

The Finance Committee recommends approval of a budget of \$48,166,356 by a vote of 4-3.

Motion made by Selectman Wayne Taylor.

Motion: I move the Town vote to fix the salaries of the elected officers as specified under the columns entitled "Town Manager Recommendation" in line items 2 and 21 of the "Omnibus Budget" as distributed to voters at the Town Meeting, and further, to defray the expenses for the ensuing fiscal year by appropriating those amounts shown under the columns entitled "Town Manager Recommendation" and that to fund said appropriation, the Town raise and appropriate \$44,748,814; and further, to appropriate and transfer from the Ambulance Receipts Reserved for Appropriation Account \$450,000 to line item 37 and \$50,000 to line item 38; appropriate and transfer from the Hotel/Motel Receipts Account \$20,000 to line item 76; appropriate and transfer from the Conservation Revolving Account \$5,000 to line item 26; appropriate and transfer from the Shellfish Receipts Reserved for Appropriation Account \$30,000 to line item 36; appropriate and transfer from the Cemetery Receipts Reserved for Appropriation Account \$12,000 to line item 56; appropriate and transfer from the Street Betterment Receipts Reserved for Appropriation Account \$267,050 to line item 68, \$105,347 to line item 70; appropriate and transfer from the Septic Betterment Receipts Reserved for Appropriation Account \$11,406 to line item 50; appropriate and transfer from the CPA Fund \$684,990 to line item 68, \$281,749 to line item 70; and appropriate and transfer from available funds \$1,500,000 to line item 76.

Motion passes at 8:43 PM

DEPARTMENT		FY 2011 DEPT BUDGET	FY 2012 DEPT REQUEST	FY 2012 FINANCE COMM RECOMMEND	FY 2012 TOWN MGR RECOMMEND
MODERATOR					
SALARY	1	200	200	200	200
TOTAL		200	200	200	200
SELECTMEN					
SALARY-ELECTED	2	10,000	10,000	10,000	10,000
SALARY/WAGE	3	245,904	332,957	332,957	332,957
EXPENSE	4	20,300	18,800	18,800	18,800
LEG/ENG/CONSULTING	5	246,000	242,000	242,000	242,000
TOTAL		522,204	603,757	603,757	603,757
FINANCE COMMITTEE					
RESERVE FUND	6	95,000	100,000	100,000	100,000
EXPENSE	7	52,780	50,000	50,000	50,000
TOTAL		147,780	150,000	150,000	150,000
TOWN ACCOUNTANT					
SALARY/WAGE	8	178,899	182,689	182,689	182,689
EXPENSE	9	900	900	900	900
TOTAL		179,799	183,589	183,589	183,589
ASSESSORS					
SALARY-APPOINTED	10	3,600	3,600	3,600	3,600
SALARY/WAGE	11	219,713	219,432	219,432	219,432
EXPENSE	12	6,300	6,300	6,300	6,300
TOTAL		229,613	229,332	229,332	229,332
TREASURER/TAX COLLECTOR					
SALARY/WAGE	13	115,505	116,958	109,804	109,804
EXPENSE	14	148,633	147,100	147,100	147,100
DEBT SERVICE	15	4,000	3,270	3,270	3,270
FORECLOSURE	16	1,000	10,000	10,000	10,000
TOTAL		269,138	277,328	270,174	270,174

DEPARTMENT		FY 2011 DEPT BUDGET	FY 2012 DEPT REQUEST	FY 2012 FINANCE COMM RECOMMEND	FY 2012 TOWN MGR RECOMMEND
HUMAN RESOURCES					
SALARY/WAGE	17	244,462	250,883	250,883	250,883
EXPENSE	18	37,411	37,270	37,270	37,270
TOTAL		281,873	288,153	288,153	288,153
INFORMATION TECHNOLOGY					
SALARY/WAGE	19	210,795	214,387	214,387	214,387
EXPENSE	20	131,612	159,033	159,033	159,033
TOTAL		342,407	373,420	373,420	373,420
TOWN CLERK					
SALARY-ELECTED	21	60,011	61,798	61,798	61,798
SALARY/WAGE	22	66,370	66,794	66,794	66,794
EXPENSE	23	6,700	7,000	7,000	7,000
TOTAL		133,081	135,592	135,592	135,592
ELECTIONS & REGISTRATIONS					
SALARY/WAGE	24	44,968	46,407	46,407	46,407
EXPENSE	25	10,200	10,700	10,700	10,700
TOTAL		55,168	57,107	57,107	57,107
CONSERVATION					
SALARY/WAGE	26	105,080	108,094	108,094	108,094
EXPENSE	27	3,010	3,010	3,010	3,010
HERRING EXPENSE	28	900	900	900	900
TOTAL		108,990	112,004	112,004	112,004
PLANNING BOARD					
EXPENSE	29	7,414	7,414	7,414	7,414
TOTAL		7,414	7,414	7,414	7,414
PLANNING DEPARTMENT					
SALARY/WAGE	30	106,389	107,036	83,389	83,389
EXPENSE	31	4,800	4,800	4,800	4,800
TOTAL		111,189	111,836	88,189	88,189

