

**Town of Mashpee
Mashpee High School
500 Old Barnstable Road
Mashpee, MA 02649
Special Town Meeting
Monday, May 2, 2022**

FINCOM: *This Town Meeting is divided into two separate meetings each having its own set of Warrant Articles. The first part is called the **Special Town Meeting** and addresses Town business within the **current Fiscal Year 2022** which ends on **June 30, 2022**.*

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 2nd day of May 2022 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, not to exceed \$300,000, 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 5-0

FINCOM: *This article appropriates and transfers the funds necessary to offset a deficit in the Snow and Ice Account. This article will have no impact on the current tax rate.*

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

Article 2

To see if the Town will vote to appropriate and transfer the sum of \$1,065.92 from revenue available for appropriation to pay the previous fiscal year's compensation and unpaid bills as follows:

Jennifer Berry	Retroactive Payment	\$ 240.64
Robin Desrosiers	Retroactive Payment	\$ 235.84
Scott Halligan	Retroactive Payment	\$ 252.96
Theresa Lambert	Retroactive Payment	\$ 240.64
WB Mason	Unpaid Bill	\$ 95.84

or take any other action relating thereto.

Submitted by the Finance Director

Explanation: This article is necessary to pay bills received after the end of a previous fiscal year.

The Board of Selectmen recommends approval of Article 2 by a vote of 5-0

FINCOM: This article appropriates and transfers \$1,065.92 from revenue available for appropriation to pay for invoices which were not processed in time to be appropriately paid with prior fiscal year funds. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 2 by a vote of 7-0

Article 3

To see if the Town will vote pursuant to G.L. c. 40, §47 to establish and adopt a new Town Seal in accordance with the recommendation of the Board of Selectmen as follows:



or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will approve a new Town Seal to replace the current one.

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

FINCOM: This article establishes and adopts a new Town Seal. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 3 by a vote of 7-0

Article 4

To see if the Town will vote to appropriate and transfer the sum of \$1,974,712 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 into the 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 investment and to minimize future maintenance and replacement costs.

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

FINCOM: This article appropriates and transfers \$1,974,712 from revenue available for appropriation to the Capital Stabilization Fund to help fund future Capital Expenditures which will protect the Town's capital investments. This article will have no impact on the current tax rate.

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

Article 5

To see if the Town will vote to appropriate and transfer the sum of \$369,215 from revenue available for appropriation to the Natural Resources Capital Account for the customization of facilities for the Department of Natural Resources, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: The Capital Improvement Program Committee voted unanimously to recommend that the Town use revenue available for appropriation ("Free Cash") to complete the customization of the purchased condominium units for the Department of Natural Resources and further, to be voted at the May Special Town Meeting for the funds to become available during Fiscal Year 2022.

FISCAL YEAR 2023 CAPITAL IMPROVEMENT PROGRAM	
PLANNING & CONSTRUCTION	
DNR Facility	\$ 369,215

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

FINCOM: This article appropriates and transfers \$369,215 from revenue available for appropriation to the Natural Resources Capital Account to complete renovations and adaptive construction at the previously purchased business bays in the Industrial Park used by the Department of Natural Resources. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 5 by a vote of 7-0

Article 6

To see if the Town will vote to appropriate and transfer the sum of \$1,260,950 from revenue available for appropriation to the Department of Public Works Capital Account for the Mashpee Middle-High School Field Improvements, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: The Capital Improvement Program Committee voted unanimously to recommend that the Town use revenue available for appropriation ("Free Cash") to improve the athletic fields at Mashpee Middle-High School, specifically replacement of the grass field in the stadium with synthetic turf and reconstruction of the track and further, to be voted at the May Special Town Meeting for the funds to become available during Fiscal Year 2022. The full cost of this project is \$2,970,350 with the balance of the funding, \$1,709,400 appearing as an article submitted by the Community Preservation Committee (CPC).

FISCAL YEAR 2023 CAPITAL IMPROVEMENT PROGRAM	
PLANNING & CONSTRUCTION	
MMHS Field Improvements	\$ 1,260,950

The Board of Selectmen recommends approval of Article 6 by a vote of 5-0

FINCOM: This article appropriates and transfers \$1,260,950 from revenue available for appropriation to the Department of Public Works Capital Account to replace the stadium’s grass field at the Mashpee Middle-High School with synthetic turf, as well as reconstructing the track. This article will have no impact on the current tax rate.

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 \$57,900 from revenue available for appropriation to the Department of Public Works Capital Account for the purchase of a Compact Track Loader contingent upon the award of the Shared Streets and Spaces Grant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: The Capital Improvement Program Committee voted unanimously to recommend that the Town use revenue available for appropriation (“Free Cash”) to purchase a compact track loader to be used for snow removal to allow for a faster response for plowing the pedestrian bicycle facilities after a storm. The purchase is contingent upon the Town receiving approval of a Shared Streets and Spaces grant.

FISCAL YEAR 2023 CAPITAL IMPROVEMENT PROGRAM	
<i>DPW</i>	
Compact Track Loader with V-plow attachment	\$ 57,900

The Board of Selectmen recommends approval of Article 7 by a vote of 5-0

FINCOM: This article appropriates and transfers \$57,900 from revenue available for appropriation to the Department of Public Works Capital Account to purchase a piece of equipment that will make it easier for DPW to clear bike paths after snowstorms. This article will have no impact on the current tax rate.

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

Article 8

To see if the Town will vote to appropriate and transfer the sum of \$25,000 from revenue available for appropriation to pay for costs associated with the preparation and possible implementation of the Residential Tax Exemption for the FY 2023 tax year, or take any other action relating thereto.

Submitted by the Finance Director

Explanation: This article will provide funding for costs associated with preparation for possible implementation of the residential tax exemption for FY 2023. These costs include software updates, printing, mailing and consultant fees, if necessary.

The Board of Selectmen recommends approval of Article 8 by a vote of 5-0

FINCOM: This article appropriates and transfers \$25,000 from revenue available for appropriation to pay for costs related to software updates, printing, mailing, and consulting fees necessary to prepare Town systems to be ready to conduct the analyses required by the possible implementation of a Residential Tax Exemption for the FY 2023 tax year. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 8 by a vote of 4-2

Article 9

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

\$28,692.00	10% Open Space/Recreation Purposes
\$28,692.00	10% Historic Purposes
\$28,692.00	10% Affordable Housing Purposes

or take any other action relating thereto.

Submitted by the Community Preservation Committee

Explanation: This is a “clean-up” article to meet the requirement of reserving funds from the CPA FY 2022 Trust Fund distribution. The amount of FY 2022 state reimbursement received by the Town of Mashpee was \$286,926 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 Community Preservation Committee recommends approval of Article 9 by a vote of 7-0.

The Board of Selectmen recommends approval of Article 9 by a vote of 5-0

FINCOM: This article appropriates and transfers funds created by a surplus in the FY2022 State budget resulting in Mashpee receiving an additional \$286,926 in State reimbursements, an amount higher than originally estimated. Mashpee’s CPA funds come from a 2% surcharge on real estate property taxes plus variable matching funds from the state. 70% of the CPA funds, with town meeting approval, are used at the discretion of the Town. Open Space/Recreation, Affordable Housing and Historic Preservation initiatives are each allotted 10%. This article “cleans up” the enhanced receipts from the State and assigns \$28,692 to each of the three non-discretionary purposes. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 9 by a vote of 7-0

Article 10

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 \$50,000 for the purpose of funding the Housing Production Plan, 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

Explanation: The goal of this project is to update the Town’s Housing Production Plan (HPP) in consideration of the demographic shifts over the past 10 years, changes in population, and added housing stock since 2010. This includes visioning work associated to the update of the Local Comprehensive Plan (LCP) that has not been modified since 1998.

The HPP provides framework to meet the 10% mandate of housing eligible for inclusion on the State’s Subsidized Housing Inventory. An approved Plan also leverages state grant funds.

The total cost of this project is \$50,000. Grant funds would be sought as an offset. Unused funding would be returned to the coffers of the CPA. The update of the Plan is expected to begin in the summer of 2022 with completion in approximately 6 months thereafter.

The Community Preservation Committee recommends approval of Article 10 by a vote of 8-0.

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

***FINCOM:** This article appropriates and transfers \$50,000 from the Community Preservation Fund to fund the Housing Production Plan. The demographics of Mashpee have changed over the last ten years. During that time there have been changes in population and an increase in the number of homes built. This article works to meet the State's Subsidized Housing Inventory mandate of 10%.*

The Town will seek grant funds to offset the cost. The work to update the plan is scheduled to begin this summer and is expected to take six months. Any unused funds will be returned to the Community Preservation Committee account. This article will have no impact on the current tax rate.

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, the sum of \$19,680 for the purpose of funding the HVAC Unit for the Mashpee One-Room Schoolhouse 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

Explanation: The goal of this project is to provide extended access to the One-Room Schoolhouse and to protect, preserve and enhance the property of historical significance. The One-Room Schoolhouse is listed on the National Register and as a Historical Place by the Massachusetts Historical Commission. The schoolhouse is also located in the Mashpee Historic District.

A split HVAC system would control the air quality and temperature of the historic 1831 building. The unit is proposed to blend into the wood beams on the back of the wall with piping to be contained in a false ceiling to maintain the buildings historic appearance. For energy efficiency the heat and air system would operate only when the schoolhouse is in use. With approval the project would be completed in July 2022.

The Community Preservation Committee recommends approval of Article 11 by a vote of 7-0-1.

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

***FINCOM:** This article appropriates and transfers \$19,680 from the Community Preservation Fund 10% Historic Reserve to install an HVAC Unit into the Mashpee One-Room Schoolhouse, a National Register Historical Place, in an effort to protect, preserve, and enhance this property of historical significance. This article will have no impact on the current tax rate.*

The Finance Committee recommends approval of Article 11 by a vote of 7-0

Article 12

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, the sum of \$86,000 for the purpose of funding the Mashpee War Monument 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

Explanation: The goal of this project remains the same. To honor, recognize and pay tribute to all Veterans from Mashpee to ensure their service and sacrifice to our country is made visible and never forgotten. With CPA funding construction of the monument would begin in the spring of 2022 with completion in early summer and a Town-wide dedication and celebration in the fall of 2022.

The additional funding request would be added to available CPA funding to purchase a solid granite monument shaped in the design of a wave with the Veterans names, conflict and dedication along with medallions depicting the military branches and new Town Seal. Work includes delivery and installation, an electrical and landscape budget as well as project contingency. This will be an everlasting memorial dedicated to honor Mashpee Veterans.

The Community Preservation Committee recommends approval of Article 12 by a vote of 9-0.

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

FINCOM: This article appropriates and transfers \$86,000 from the Community Preservation Fund 10% Historic Reserve to complete the Mashpee War Monument honoring Mashpee's veterans, incorporating the new town seal and veterans' names, to be dedicated this fall. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 12 by a vote of 7-0

Article 13

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, the sum of \$42,438 for the purpose of funding the Restoration of Lakewood Cemetery 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

Explanation: The goal of this project is to ensure the Town-owned cemetery is protected, preserved and restored as necessary to provide dignity and honor. The cemetery is the final resting place of Ezra Jones, a Civil War Veteran. Most of the deceased are English and early settlers dating back to 1805.

The project includes survey work, tree work, stump grinding, fencing, landscaping and gravestone cleaning and repair. With landscape improvements and the cleaning and restoration of the gravestones, the ancient cemetery would be eligible to serve on the National Register of Historic Places.

The Community Preservation Committee recommends approval of Article 13 by a vote of 9-0.

