

Town of Mashpee



Report of the Finance Committee on the Articles of the Warrant

Annual Town Meeting
Mashpee High School
Monday, October 19, 2020
7:00 p.m.

TABLE OF CONTENTS

DESCRIPTION	PAGE
Letter from the Finance Committee.....	1
Report of the Finance Committee.....	2
Rules and Definitions.....	19

Dear Mashpee Voters:

This document is the Finance Committee's report on the Warrant Articles enacted by the Board of Selectmen for the Town Meeting of October 19, 2020.

The Finance Committee is comprised of seven volunteers appointed by the Town Moderator. As mandated by the Mashpee Charter, our purpose is to review all articles posed on the Town Meeting Warrant and provide recommendations, as well as the impact on the tax rate. Also required is that the Finance Committee provide written explanations of all articles on the warrant.

The Warrant for the October Town Meeting includes twenty (20) articles. Over the past month, the Finance Committee has met with the Town Manager, various Department Heads, and other Town officials for guidance, clarification, and their expertise on all articles submitted. In the following report, under each article, we have explained and offered our recommendation.

This year, the Finance Committee sees the following articles to which you should pay particular attention:

- Article 1 will rescind the authority to issue any remaining unissued balances for five (5) previously authorized bonds and notes. These were authorized for capital projects that are completed without the full amount of bonds or notes being issued. The total amount of these unissued is \$1,334,318.70.
- Articles 6 through 9 will provide the funding from reserves available for appropriation to cover the increased salaries from four union contracts which concluded negotiations. These contracts were with the Administrator's Units A and B, and the Public Works Units A & B. These increases represent the cost of living increases for the first year of the approved three-year contracts. The total amount of these contracts comes to \$134,418.
- Articles 13 and 14 propose updates to Mashpee's Zoning Bylaws to improve the Town's stormwater management practices and review processes to bring them in line with its MS4 General Permit issued by the Environmental Protection Agency.
- Article 17 will authorize the acquisition of several portions of various properties around Old Barnstable Road and the Mashpee Rotary which are necessary for the Route 151 Corridor Improvement Project.
- Article 18 will authorize the use of funds for designing a wastewater and stormwater collection system for the Route 151 corridor. The construction of the designed system will be concurrent with the Route 151 Corridor Improvement Project in order to avoid having to tear up the newly constructed area during a future phase of the Wastewater Management Plan.

Since all of the articles in the October Warrant have funding sources and do not seek to raise funds, approval of any/all of these articles will have no impact on the FY2021 tax rate.

We suggest you take time, as the Legislative Branch of the Town government, to familiarize yourself with the Warrant articles prior to Town Meeting. If you have any questions, please do not hesitate to ask any one of us on the Finance Committee before or during Town Meeting. You may contact us by phone at (508)539-1401 or through the Town of Mashpee website at www.mashpeema.gov, by clicking on Finance Committee under the [Boards & Committees](#) tab.

I look forward to seeing you on Monday, October 19, 2020 at 7:00 p.m. at Mashpee High School.

Thank you,
Jeff

Jeffrey C Pettengill – Chairman
A Gregory McKelvey – Vice-Chairman
Darlene Furbush – Clerk
Michael R Richardson
John Miller
Patrick Brady

**TOWN OF MASHPEE
MASHPEE HIGH SCHOOL
500 OLD BARNSTABLE ROAD
MASHPEE, MA 02649
ANNUAL TOWN MEETING
MONDAY, OCTOBER 19, 2020**

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 19th day of October 2020 at 7:00 p.m. for the following purposes:

To act on the articles contained in the following Warrant:

Group #1 (Consent Calendar Articles 1-5)

Article 1

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
May 2, 2016	9	\$605,856.00	Chapter 90 / 2017
May 1, 2017	19	\$602,807.00	Chapter 90 / 2018
May 4, 2015	28	\$100,186.35	Saddleback Road
May 1, 2017	36	\$ 22,299.00	Emma Oakley Mills -Roadway
October 17, 2017	30	\$ 3,170.35	Windsor Way Roadways

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 1 by a vote of 5-0

FINCOM: This article authorizes the rescinding of authorized bonds and notes which were not issued because they were not needed to fund the projects for which they were authorized. Removing these un-issued amounts will improve the Town's financial statements by reducing the amount of liabilities which the town carries. This will have no impact on the 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 pursuant to the provisions of M.G.L. Chapter 44B, §6 to Reserve from the FY 2021 estimated Community Preservation revenues, the following amounts:

\$161,393	10% for Open Space/Recreational Purposes
\$161,393	10% for Historic Preservation Purposes
\$161,393	10% for Affordable Housing Purposes
\$1,089,748	to the FY 2021 Community Preservation Fund Budget for Appropriation Reserve as recommended by the Community Preservation Committee,

or take any other acting relating thereto.