DEPARTMENT		FY 2011 DEPT BUDGET	FY 2012 DEPT REQUEST	FY 2012 FINANCE COMM RECOMMEND	FY 2012 TOWN MGR RECOMMEND
TOWN HALL					
EXPENSE	32	206,500	233,040	233,040	233,040
TOTAL		206,500	233,040	233,040	233,040
POLICE					
SALARY/WAGE	33	3,095,876	3,290,890	3,158,523	3,158,523
EXPENSE	34	294,381	294,381	294,381	294,381
DISPATCHERS SALARY/WAGE	35	369,743	409,413	371,654	371,654
SHELLFISH PROPOGATION	36	18,000	30,000	30,000	30,000
TOTAL		3,778,000	4,024,684	3,854,558	3,854,558
FIRE					
SALARY/WAGE	37	2,767,360	2,863,724	2,717,626	2,717,626
EXPENSE	38	390,808	391,140	391,140	391,140
TOTAL		3,158,168	3,254,864	3,108,766	3,108,766
BUILDING INSPECTOR					
SALARY/WAGE	39	273,439	261,333	261,333	261,333
EXPENSE	40	7,050	7,050	7,050	7,050
TOTAL		280,489	268,383	268,383	268,383
TREE WARDEN					
SALARY/WAGE	41	-	-	-	-
EXPENSE	42	500	500	500	500
TOTAL		500	500	500	500
SCHOOL					
BUDGET	43	18,260,434	18,560,434	18,560,434	18,560,434
TOTAL		18,260,434	18,560,434	18,560,434	18,560,434
D.P.W.					
SALARY/WAGE	44	1,675,507	1,721,649	1,721,649	1,721,649
EXPENSE	45	418,040	443,105	443,105	443,105
BUILDINGS & GROUNDS	46	1,203,000	1,203,000	1,203,000	1,203,000
TOTAL		3,296,547	3,367,754	3,367,754	3,367,754

DEPARTMENT		FY 2011 DEPT BUDGET	FY 2012 DEPT REQUEST	FY 2012 FINANCE COMM RECOMMEND	FY 2012 TOWN MGR RECOMMEND
SNOW & ICE					
EXPENSE	47	116,570	116,570	116,570	116,570
TOTAL		116,570	116,570	116,570	116,570
STREET LIGHTING					
EXPENSE	48	36,900	36,900	36,900	36,900
TOTAL		36,900	36,900	36,900	36,900
HEALTH					
SALARY-APPOINTED	49	3,000	3,000	3,000	3,000
SALARY/WAGE	50	180,407	188,316	188,316	188,316
EXPENSE	51	21,700	21,700	21,700	21,700
TOTAL		205,107	213,016	213,016	213,016
HUMAN SERVICES					
SALARY/WAGE	52	54,984	57,230	57,230	57,230
EXPENSE	53	48,199	50,689	50,689	50,689
TOTAL		103,183	107,919	107,919	107,919
TRANSFER STATION					
EXPENSE	54	912,065	887,000	887,000	887,000
TOTAL		912,065	887,000	887,000	887,000
SEWER COMMISSION					
EXPENSE	55	113	113	113	113
TOTAL		113	113	113	113
CEMETERY					
EXPENSE	56	12,000	12,000	12,000	12,000
TOTAL		12,000	12,000	12,000	12,000
COUNCIL ON AGING					
SALARY/WAGE	57	182,440	183,339	183,339	183,339
EXPENSE	58	34,767	34,767	34,767	34,767
TOTAL		217,207	218,106	218,106	218,106

DEPARTMENT		FY 2011 DEPT BUDGET	FY 2012 DEPT REQUEST	FY 2012 FINANCE COMM RECOMMEND	FY 2012 TOWN MGR RECOMMEND
VETERANS					
MEMBERSHIP	59	29,144	29,226	29,226	29,226
EXPENSE	60	64,000	64,000	64,000	64,000
TOTAL		93,144	93,226	93,226	93,226
LIBRARY					
SALARY/WAGE	61	242,388	312,915	269,967	269,967
EXPENSE	62	110,431	132,722	124,550	124,550
TOTAL		352,819	445,637	394,517	394,517
RECREATION					
SALARY/WAGE	63	279,925	281,695	281,695	281,695
EXPENSE	64	14,535	14,535	14,535	14,535
TOTAL		294,460	296,230	296,230	296,230
HISTORICAL					
SALARY/WAGE	65	2,250	4,500	4,500	4,500
EXPENSE	66	3,923	3,923	3,923	3,923
TOTAL		6,173	8,423	8,423	8,423
CULTURAL COUNCIL					
EXPENSE	67	90	90	90	90
TOTAL		90	90	90	90
PRINCIPAL INSIDE 2 ½	68	1,118,593	1,212,531	1,212,531	1,212,531
PRINCIPAL OUTSIDE 2 ½	69	2,183,682	2,461,639	2,461,639	2,461,639
INTEREST INSIDE 2 ½	70	421,175	413,587	413,587	413,587
INTEREST OUTSIDE 2 ½	71	758,048	866,116	866,116	866,116
TEMP BORROW INSIDE 2 ½	72	7,760	20,000	20,000	20,000
TEMP BORROW OUTSIDE 2 ½	73	82,240	-	-	-

DEPARTMENT		FY 2011 DEPT BUDGET	FY 2012 DEPT REQUEST	FY 2012 FINANCE COMM RECOMMEND	FY 2012 TOWN MGR RECOMMEND
COUNTY RETIREMENT	74	1,993,545	2,134,784	2,089,358	2,089,358
UNEMPLOYMENT	75	60,000	60,000	60,000	60,000
MEDICAL INSURANCE	76	5,312,121	5,842,340	5,792,708	5,792,708
GROUP INSURANCE	77	15,000	15,211	15,141	15,141
MEDICARE	78	370,000	369,200	367,800	367,800
TOWN INSURANCE	79	591,000	591,000	591,000	591,000
GRAND TOTAL		46,632,489	48,665,809	48,166,356	48,166,356

Article 3

To see if the Town will vote to appropriate and transfer from available funds \$434,000 to various department Capital Accounts, or take any other action relating thereto.