The Board of Selectmen recommends approval of Article 13 by a vote of 5-0

FINCOM: *This article appropriates and transfers \$42,438 from the Community Preservation Fund 10% Historic Reserve for performing landscaping improvements including tree and stump removal, fencing repairs, and the cleaning and restoration of gravestones at the at Lakewood Cemetery, an ancient Town-owned cemetery. This article will have no impact on the current tax rate.*

The Finance Committee recommends approval of Article 13 by a vote of 7-0

Article 14

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, the sum of \$18,086 for the purpose of funding the Mashpee Community Garden Expansion 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

Explanation: The goal of this project is to support the garden expansion by an additional 14 garden plots to meet the gardening demand. CPA funding would support garden bed construction, pathways, additional fencing, expanded irrigation and water service areas to include the construction of demonstration gardens and historic and gardening information. The project would provide continued beautification of Town-owned recreational land and promote Mashpee as a Green Community.

The Community Preservation Committee recommends approval of Article 14 by a vote of 9-0.

The Board of Selectmen recommends approval of Article 14 by a vote of 5-0

FINCOM: *This article appropriates and transfers \$18,086 from Community Preservation Fund 10% Open Space/Recreation Reserve to expand the very popular Mashpee Community Garden Reserve by creating additional garden beds for demonstration gardens expansion and improving irrigation. The by-product will be the continued beautification of Town-owned recreational land. This article will have no impact on the current tax rate.*

The Finance Committee recommends approval of Article 14 by a vote of 7-0

Article 15

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 \$168,084 for the purpose of funding the Homeyer Village Roof Replacement 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

Explanation: The goal of this project is to preserve affordable housing for the senior population residing at the Frank J. Homeyer Village. A new roof is required to preserve and maintain the integrity of the facility. The asphalt roof shingles and other system components are original to the 1990 building. Conditions include worn, brittle, curling and missing roof shingles.

CPA funding at the state-aided senior development would leverage Department of Housing & Community Development (DHCD) funding as well as High Leverage Asset Preservation (HILAP) grant funds for additional capital repairs.

The Community Preservation Committee recommends approval of Article 15 by a vote of 9-0.

The Board of Selectmen recommends approval of Article 15 by a vote of 5-0

***FINCOM:** This article appropriates and transfers \$168,084 from the Community Preservation Fund 10% Affordable Housing Reserve for making repairs to the Frank J. Homeyer Village, which provides affordable housing for the senior population. The building requires a new roof in order to remain a viable home for the seniors living there. This article will have no impact on the current tax rate.*

The Finance Committee recommends approval of Article 15 by a vote of 7-0

Article 16

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 \$264,893 for the purpose of funding the Breezy Way Roofs, Siding & Windows 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

Explanation: The goal of this project is to provide safe, adequate, and affordable housing to low-income seniors, and families. The Breezy Way units are deemed affordable in perpetuity. Preservation of the facility includes roof replacement, siding and windows, all in disrepair and original to the 1990 building.

All preservation work has been confirmed by the DHCD as an acceptable use of CPA funds. With CPA funding, the Mashpee Housing Authority is eligible to apply for HILAP funds and sustainability funds leveraging multiple grant sources to preserve the buildings for the families residing in this community.

The Community Preservation Committee recommends approval of Article 16 by a vote of 9-0.

The Board of Selectmen recommends approval of Article 16 by a vote of 5-0

***FINCOM:** This article appropriates and transfers \$264,893 from the Community Preservation Fund 10% Affordable Housing Reserve for making repairs to the Breezy Way, which provides affordable housing for low-income seniors and families. The building requires a new roof, siding, and windows in order to remain a viable home. This article will have no impact on the current tax rate.*

The Finance Committee recommends approval of Article 16 by a vote of 7-0

Article 17

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Uncommitted Fund Balance in accordance with the provisions of M.G.L., Chapter 44B, §5, the sum of \$1,709,400 for the purpose of funding the Multi-Purpose Track & Field Stadium Renovation 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

Explanation: The goal of this project is to sustain the current athletic program at the Mashpee Middle/High School (MMHS) by replacing the track and multi-purpose field in the stadium original to the school's construction in 1996.

Complete reconstruction is necessary. Over the past 25 years the track has been resurfaced. The surface is now defective and it is deteriorating extending into the base and sub-base of the track creating un-safe conditions.

A total of 25 teams, more than 4,500 students use the facility during the fall and spring seasons and it is also used by all MMHS students as part of the gym curriculum. The facility is used and is available for the public during non-school hours. It is expected the field would be available for Mashpee youth sport leagues and/or Recreation Department programs during non-school hours, and would be available for rental by other organizations, subject to scheduled usages.

The total projected cost is \$2,970,350. The total CPA request is \$1,709,400. CPA funding would support general contracting, site preparation/demolition, concrete, track, fencing, walkways/access, site amenities, utilities, site improvements, stadium lighting (LED conversion) and contingency in the amount of 20% due to uncertain economic conditions. Work proposed under the CPA conforms to the mandates of the Community Preservation Act. Improvements to the field will not be CPA funded and that component of the work is included in the Capital Improvement Program (CIP) plan presented as a separate article.

With approvals the project would go to bid in early spring with construction to commence in the Summer of 2022. It is anticipated the majority of work would be completed prior to the onset of the new school year.

The Community Preservation Committee recommends approval of Article 17 by a vote of 8-1.

The Board of Selectmen recommends approval of Article 17 by a vote of 5-0

FINCOM: This article appropriates and transfers \$1,709,400 from the Community Preservation Fund Uncommitted Fund Balance to replace the Mashpee Middle-High School’s multi-purpose track & field. This article will have no impact on the current tax rate.

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

Article 18

To see if the Town will vote to rescind the authority to issue the following un-issued balances of authorized bonds or notes pursuant to the votes adopted under the following articles to the extent not previously exercised, or take any other action relating thereto.

Submitted by the Town Treasurer			
Town Meeting	Article #	Balance	Purpose
October 15, 2018	22	\$ 210,953.75	Pimlico Heights Road Project
May 6, 2019	29	\$ 108,030.00	Leather Leaf Road Project
May 6, 2019	18	\$ 599,277.00	Chapter 90/ 2020

Explanation: This article is for the purpose of rescinding loans authorized for capital projects that have been completed. This will enable the Town Accountant to remove the un-issued balances.

The Board of Selectmen recommends approval of Article 18 by a vote of 5-0

FINCOM: This article rescinds the un-issued balances of loans authorized for capital projects that have been completed. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 18 by a vote of 7-0

Article 19

To see if the Town will vote to transfer a sum of money, not to exceed \$80,000, from revenue available for appropriation to fund a groundwater infiltration test to quantify the amount of treated wastewater effluent that may safely and responsibly be discharged the Town's wastewater treatment facility, or take any other action relating thereto.

Submitted by the Sewer Commission

Explanation: The Town has a groundwater discharge permit that limits effluent disposal to 120,000 gallons per day, an amount sufficient for the wastewater being collected and treated under Phase 1 of the Clean Water Plan but well under the future needs of the town. A new hydraulic study will be used to determine the amount of highly treated effluent that may be discharged at the site without having impacts on surrounding developments and adjacent water resources.

The Board of Selectmen recommends approval of Article 19 by a vote of 5-0

FINCOM: This article transfers funds, not to exceed \$80,000, from revenue available for appropriation to design the engineering of the Town's Phase 2 wastewater collection and treatment facilities, and to establish cost estimates that are adequate for the purpose of seeking State and Federal financial assistance. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 19 by a vote of 7-0

Article 20

To see if the Town will vote to appropriate and transfer the sum of \$450,000 from revenue available for appropriation to fund Santuit Pond Resiliency Projects: stormwater improvements and nutrient inactivation, or take any other action relating thereto.

Submitted by the Department of Natural Resources

Explanation: This article is necessary to continue efforts to address nutrient pollution and enhance resilience in Santuit Pond. These funds would provide local match to leverage additional grant funding available through the Massachusetts Municipal Vulnerability Program (MVP) for the design and construction of stormwater improvements within the Santuit Pond watershed. These funds will also be used to study the feasibility towards implementation of an Aluminum Sulfate nutrient inactivation treatment within the pond to treat excess phosphorus and symptoms of eutrophication i.e. excess harmful cyanobacteria blooms. Aluminum Sulfate was previously determined to be a method of choice in the AECOM Santuit Pond Diagnostic Study est. 2010 to reduce the internal load of phosphorus within the Pond.

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

FINCOM: This article appropriates and transfers \$450,000 from revenue available for appropriation to address the pollution of Santuit Pond, and to improve its resiliency against future pollution. These funds may result in matching grants from the State. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 20 by a vote of 7-0

Article 21

To see if the Town will vote to appropriate and transfer the sum of **\$253,500** from revenue available for appropriation to cover costs associated with identified priority restoration projects in the Town of Mashpee, including improvements to fish passage on Johns Pond and Mashpee Pond, improvements to storm water runoff treatment at Mashpee Neck Rd for water quality, and replacement of the culvert at Red Brook.

Explanation: The Cape Cod Water Resources Restoration Project (CCWRRP) is a partnership of federal, state and local agencies as well as all 15 Cape Cod Towns and the USDA's Natural Resource Conservation Service (NRCS) started in 2010. The collective goal of this partnership was to identify priority restoration projects throughout Cape Cod in the interest of improving diadromous fish passage, restoration of salt marsh systems and remediation of storm water runoff to improve water quality and protect shellfish beds. An estimated \$30 million dollars is available for funding on 76 identified restoration sites throughout the Cape. The Town is required to provide a 25% match of estimated construction costs plus monies for permitting for these funded projects, including the following:

Johns Pond Spillway and Fish Ladder: The existing fish ladder and spillway experience substantial and consistent sediment and debris loading from the pond, impacting fish passage and requiring frequent maintenance including annual dredging with heavy machinery. The upstream and downstream channel embankments are severely degraded, resulting in constant erosion and filling in of the stream channel. Design improvements to reduce sediment loading and rebuild/regrade up and downstream embankments to address erosion issues. **Total estimated construction cost: \$330,000. Town Match = \$89,000**

Mashpee Pond Outlet: Similar to the issues at the Johns Pond fish ladder, the Mashpee River outlet experiences frequent sediment loading from Mashpee Pond. The immediate downstream embankments are being filled in with sediment, requiring annual dredging and frequent maintenance. The downstream embankments are being undercut and eroded. A previous bank erosion control effort from the mid-90s has deteriorated along this stretch of the upper Mashpee River, resulting in a widening of the river, which when combined with sediment loading, creates shallow areas of stream bed, causing issues for fish passage. Design improvements to address sediment loading into the water control outlet structure and fortification/rebuilding of riverbanks to prevent erosion and increase channel depth for fish passage. **Total estimated construction cost: \$278,000. Town Match = \$75,000**

Mashpee Neck Storm Water Improvements: CCWRRP funded installation of drainage improvements on Mashpee Neck Road in 2011/2012 to address water quality issues in Shoestring Bay that was impacting shellfish beds. Subsequent testing has found that additional improvements are needed immediately adjacent to the Town's boat ramp (Edward A. Baker Boat Ramp at Pirate's Cove) to capture and provide additional treatment of the storm water. **Total estimated construction cost: \$104,000. Town Match = \$28,000**

This article is also requesting funding for design for the replacement of the Red Brook Road Culvert. The culvert includes a water control structure for the adjacent abandoned cranberry bog. This structure is classified as a significant hazard dam by the MA Office of Dam Safety and inspection has found it to be in poor condition. The dam is owned jointly by the Towns of Mashpee and Falmouth and the towns are currently working with the MA Division of Ecological Restoration on conceptual design plans for replacement of the culvert. The design would include improvements to water quality, provision of fish passage, and elimination of flooding on Red Brook Road. Funding is needed for final design and permitting. These costs would be split with the Town of Falmouth. The towns will be applying for grants to assist with design and construction; if successful, these funds could be used instead as any required local match. **Total estimated design cost: \$123,000. Town Share = \$61,500**

Submitted by the Conservation Commission

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

FINCOM: *This article appropriates and transfers \$253,500 from revenue available for appropriation to provide the required twenty-five percent (25%) match to pay for restoration projects identified as priorities by the Cape Cod Water Resources Restoration Project (CCWRRP). These projects include the following:*

- *Johns Pond Spillway and Fish Ladder*
- *Mashpee Pond Outlet*
- *Mashpee Neck Storm Water Improvements*

This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 21 by a vote of 7-0

Article 22

To see if the Town will vote to appropriate and transfer the sum of **\$35,000** from revenue available for appropriation for the planning, permitting, treatment and eradication of invasive milfoil on Johns Pond and Santuit Pond, or take any other action relating thereto.