Submitted by the Community Preservation Committee

Explanation: This article is required annually to set aside the 10% Reserves of the estimated Community Preservation Funds for Open Space/Recreation Purposes, Historic Preservation Purposes and Affordable Housing Purposes and to fund the Budget for Appropriation Reserve. The total FY21 appropriation to the 10% Reserves and Budget for Appropriation Reserve is \$1,573,927.

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

***FINCOM:** This article appropriates and transfers \$1,573,927 of FY2021 Reserves pursuant to provisions of the Community Preservation Act. The funds are derived from the 3% surcharge on real estate property taxes plus variable matching funds from the State. Thirty percent (30%) of this amount is allocated equally for Open Space/Recreation, Historic Preservation, and Affordable Housing purposes. The balance is a reserve for recommendations by the Community Preservation Committee (CPC). The recommended use of these funds is ultimately approved by or acted upon by Town Meeting voters. This will have no impact on the tax rate.*

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

Article 3

To see if the Town will vote to appropriate and transfer the sum of \$28,000 from the Waterways Improvement Fund to the Engineering/Permitting/Dredging and Associated Expense Account or take any other acting relating thereto.

Submitted by the Waterways Commission

Explanation: This article will provide funds for services for items such as the Channel Dredge Surveys for the 1916 Channel and the Popponesset Inner Channel that will no longer be included in the standard Barnstable County Dredge Contract.

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

***FINCOM:** This article appropriates and transfers funds to pay for services no longer included in the Standard Barnstable County Dredge Contract that would be needed to perform Channel Dredging Surveys for the 1916 Channel and Popponesset Inner Channel. This will have no impact on the tax rate.*

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

Article 4

To see if the Town will vote to appropriate and transfer the sum of \$28,000 from the Cemetery Reserve Receipt Account to the FY21 Cemetery Operating Expense Account, or take any other action relating thereto.

Submitted by the Cemetery Commission

Explanation: This article will transfer funds collected from the sale of cemetery plots in Great Neck Woods Cemetery to the expense budget for use for purchase of additional columbariums for interment of cremated remains.

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

FINCOM: This article authorizes the appropriation and transfer of funds collected from the sale of cemetery plots at the Great Neck Road cemetery into the budgeted account so those monies can be spent for allocated budget items in conjunction with the cemetery. This will have no impact on the tax rate.

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

Article 5

To see if the Town will vote to appropriate and transfer the sum of \$127.50 from revenue available for appropriation to pay the previous fiscal year's unpaid bills as follows:

Michael Finlayson	\$80
Visiting Nurse Association of Cape Cod	\$47.50

or take any other action relating thereto.

Submitted by the Board of Selectmen

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 5 by a vote of 5-0

FINCOM: This article authorizes the appropriation and transfer of funds from revenue available for appropriation to pay for invoices which were not processed in time to be appropriately paid with Fiscal Year 2020 funds. One is to reimburse a Department of Public Works employee for professional development costs incurred. The second is a bill submitted by the Visiting Nurses Association for COVID-19 services not reimbursed. This will have no impact on the tax rate.

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

Group #2 (Consent Calendar Articles 6-9)

Article 6

To see if the Town will vote to appropriate and transfer the sum of \$26,645 from revenue available for appropriation to fund the Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit A – Administrators, effective July 1, 2020, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will fund the negotiated adjustments to the Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit A – Administrators for Fiscal Year 2021.

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

***FINCOM:** This Article appropriates and transfers funds from revenue available for appropriation the negotiated adjustments to Administrators Unit A-Administrators, for Fiscal Year 2021, which is the first year of a three-year contract. This will have no impact on the 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 \$45,746 from revenue available for appropriation to fund the Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit B – Administrators, effective July 1, 2020, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will fund the negotiated adjustments to the Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit B – Administrators for Fiscal Year 2021.

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

***FINCOM:** This Article appropriates and transfers funds from revenue available for appropriation the negotiated adjustments to Administrators Unit B-Administrators, for Fiscal Year 2021, which is the first year of a three-year contract. This will have no impact on the 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 appropriate and transfer the sum of \$39,462 from revenue available for appropriation to fund the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit A; effective July 1, 2020, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will fund the negotiated adjustments to the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit A for Fiscal Year 2021.