Submitted by the Board of Selectmen

<i>Department</i>		<i>FY2012 CIP Committee Report</i>	<i>Town Manager Recommendation</i>
FIRE			
Vehicle GIS (Ambulances)	1	\$23,000	\$23,000
Defibrillator Replacements (3)	2	90,000	90,000
Total		113,000	113,000
POLICE			
4 Vehicles (Year 3 of 3)	3	40,000	40,000
10 Vehicles (Year 1 of 3)	4	120,000	120,000
Cruiser Technology	5	31,000	31,000
Total		191,000	191,000
PUBLIC WORKS			
2 Pickup Trucks	6	90,000	90,000
2 Mowers	7	40,000	40,000
Total		130,000	130,000
TOTAL APPROPRIATION		\$434,000	\$434,000

Explanation: This article is to appropriate funds for the Fiscal Year 2012 capital budget. This article will be funded using 113,000 Ambulance Receipts Account and \$321,000 from Revenue Available for Appropriation.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 7-0.

Motion made by Selectman Carol Sherman.

Motion: I move the Town vote to appropriate and transfer \$290,000 from available funds to line items 3, 4, 6 and 7, and appropriate and transfer \$31,000 from the Mashpee Cable and Advanced Technology Account to line item 5, and appropriate and transfer \$113,000 from the Ambulance Receipts Reserved for Appropriation account to line items 1 and 2.

Motion passes unanimously at 8:45 PM

Article 4

To see if the Town will vote to appropriate \$1,500,000 to pay costs of construction and remodeling of various town buildings, and for the payment of all other costs incidental and related thereto, and to determine whether this amount should be raised by taxation, by transfer from available funds, by borrowing or otherwise, or to take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article would authorize the Board of Selectmen to borrow up to \$1,500,000 to pay costs associated with the maintenance and repair of Town buildings and schools. This article is the result of the facilities needs study by the Planning and Construction Committee and is part of the Capital Improvement Committee's 5-year plan.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 7-0.

Motion made by Selectman Theresa Cook.

Motion: I move that the sum of \$1,500,000 be and hereby is appropriated to pay costs of construction and remodeling of various town buildings, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$1,500,000 under Chapter 44 of the General Laws or any other enabling authority; and that the Board of Selectmen is authorized to take any other actions necessary or convenient to carry out this vote.

Motion passes unanimously at 8:51 PM

Article 5

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, 2011, in the amount of \$12,781,986 and further, to see if the Town will vote to raise and appropriate \$955,504 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, 2011, or take any other action relating thereto.

Submitted by the Treasurer

Explanation: Mashpee's share of the Regional Technical High School budget is \$955,504. There are 67 students from Mashpee at the Regional Technical High School, an increase from 62 students last year.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman John Cahalane.

Motion: I move that the Town vote to approve the annual regional school district budget for the Cape Cod Regional Technical High School District for fiscal year beginning July 1, 2011, in the amount of \$12,781,986 and further, that the Town vote to raise and appropriate \$955,504 to meet its share of the cost

for operation and maintenance of the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2011.

Motion passes unanimously at 8:53 PM.

Article 6

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds \$474,188 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 FY12 Chapter 90 program.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman Michael Richardson.

Motion: I move the Town vote to appropriate \$474,188 to provide for road improvement projects in and for the Town, in accordance with the provisions of Chapter 90 of the Massachusetts General Laws and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow the sum of \$474,188 under and pursuant to the provisions of G.L. c. 44 sec. 7 & 8, or any other enabling authority, and to issue bonds and notes of the Town thereto.

Motion passes unanimously at 8:54 PM.

Article 7

To see if the Town will vote to appropriate \$360,148 for the operation of the Kids Klub Enterprise Fund for Fiscal Year 2012; such sums to be raised from \$360,148 in receipts of the Enterprise, or take any other action relating thereto.

Submitted by the Recreation Department

Estimated Revenues

Registration Fees	\$4,320.00
Toddler Program	\$90,528.00
3 & 4 YO Daycare	\$226,800.00
Pre-School Program	\$32,400.00
Pre-School Camp	\$3,900.00
Investment Income	\$2,000.00
Late Fees	\$200.00

Total Budgeted Revenues: \$360,148.00

Estimated Expenses

Direct Expenses	
Personnel	\$294,090.00
Benefits	\$13,733.00
Operating Expenses	\$52,325.00

Total Budgeted Expenses: \$360,148.00

Net Profit/loss \$0.00

Explanation: The proposed recreational enterprise fund budget for the next fiscal year will fund the Recreation Department’s operation of a Toddler/Pre-School Program as a self-sufficient, self-funded operation. All costs related to the operation of the program are projected to be offset by the program revenues. All surplus of this account at the end of the year will remain within the account

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman Wayne Taylor.