Submitted by the Conservation Commission

Explanation:

Johns Pond- Milfoil is a well-documented invasive aquatic weed that can spread rapidly and out-compete native species, resulting in loss of native aquatic habitat and adversely impacting recreational opportunities. In the summer of 2021, invasive milfoil was detected by residents on Johns Pond and reported to the Conservation Department and Department of Natural Resources. Subsequent to this, the town appropriated emergency funding to engage a contractor and secured wetland permits to conduct a pond-wide survey and treatment of milfoil using a state approved aquatic herbicide. A total of 8 acres of Johns Pond was identified for milfoil infestation and subsequently treated. A summary report and post treatment survey on the pond revealed that most, if not all of the milfoil has been successfully eradicated; however, as is the case when dealing with invasive species, a follow up survey for the next growing season is recommended to ensure complete eradication. The contractor hired to conduct this work (*Water and Wetlands LLC*) recommends budgeting approximately \$5,500 to cover the costs of a follow up pond-wide survey in the late spring/early summer of 2022 to check for any remaining areas of milfoil infestation. This estimate also includes potential treatment of any detected areas. I recommend an additional \$1,000 for any contingencies, bringing the total amount of requested funding to **\$6,500**. Ideally, no detections will be found and funding for treatment will not be needed; however, until a follow up survey is conducted, this is an unknown.

Santuit Pond: In the late fall of 2021, The Department of Natural Resources discovered invasive milfoil infestation in Santuit Pond. Preliminary observations using GPS tracking indicate roughly 6+ acres of pond area that are currently infested with milfoil. Funding will be needed to pay a qualified contractor to conduct a full pond-wide survey and subsequent treatment of milfoil based on survey results. Using the costs of milfoil surveying, permitting and eradication on Johns Pond as a reference, funding in the amount of **\$28,500** is requested to cover all estimated costs for eradication of invasive milfoil (including permitting, surveying, treatment(s) and contingency costs)

The Board of Selectmen recommends approval of Article 22 by a vote of 5-0

***FINCOM:** This article appropriates and transfers \$35,000 from revenue available for appropriation for the planning, permitting, treatment, and eradication of the invasive milfoil on John's Pond and Santuit Pond. This article will have no impact on the current tax rate.*

The Finance Committee recommends approval of Article 22 by a vote of 7-0

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 21st day of March in the year two thousand and twenty two.

Per Order of,
Board of Selectmen

Carol A. Sherman, Chair
David W. Weeden, Vice Chair
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 2, 2022**

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 2nd day of May 2022 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 2021 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 5-0

***FINCOM:** This article is to accept the reports of the Town Officers as presented in the 2021 Annual Town Report. This article will have no impact on the current tax rate.*

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, 2022 to June 30, 2023, 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 2023 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 5-0

***FINCOM:** This article authorizes the raising, appropriating, and/or transferring of funds for the annual budget (Omnibus Budget) for Fiscal Year 2023.*

The Finance Committee recommends approval of Article 2 by a vote of 6-0

DEPARTMENT			FY 2022 BUDGET	FY 2023 DEPARTMENT REQUEST	FY 2023 FINANCE COMMITTEE RECOMMEND	FY 2023 TOWN MGR RECOMMEND
MODERATOR						
SALARY	1		200	200	200	200
TOTAL			200	200	200	200
SELECTMEN						
SALARY-ELECTED	2		15,500	15,500	15,500	15,500
SALARY/WAGE	3		411,950	459,755	436,055	436,055
EXPENSE	4		38,500	38,500	38,500	38,500
LEG/ENG/CONSULTING	5		385,000	385,000	385,000	385,000
TOTAL			850,950	898,755	875,055	875,055
FINANCE COMMITTEE						
RESERVE FUND	6		87,700	100,000	100,000	100,000
EXPENSE	7		70,000	75,000	75,000	75,000
TOTAL			157,700	175,000	175,000	175,000
TOWN ACCOUNTANT						
SALARY/WAGE	8		300,236	328,535	304,765	304,765
EXPENSE	9		2,675	3,175	3,175	3,175
TOTAL			302,911	331,710	307,940	307,940
ASSESSORS						
SALARY-APPOINTED	10		3,000	3,000	3,000	3,000
SALARY/WAGE	11		310,995	291,528	266,788	266,788
EXPENSE	12		6,400	6,000	6,000	6,000
TOTAL			320,395	300,528	275,788	275,788
TREASURER/TAX COLLECTOR						
SALARY/WAGE	13		264,972	274,760	274,760	274,760
EXPENSE	14		48,900	47,400	47,400	47,400
DEBT SERVICE	15		2,500	2,500	2,500	2,500
FORECLOSURE	16		12,000	12,000	12,000	12,000
TOTAL			328,372	336,660	336,660	336,660
HUMAN RESOURCES						
SALARY/WAGE	17		387,660	436,813	436,813	436,813
EXPENSE	18		113,519	112,837	100,637	100,637
TOTAL			501,179	549,650	537,450	537,450

DEPARTMENT		FY 2022 BUDGET	FY 2023 DEPARTMENT REQUEST	FY 2023 FINANCE COMMITTEE RECOMMEND	FY 2023 TOWN MGR RECOMMEND
INFORMATION TECHNOLOGY					
SALARY/WAGE	19	374,048	389,985	389,985	389,985
EXPENSE	20	314,328	329,882	321,756	321,756
EQUIPMENT REPLACEMENT	21	27,000	27,000	27,000	27,000
TOTAL		715,376	746,867	738,741	738,741
TOWN CLERK					
SALARY-ELECTED	22	93,355	98,890	98,890	98,890
SALARY/WAGE	23	105,251	108,890	108,890	108,890
EXPENSE	24	9,175	8,875	8,875	8,875
TOTAL		207,781	216,655	216,655	216,655
ELECTIONS & REGISTRATIONS					
SALARY/WAGE	25	63,095	66,486	66,486	66,486
EXPENSE	26	23,000	27,200	27,200	27,200
TOTAL		86,095	93,686	93,686	93,686
CONSERVATION					
SALARY/WAGE	27	228,350	220,561	220,561	220,561
EXPENSE	28	5,336	5,824	5,824	5,824
HERRING EXPENSE	29	500	500	500	500
TOTAL		234,186	226,885	226,885	226,885
NATURAL RESOURCES					
SALARY/WAGE	30	508,932	643,420	643,420	643,420
EXPENSE	31	132,840	195,960	189,710	189,710
PROPAGATION	32	135,000	240,650	240,650	240,650
TOTAL		776,772	1,080,030	1,073,780	1,073,780
PLANNING BOARD					
EXPENSE	33	1,125	11,125	11,125	11,125
TOTAL		1,125	11,125	11,125	11,125
PLANNING DEPARTMENT					
SALARY/WAGE	34	142,730	152,930	152,930	152,930
EXPENSE	35	4,125	4,125	4,125	4,125
TOTAL		146,855	157,055	157,055	157,055
TOWN HALL					
EXPENSE	36	282,000	282,000	282,000	282,000
TOTAL		282,000	282,000	282,000	282,000

DEPARTMENT			FY 2022 BUDGET	FY 2023 DEPARTMENT REQUEST	FY 2023 FINANCE COMMITTEE RECOMMEND	FY 2023 TOWN MGR RECOMMEND
POLICE						
SALARY/WAGE	37		4,404,421	4,610,509	4,610,509	4,610,509
EXPENSE	38		317,681	317,681	317,681	317,681
DISPATCHERS SALARY/WAGE	39		548,095	571,660	571,660	571,660
TOTAL			5,270,197	5,499,850	5,499,850	5,499,850
FIRE						
SALARY/WAGE	40		4,158,990	4,347,867	4,347,867	4,347,867
EXPENSE	41		507,723	521,018	514,693	514,693
TOTAL			4,666,713	4,868,885	4,862,560	4,862,560
BUILDING INSPECTOR						
SALARY/WAGE	42		332,993	350,826	341,776	341,776
EXPENSE	43		29,375	32,070	32,070	32,070
TOTAL			362,368	382,896	373,846	373,846
TREE WARDEN						
EXPENSE	44		-	-	-	-
TOTAL			-	-	-	-
SCHOOL						
BUDGET	45		23,299,435	24,003,261	23,402,261	23,402,261
TOTAL			23,299,435	24,003,261	23,402,261	23,402,261
DPW						
SALARY/WAGE	46		2,756,526	2,827,614	2,827,614	2,827,614
EXPENSE	47		965,420	1,098,985	1,098,985	1,098,985
BUILDINGS & GROUNDS	48		1,300,311	1,440,481	1,440,481	1,440,481
TOTAL			5,022,257	5,367,080	5,367,080	5,367,080
SNOW & ICE						
EXPENSE	49		116,570	116,570	116,570	116,570
TOTAL			116,570	116,570	116,570	116,570
STREET LIGHTING						
EXPENSE	50		22,000	22,000	22,000	22,000
TOTAL			22,000	22,000	22,000	22,000
TRANSFER STATION						
EXPENSE	51		1,078,249	1,120,062	1,120,062	1,120,062
TOTAL			1,078,249	1,120,062	1,120,062	1,120,062

DEPARTMENT			FY 2022 BUDGET	FY 2023 DEPARTMENT REQUEST	FY 2023 FINANCE COMMITTEE RECOMMEND	FY 2023 TOWN MGR RECOMMEND
WASTEWATER						
SALARY	52		111,265	119,139	119,139	119,139
EXPENSE	53		-	13,450	13,450	13,450
TOTAL			111,265	132,589	132,589	132,589
CEMETERY						
EXPENSE	54		15,000	15,000	15,000	15,000
TOTAL			15,000	15,000	15,000	15,000
HEALTH						
SALARY-APPOINTED	55		3,000	3,000	3,000	3,000
SALARY/WAGE	56		321,105	309,339	309,339	309,339
EXPENSE	57		63,040	63,540	63,540	63,540
TOTAL			387,145	375,879	375,879	375,879
COUNCIL ON AGING						
SALARY/WAGE	58		264,680	278,845	270,485	270,485
EXPENSE	59		43,627	45,973	45,973	45,973
TOTAL			308,307	324,818	316,458	316,458
VETERANS						
EXPENSE	60		121,000	110,000	110,000	110,000
MEMBERSHIP	61		41,500	45,650	45,650	45,650
TOTAL			162,500	155,650	155,650	155,650
HUMAN SERVICES						
SALARY/WAGE	62		85,601	91,228	91,228	91,228
EXPENSE	63		51,910	51,910	51,910	51,910
TOTAL			137,511	143,138	143,138	143,138
LIBRARY						
SALARY/WAGE	64		529,898	554,725	554,725	554,725
EXPENSE	65		193,467	208,624	208,624	208,624
TOTAL			723,365	763,349	763,349	763,349
RECREATION						
SALARY/WAGE	66		296,871	317,433	317,433	317,433
EXPENSE	67		32,125	30,875	30,875	30,875
TOTAL			328,996	348,308	348,308	348,308