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

FINCOM: This Article appropriates and transfers funds from revenue available for appropriation the negotiated adjustments to the Public Works Unit A for Fiscal Year 2021, which is the first year of a three-year contract. This will have no impact on the 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 appropriate and transfer the sum of \$22,565 from revenue available for appropriation to fund the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit B; effective July 1, 2020, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will fund the negotiated adjustments to the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit B for Fiscal Year 2021.

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

FINCOM: This Article appropriates and transfers funds from revenue available for appropriation the negotiated adjustments to the Public Works Unit B for Fiscal Year 2021, which is the first year of a three-year contract. This will have no impact on the tax rate.

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

Group # 3 (Consent Calendar Articles 10-12)

Article 10

To see if the Town will vote to adopt the following Mashpee General Bylaw:

Chapter 127

§127.1 Plastic Bottles

- A. The purchase by the Town of Mashpee of water or any other beverage in single-use plastic bottles, of any size, is prohibited and the sale of water or any beverage in single-use plastic containers is prohibited on town property.
- B. Any Town department when engaged in public health and safety operations shall be exempt from this Bylaw.
- C. In the event of a declaration of emergency (by Emergency Management Director, or other duly-authorized Town, Commonwealth, or United States official) affecting the availability and/or quality of drinking water for Mashpee residents the Town shall be exempt from this Bylaw during the term of said declaration and for a period of seven (7) calendar days subsequent to the termination thereof.

Submitted by the Board of Selectmen

Explanation: Plastic bottles are a by-product of the fossil fuel industry; they do not biodegrade and can last forever. Their production emits toxic waste into the air, and chemicals from plastic can leach into our beverages. After plastics are discarded, they pollute the air via incineration, contaminate groundwater through landfills, as well as harm to our oceans, beaches, roadways, and wildlife. Recycling is of little help and does not eliminate or reduce our dependence on plastic. The hazardous effects of plastics are far more costly than indicated by price. They affect our immediate and long-term well-being.

The rationale for this Municipal Plastic Bottle Ban rests on the assumption that government is established to protect the welfare of the people it governs. Plastic bottles are made of non-renewable fuels, leach chemicals into consumables and never biodegrade. Plastic bottles impact environmental health and longevity of other species who may ingest plastics as food.

The Board of Selectmen recommends approval of Article 10 by a vote of 4-1

FINCOM: *This Article will prohibit the Town of Mashpee from purchasing, and additionally from selling, any beverage in single use plastic containers on town property, with two exceptions: 1. When involved in safety operations, and 2. In the event of a declaration of emergency both to be further defined. This will have no impact on the tax rate.*

The Finance Committee makes no recommendation of Article 10 by a vote of 3-3

Article 11

To see if the Town will vote to amend Chapter 106, Section 8 of the General Bylaws (Rental Property) as follows:

Replace the language in Subsection C.2. with the following:

“The Board of Health shall, pursuant to the above subsection, issue a Rental Certificate which shall be renewed by the following March 31st, provided that the Certificate may be renewed each year.”

And further, replace the language in Subsection G.2. with the following:

“Required inspections by inspectional services personnel shall occur within the timeframe and at intervals determined by Board of Health regulation, but not more than once annually. Temporary Rental Certificates may be issued, pending inspections, at the discretion of the Board of Health.”

or take any other action relating thereto.

Submitted by the Board of Health

Explanation: With the implementation of the Short-Term Rental registration and inspection program, the Health Department will potentially process over 900 license and registration renewals annually. In an effort to ensure the most efficient workflow, the Health Department recommends that expiration dates and renewal periods be staggered. Short-Term Rental Certificates would expire on March 31st and the online renewal process would be initiated by the Health Department in the second phase of renewals, beginning February 1st of each year. Additionally, the Health Department recommends that it be afforded some latitude with respect to issuing Temporary Rental Certificates if/when it becomes impossible to conduct all the required inspections prior to the beginning of the rental season.

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

***FINCOM:** This article amends the General Bylaws for Rental Property. With the implementation of the Short-Term Rental registration and inspection program, it is anticipated that the Health Department could process more than 900 license and registration renewals yearly. To manage this workflow efficiently, the Department recommends staggering the dates. The Short-Term Rental Certificates would expire March 31 and the on-line renewals would begin February 1 of each year. They also request some latitude with issuing Temporary Rental Certificates if it becomes difficult to do so prior to the beginning of the rental season. This will have no impact on the tax rate.*

The Finance Committee recommends approval of Article 11 by a vote of 5-1

Article 12

To see if the Town will vote to add the following clause B.6 to Mashpee General Bylaw Chapter 170 §6-B:

6. The use of Personal Watercrafts, including jet-ski watercrafts, surf jet watercrafts, and wet bike watercrafts is prohibited on Ashumet Pond.

or take any other action relating thereto.