Motion: I move the Town vote that the following sums be appropriated for the Kids Klub Enterprise Fund for Fiscal Year 2012:

Personnel	\$294,090
Benefits	\$13,733
Operating Expenses	\$52,325

Total \$360,148

and that said \$360,148 be raised through departmental receipts of the enterprise.

Motion passes unanimously at 8:55 PM.

Article 8

To see if the Town will vote to authorize the Recreation Revolving Fund through the Town Accountant’s Office in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½, to be expended under the direction of the Recreation Department, in order to place revenues collected from the various Recreation Programs, which shall be used for the purpose of paying such wages, benefits and other related expenses necessary to conduct said Recreation programs, and to establish the limit on expenditures from said account for Fiscal Year 2012 at \$300,000, or take any other action relating thereto.

Submitted by the Recreation Department

Explanation: This revolving fund authorization is required in order to receive and disburse funds generated through programs supported by such revolving fund. Revenues must be used to offset expenses of these programs. The Recreation Department, through its agent, will manage this account.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman Carol Sherman.

Motion: I move the Town vote to re-authorize the Recreation Revolving Fund, through the Town Accountant, in accordance with the Massachusetts General Laws, Chapter 44, Section 53E ½ to be expended under the direction of the Recreation Department, in order to place anticipated revenues collected from program income which shall be used to further the operation of programs under the Recreation Department, and to establish the limit on expenditures from said account for Fiscal Year 2012 at \$300,000.

Motion passes unanimously at 8:57 PM.

Article 9

To see if the Town will vote to re-authorize the Council on Aging Revolving Fund, through the Town Accountant, in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½ to be expended under the direction of the Council on Aging, in order to place anticipated revenues collected from program income which shall be used to further the operation of programs under the Council on Aging, and to establish the limit on expenditures from said account for Fiscal Year 2012 at \$15,000, or take any other action relating thereto.

Submitted by the Council on Aging

Explanation: This revolving fund is required in order to receive and disburse funds generated through programs supported by such revolving fund such as senior trips, educational programs, educational program staff, transportation programs etc. Revenues will be used to offset expenses related to these programs and activities.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman Theresa Cook.

Motion: I move the Town vote to re-authorize the Council on Aging Revolving Fund, through the Town Accountant, in accordance with the Massachusetts General Laws, Chapter 44, Section 53E ½ to be expended under the direction of the Council on Aging, in order to place anticipated revenues collected from program income which shall be used to further the operation of programs under the Council on Aging, and to establish the limit on expenditures from said account for Fiscal Year 2012 at \$15,000.

Motion passes unanimously at 8:59 PM.

Article 10

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Budgeted Reserve Account \$45,000 to the Community Preservation Committee Administrative and Operating Expenses Account, or take any action relating thereto.

Submitted by the Community Preservation Committee

Explanation: To provide funding for operation and administrative costs of the Community Preservation Committee which includes incidental project costs associated to 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. Costs include annual

Community Preservation Coalition dues, administrative wages, legal fees, technical reviews, office supplies and similar costs associated with and incidental to the development of a CPA project.

*This article is annually placed on the May warrant to re-authorize Administrative Funding to support the Community Preservation Administrative and Operating Expense Account.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman John Cahalane.

Motion: I move the Town vote to appropriate and transfer \$45,000 from the Community Preservation Budgeted for Appropriation Reserve to the Community Preservation Act Committee Administrative and Operating expenses account.

Motion passes unanimously at 9:00 PM.

Article 11

To see if the Town will vote to appropriate and transfer from available funds \$15,000 to the Sewer Commission Facilities Plan Account, and to reauthorize said account, or take any other action relating thereto.

Submitted by Sewer Commission

Explanation: In order to fund expenses involved in the preparation of the Town's Watershed Nitrogen Management Plan / Effluent Pipeline Preliminary Design project which are not covered by the Town's State Revolving Fund loan for the project, this article seeks to provide additional funds to the existing Facilities Plan Account approved under Article 10 at the October 1999 Annual Town Meeting, which is nearly exhausted. Approximately half of the proposed funds are intended to be used for public information efforts regarding the facilities plan, while it is anticipated that the remainder would be used to cover additional consultant expenses, as the Commission's prime consultant is operating on bid/contract prices set in 1999.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman Michael Richardson.

Motion: I move the Town vote to appropriate and transfer \$15,000 from Available Funds to the Sewer Commission Facilities Plan account, and further to reauthorize said account.

Motion passes unanimously at 9:01.PM.

Article 12

To see if the Town will vote to appropriate and transfer from available funds \$60,000 to the Sewer Commission Part-Time Contractor Expense Account to fund a part-time Sewer Commission Administrator position, or take any other action relating thereto.

Submitted by Sewer Commission

Explanation: Mashpee has a Legal obligation to address the Nitrogen pollution of the Popponeset and East Waquoit estuaries, fresh water bodies, and our drinking water aquifer. The Sewer Commission has worked for many years to make sense out of evolving legal and technical issues to prepare a recommended solution for the town. At this point in time we are prepared to assemble this recommendation for review by the town and its citizens. We need professional help to assemble, without "conflict of interest", all of the technical information and engineering alternatives into a coherent plan. This plan will serve the residents of Mashpee while meeting mandated legal goals. To date much of the engineering recommendations have come from qualified companies that have a conflict of interest, since they will be bidders on any sewer work. To balance this the Sewer Commission is recommending engaging a qualified individual on a part time, contract basis, to coordinate the preparation of Mashpee's sewer plan without "conflict of interest" from qualified bidders.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 7-0.