DEPARTMENT		FY 2022 BUDGET	FY 2023 DEPARTMENT REQUEST	FY 2023 FINANCE COMMITTEE RECOMMEND	FY 2023 TOWN MGR RECOMMEND
HISTORICAL					
TEMP WAGE	68	9,000	10,000	10,000	10,000
EXPENSE	69	6,830	6,830	6,830	6,830
TOTAL		15,830	16,830	16,830	16,830
CULTURAL COUNCIL					
EXPENSE	70	90	90	90	90
TOTAL		90	90	90	90
PRINCIPAL INSIDE 2 1/2					
	71	1,173,797	978,800	978,800	978,800
PRINCIPAL OUTSIDE 2 1/2					
	72	805,000	795,000	795,000	795,000
INTEREST INSIDE 2 1/2					
	73	209,138	170,040	170,040	170,040
INTEREST OUTSIDE 2 1/2					
	74	261,125	232,975	232,975	232,975
Principal & Interest					
TEMP BORROW INSIDE 2 1/2					
	75	117,280	22,875	22,875	22,875
Principal & Interest					
TEMP BORROW OUTSIDE 2 1/2					
	76	13,970	31,000	31,000	31,000
RETIREMENT EXPENSE					
	77	3,704,763	4,062,220	4,062,220	4,062,220
UNEMPLOYMENT					
	78	40,000	40,000	40,000	40,000
MEDICAL INSURANCE					
	79	7,543,742	8,731,590	8,251,590	8,251,590
GROUP INSURANCE					
	80	15,845	15,845	15,845	15,845
MEDICARE					
	81	485,155	533,671	533,671	533,671
TOWN INSURANCE					
	82	946,520	1,057,815	1,057,815	1,057,815
TOTAL		62,256,030	65,734,892	64,531,371	64,531,371

Article 3

To see if the Town will vote to appropriate and transfer the sum of \$1,385,740 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

FISCAL YEAR 2023 CAPITAL IMPROVEMENT PROGRAM		
REQUESTS BY DEPARTMENT	FY 2023 CIP COMMITTEE RECOMMENDATIONS	FY 2023 TOWN MANAGER RECOMMENDATIONS
<i>DPW</i>		
Replace 2014 Ford F550	\$ 110,000	\$ 110,000
Replace 2017 John Deere Tractor	\$ 63,500	\$ 63,500
Replace 2002 Evaco Trailer	\$ 35,000	\$ 35,000
Replace 1997 CAT ITG Loader (Year 1 of 3)	\$ 80,000	\$ 80,000
Total DPW	\$ 288,500	\$ 288,500
<i>FIRE</i>		
Purchase 2 Vehicles (Chief 371/Inspector 373)	\$ 130,000	\$ 130,000
Replace SCBA Compressor & Fill Station	\$ 85,000	\$ 85,000
Total Fire	\$ 215,000	\$ 215,000
<i>INFORMATION TECHNOLOGY</i>		
VMWare Server - Town Hall	\$ 50,000	\$ 50,000
Total Information Technology	\$ 50,000	\$ 50,000
<i>NATURAL RESOURCES</i>		
Replace Trucks	\$ 90,200	\$ 90,200
Water Quality Sonde Replacements (3 @\$30,000)	\$ 90,000	\$ 90,000
Total Natural Resources	\$ 180,200	\$ 180,200
<i>PLANNING & CONSTRUCTION</i>		
Flooring Replacement	\$ 89,640	\$ 89,640
MMHS Gymnasium Upgrades	\$ 75,000	\$ 75,000
Quashnet Gymnasium Upgrades	\$ 155,000	\$ 155,000
Total Planning & Construction	\$ 319,640	\$ 319,640
<i>POLICE</i>		
10 Police Vehicles (Year 3 of 3)	\$ 156,000	\$ 156,000
4 Police Vehicles (Year 2 of 3)	\$ 56,000	\$ 56,000
Total Police	\$ 212,000	\$ 212,000

FISCAL YEAR 2023 CAPITAL IMPROVEMENT PROGRAM (CONTINUED)		
REQUESTS BY DEPARTMENT	FY 2023 CIP COMMITTEE RECOMMENDATIONS	FY 2023 TOWN MANAGER RECOMMENDATIONS
SCHOOL		
Kitchen Equipment Upgrades	\$ 25,000	\$ 25,000
Chromebook Leases	\$ 45,000	\$ 45,000
Interactive Board Systems in Classrooms	\$ 25,000	\$ 25,000
IPAD Replacement	\$ 25,400	\$ 25,400
Total School	\$ 120,400	\$ 120,400
TOTAL ALL DEPARTMENTS		
	\$ 1,385,740	\$ 1,385,740

Explanation: This article is to appropriate and transfer \$1,385,740 from the Capital Stabilization Fund for the FY 2023 capital budget. This article requires a 2/3rd vote.

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

***FINCOM:** This article appropriates and transfers \$1,385,740 from available funds to various department Capital Accounts as outlined in the chart accompanying this article, to enable the Town to continue to protect its Capital Investments.*

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

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, 2022, in the amount of \$16,127,000 and further, to see if the Town will vote to raise and appropriate the sum of \$1,011,446 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, 2022, 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 \$1,011,446. There are currently 44 students from Mashpee at the Cape Cod Regional Technical High School, an increase of 4 students is projected for fiscal year 2023.

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

***FINCOM:** This article approves the annual regional school district budget for the Cape Cod Regional Technical High School (CCRTHS), and raises and appropriates Mashpee's required share of the CCRTHS assessment in the amount of \$1,011,446.*

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, 2022, in the amount of \$6,081,325, and further, to see if the Town will vote to raise and appropriate the sum of \$473,869 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, 2022, 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 2023 is \$473,869.

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

FINCOM: This article raises and appropriates \$473,869, which is Mashpee's required share of the debt for the Cape Cod Regional Technical District Building Project.

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 5-0

FINCOM: This article appropriates and transfers \$250,000 from revenue available for appropriation to OPEB, Other Postemployment Benefits Irrevocable Trust Fund. This fund was established in FY2013 to meet costs related to potential post-employment benefits. This article will have no impact on the current tax rate.

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

Article 7

To see if the Town will vote to amend Article XVI, §174-91 of the Zoning Bylaws by substituting the term "Select Board" for "Board of Selectmen", and further, by deleting the terms "Board of Selectmen" and "Selectmen" in every other instance in which they appear in the Zoning Bylaw and inserting in their place the words "Select Board", or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This is a “housekeeping” article that would delete all references to “Board of Selectmen” or “Selectmen” in the Zoning Bylaw and replace said references with “Select Board”, consistent with Town Meeting’s approval of such an amendment to the General Bylaws pursuant to its vote under Article 1 of the October 18, 2021 Town Meeting.

The Board of Selectmen recommends approval of Article 7 by a vote of 5-0

***FINCOM:** This article amends Article XVI, section 174-91 of the Zoning Bylaws replacing all references to “Board of Selectmen” and “Selectmen” with “Select Board”, and wherever else they appear in the Zoning Bylaws. This change was approved to the General Bylaws by the Town at the October 18th 2021 Town Meeting. This article will have no impact on the current tax rate.*

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

Article 8

To see if the Town will vote to authorize the Board of Selectmen and the Conservation Commission to convey 2,940 square feet of land under the care and custody of the Town of Mashpee Conservation Commission, which land is a portion of a parcel identified as Mashpee Assessor’s Parcel 30-19-0 and referenced at the Barnstable County Registry of Deeds at Book 3435, Page 86, and to accept the conveyance of 2,940 square feet of land from Jacques Fresco and Rosalie Fresco, which land is a portion of a lot identified as 3 Santuit Lane, Mashpee Assessor’s Parcel 30-20-0 and referenced at the Barnstable County Registry of Deeds in Book 2879, Page 172, and to accept such land into the care and custody of the Mashpee Conservation Commission, for purposes of curing an encroachment upon Town-owned land, all as shown on a plan of land on file at the Office of the Town Clerk, and further to authorize the Board of Selectmen and the Conservation Commission to file a petition with the General Court under Article 97 of the Declaration of Rights for the purposes of this article, or take any other action relating thereto.

SEE MAP IN APPENDIX A Submitted by the Board of Selectmen and the Conservation Commission

Explanation: This Article will remedy an encroachment on Town owned land at 3 Santuit Lane by a land swap between the owners and the Town.

The Board of Selectmen recommends approval of Article 8 by a vote of 5-0

***FINCOM:** This article corrects an encroachment of Town-owned and privately-owned land at Santuit Lane by swapping land between the owners and the Town. This article will have no impact on the current tax rate.*

The Finance Committee recommends approval of Article 8 by a vote of 6-0

Article 9

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, 2022 to be expended in accordance with the Bylaw establishing said revolving funds, heretofore approved, or take any other action relating thereto.

FUND	FY 2023 AUTHORIZATION
RECREATION	\$580,000
LIBRARY	\$20,000
SENIOR CENTER	\$15,000
HISTORICAL COMMISSION	\$2,500

Submitted by the Finance Director

Explanation: This article establishes the FY 2023 expenditure limits for departmental revolving funds.

The Board of Selectmen recommends approval of Article 9 by a vote of 5-0

FINCOM: This article authorizes the expenditure of the specified amounts for the four revolving funds shown in the table for FY2023. The amounts represent costs associated with programs offered by these four Town entities. These expenses are subject to receipt of corresponding levels of program revenue that offset the expense. If program revenues are inadequate, the expenditures will not be incurred. This article will have no impact on the current tax rate.

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 the sum of \$250,000 from revenue available for appropriation, to be deposited into 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, or take any other action relating thereto.

Submitted by the Finance Director

Explanation: This article would deposit \$250,000 into the special injury leave indemnity fund (Injured on Duty Fund).

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

FINCOM: This article appropriates and transfers funds from revenue available for appropriation into the Injured on Duty Fund for injury leave compensation and medical bills as required by Massachusetts Law. General Laws c. 41, Section 111F states that whenever a police officer or fire fighter is incapacitated because of injuries sustained in the performance of his/her duty without fault of his/her own, he or she is granted leave without loss of pay for the period of such incapacity. This article will have no impact on the current tax rate.

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 \$522,112 to establish a budget for the PEG Access and Cable Related fund for fiscal year 2023, 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 11 by a vote of 5-0

FINCOM: This article appropriates \$522,112 for budgeted costs associated with providing Public, Educational and Government (PEG) access to various cable TV channels available through the Town, including schools. The amount is based on anticipated expenditures from the PEG and Cable Related fund for the coming fiscal year, and is required by the MA Department of Revenue. NOTE: The amount appropriated comes from franchise fees from Comcast. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 11 by a vote of 5-0-1 (abstention)

Article 12

To see if the Town will vote to appropriate and transfer the sum of \$14,712.00 from the Ambulance Receipts Account to the Fire Department Expense Account, or take any other action related thereto.

Submitted by the Fire Department

Explanation: This article is to use Ambulance Receipts funds for the purchase of three (3) ProCare Stair Chairs (1 for each ambulance) used to move patients from their home to an ambulance.

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

FINCOM: This article appropriates and transfers \$14,712 from the Ambulance Receipts Account to the Fire Department, which represents ambulance fees collected. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 12 by a vote of 6-0

Article 13

To see if the Town will vote to authorize the creation of four (4) additional positions within the Fire Department for full-time firefighters, contingent upon the receipt of the Federal Staffing for Adequate Fire and Emergency Response (SAFER) Grant, with said positions to be classified under the Mashpee Permanent Firefighters Association Local 2519, effective July 1, 2022, and further to authorize the Town Manager and/or Select Board to file any applications and/or take whatever other action may be necessary to secure said federal SAFER grant funds, or take any other action relating thereto.

Submitted by the Fire Department

Explanation: This article would authorize the creation of employment positions for and the hiring of four (4) additional Firefighters funded for three years by the Federal Staffing for Adequate Fire and Emergency Response Grants (SAFER) Grant. The SAFER Grant program was created to provide funding directly to fire departments to help them increase or maintain the number of trained, "front line" firefighters available in their communities. These positions will only be created if the Federal SAFER Grant is approved. The increase in staff would ensure that the Town is meeting applicable NFPA staffing and deployment standards. The Town of Mashpee would be responsible for all salaries and expenses after three years or upon the expiration of the Federal SAFER Grant funds.