Submitted by the Department of Natural Resources

Explanation: This Article will add a paragraph to the Town of Mashpee bylaw Chapter 170 §6-B prohibiting the use of Personal Watercraft on Ashumet Pond. The Town of Falmouth has a bylaw with similar wording and the Commonwealth of Massachusetts will not enforce the Falmouth bylaw unless Mashpee has a similar bylaw. The Falmouth and Mashpee town line goes through Ashumet Pond with most of the pond in Mashpee.

The Board of Selectmen recommends approval of Article 12 by a vote of 4-1

***FINCOM:** This article authorizes the amending of the Town of Mashpee Bylaw to add language prohibiting the use of Personal Watercrafts on Ashumet Pond. This language duplicates language in the Town of Falmouth's Bylaws regarding the prohibition of these crafts on Ashumet Pond, which is bordered by both towns. This will not only bring Mashpee's Bylaws in alignment with Falmouth's on this matter, but will also improve both towns' and the State's ability to enforce the ban. This will have no impact on the tax rate.*

The Finance Committee makes no recommendation on Article 12 by a vote of 5-0

Group # 4 (Consent Calendar Articles 13-15)

Article 13

To see if the Town will vote to amend Section 174-24.B. of the Mashpee Zoning Bylaws as follows:

3. Plan Review Committee Procedures.

- a. The Plan Review Committee shall review said plans with regard to those items related to the fields of expertise of its members and to determine whether they are consistent with applicable state and town regulations, bylaws and plans and will not adversely affect public health or safety, will not significantly decrease surface or groundwater quality or air quality, will not have a significant adverse impact on wildlife habitat, estuarine systems, traffic flow, traffic safety, waterways, fisheries, public lands or neighboring properties and will not destroy or disrupt any species listed as rare endangered or threatened by the Massachusetts Natural Heritage Program or any known historic or archaeological site.
- b. The site plan review shall include:
 1. A pre-construction review of the site design, the planned operations at the construction site, planned BMPs during the construction phase, and the planned BMPs to be used to manage runoff created after development;
 2. Receipt and consideration of information submitted by the public;
 3. Evaluating the incorporation of Low Impact Development (LID) site planning and design strategies, unless such practices are infeasible.
- c. A determination shall be made by the Committee that the application may be approved, that the application may be approved subject to certain specified conditions or changes, that the application shall be denied for certain specified reasons or that additional specific information is required. Unless an extended review period is agreed to in writing by the applicant, failure of the Committee to make said determination within 21 days of its receipt of a complete application shall be considered a constructive approval with no conditions or changes.

- d. Any decision of the Committee shall be filed thereafter with the Building Inspector and recorded with the Town Clerk. In those cases where the Committee is acting in an advisory capacity to the Planning Board or Zoning Board of Appeals regarding a Special Permit application, the Committee shall forward its determination forthwith to said Board. The determination of the Committee will not substitute for, or otherwise eliminate the need for, any permits required under other provisions of the chapter or required from the departments or Boards represented by the members of the Committee.

or take any other acting relating thereto.

Submitted by the Planning Board

Explanation: This article is a housekeeping article that will update the Town’s plan review procedures relative to most management practices for stormwater for compliance with its MS4 General Permit issued by the Environmental Protection Agency.

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

FINCOM: This article adds a new subsection which sets forth updated pre-construction steps and criteria for site plan review for stormwater compliance. This will have no impact on the tax rate.

