquiry, investigation, surveillance or detention having to do with immigration matters falling under the jurisdiction of the Federal government.
2. Enforcing immigration matters.
3. Profiling based on race, ethnicity, citizenship, religion, or political values
4. Using town funds and other town resources for the enforcement of federal immigration laws to the extent permissible by law, and unless presented with a criminal warrant or other evidence of probable cause as required by the 4th Amendment of the US Constitution.
5. Violating the civil liberties and human rights of all residents and visitors regardless of race, ethnicity, religion, ability, sexual and gender identity, national origin, or citizenship and immigration status.

Submitted by Petition

**Explanation:** This article is our way to show our support and thanks for the current practice and policy of Mashpee police’s mission of “community policing,” and of the Diversity Committee’s goal of keeping Mashpee a welcoming community for all residents. Its goal is to reinforce adherence to current law, to our civil liberties, and to the priority for local resources to be directed toward the safety of Mashpee residents.

**The Board of Selectmen takes no position on Article 33 by a vote of 4-1**

**The Finance Committee takes no position on Article 33 by a vote of 5-0**

**THIS CONCLUDES THE BUSINESS OF THE ANNUAL TOWN MEETING**

And you are hereby directed to serve this Warrant by posting up attested copies thereof, one at the Town Hall, one at the Post Office, and one each on the bulletin boards, thirty days at least before said meeting.

Hereof fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

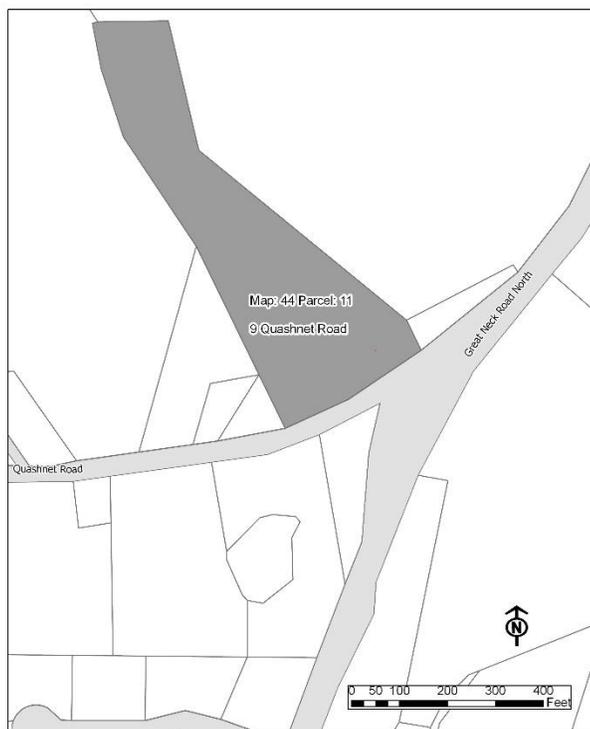
Given under our hands this 25th day of March in the year two thousand and nineteen.

Per Order of,  
**Board of Selectmen**

Carol A. Sherman, Chairman  
John J. Cahalane, Vice-Chairman  
Andrew R. Gottlieb, Clerk  
John J. Cotton  
Thomas F. O'Hara

### APPENDIX A MAPS

#### Special Town Meeting - Article 5

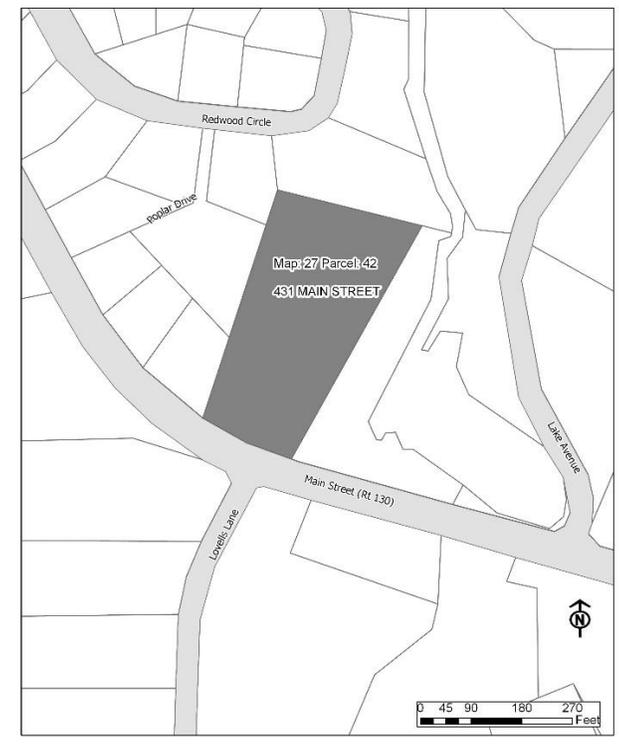


#### Special Town Meeting - Article 7



### APPENDIX A MAPS (con't)

#### Special Town Meeting - Article 12

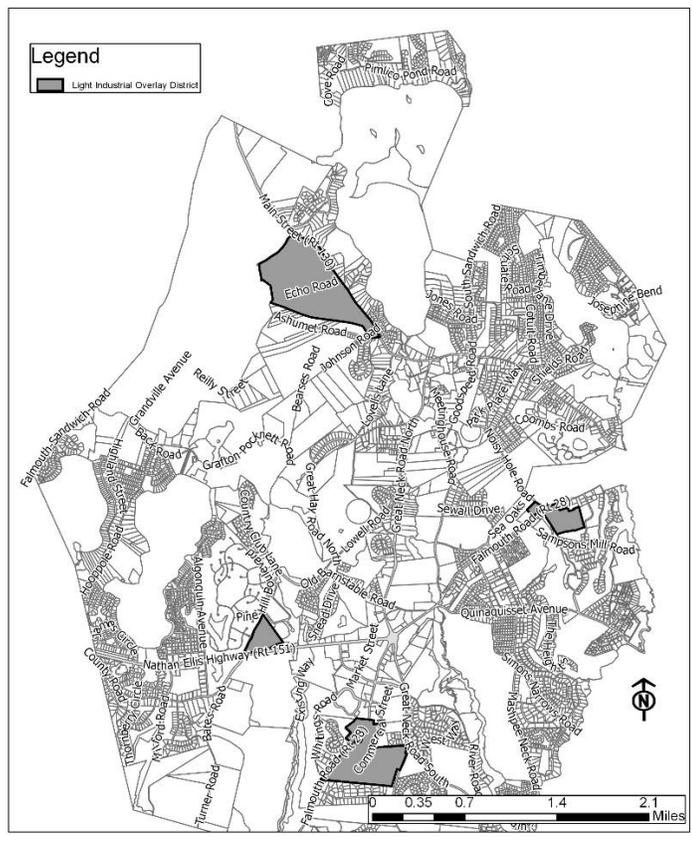


#### Annual Town Meeting - Article 13



### APPENDIX A MAPS (con't)

#### Annual Town Meeting - Articles 26 & 27



#### Annual Town Meeting - Article 29