Motion made by Selectman Wayne Taylor.

Motion: I move the Town vote to appropriate and transfer \$60,000 from Available Funds to the Sewer Commission Part-time Contractor Expense account to fund a part-time Sewer Commission Administrator position.

Motion passes unanimously at 9:03.PM.

Article 13

To see if the Town will vote to appropriate and transfer \$55,000 from the Waterways Improvement Fund Account to the Waterways Maintenance Account, or take any other action relating thereto.

Submitted by the Waterways Commission

Explanation: This article is necessary to fund dredging of the approach channel on Popponeset.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman Carol Sherman.

Motion: I move the Town vote to appropriate and transfer \$55,000 from the Waterways Improvement Fund account to the Waterways Maintenance account.

Motion passes unanimously at 9:04 PM.

Article 14

To see if the Town will vote to amend the General Code, Chapter 7, Section 7-2, by adding “School Committee” as a regulatory board, or take any other action relating thereto.

Submitted by the Town Clerk

Explanation: When this Bylaw was created, the School Committee was inadvertently omitted. By the definition set forth in the first sentence of Section 7-2, the School Committee is a “Regulatory Board” of the Town and should, thus, be specifically referenced by name in this Bylaw.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman Theresa Cook.

Motion: I move Article 14 be voted as printed in the warrant, with the exception of the phrase, “or take any other action relating thereto”.

Motion passes unanimously at 9:05 PM.

Article 15

To see if the Town will vote to authorize the Board of Selectmen to convey to the Town of Barnstable an interest in the so called “Mills Family Land” acquired by the Town pursuant to the authority granted by the Mashpee Annual Town Meeting under Article 11 of the May 7, 2007 Meeting in consideration of a contribution by Barnstable to the purchase price for said property, to authorize the Board of Selectmen to execute any agreements or instruments necessary to consummate this conveyance, and to authorize the Board of Selectmen to petition the General Court for such special legislation as may be necessary to effect this inter-municipal transfer of property interest; provided, however, that said land shall remain dedicated to the same open space/conservation use and purpose for which it was acquired by Mashpee, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: The Town acquired the full, undivided fee interest in the subject parcels of land for open space/conservation purposes in May 2010, after satisfactory resolution of certain title issues relating to the property. Throughout the planning stages of this land acquisition it was anticipated that Mashpee acquired title to the property in May 2010, Barnstable was not prepared to participate in the transaction because it did not have all final authorizations and funding in place. Subsequent to Mashpee’s acquisition of the land, the two Towns have re-engaged in discussions to complete the land acquisition in the joint manner originally contemplated. This Article would authorize the Selectmen to petition for Special Legislation, if required, to permit Mashpee to transfer a partial interest in property to Barnstable, commensurate with Barnstable’s contribution toward the purchase price, and to execute any agreements or instruments necessary therefor. All funds paid to Mashpee by Barnstable in consideration of this interest would be deposited in the Community Preservation Committee (PCP) account from which the original purchase price was paid and, thus, would become available for appropriation for additional CPC open space expenditures.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman John Cahalane.

Motion: I move the Town vote to authorize the Board of Selectmen to transfer and convey to the Town of Barnstable an interest in all or a portion of the so called “Mills Family Land” acquired by the Town pursuant to the authority granted by the Mashpee Annual Town Meeting under Article 11 of the May 7, 2007 Town Meeting in consideration of a contribution by Barnstable to the purchase price for said property, to authorize the Board of Selectmen to execute any agreements or instruments necessary to consummate this transfer and conveyance, and to authorize the Board of Selectmen to petition the General Court for such special legislation as may be necessary to effect this inter-municipal transfer of real property interest; provided, however, that said land shall remain dedicated to the same open space/conservation use and purpose for which it was originally acquired by Mashpee.

Moderator deems motion passes by 2/3rds vote at 9:07 PM.

Article 16

To see if the Town will vote to alter the layouts of Collins Lane and Great Neck Road North, as shown on a plan entitled "Collins Lane Layout – Station 0+00 to 2+99” dated March 28, 2011 and prepared by Baxter, Nye Engineering & Surveying (the “Plan”), which Plan is on file in the office of the Board of Selectmen, and to authorize the Board of Selectmen to acquire, by purchase, gift or eminent domain, such easements or other interests in real property as the Selectmen deem necessary to complete the layout alteration, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article is necessary in order to allow for necessary easements to complete the Great Neck Road North reconstruction project.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

At its meeting on April 6, 2011, the Planning Board voted 5-0 to recommend approval of Article 16, provided there is no land acquisition cost to the Town.

Motion made by Selectman Michael Richardson.

Motion: I move the Town vote to alter the layouts of Collins Lane and Great Neck Road North, as shown on a plan entitled “Collins Lane Layout – Station 0+00 to 2+99” dated March 28, 2011 and prepared by Baxter, Nye Engineering & Surveying (the “Plan”), which Plan is on file in the office of the Board of Selectmen, and to authorize the Board of Selectmen to acquire, by purchase, gift or eminent domain, such easements or other interests in real property as the Selectmen deem necessary to complete the layout alteration.