The Finance Committee recommends approval of Article 13 by a vote of 5-0

Article 14

To see if the Town will vote to amend Section 174-27.2 of the Mashpee Zoning Bylaws (Stormwater Management) as follows:

- A. For any new residential or non-residential development or redevelopment requiring either subdivision approval, a Special Permit, plan review under the provisions of §174-24.B., or a Building Permit for a building over one thousand (1000’) square feet in area a system of stormwater management and artificial recharge of precipitation shall be required which is designed to achieve the following purposes: prevent untreated discharges to wetlands and surface waters, preserve hydrologic conditions that closely resemble pre-development conditions, reduce or prevent flooding by managing the peak discharges and volumes of runoff, minimize erosion and sedimentation, not result in significant degradation of groundwater, reduce suspended solids, nitrogen, phosphorous, volatile organics and other pollutants to improve water quality, and provide increased protection of sensitive natural resources, and encourage stormwater Low Impact Development (LID) planning and development strategies to the extent feasible.
- B. These standards may be met using the following or similar best management practices:
 - 1. For compliance with the Performance Standards of this By-Law, the design of treatment and infiltration practices must meet the current Massachusetts Department of Environmental Protection’s Stormwater Management Standards and document compliance based on the Stormwater Handbook as amended, or other federally or State approved BMP design guidance. Projects must also comply with the Post-Construction Stormwater Management Requirements of the current Small MS4 General Permit, whichever is more stringent, using appropriate Stormwater Best Management Practices.

2. For new single or two-family residences, recharge shall be attained through site design that incorporates natural drainage patterns and vegetation in order to maintain pre-development stormwater patterns and water quality to the greatest extent possible. Stormwater runoff from rooftops, driveways and other impervious surfaces shall be routed through vegetated water quality swales, as sheet flow over lawn areas or to constructed stormwater wetlands, sand filters, organic filters and/or similar systems capable of removing nitrogen and phosphorous from stormwater.
3. For new subdivision roadways or for lots occupied or proposed to be occupied by uses other than single or two-family homes, a stormwater management plan which;
 - (a) utilizes site planning and building techniques including LID planning and development strategies, such as minimizing impervious surfaces and disturbance of existing natural areas, pervious reserve or overflow parking areas, multi-level buildings, parking structures, "green roofs" and storage and re-use of roof runoff, to minimize runoff volumes and the level treatment required to reduce contaminants,
 - (b) minimizes erosion and runoff from disturbed areas during construction and
 - (c) provides for the following:
 - i. Artificial recharge or precipitation to groundwater through site design that incorporates natural drainage patterns and vegetation and through the use of constructed (stormwater) wetlands, bio retention facilities, vegetated filter strips, rain gardens, wet (retention) ponds, water quality swales, organic filters or similar-site-appropriate current best management practices capable of removing significant amounts of nitrogen and other contaminants from stormwater. Said stormwater treatment facilities shall be designed and sized to retain up to the first inch of rainfall from their catchment area within the area designed for nitrogen treatment, before any overflow to subsurface leaching facilities and otherwise meet the Stormwater Management Standards and technical guidance contained in the Massachusetts Department of Environmental Protection's *Stormwater Management Handbook*, as amended, or State-approved BMP guidance, whichever is stricter Volumes 1 and 2, dated March 1997, for the type of use proposed and the soil types present on the site. Such runoff shall not be discharged directly to rivers, streams, other surface water bodies, wetlands or vernal pools. Except for overflow from stormwater treatment facilities as described above and when there are no other feasible alternatives, dry wells shall be prohibited.
 - ii. Except when used for roof runoff from non-galvanized roofs and for runoff from minor residential streets, all such wetlands, ponds, swales or other infiltration facilities shall be preceded by oil, grease and sediment traps or fore bays or other best management practices to facilitate control of hazardous materials spills and removal of contamination and to avoid sedimentation of treatment and leaching facilities.
 - iii. All such artificial recharge systems shall be maintained in full working order by the owner(s) under the provisions of an operations and maintenance plan approved by the permitting authority to assure that systems function as designed.
 - iv. Infiltration systems shall be located so that no part of any leaching system is located less than one hundred (100) feet from drinking water wells. Any infiltration basins or trenches shall be constructed with a three (3') foot minimum separation between the bottom of the leaching system and maximum groundwater elevation.

- v. Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall meet the requirements of MS4GP part 2.3.6.a.ii.4(a) – (c) fully.
- C. The Building Inspector shall require the submission of sufficient plans and specifications to demonstrate the location and nature of proposed stormwater facilities for development under subsection B (1) and shall require their implementation. For development and redevelopment under subsection B (2), the permitting authority shall require the submission of sufficient plans and specifications to demonstrate the location, nature, operation and effectiveness of the proposed stormwater management facilities and practices and shall require their implementation and maintenance, including provisions for deed restrictions and other implementing provisions, as a condition of approval of the proposed development.

No permit may be approved for a development unless the permitting authority determines in writing that the proposed system of stormwater management and artificial recharge will achieve the purposes described in Subsection A.

or take any other acting relating thereto.