The Board of Selectmen recommends approval of Article 13 by a vote of 5-0

FINCOM: This article, contingent upon receiving a grant award under the Federal Staffing for Adequate Fire and Emergency Response (SAFER) Grant, establishes four (4) new firefighter positions to address the increase in call volume, and improve the Fire Department's ability to provide reciprocal aid to surrounding communities. These positions are fully funded by the SAFER grant for three years. This article will have no impact on the current year tax rate.

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

Article 14

To see if the Town will vote to raise, borrow or transfer from available funds and appropriate a sum of money, not to exceed \$750,000, 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 FY22 Chapter 90 program.

The Board of Selectmen recommends approval of Article 14 by a vote of 5-0

FINCOM: This article authorizes the raising, borrowing, or transferring of \$750,000 from revenue available for appropriation to fund road improvement projects. These funds will be 100% reimbursed by the Commonwealth of Massachusetts under the Chapter 90 program. The Town would be able to improve the roads prior to the receipt of the funding. This article will have no impact on the current tax rate.

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 the sum of \$446,205, for the operation of the Kids Klub Enterprise Fund for Fiscal Year 2023; said sum to be raised from \$446,205 in receipts of the Enterprise, or take any other action relating thereto.

Submitted by the Recreation Department

Estimated Revenues

Registration Fees	\$ 3,500
Tuition	\$ 442,430
<u>Investment Income</u>	<u>\$ 275</u>
<u>Total Budgeted Revenue</u>	<u>\$ 446,205</u>

Estimated Expenses

Salary (full-time; incl. long.)	\$ 290,256
Salary (part-time)	\$ 49,500
Benefits (Health, Life, Medicare)	\$ 52,400
<u>Building Expenses</u>	<u>\$ 54,049</u>
<u>Total Budgeted Expenses</u>	<u>\$ 446,205</u>

Net Profit/Loss **\$0**

Explanation: The proposed Recreation Enterprise budget for fiscal year 2023 will authorize the Recreation Department to operate a toddler/pre-school program as a self-sufficient, self-funded operation. All costs related to this program are projected are to be offset by the revenues of the program. Any monies in excess of the expenses are to remain in the account.

The Board of Selectmen recommends approval of Article 15 by a vote of 5-0

***FINCOM:** This article appropriates \$446,205 for operating the Kids Klub Enterprise Fund under the Recreation Department for FY2023. The Kids Klub program is a fully self-funded operation. This article will have no impact on the current tax rate.*

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

Article 16

To see if the Town will vote to appropriate and transfer from the FY 2023 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., Chapter 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 2023 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 Community Preservation Committee recommends approval of Article 16 by a vote of 7-0.

The Board of Selectmen recommends approval of Article 16 by a vote of 5-0

***FINCOM:** This article appropriates and transfers \$40,000 from the FY2023 Community Preservation Fund Estimated Revenues to the Community Preservation Committee Administrative and Operating Expense Account to cover necessary administrative and professional fees and other costs incurred by projects overseen by the Community Preservation Committee. This article will have no impact on the current tax rate.*

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

Article 17

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 relative thereto.

Submitted by the Board of Health

Explanation: The Commonwealth of Massachusetts, through the Massachusetts Clean Water 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. 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-loaning 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 17 by a vote of 5-0

***FINCOM:** This article renews the Town's continuing annual participation in a funding mechanism from the Massachusetts Clean Water Trust to provide low-cost betterment loans to homeowners needing assistance to remedy failed Title V septic systems. This article will have no impact on the current tax rate.*

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

Article 18

To see if the Town will vote to amend the general bylaws as follows:

General Bylaws, Chapter 147, Article III

§147-6 Deposit of Snow on Town Ways and Property; Violations and Enforcement.

No person other than an employee in the service of the Town or an employee in the service of an independent contractor acting for the Town shall pile, push, plow, or otherwise deposit snow or ice on to a Town way, private way open to public use designated by the Select Board for purposes of G.L. c. 40, §6C, bikeways, parks, parking areas or other Town owned property so as to impede the flow of vehicular or pedestrian traffic on such ways or interfere with the public use of such property. Whoever violates this section shall be punished by a fine of two hundred dollars for each offense. The provisions of this Chapter shall be enforced by the Mashpee Police Department, the Director of Public Works, or his/her designee. The provisions of MGL C. 40, §21D, providing for noncriminal disposition of violations shall be applicable and the person taking cognizance of any violation hereof may issue to the offender a written notice as provided for in said §21D as an alternative to District Court criminal proceedings or other available enforcement remedies, or take any other action relating thereto.

Submitted by the Department of Public Works

Explanation: This Article would amend the town's general bylaws to prevent contractors from plowing snow from private property onto Town roads, particularly from commercial parking lots.

The Board of Selectmen recommends approval of Article 18 by a vote of 5-0

FINCOM: This article amends the general bylaws prohibiting contractors from plowing snow from private property onto Town roads. This article will have no impact on the current tax rate.

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

Article 19

To see if the Town will vote to appropriate and transfer the sum of \$195,000 from the Waterways Improvement Fund to the Engineering/Permitting/Dredging and Associated Expense Account or take any other action relating thereto.

Submitted by the Waterways Commission

Explanation: This Article will provide funds for various Waterways projects.

The Board of Selectmen recommends approval of Article 19 by a vote of 5-0

FINCOM: This article appropriates and transfers \$195,000 from the Waterways Improvement Fund to the Engineering/Permitting/Dredging and Associated Expense Account to maintain Waterway projects. It is a piece of the overall Waterways Improvement Fund appropriation. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 19 by a vote of 6-0

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 Christopher Lane and to accomplish said purpose and for expenses related thereto, the Town vote to appropriate and transfer from revenue available for appropriation \$5,000 to the Christopher Lane Roadways Account, or take any other action relating thereto.

SEE MAP IN APPENDIX A

Submitted by Petition

Explanation: This Article authorizes the Town to layout and define Christopher Lane and to appropriate funding for this purpose.

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

FINCOM: This article appropriates and transfers \$5,000 from revenue available for appropriation for the layout and plan design necessary to convert Christopher Lane from a private way to a public way owned and maintained by the Town. This step is a prerequisite for a subsequent road taking, which will also require voter approval. The design ensures that the road will conform to the Town's road building standards. This and the subsequent construction costs, will be recovered by the Town via a betterment assessment on the properties abutting the road. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 20 by a vote of 6-0

Article 21

To see if the Town will vote to accept the layouts as public ways of Oldham Circle, as shown on plans entitled "Oldham Circle, Road Taking Plan," in Mashpee, MA (Barnstable County), dated December 20, 2020 and prepared by Cape & Islands Engineering, Inc., 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 to appropriate the sum of \$ 387,906.75 to the "Oldham Circle" 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, 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.

SEE MAP IN APPENDIX A

Submitted by Petition

Explanation: This article authorizes the Town to complete the private to public road conversion process for Oldham Circle.

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

FINCOM: This article accepts the layouts as public ways of Oldham Circle, and raises and appropriates the \$387,906 necessary to convert the private road to public road. These funds will be reimbursed to the Town through a betterment assessed to the property owners abutting the road. This will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 21 by a vote of 6-0

Article 22

To see if the Town will vote to affirm that the center of community activity in Mashpee is located around the region of the confluent of Main Street (Route 130) and Great Neck Road North, wherein are located Mashpee's Community Park, Veterans' Garden, Mashpee Town Hall, Mashpee Archives, Mashpee's Community Garden, Mashpee's Historic District, Mashpee's 1831 One-Room Schoolhouse, Mashpee's Wampanoag Museum, the Mashpee River Herring Run and local businesses, or take any other action relating thereto.

Submitted by Petition

Explanation: Recent building booms in Town have created confusion in the municipality as to the location of the Town Center. At least one recent map erroneously named a privately owned shopping center as the “Town Center.” This has created uncertainty for many residents and visitors. This affirmation clarifies the situation.

The Board of Selectmen recommends approval of Article 22 by a vote of 5-0

FINCOM: This article affirms that the Town’s Center of Community Activity is located around Main Street (Route 130) and Great Neck Road North. This article will have no impact on the current tax rate.

The Finance Committee recommends approval of Article 22 by a vote of 5-1

Article 23

To see if the Town will vote to instruct the Mashpee Select Board to replace no later than three months from the date of this vote the current shoulder patch worn on Mashpee Police uniforms with the newly adopted Town Seal.

Submitted by Petition

Explanation: The uniform of Mashpee police officers inappropriately features an identifying shoulder patch with a symbol of a privately owned business, thus favoring one business at the expense of others, The Town Seal, created by the dedicated work of a team specially appointed town committee, is the correct signifier.

The Board of Selectmen makes no recommendation of Article 23 by a vote of 5-0

FINCOM: This article instructs the Mashpee Select Board to replace the current shoulder patch worn on the Mashpee Police uniforms with the newly adopted Town Seal, within three months from approval. This article will have no impact on the current tax rate.

The Finance Committee makes no recommendation on Article 23 by a vote of 3-3

Article 24

To see if the Town will vote to authorize the Selectmen to acquire, by purchase, gift, eminent domain, or otherwise for conservation, open space and passive recreational purposes, for the general public, consistent with the provisions of Mass. Gen. Laws, Ch. 40, §8C, and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, the parcels of land totaling 32 acres, more or less, identified on the 2021 Mashpee Assessors' Map as Map 68 Blocks 5 and 6, Map 75 Block 1, that portion of Map 74 Block 16 lying east of a line running from that point on the south side of the layout of State Route 28 lying directly opposite the southernmost corner of Map 67 Block 9 to the northernmost corner of Map 74 Block 17, that portion of Map 75, Block 10 lying southeast of Map 68 Block 5 and Map 75 Block 1, and the remainder of Trout Pond, by completing the following steps by October 1, 2023:

1. Contact the property owner(s) to discuss and negotiate the acquisition, purchase and/or acceptance of the land by the Town, and if the Town and the property owner(s) cannot reach a mutual agreement, to proceed with an eminent domain taking per MGL Chapter 79; and
2. Prepare an update of the Town's current Open Space Conservation & Recreation Plan for submission to and approval by the Commonwealth of Massachusetts Division of Conservation Services and Secretary of Energy and Environmental Affairs to re-qualify the Town for approval and receipt of State LAND and PARC grants and grants from the Federal Land & Water Conservation Fund; and
3. Complete all the steps, including appraisals, necessary to apply for, accept and expend any funds which may be provided by the Town, the Commonwealth, the United States Government, or other public or private source to defray a portion or all of the costs of acquiring or purchasing said property, including but not limited to, funding under the Community Preservation Act, General Laws, Ch. 44B, and/or the Self-Help Act, General Laws, Ch. 132A, Section 11, and/or the Federal Land & Water Conservation Fund, P.L. 88-568, 78 Stat 897; and
4. Include and place on the Spring Annual Town Meeting Warrant in 2023 an Article to see if the Town will:
 - a. authorize the Board of Selectmen to raise and appropriate, transfer from available funds, and/or borrow a sum to fund the foregoing acquisition or purchase and all costs incidental or related thereto; provided, however, that the sum is listed and does not exceed the appraised market value of the said parcels as determined by appraisal(s) done in compliance with the Uniform Standards of Professional Appraisal Practice and approved by any State or Federal agencies from whom grants are to be sought; and
 - b. authorize the Board of Selectmen and Conservation Commission to apply for grants under the State's LAND program and/or the Federal Land & Water Conservation Fund, or any other funding source, and enter into all agreements and execute any and all instruments as may be necessary on behalf of the municipality to affect this purchase and to obtain reimbursement funding for any funds expended to purchase said lands;
 - c. authorize the Board of Selectmen to grant to a governmental agency or non-profit organization, for no consideration, a perpetual Conservation Restriction, pursuant to the provisions of General Laws, ch. 184, §31 through §33, limiting the use of the property to the purpose for which it was acquired, to be recorded at the time of closing or within a reasonable amount of time thereafter; and
 - d. authorize the Conservation Commission to assume the care, custody, control and management of the property,

or to take any other action relating thereto.