Motion passes unanimously at 9:09PM

Article 17

To see if the Town will vote to amend the Zoning By-law as follows:

In Subsection 174-48.C. add the following new sentence after the current second sentence:

“In addition, the Chairman of the Planning Board and Board of Appeals, respectively, may appoint any number of alternate members from their Board, who may be designated by the Chairman to replace the regular member when the regular member is unable to attend a meeting of the Committee.”;

In Sections 174-48 and 174-48.1 replace the term “Board of Zoning Appeals” wherever it occurs with the term “Board of Appeals”;

or take any other action relating thereto.

Submitted by Board of Appeals and Planning Board

Explanation: This article would provide for alternate Planning Board and Board of Appeals members to the Design Review Committee, so that those Boards will be represented on the Committee if the regular member (only one is currently provided for in the by-law) is unable to attend a meeting of the Committee. The article also replaces the term “Board of Zoning Appeals” where it appears in the sections dealing with the Design Review Committee and the Plan Review Committee with the term “Board of Appeals”, which is generally used throughout the rest of the zoning by-law.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

At its meeting on April 6, 2011, the Planning Board voted 5-0 to recommend approval of Article 17.

Motion made by Selectman Wayne Taylor.

Motion: I move that Article 17 be voted as printed in the warrant, with the exception of the phrase, “or take any other action relating thereto”.

Motion passes unanimously at 9:11 PM.

Article 18

To see if the Town will vote to amend Article XI – Floodplain Zone Provisions of the Zoning By-law as follows:

Delete the current Section 174-58 and replace it with the following:

“§174-58. Establishment of Floodplain District.

The Floodplain District is herein established as an overlay district, including all special flood hazard areas within the Town of Mashpee designated as Zone A, AE, AO, AH, V and VE on the Barnstable County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Barnstable County FIRMs that are wholly or partially within the Town of Mashpee are panel numbers 25001C0517, 25001C0536, 25001C0537, 25001C0538, 25001C0539, 25001C0732, 25001C0734, 25001C0742, 25001C0751, 25001C0752, 25001C0753, 25001C0754 and 25001C0761 dated June 16, 2011. 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 June 16, 2011. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board and Building Inspector.”;

Delete the current Section 174-59 and replace it with the following:

”§174-59. Permits.

Prior to issuance of permits for new construction, alteration of structures or other 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), at or below the base flood elevation as specified within the A and V Zones and in unnumbered A Zones, the Building Inspector shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or any other source.”;

Delete the current Section 174-60 and replace it with the following:

“§174-60. Floodway and base flood data.

- A. **Floodway Data.** In Zones A, and 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.
- B. **Base Flood Elevation Data.** Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.”;

Replace the title and first sentence of Section 174-61 with the following, and make the remaining current text a separate paragraph following the new text shown here:

“§174-61. Reference to Existing Regulations.

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- A. Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes");
- B. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- C. Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- D. Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
- E. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.”;

Replace the current text of Section 174-62 with the following:

“§174-62. Development within certain Zones.

- A. No land within areas designed as V (velocity) Zones on the Flood Insurance Rate Maps shall be developed unless such development is demonstrated by the application to be located landward of the reach of the mean high tide. The following shall be prohibited within said V Zones:
1. Any man-made alteration of sand dunes which might increase the potential for flood damage.
 2. Use of fill for structural support for new construction or substantial improvement of structures.
 3. Manufactured homes, except in existing manufactured home parks and existing manufactured home subdivisions.
- B. Within Zones AH and AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.”;

Replace the words “special permit” in Subsections 174-63. B., C. and D. with the word “variance”;

Replace the current text of Section 174-64 with the following:

“§174-64. Record and report of variances.

Upon the granting of such variances, the Zoning Board of Appeals shall require that the Town of Mashpee shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its annual report to the Flood Insurance Administrator in accordance with the National Flood Insurance Program guidelines.”;

In Section 174-65 delete the words “Notwithstanding the applicable provisions of the Massachusetts Uniform Building Code within Zones A1-30, AH and AE,” at the beginning of the first sentence and delete the words “, piling foundations must be placed in stable soil no more than ten (10) feet apart and reinforcement must be provided for pilings more than six (6) feet above the ground level” from the end of the last sentence;

Delete all the current text after the title in Section 174-66 and replace it with the following:

“For all manufactured homes to be placed within Zones AE but not into a manufactured home park or manufactured home subdivision, adequate surface drainage and access for a hauler must be provided.”;

Replace the current Section 174-67 with the following:

“§174-67. Subdivisions.

All subdivision proposals shall be designed to ensure 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.”

or take any other action relating thereto.

Submitted by the Planning Board

Explanation: The National Flood Insurance Program has notified the Town that it is adopting new Flood Insurance Rate Maps and has also established new regulations regarding local development in mapped flood areas. The Town has been notified by the Federal Emergency Management Agency that it must bring its by-laws into conformance with the new requirements of the National Flood Insurance Program before June 16, 2011 or Mashpee will no longer qualify for participation in the Flood Insurance Program. As a result, this article and an accompanying wetlands general by-law amendment article have been submitted as emergency articles, based on recommended language provided by the Massachusetts Division of Conservation & Recreation.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

At its meeting on April 6, 2011, based on advice received from FEMA, the Planning Board voted 5-0 to recommend indefinite postponement of Article 18.

Motion made to dispense with reading of Article.

Motion to dispense with reading of Article passes at 9:11 PM.

Motion made by Selectman Carol Sherman.

Motion: I move the Town vote to indefinitely postpone Article 18.

Motion to indefinitely postpone passes unanimously at 9:12 PM.