Submitted by the Planning Board

Explanation: This article is a housekeeping article that will update the Town’s stormwater management practices for compliance with its MS4 General Permit issued by the Environmental Protection Agency.

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

FINCOM: The article adds phosphorous to the list of chemicals to be reduced to protect natural resources, describes the required standards for the design of treatment and infiltration practices of stormwater management systems. Also, it incorporates these provisions to include roadway widening and an increase of impervious areas upon redevelopment. This will have no impact on the tax rate.

The Finance Committee recommends approval of Article 14 by a vote of 5-0

Article 15

To see if the Town will vote to amend Section 174-41.F of the Mashpee Zoning Bylaw (Driveway Design) as follows:

- F. Unless alternate paving is approved by the permitting authority, all parking areas and driveways shall be constructed on a base of not less than eight (8”) inches of dense-graded crushed stone or reclaimed asphalt or (12”) twelve inches of good binding gravel or other suitable road base material meeting the Massachusetts Standard Specification M 1.03(b), all of which shall be properly shaped and compacted. Subsoil shall be clear of all roots, peat or similar spongy material, clay or other such unsuitable material and shall be excavated and replaced with solid fill as necessary to support the finished surface. All parking areas and driveways required to meet the minimum parking space requirements of §174-39 shall be paved with a minimum of three (3”) inches of bituminous concrete, type I, consisting of one and three quarters (1-3/4”) inches of binder course and one and one half (1-1/4”) inches of surface course, both properly compacted by a ten-ton roller. Where additional overflow parking areas are proposed, the base shall be constructed as above, but alternate materials or grass may be used as a finished surface if approved by the permitting authority”,
or take any other acting relating thereto.

Submitted by the Planning Board

Explanation: This Warrant Article would update the minimum standards for material thickness of new and redeveloped driveways consistent with engineering best practices today. This article would increase the minimum thickness of the paved surface to a total of three (3) inches from two and one half (2.5) inches of bituminous concrete. The minimum binder course of pavement would increase one quarter (0.25) inches to one and three quarters (1.75) inches and the minimum surface course would increase one quarter (0.25) inches to one and one quarter (1.25) inches. The article further clarifies the standards for suitable base material by citing the Massachusetts Standard Specifications.

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

***FINCOM:** This article amends the Zoning Bylaws to meet the Massachusetts Standard Specifications for paving all parking areas and driveways, this Article specifies a change to the required thickness of the dense-graded crushed stone or reclaimed asphalt. The paving is to be 8 inches or, if using a good binding gravel or suitable base material to 12 inches. The article specifies how the parcel should be properly shaped, compacted, the subsoil clear of roots and replaced with solid fill if necessary, to support the finished surface. All parking areas are to have a minimum of 3 inches paved surface. This will have no impact on the tax rate.*

The Finance Committee does not recommend approval of Article 15 by a vote of 3-2

Stand Alone Articles:

Article 16

To see if Mashpee will join towns across Cape Cod in an effort to respond to a shared sense of climate emergency, based on data and warning from the scientific community. Across Cape Cod, many acknowledge that climate change is a dire threat to our well-being that demands immediate attention. Passage of the article will indicate that the residents and government of Mashpee are committed to expeditiously reducing net greenhouse gas emissions to zero by further reducing energy consumption as well as by supporting and instituting efforts to wisely manage our land, biodiversity, and natural resources to reduce the town's vulnerability to climate change, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: Because of threats to our health, safety, and economic security, Mashpee's communities, service organizations, government representatives, officers, and departments have already taken many leading steps toward mitigating the environmental conditions that cause decreasing biodiversity, global warming, melting ice sheets, rising sea levels, acidifying oceans, damaging storms, intensifying heat waves, and raging fires, but CO2 levels in Earth's atmosphere have already risen above the acceptable 350 ppm to 415 ppm. As a member of 350 Cape Cod, this petitioner urges Mashpee's residents, communities, elected representatives, and town employees to join in spirit and action with the residents of other Cape Cod towns to prudently facilitate this article's objectives.