Submitted by Petition

Explanation: This article authorizes the Selectmen to acquire, by purchase, gift, eminent domain, or otherwise for conservation, open space and recreation the Trout Pond area, a Town treasure. Pre-contact artifacts have been found here. Endangered and threatened species rely on this area. Forestalling development here will help the beleaguered Mashpee River.

The Board of Selectmen makes no recommendation of Article 24 by a vote of 4-1

FINCOM: *This article authorizes, by petition, the Town to acquire approximately 32 acres of land adjacent to Trout Pond for conservation, open space and recreational purposes. This article will have no impact on the current tax rate.*

The Finance Committee does not recommend approval of Article 24 by a vote of 6-0

Article 25

To see if the Town will vote to instruct the Town Select Board to begin each meeting with an acknowledgement of land, which affirms that the present Town of Mashpee is established upon land long occupied by the Mashpee Wampanoag people for at least the past 10,000 years.

Submitted by Petition

Explanation: An acknowledgement of land is a formal statement that recognizes and respects various Indigenous Peoples as traditional stewards of the land. Land acknowledgements have already been adopted by hundreds of municipalities around the world. The precise wording of the sentence can be determined by the five-member Mashpee Select Board.

The Board of Selectmen makes no recommendation of Article 25 by a vote of 5-0

FINCOM: *This article instructs the Town Select Board to begin each meeting with a statement recognizing that Mashpee is established on land long occupied by the Mashpee Wampanoag people. This article will have no impact on the current tax rate.*

The Finance Committee makes no recommendation of Article 25 by a vote of 7-0

Article 26

To see if the Town will vote to instruct the Select Board to address immediately the growing burden of onerous property tax increases on the Town's low- and moderate-income property owners. This action should be completed in ample time in order to report to the citizenry prior to the next public hearing on the Town's tax classifications.

Submitted by Petition

Explanation: Valuation of homes in Town have risen immensely in recent years. Those increases have in turn brought about large increases in property taxes. The Town's less financially fortunate property owners are feeling the financial squeeze. Other towns, facing the same problem, have found a variety of solutions. The Mashpee Select Board should set to work immediately to find solutions to this problem.

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

FINCOM: *This article instructs the Select Board to think about and provide solutions to the rise of property taxes and the lack of equity to the low- and middle- income members of the community. This article will have no impact on the current tax rate.*

The Finance Committee makes no recommendation of Article 26 by a vote of 3-3

Article 27

To see if the Town will vote to amend the Town of Mashpee General By-laws Chapter 127, §127.2, §127.3, §127.4, §127.5, by striking said sections in their entirety, or take any other action relating thereto.

Submitted by Petition

Explanation: This petition would reverse the impending ban on the sale of single use water bottles throughout the Town of Mashpee which is set to go into effect on September 30, 2022.

The Board of Selectmen does not recommend approval of Article 27 by a vote of 3-2

***FINCOM:** This article amends the Town of Mashpee's General Bylaws to reverse the ban on the sale of single use water bottles within the Town which is scheduled to go into effect on September 30, 2022. This will have no impact on the current year tax rate.*

The Finance Committee recommends approval of Article 27 by a vote of 4-2

Article 28

To see if the Town will vote to establish a 10% limit on the amount by which the Town of Mashpee (the "Town") can increase residential real estate tax in a single tax year (as compared to real estate tax in the prior tax year) on any property owned, directly or indirectly, by one or more individuals aged 65 years or older. This 10% annual limit would be suspended for any tax year in which new permitted construction has been completed. Upon approval, this 10% annual limit will be in effect starting in the 2023 tax year (using the 2022 tax year as the basis by which to measure the 10% maximum increase). Once the Town determines that at least one owner of a particular parcel of residential real estate is eligible for this 10% annual limit, this limit shall continue to apply until the property is sold or otherwise transferred or until the death of the eligible owner(s), whichever occurs sooner. , or take any other action relating thereto.

Submitted by Petition

Explanation: Dramatic increases in sale prices have pushed residential real estate tax assessments in Mashpee to record levels. Many vulnerable senior citizens have been subject to devastating real estate tax increases of 20% to 50%. A 10% annual tax cap protects those seniors and allows them to stay in their homes.

The Board of Selectmen does not recommend approval of Article 28 by a vote of 4-0-1 (abstention)

***FINCOM:** This article establishes a 10% limit on annual tax increases on properties owned by Mashpee's senior citizens. This article will have no impact on the current tax rate.*

The Finance Committee does not recommend approval of Article 28 by a vote of 6-0

Article 29

To see if the Town will vote to amend §174-3 of the Mashpee Zoning By-Law, Terms Defined as follows:

Photovoltaic System (also referred to as Photovoltaic Installation): An active solar energy system that converts solar energy directly into electricity.

Rated Nameplate Capacity: The maximum rated output of electric power production of a photovoltaic system in watts of Direct Current (DC).

Solar Collector: A device, structure or a part of a device or structure for the primary purpose of harvesting solar energy for use in a solar energy system.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System: A device or structural design feather for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation or water heating.

Solar Energy System, Active: A solar energy system that collects and transforms solar energy into another form of energy or transfers heat from a solar collector to another medium, via mechanical, electrical or chemical means.

Solar Energy System, Grid-Intertie: A photovoltaic system or other active solar energy system designed to generate electricity that is connected to an electric circuit served by an electric utility.

Solar Energy System, Ground-Mounted: An active solar energy system that is structurally mounted to the ground and is not roof-mounted; may be of any size (small-, medium- or large-scale).

Solar Energy System, Large Scale: An active solar energy system that occupies more than 40,000 square feet of surface area (equivalent to a rated nameplate capacity of about 250kW DC or greater).

Solar Energy System, Medium Scale: An active solar energy system that occupies more than 1,750 but less than 40,000 square feet of surface are (equivalent to a rated nameplate capacity of about 10-150 kW DC).

Solar Energy System, Off-Grid: A photovoltaic system or other active solar energy system designed to generate electricity in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility.

Solar Energy System, Passive: A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger.

Solar Energy System, Roof-Mounted: An active solar energy system that is structurally mounted to the roof of a building or structure; may be of any size (small-, medium- or large-scale).

Solar Energy System, Small-Scale: An active solar energy system that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 15 kW DC or less).

Submitted by the Petition

Explanation: This amendment serves to define terms that are used in the new proposed Solar Energy Systems Overlay District.

The Board of Selectmen will make a recommendation at Town Meeting of Article 29 by a vote of 5-0

FINCOM: This article amends Zoning Bylaw section 174-3 defining the terms used in the proposed Solar Energy Systems Overlay District. This article will have no impact on the current tax rate.

The Finance Committee will make a recommendation at Town Meeting of Article 29 by a vote of 6-1

Article 30

To see if the Town will vote to amend §174-4, Enumeration of Districts by adding:
SOLAR ENERGY SYSTEMS OVERLAY DISTRICT

Submitted by Petition

Explanation: This article would create and establish a Solar Energy System Overlay District as enumerated in proposed Section 174-45.7.

The Board of Selectmen will make a recommendation at Town Meeting of Article 30 by a vote of 5-0

FINCOM: This article amends the Zoning Bylaw section 174-4, Enumeration of Districts, adding Section 174-45.7 creating and establishing a Solar Energy System Overlay District. This article will have no impact on the current tax rate.

The Finance Committee will make a recommendation at Town Meeting of Article 30 by a vote of 6-1

Article 31

To see if the Town will vote to amend §174-5, Establishment of Zoning Map by adding §174-5 (H) as follows:

The Solar Energy Systems Overlay District shall include all of the parcels of land described as follows:

All of the land as shown on Town of Mashpee Assessor Fiscal Year 2022 Tax Maps:72-117; 72-113; 72-112; 72-111; 72-110; 72-118; 79-80; 79-79; 79-71; 79-72; 79-73; 79-74; 79-75; 79-76; 79-77 and 79-78.

All are located in the R-5 and C-2 Zoning District.

Submitted by Petition

Explanation: This article is intended to define by reference to the Mashpee Assessor Fiscal Year 2022 tax maps, the land within the Solar Energy Systems Overlay District that should be attached to this zoning map.

The Board of Selectmen will make a recommendation at Town Meeting of Article 31 by a vote of 5-0

FINCOM: This article amends Zoning Bylaw section 174-5 designating a number of land parcels that would comprise a designated Solar Overlay District at a location off Route 151. This article will have no impact on the current tax rate.

The Finance Committee will make a recommendation at Town Meeting of Article 31 by a vote of 6-1

Article 32

To see if the Town will vote to amend §174-25 (H)(12) of the Mashpee Zoning By Law "Table of Use Regulations by adding "SP" under Zoning Districts R-5 and C-2

TYPE OF USE	RESIDENTIAL		COMMERCIAL			INDUSTRIAL
	R-3	R-5	C-1	C-2	C-3	I-1
<p>Medium-scale and Large-scale Ground mounted Solar Energy Systems, provided that neighboring properties are effectively protected from any significant adverse impacts from glare, that any such systems are properly fenced or otherwise secured, and that no hazardous materials are stored in quantities greater than permitted by other sections of this By-Law, subject to approval by the Plan Review Committee and Design Review Committee.</p> <p>(Allowed by SP under 174-45.7 only in the Solar Energy System Overlay District).</p>		SP		SP		PR

Submitted by Petition

Explanation: This article would allow the development of medium and large scale solar energy systems in the residential (R-5) and commercial (C-2) zoning districts with a Special Permit from the Planning Board provided they are within the Solar Energy Systems Overlay District.

The Board of Selectmen will make a recommendation at Town Meeting of Article 32 by a vote of 5-0

FINCOM: This article amends Zoning Bylaw section 174-25 allowing placement of medium- and large-scale ground mounted Solar Energy Systems, in Residential (R-5) and Commercial (C-2) zoning districts with terms and conditions protecting neighboring properties from adverse glare, is properly fenced, and subject to a Special Permit issued by the Planning Board. This article will have no impact on the current tax rate.

The Finance Committee will make a recommendation at Town Meeting of Article 32 by a vote of 6-1

Article 33

To see if the Town will vote to amend Article VII Land Space Requirement, Section 174-31, Land Space Requirement Table by adding footnote "25" to "maximum of lot coverage (percent)." Footnote 25 would read as follows:

To see if the Town will vote to amend Article VII Land Space Requirement, Section 174-31, Land Space Requirement Table by adding footnote "25" to "maximum of lot coverage (percent)." Footnote 25 would read as follows:

Structures erected solely for the purpose of roof-mounted solar energy systems in permitted parking lots/areas shall not contribute to a parcel's lot coverage maximum but shall comply with all setback criteria of the applicable zoning district. For medium and large scale solar energy systems requiring a special permit from the Planning Board, pursuant to Sec.174-25(H)12 Solar Energy Systems Overlay District, the Planning Board may, at its sole discretion, approve in its decision a solar energy system whose lot coverage exceeds 20% in consideration of site specific conditions.

Submitted by Petition

Explanation: Rationale and support for zoning change to enhance the density of solar projects in Mashpee: In 2018 the Commonwealth of Massachusetts put forth a new solar initiative called the Smart program. This groundbreaking concept will help Massachusetts be a leader in solar energy. Given the high cost of land in Mashpee, it is essential to achieve enough density to make a solar project meaningful. The proposed footnote to the By-Law will give the planning board sufficient tools and oversight to achieve an appropriate balance between solar project density and the needs of the community.