Article 19

To see if the Town will vote to amend the General By-laws by amending Chapter 172 – WETLANDS by adding the following new Subsection 172-5.A.4.:

“4. In a riverine situation, the Conservation Agent 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”

or take any other action relating thereto.

Submitted by Planning Board and Conservation Commission

Explanation: The Town has been notified by the Federal Emergency Management Agency that it must bring its by-laws into conformance with the requirements of the National Flood Insurance Program before June 16, 2011 or Mashpee will no longer qualify for participation in the Flood Insurance Program. As a result, this article and an accompanying zoning amendment article have been submitted as emergency articles, based on recommended language provided by the Massachusetts Division of Conservation & Recreation.

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 5-0.

Motion made by Selectman Theresa Cook.

Motion: I move that Article 19 be voted as printed in the warrant, with the exception of the phrase, “or take any other action relating thereto”.

Motion passes unanimously at 9:13 PM.

Article 20

To see if the Town will vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Ockway Bay Road; and to accomplish said purpose and for expenses incidental and related thereto, the Town vote to raise and appropriate or transfer from available funds for appropriation \$5,000 to the Ockway Bay Road Account, or take any other action relating thereto.

Submitted by Petition

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 7-0.

Motion made by Selectman Theresa Cook.

Motion: I move the Town vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Ockway Bay Road; and to accomplish said purpose and for expenses incidental and related thereto, the Town vote to appropriate and transfer from available funds, \$5,000 to the Ockway Bay Road Account.

Motion passes unanimously at 9:14 PM.

Article 21

To see if the Town will vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Scenic Drive, Noisy Hole Road, Wood Haul Road, Burning Bush Road and Park Place Way; and to accomplish said purpose and for expenses incidental and related thereto, the Town vote to raise and appropriate or transfer from available funds for appropriation, \$5,000 to the Sarakumitt Village Roadways Account, or take any other action relating thereto.

Submitted by Petition

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 7-0.

Motion made Selectman Theresa Cook.

Motion: I move the Town vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Scenic Drive, Noisy Hole Road, Wood Haul Road, Burning Bush Road and Park Place Way; and to accomplish said purpose and for expenses incidental and related thereto, the Town vote to appropriate and transfer from available funds, \$5,000 to the Sarakumitt Village Roadways Account.

Motion passes unanimously at 9:16 PM.

Article 22

To see if the Town will vote to accept the layouts as public ways of Taurus Drive, partial of Polaris Drive (House #97 to start of Taurus), and partial of Gemini Road (House #19 and ending at Taurus Drive), as shown on a plan entitled "Road Easement Taking Plan "Holland Mills" Subdivision in Mashpee, Massachusetts (Barnstable County)", dated December 13, 2000 and prepared by The BSC Group, Inc., which layouts shall have been filed in the Office of the Town Clerk, not later than seven days prior to the date of the 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 to appropriate and transfer from available funds \$153,290 to the Great Hay Estates 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, or take any other action relating thereto.

Submitted by Petition

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 7-0.

Motion made to dispense with reading of Article at 9:17 PM.

Motion to dispense with reading of Article passes at 9:17 PM.

Motion to be made by petitioner.

Motion: I move the Town vote to accept the layout as public ways of Taurus Drive, partial of Polaris Drive (House #97 to start of Taurus), and partial of Gemini Road (House #19 and ending at Taurus Drive), as shown on a plan entitled “Road Easement Taking Plan “Holland Mills Subdivision” in Mashpee, Massachusetts (Barnstable County)”, dated December 13, 2000 and prepared by the BSC Group, Inc., which layouts shall have been filed in the Office of the Town Clerk, not later than seven days prior to the date of the 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 to appropriate \$153,290 to the Great Hay Estates Roadways Account and to authorize the Treasurer, with the approval of the Board of Selectmen, 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 said ways.

Motion made to indefinitely postpone at 9:17 PM.

Motion to indefinitely postpone passes at 9:17PM

Article 23

To see if the Town will vote to appropriate \$25,000 to establish a Security Deposit Revolving Loan Fund to assist Mashpee residents to attain affordable housing. This Fund can also accept donations from individuals and businesses who wish to help their neighbors and employees, or take any other action related thereto.

Submitted by Petition

Explanation: The requirement of security deposits and pre-paid monthly rent is preventing many working people from attaining affordable housing. This revolving loan fund will provide loans or guarantees to enable people to meet the up-front costs for affordable rental housing.

The Board of Selectmen does not recommend approval by a vote of 5-0.

The Finance Committee does not recommend approval by a vote of 7-0.

Motion made by Peter White.

Motion: I move the Town vote to appropriate \$25,000 to establish a Security Deposit Revolving Loan Fund to assist Mashpee residents to attain affordable housing. This Fun can also accept donations from individuals and businesses who wish to help their neighbors and employees.

Motion defeated at 9:24 PM.

Article 24

To see if the Town will vote to direct our Representatives to the MA Legislature and the United States Congress to work for ratification of a Constitutional Amendment that reads: “Corporations, political action committees (PACs), and foreign agents are not citizens under the U.S. Constitution and shall not be allowed to financially influence elections.”, or take any other action related thereto.

Submitted by Petition

Explanation: The 2010 Supreme Court ruling in the “Citizens United” case now allows unlimited amounts of money to be spent by corporations and special interests to legally bribe candidates for office and run attack ads. Our elected officials have become corrupted as a result and our democracy is being destroyed.