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

***FINCOM:** This Article seeks to enjoin all Mashpee residents in the effort to attack climate change by supporting through their personal willingness, activities that help manage our land, biodiversity, and natural resources, as a way to reduce our Town's vulnerability to climate change. This will have no impact on the tax rate.*

The Finance Committee recommends approval of Article 16 by a vote of 5-1

Article 17

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking such interests, including temporary and permanent easements, within certain parcels of land abutting Route 151 (Nathan Ellis Highway) for the purposes of constructing, reconstructing, and installing roadway improvements within said Route 151 from the Mashpee Rotary to the intersection with Old Barnstable Road pursuant to the Route 151 Corridor Improvement Project (Phase 1) and to accept within the public layout of Route 151/ Old Barnstable Road certain areas, all as more particularly shown and described on a plan entitled “ Massachusetts Department of Transportation Highway Division Plan and Profile of Nathan Ellis Highway (Route 151) Corridor Improvements in the Town of Mashpee, Barnstable County, Preliminary Right of Way Plans”, dated October 2020, and prepared by Stantec Consulting Services, Inc., as revised, which plan/layouts shall have been filed in the Office of the Town Clerk, not later than seven days prior to the date of the vote hereunder, and to authorize the Board of Selectmen to enter into such agreements or adopt such orders as may be required to acquire by gift, purchase or take by eminent domain any land or interests necessary for the purposes of such ways as so laid out, and to appropriate and transfer a sum of money from available funds to be determined by appraisal and/or to raise said appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow at one time, or from time to time, under and pursuant to Chapter 44 Section 7 or 8 or any other enabling authority for such purchase or taking and layout, including costs of constructing such ways and legal, financing and other costs incidental and related thereto; or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article authorizes the acquisition of a portion of the properties, temporarily or permanently, for completion of the Route 151 Corridor Improvement Project. The project limits are from approximately 900 feet west of the Old Barnstable Road intersection to the Mashpee Rotary. Improvements will include:

- Construction of a sidewalk on the south side of the road from Old Barnstable Road to Job’s Fishing Road;
- Widening of the existing multi-use path on the north side of the road and extension of the path from Frank E. Hicks Drive to Market Street;
- Reconfiguration of intersection/upgrade of traffic signals at Old Barnstable Road, at Frank E. Hicks Drive/Job’s Fishing Road and at Market Street;
- Improvement of drainage along the corridor;
- Provision of bike lanes along the corridor;
- Repaving of the road.

Construction of the project is scheduled from 2021 – 2023 (stopping seasonally during the summer months). Construction is being funded through State and Federal monies. Phase II of the project, (Old Barnstable Road to the Town line), will be completed at a later date yet to be determined.

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

FINCOM: *This article provides the Town with the necessary ability to design Phase One of the Route 151 Corridor Improvement Project from the Mashpee Rotary to just beyond the intersection with Old Barnstable Road. In particular, this article gives the town several legal options necessary to construct the improvements consistent with the approved plans in cases where private property overlaps the project layout. Most of these instances are small parts of larger property, but are necessary for construction and line-of-sight enhancement. It is anticipated there will be no or little cost to accomplish this, however the article provides the Town with the flexibility in response to the circumstances of each property. This will have no impact on the tax rate.*

The Finance Committee recommends approval of Article 17 by a vote of 5-0

Article 18

To see if the Town will vote to appropriate the sum of \$490,200 for the purpose of paying costs and expenses relating to the design of a public wastewater and stormwater collection system and related facilities for the Route 151 corridor from Old Barnstable Road to the Falmouth town line, including any and all costs incidental and related thereto, and to fund said appropriation, vote to transfer the sum of \$200,000 from Hotel/Motel receipts reserved for wastewater purposes, transfer \$40,200 from the Capital Stabilization Account, and “repurpose” the \$250,000 sum previously appropriated under Article 10 of the October 21, 2019 Annual Town Meeting from feasibility planning related to a regional wastewater collection and treatment facility at Joint Base Cape Cod to funding of the subject Route 151 corridor wastewater and stormwater collection system design, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article would provide funding to design a wastewater and stormwater collection system and other required facilities for the Route 151 corridor. This project would run concurrently with the Route 151 Corridor Improvement Project.

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

FINCOM: *This article appropriates and transfers funding to mitigate costly after-the-fact design of wastewater and stormwater collection systems in connection with the Route 151 Corridor Improvement Project. In so doing, the reconstruction of Route 151 can take into account, and make cost-effective provisions for the future construction of waste- and stormwater collection systems, and a desirable alternative to not planning for this infrastructure in advance. This approach consolidates these efforts, and assigns the financing to the Route 151 project. This will have no impact on the tax rate.*

The Finance Committee recommends approval of Article 18 by a vote of 4-1

Article 19

To see if the Town will vote to appropriate and transfer the sum of \$55,095 from the Ambulance Receipts Account to the Fire Department Capital Account, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article is to use Ambulance Receipt funds for the purchase of three (3) Cardiac Monitor/Defibrillators for the Town’s ambulances.