The Board of Selectmen will make a recommendation at Town Meeting of Article 33 by a vote of 5-0

***FINCOM:** This article amends Article VII Land Space Requirement, Section 174-31 enhancing the density of solar energy cells in parking lots thus making such projects more financially viable and potentially increasing the number of projects undertaken. Passage would give the Planning Board more discretion in the oversight of such projects. This article will have no impact on the current tax rate.*

The Finance Committee will make a recommendation at Town Meeting of Article 33 by a vote of 6-1

Article 34

To see if the Town will vote to establish within the Town of Mashpee a Solar Energy System Overlay District by adding a new Section 174-45.7 as follows:

SOLAR ENERGY SYSTEMS OVERLAY DISTRICT

A. Purpose and Intent

1. This section promotes the creation of new small, medium and large-scale, ground-mounted solar energy systems overlay district, in the areas which are delineated on a map dated January 25, 2021 and entitled "Solar Energy Systems Overlay District, ROUTE 151, ALGONQUIN AVENUE AND OLD BARNSTABLE ROAD, Mashpee, Massachusetts," (attached hereto) and which shall be considered as superimposed over other districts established by the zoning by-laws of the Town. This map, as it may be amended from time to time, is on file with the office of the Town Clerk and with any explanatory material therein, is hereby made a part of this chapter, by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and for providing adequate financial assurance for the eventual decommissioning of such installations. This Overlay District Ordinance is adopted pursuant to the Commonwealth of Massachusetts green Communities Act and Massachusetts General Laws Chapter 40A Section 3.

2. Uses, other than Solar Energy Systems, otherwise not permitted in the portions of a zoning district superimposed by this district shall not be permitted in this district.

3. The Solar Energy Systems Overlay District shall include all of the land within the lines described in subsection B, which are in the R-5 and C-2 zoning districts. Medium and large scale solar energy systems located in the industrial zoning district (I-1) are exempt from the requirements of this chapter and require approval only from the Plan Review Committee pursuant to the applicable dimensional criteria of the zoning district.

B. Bounds

1. Including all of the land within the following described lines:

Property Description: The land in the Town of Mashpee, Barnstable County, Massachusetts beginning at the Northeast corner of the premises at Route 151; thence South $05^{\circ}54'17''$ West, a distance of 203.10'; thence South $82^{\circ}22'02''$ East, a distance of 107.07'; thence South $08^{\circ}34'16''$ West, a distance of 154.18'; thence South $84^{\circ}05'40''$ East, a distance of 272.51'; thence South $09^{\circ}46'40''$ West, a distance of 1,026.79' by Algonquin Avenue; thence North $77^{\circ}51'29''$ West, a distance of 320.36' by Old Barnstable Road; thence South $89^{\circ}31'13''$ West, a distance of 731.65' by Old Barnstable Road; thence North $73^{\circ}24'07''$ West, a distance of 125.90' by Old Barnstable Road; thence North $66^{\circ}44'57''$ West, a distance of 568.90' by Old Barnstable Road; thence Northerly along centerline old brick yard road West, a distance of 1,080'+/-; thence North $83^{\circ}31'22''$ West, a distance of 27.59' +/- to ditch; thence Northerly along ditch West a distance of 175'+/-; thence North $85^{\circ}34'30''$ East a distance of 5'+/-; thence North $24^{\circ}26'35''$ West, a distance of 150.11' to Old Barnstable Road; thence With a curve turning to the left with an arc length of 76.29' by Route 151 with a radius of 4,189.42' to a concrete bound; thence South $09^{\circ}02'50''$ East, a distance of 159.61'; thence South $10^{\circ}46'40''$ East a distance of 42.72'; thence South $04^{\circ}15'30''$ East, a distance of 206.16'; thence South $76^{\circ}43'49''$ East, a distance of 300.57'; thence North $09^{\circ}46'40''$ East, a distance of 433.00' to Route 151; thence South $84^{\circ}05'40''$ East, a distance of 63.18' by Route 151; thence With a curve turning to the left with an arc length of 37.30' with a radius of 25.00'; thence South $09^{\circ}46'40''$ West, a distance of 154.04'; thence South $80^{\circ}13'20''$ East, a distance of 199.99'; thence North $09^{\circ}46'36''$ East, a distance of 190.94' to Route 151; thence South $84^{\circ}05'40''$ East, a distance of 405.08' along Route 151, which is the point of beginning and having an area of 39.674 acres.

Meaning and intending to include all of the land as shown on Town of Mashpee Assessor Fiscal Year 2021 Tax Maps: 72-117; 72-113; 72-112; 72-111; 72-110; 72-118; 79-80; 79-79; 79-71; 79-72; 79-73; 79-74; 79-75; 79-76; 79-77 and 79-78.

C. Permitted Uses

Within the Solar Energy Systems Overlay District, the following uses are permitted provided all necessary permits, orders and approvals required by local, state and federal law are obtained.

1. Any medium or large scale solar energy system shall be allowed in the Solar Energy Overlay District only after the issuance of a Special Permit by the Planning Board. In issuing such Special Permit, the Board shall ensure that neighboring properties are effectively protected from any significant adverse impacts from glare that any such systems are properly fenced or otherwise secured and that no hazardous materials are stored in quantities greater than permitted by other sections of this by-law, subject to approval by the Plan Review Committee and Design Review Committee.
2. The Solar Energy System's owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Management Director. The owner or operator shall be responsible for the cost of maintaining the ground-mounted solar energy system and any access road(s).

D. Dimensional Criteria

Small, Medium and Large Scale Solar Energy Systems

1. Small, Medium and Large Scale Solar Energy Systems may be accessory to another principal structure or use provided that they satisfy the dimensional criteria and performance standards contained in this section.
2. Ground-mounted solar energy systems shall be set back a distance of at least 100 feet from a public or private way. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
3. Ground-mounted solar energy systems shall be set back a distance of at least 125 feet from any inhabited residence, and 100 feet from any property in residential use. For the purposes of this section, a residence is defined as a primary living structure and not accessory structures. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
4. Ground-mounted solar energy systems shall be set back a distance of at least 50 feet from any commercial property or use and 25 feet from any industrial property or use notwithstanding the provisions of paragraph 2 above (relative to medium and large scale solar energy systems). The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
5. Ground-mounted solar energy systems shall be set back a distance of at least 50 feet from abutting conservation land and any property not included in the Ground-mounted solar array application. The Planning Board may reduce the minimum setback distance as appropriate based on site specific considerations.

6. Fixed tilt Ground-mounted solar energy systems shall have a maximum height of 15 feet above grade. In the case of single or dual axis tracking Ground-mounted solar energy systems, the Planning Board may increase the maximum height as appropriate based on site-specific considerations.

7. Inverters, energy storage systems, and transmission system substations shall be set back a distance of at least 200 feet from any residence. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific conditions.

E. Special Permits Rules and Application Requirements

A Solar Energy System Special Permit shall not be granted unless each of the following requirements, in addition to the requirements in §174-24 C Special Permit use, are satisfied:

1. A properly completed and executed application form and application fee.
2. Any requested waivers. To this end, as part of its Special Permit decision, the Planning Board may, at its sole discretion, establish a lot coverage maximum that exceeds 20% in consideration of site specific conditions.
3. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any.
4. Names, contact information and signatures of any agents representing the project proponent.
5. Name, address and contact information for proposed system installer.
6. Documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar energy system.
7. Proposed hours of operation and construction activity.
8. Blueprints or drawings of the solar energy system signed by a Massachusetts' licensed Registered Professional Engineer showing the proposed layout of the system and any potential shading from nearby structures.
9. Utility Notification: Evidence that the utility company that operates the electrical grid where a grid-intertie solar energy system is to be located has been informed of the system owner or operator's intent to install an interconnected facility and acknowledges receipt of such notification, and a copy of an Interconnection Application filed with the utility including a one or three line electrical diagram detailing the solar electric installation, associated components, and electrical interconnection methods, with all Massachusetts Electrical Code (527 CMR§ 12.00) compliant disconnects and overcurrent devices. Off-grid solar energy systems shall be exempt from this requirement.
10. Documentation of the major system components to be used, including the electric generating components, battery or other electric storage systems, transmission systems, mounting system, inverter, etc.

11. Preliminary Operation and Maintenance Plan for the solar energy system, which shall include measures for maintaining safe access to the installation, storm water management, vegetation controls, and general procedures for operational maintenance of the installation.

12. Abandonment and Decommissioning Plan: Any ground-mounted solar energy system which has reached the end of its useful life or has been abandoned (i.e., when it fails to operate for more than one year without the written consent of the Planning Board) shall be removed. The owner or operator shall physically remove the installation within 150 days of abandonment or the proposed date of decommissioning. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. The Abandonment and Decommissioning Plan shall include a detailed description of how all of the following will be addressed:

(a) Physical removal of all structures; equipment, building, security barriers and transmission lines from the site, including any materials used to limit vegetation.

(b) Disposal of all solid and hazardous waste in accordance with local, state and federal waste disposal regulations.

(c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow landscaping or below-grade foundations left *in situ* in order to minimize erosion and disturbance of the site.

(d) Description of financial surety for decommissioning: Proponents of ground-mounted solar energy systems shall provide a form of surety, either through escrow account, bond or other form of surety approved by the Planning Board to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be commercially reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent and the Town. Such surety will not be required for municipal or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

(e) It shall be a condition of any special permit that all legal documents required to enable the Town to exercise its rights and responsibilities under the plan to decommission the site, enter the property and physically remove the installation shall be provided prior to the issuance of a building permit.

F. Required Performance Standards: Small, Medium and Large Scale Solar Energy Systems

1. Visual Impact Mitigation: The site plan for a ground-mounted solar energy system shall be designated to screen the array to the maximum extent practicable year round from adjacent properties in residential use and from all roadways.

2. All required setbacks shall be left in their undisturbed natural vegetated condition for the duration of the solar energy system's installation. In situations where the naturally vegetated condition within required setback is not wooded and does not provide adequate screening of the solar array, the Planning Board may require additional intervention including, but not limited to:

(a) A landscaping plan showing sufficient trees and understory vegetation, of a type common in natural areas of Mashpee, to replicate a naturally wooded area and to constitute a visual barrier between the proposed array and neighboring properties and roadways.

(b) Berms along property lines and roadways with suitable plantings to provide adequate screening to neighboring properties and roadways.

3. Lighting: Lighting of ground-mounted solar energy systems shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Lighting shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

4. Signage: Signs on ground-mounted solar energy systems shall comply with all applicable regulations of this by-law and/or any Town sign by-law. A sign shall be required to identify the owner, operator and interconnected utility and provide a 24-hour emergency contact phone number. Ground-mounted solar energy systems shall not be used for displaying any advertising signage.

5. Utility Connections: Within setback distances and except where soil conditions, location, property shape, and topography of the site or requirements of the utility provider prevent it, all utility connections from grid-intertie solar energy systems shall be placed underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

6. Vegetation Management: All land associated with the ground-mounted solar energy system shall be covered and grown in natural vegetation. The height of vegetation must be managed by regular mowing or grazing so as to minimize the amount and height of combustible material available in case of fire. Herbicides, pesticides, or chemical fertilizers shall not be used to manage vegetation. To the greatest extent practicable, a diversity of plant species shall be used, with preference given to species that are native to New England. Use of plants identified by the most recent copy of the "Massachusetts Prohibited Plant List" maintained by the Massachusetts department of Agricultural Resources is prohibited. Management of all vegetated areas shall be maintained throughout the duration of the solar energy system's installation through mechanical means without the use of chemical herbicides.

7. Noise Generation: Noise generated by ground-mounted solar energy systems and associated equipment and machinery shall conform to applicable state and local noise regulations, including the DEP's Division of Air Quality Noise Regulations, 310 CMR 7.10.

8. Fencing: Fencing around solar arrays shall provide a minimum 6" clearance between the fence bottom and the ground to allow passage of small wildlife. The Planning Board shall require resident style fencing where necessary to screen the solar energy systems year round from adjacent residences.

9. Land Clearing and Soil Erosion: Clearing of natural vegetation and topsoil shall be limited to what is necessary for the construction, operation and maintenance of the ground-mounted solar energy system. No topsoil removed during construction shall be exported from the site.

10. Erosion Control and Stormwater: Erosion Control and Stormwater Management notation shall be included to show that adequate provisions against erosion and adverse impacts of runoff are appropriately mitigated.