The Board of Selectmen does not take a position by a vote of 5-0.

The Finance Committee does not take a position by a vote of 5-2.

Motion made by Peter White.

Motion: To see if the Town will vote to direct our Representative to the MA Legislature and the United States Congress to work for ratification of a Constitutional Amendment that reads: “Corporations, political action committees (PACs) and foreign agents are not citizens under the U.S. Constitution and shall not be allowed to financially influence elections.

Motion made to amend to add unions made at 9:29 PM.

Motion to amend to add unions passes 55-yes 48-no.

Amended motion defeated 37-yes 81-no at 9:33 PM.

Article 25

To see if the Town will vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Quail Hollow Road; and to accomplish said purpose and for expenses incidental and related thereto, the Town vote to raise and appropriate or transfer from available funds for appropriation, \$5,000 to the Quail Hollow Road Account, or take any other action relating thereto.

Submitted by Petition

The Board of Selectmen recommends approval by a vote of 5-0.

The Finance Committee recommends approval by a vote of 7-0.

Motion made by Alexis Hanson

Motion: I move the Town vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Quail Hollow Road; and to accomplish said purpose and for expenses incidental and related thereto, the Town vote to appropriate and transfer from available funds, \$5,000 to the Quail Hollow Road Account.

Motion passes unanimously at 9:34 PM.

Article 26

To see if the Town will vote to appropriate or transfer \$320,000 to the Santuit Pond Preservation Account, from the existing unassigned Community Preservation Fund Reserve, to purchase six Solar Circulators in order to prevent Blue Green Algae blooms on Santuit Pond, or take any other action related thereto.

Submitted by Petition

Summary Explanation: Solar Circulators are a proven non-chemical remedy for preventing a recurrence of blue green algae blooms in fresh water pond and lakes. Blue Green Algae is a Health (sic) Issue to the Residence's surrounding Santuit Pond; "Contact with these cause skin and eye irritation. Ingesting small amounts can cause gastrointestinal symptoms. Ingesting large amount of toxics may cause liver or neurological damage. Inhaling water spray with algae in it causes asthma-like symptoms. Small children and pets are more susceptible to the effect of toxins than adults. Livestock and pets deaths from ingesting algal toxins have occurred." (Source: MASS DEPARTMENT OF PUBLIC HEALTH BUREAU OF ENVIRONMENTAL HEALTH, ENVIRONMENTAL TOXICOLOGY PROGRAM BROCHUER: "HARMFUL ALGAE BLOOMS IN FRESH WATE BODIES", published June 2010) The Community Preservation Act Fund has sufficient unassigned funds to finance this item. No additional taxes needed to be levied. (sic)

The Board of Selectmen does not recommend approval by a vote of 5-0.

The Finance Committee does not recommend approval by a vote of 6-0, 1 recused.

Motion made by Brad Caffyn.

Motion: I recommend that Article 26 be indefinitely postponed.

Motion to indefinitely postpone passes unanimously at 9:36 PM.

Article 27

To see if the Town will vote to appropriate or transfer \$320,000 to the Santuit Pond Preservation Account, to purchase six Solar Circulators in order to prevent Blue Green Algae blooms on Santuit Pond, or take any other action related thereto.

Submitted by Petition

Summary Explanation: Solar Circulators are a proven non-chemical remedy for preventing a recurrence of blue green algae blooms in fresh water pond and lakes. Blue Green Algae is a Health (sic) Issue to the Residence's surrounding Santuit Pond; "Contact with these cause skin and eye irritation. Ingesting small amounts can cause gastrointestinal symptoms. Ingesting large amount of toxics may cause liver or neurological damage. Inhaling water spray with algae in it causes asthma-like symptoms. Small children and pets are more susceptible to the effect of toxins than adults. Livestock and pets deaths from ingesting algal toxins have occurred." (Source: MASS DEPARTMENT OF PUBLIC HEALTH BUREAU OF ENVIRONMENTAL HEALTH, ENVIRONMENTAL TOXICOLOGY PROGRAM BROCHUER: "HARMFUL ALGAE BLOOMS IN FRESH WATE BODIES", published June 2010) The Community Preservation Act Fund has sufficient unassigned funds to finance this item. No additional taxes needed to be levied. (sic)

The Board of Selectmen does not recommend approval by a vote of 5-0.

The Finance Committee does not recommend approval by a vote of 6-0, 1 recused.

Motion made by Brad Caffyn.

Motion: I recommend that Article 27 be indefinitely postponed.

Motion to indefinitely postpone passes unanimously at 9:37 PM.

Article 28

To see if the Town will vote to appropriate or transfer \$65,000, to set up a Solar Circulator Maintenance Account, to be held in and to authorize said account, or take any other action related thereto.

Submitted by Petition

Summary Explanation: This account is to be set up to fund the Contract for the up keep (sic) and maintenance of the six solar circulators for the first five years of operation.

The Board of Selectmen does not recommend approval by a vote of 5-0.

The Finance Committee does not recommend approval by a vote of 6-0, 1 recused.

Motion made by Brad Caffyn.

Motion made to dispense with reading of Article at 9:37 PM.

Motion to dispense with reading of Article passes at 9:37 PM,

Motion: I recommend that Article 28 be indefinitely postponed.

Motion passes to indefinitely postpone passes at 9:37PM

Town meeting adjourned at 9:37 PM.