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

FINCOM: *This Article appropriates and transfers funds from the Ambulance Receipts Account to the Fire Department Capital Accounts for the purpose of purchasing desperately needed Cardiac Monitor/Defibrillators for each of the three ambulances, replacing outdated, not serviceable and not replaceable present equipment. This was recently approved by the Capital Improvement Committee. This will have no impact on the tax rate.*

The Finance Committee recommends approval of Article 19 by a vote of 5-0

Article 20

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase and/or eminent domain taking pursuant to Massachusetts General Laws, Chapter 79, or any other enabling authority, a certain parcel of land known as Gooseberry Island and designated on Mashpee Assessors' Map 100 as Block 6, located in Mashpee, Barnstable County, Massachusetts, consisting of 3.80 acres, more or less, and more accurately described in the deed filed for registration with the Barnstable County Land Court District as Document # 1,173,404 with Certificate #195170, and as shown on Land Court Plan # 25209-A; said land to be acquired for open space, conservation and passive recreation purposes, consistent with the provisions of Mass. Gen. Laws. Ch. 40, Section 8C and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts; to appropriate and transfer from available funds in the Community Preservation Fund, in accordance with the provisions of Mass. Gen. Laws. Ch.44B Section 5, a sum of money, to be determined upon appraisal of the subject land, for the acquisition of said land, including any incidental fees, costs and expenses related thereto, as recommended by the Community Preservation Committee; to authorize the Board of Selectmen and the Conservation Commission to apply for, accept and expend any funds which may be provided by the Commonwealth or other public or private sources to defray a portion or all of the costs of acquiring said property and to authorize the Board of Selectmen and/or the Conservation Commission to enter into all agreements and execute any and all instruments on behalf of the Town as may be necessary to effect this acquisition or to effect restrictions upon the use of said land upon such terms and conditions as the Selectmen shall deem to be in the best interest of the Town, or take any other action relating thereto.

Submitted by Board of Selectmen

Explanation: This Article seeks to authorize the Board of Selectmen to acquire title to the property identified as Gooseberry Island, a 3.8 acre island located in Popponesset Bay off Punkhorn Point between Popponesset Bay and the mouth of the Mashpee River, for open space, conservation and passive recreation purposes. The Article further seeks an appropriation of Community Preservation Act funds for the acquisition of said land, including any incidental fees, costs and expenses relating thereto, pursuant to the recommendation of the Community Preservation Committee. Gooseberry Island has for many years been classified as a Private Land of Conservation Interest in the Town's Open Space, Conservation and Recreation Plan. The Plan places a high priority on public acquisition and preservation of properties in Mashpee which provide scenic landscapes and vistas, particularly properties located on bodies of water or affording water views. Due to its location, Gooseberry Island offers spectacular vistas of Popponesset Bay, Ockway Bay and the Mashpee River. The acquisition of this property would also further the Town's interest in preserving the natural beauty and qualities of rapidly diminishing open, natural spaces in the Town and in enhancing the water quality in coastal areas. Lands acquired with Community Preservation Funds for the acquisition, creation, and preservation of open space must be permanently restricted by a recorded instrument limiting the use thereof to open space/natural resources protection purposes.

The Board of Selectmen recommends approval of Article 20 by a vote of 4-1

***FINCOM:** This article authorizes the appropriation and transfer from available funds in the Community Preservation Fund, in an amount to be determined at the time of the land's appraisal, to pay for the acquisition of the piece of property known as Gooseberry Island. It also authorizes the Board of Selectman to acquire said property for open space, conservation and passive recreation purposes under the Community Preservation Committee. This property has been classified as Private Land of Conservation Interest in the Town's Open Space, Conservation and Recreation Plan. The Town's acquisition of this property is in line with this Plan's prioritization of publicly acquiring and preserving Mashpee properties which provide scenic landscapes and vistas.*

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

THIS CONCLUDES THE BUSINESS OF THE ANNUAL TOWN MEETING

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

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

Given under our hands this 14th day of September in the year two thousand and twenty.

Per Order of,
Board of Selectmen

John J. Cotton, Chair

Thomas F. O'Hara, Vice-Chair

Carol A. Sherman, Clerk

Andrew R. Gottlieb

David W. Weeden

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.

Town of Mashpee
Finance Committee
16 Great Neck Road North
Mashpee, MA 02649

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Finance Committee Report
Annual Town Meetings
Mashpee High School
Monday, October 19, 2020
7:00 p.m.