11. Emergency Services: The ground-mounted solar energy system owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Mashpee Fire Department and any other neighboring Fire Department upon request. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar energy system shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

Submitted by Petition

Explanation: This section promotes the creation of new Solar Energy Systems Overlay District for small, medium and large-scale, ground-mounted solar energy systems on land with the Overlay District currently zoned R-5 and C-2 by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and for providing adequate financial assurance for the eventual decommissioning of such installation.

The Board of Selectmen will make a recommendation at Town Meeting of Article 34 by a vote of 5-0

FINCOM: This article amends Zoning Bylaws establishing a Solar Energy System Overlay District. This article will have no impact on the current tax rate.

The Finance Committee will make a recommendation at Town Meeting of Article 34 by a vote of 6-1

Article 35

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

Add a new sub-Section to any Solar Energy System Overlay District zoning bylaw by adding to the Required Performance Standards for Small, Medium and Large Scale Solar Energy Systems the following:

174-45.7 SOLAR ENERGY SYSTEMS OVERLAY DISTRICT

Section F. Required Performance Standards: Small, Medium and Large Scale Solar Energy Systems

12. Open Space Requirement. A Solar Energy System which encompasses a minimum land area of seven acres, which may be in one or more parcels, and shall consist of one acre of allowed developed area for each half acre of upland (i.e. excluding water bodies or wetlands as defined under MGL C. 131, §40) permanently set aside as undeveloped open space and deeded to the Town of Mashpee in the care and custody of its Conservation Commission (provided that said land is not subject to any previous conservation restriction or other prohibition on its development), or to a nonprofit organization, the principal purpose of which is the conservation of open space, in either case subject to a formal conservation restriction to be held by the Town of Mashpee. The developer's declaration of his choice of the open space preservation methods described above, which may be different for individual such parcels, shall be included in his application for a Special Permit to develop a Solar Energy System, along with maps and plans describing the open space areas. Any water bodies or wetlands, as defined under MGL C. 131, §40, which lie within the boundaries of the Solar Energy System shall also be permanently set aside and deeded to one of the entities identified above under the terms described. When delineating the upland to be set aside as undeveloped open space, any land which is forested shall be prioritized as open space. Before final approval of the Solar Energy System Special Permit, the developer shall also file with the Planning Board a copy of the conservation restrictions necessary to secure the permanent legal existence of the open space and a copy of any proposed deed for transfer in fee to the Town or to a nonprofit organization. Approval of the Solar Energy System shall require approval by the Planning Board of said conservation restrictions after consultation with Town Counsel. As required by law, any such restrictions may also require approval by the Commonwealth of Massachusetts. Any open space required to meet the provisions of this Section shall be surveyed, properly bounded on the ground by concrete monuments and shown on a plan recorded at the Barnstable County Registry of Deeds or Land Court Registry. Said plan shall be recorded and said boundary monuments shall be set within six (6) months of the approval of the Solar Energy System Special Permit. Any transfer of the fee title to property to the Town or a nonprofit organization shall be recorded, along with the required conservation or agricultural restrictions, within one (1) year of the approval of the Solar Energy System Special Permit. Said transfer shall be completed before the issuance of any building permit for development within said phase.

13. Setbacks from water bodies and wetlands. The developed area within a Solar Energy System development may not lie within three hundred (300) feet of any water body or stream or within one hundred (100) feet of any wetland as defined under MGL C. 131, §40.
or take any other action related thereto.

Submitted by Petition

Explanation: This article would amend the Zoning By-law to require that any Solar Energy Systems developments of seven acres or more provide open space (one half acre open space per one acre developed) as well as setbacks from water bodies (300') and wetlands (100') in order to preserve the Town's environment.

The Board of Selectmen will make a recommendation at Town Meeting of Article 35 by a vote of 5-0

***FINCOM:** This article amends Zoning Bylaws establishing setback and open space requirements on Solar Energy Systems developments of seven (7) acres or more in size. These requirements are a one-half (1/2) acre of open space for every one (1) acre of developed land, and that the developed land is set back 300 feet from water bodies and 100 feet from wetlands. This article will have no impact on the current tax rate.*

The Finance Committee will make a recommendation at Town Meeting of Article 35 by a vote of 7-0

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.

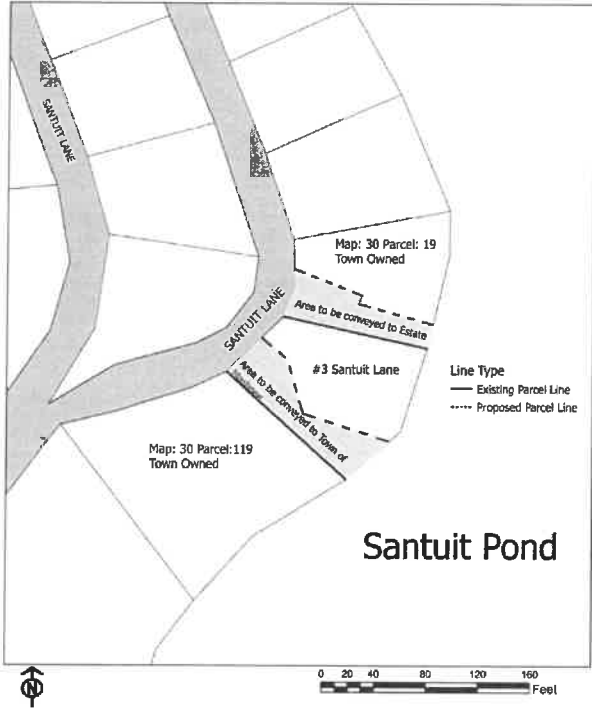
Given under our hands this 21st day of March in the year two thousand and twenty two.

Per Order of,
Board of Selectmen

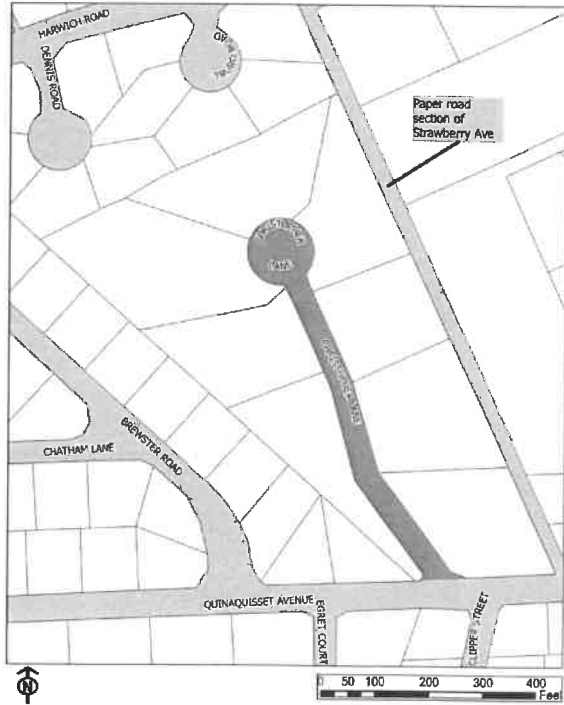
Carol A. Sherman, Chair
David W. Weeden, Vice Chair
Andrew R. Gottlieb, Clerk
John J. Cotton
Thomas F. O'Hara

"APPENDIX A"

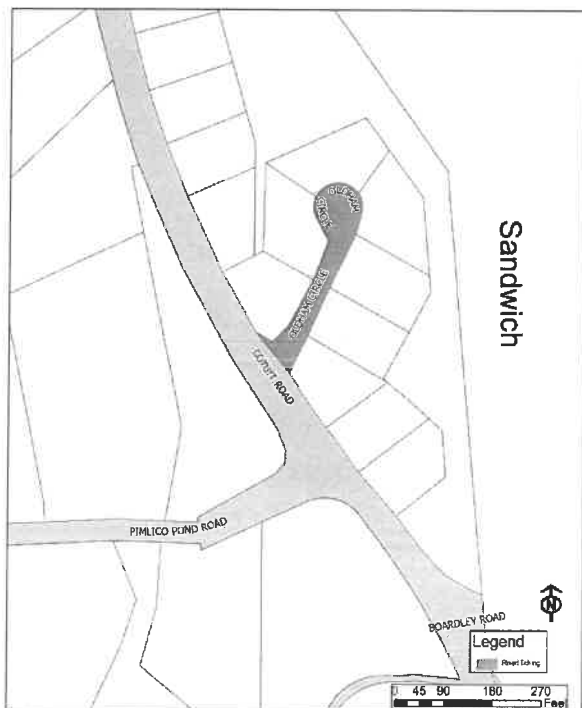
Annual Town Meeting – Article 8 Santuit Lane Land Swap



Annual Town Meeting – Article 20 Christopher Lane Road Taking



Annual Town Meeting – Article 21 Oldham Circle Road Taking



TOWN MEETING RULES AND DEFINITIONS

1. The conduct of Mashpee's Town Meeting is governed by State Law, the Town's Charter, Bylaws and the publication **Town Meeting Time**.
2. Quorum. One hundred (100) registered voters shall constitute a quorum of a Special Town Meeting. Quorum for an Annual Meeting shall be zero (0).
3. The Moderator presides over the Town Meeting, decides all questions of order and procedure, and announces the results of all votes. The results of all votes are announced by the Moderator, shall be final except on a voice vote which may be questioned by any voter standing in his/her place and questions any oral "yea" or "nay" vote. In such case, a hand-counted vote shall be taken without debate.
4. The main body of the house shall be reserved for registered voters; non-voters will be seated in a special section.
5. Articles in the Warrant give notice of the issues subject to discussion at a Town Meeting and establish the parameters of matters that can be debated and acted on. Amendments, motions and/or debate determined by the Moderator, with the advice of Town Counsel, to be "beyond the scope" of the Articles may not be permitted.
6. In order for the Town Meeting to act on or discuss an Article, a motion must be made. The Moderator will call for a motion on each Article and, if no motion is made after the second call, the Moderator will "pass over" the Article and move on to the next Article. In order to bring back a "passed over" Article for a motion and discussion, there must be an approved "motion for reconsideration".
7. Articles may be postponed by a majority vote or advanced by a 2/3 vote.
8. To address the Town Meeting, a speaker must be recognized by the Moderator and once recognized, a speaker should first give his or her name and address for the record. No speaker will be recognized while another person is speaking except to raise "a point of order", which is used to question a ruling of the Moderator or the conduct of Town Meeting. Points of Order are not to address the subject matter being discussed.
9. All matters shall be decided by a majority vote unless a 2/3 or greater vote is required. If more than a majority vote is required, the Moderator shall announce the required percentage for passage before calling the vote.
10. The Moderator may set time limits on all presentations and may terminate debate on a motion when he deems it appropriate. Debate on a motion may also be terminated by a voter "moving the question" which, if accepted by the Moderator as not being premature, shall be voted on without discussion or debate. A motion to "move the question" requires a 2/3 vote for passage.

11. Only two (2) amendments to a motion may be on the floor at any particular time. Amendments over six (6) words must be submitted to the Moderator in writing and, of over fifty (50) words, sufficient copies must be available to those attending at the entrance of the hall before the start of that particular session.
12. Generally, amendments shall be voted on in the order made and prior to the vote on the motion to be amended. However, amendments relating to amounts to be appropriated shall be voted on in a descending order until an amount gains approval.
13. Reconsideration of Votes. No vote shall be reconsidered at the same meeting at which it is acted upon unless public notice of the intention to move such reconsideration is given within thirty (30) minutes of the declaration of the vote by the Moderator, and no notice of intent to move reconsideration on any vote shall be received by the Moderator more than two (2) times at the same meeting. The Town Clerk shall note, in writing, the action taken and time of such vote and also the time when the notice of reconsideration is given.
14. Majority Voting Requirement. No article within any Annual or Special Town Meeting Warrant shall be moved for consideration after 10:00 p.m. without a two-thirds vote of the Town Meeting.