

**Town of Mashpee  
Special Town Meeting Warrant  
Mashpee High School  
Monday, May 4, 2015**

**Town Meeting convened at 7:12 PM  
Voters Present 187  
Quorum 100**

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 4<sup>th</sup> day of May 2015 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 from revenue available for appropriation \$999.00 to pay previous fiscal year unpaid bills as follows:

Padula Brothers	\$999.00
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Submitted by the Board of Selectmen

**Explanation:** This article is necessary to pay FY 2014 bills received after the close of the fiscal year.

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

**Finance Committee recommends approval by a vote of 6-0, 1 absent.**

**Motion made by Selectman Wayne Taylor.**

**Motion:** I move the Town vote to appropriate and transfer from revenue available for appropriation \$999.00 to pay previous fiscal year unpaid bills.

**Motion passes unanimously at 7:13 PM.**

## **Article 2**

To see if the Town will vote to appropriate and transfer \$295,096 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 by a vote of 5-0.**

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

**Motion made by Selectman Michael Richardson.**

**Motion:** I move the Town vote to appropriate and transfer \$295,096 from revenue available for appropriation to the Snow & Ice Account.

**Motion passes unanimously at 7:14 PM.**

## **Article 3**

To see if the Town will vote to appropriate and transfer \$27,000 from revenue available for appropriation to fund the settlement for the SEIU, Local 888, AFL-CIO, Clerical Unit effective July 1, 2014, 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 a 1% cost of living adjustment effective July 1, 2014 and January 1, 2015 for FY 2015 for employees whose positions are classified under the Clerical Contract.

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

**The Finance Committee recommends approval by a vote of 6-0, 1 absent.**

**Motion made by Selectman Carol Sherman.**

**Motion:** I move the Town vote to appropriate and transfer \$27,000 from revenue available for appropriation to fund the settlement for the SEIU, Local 888, AFL-CIO, Clerical Unit effective July 1, 2014, with said funds to be distributed to various salary line items by the Town Accountant.

**Motion passes unanimously at 7:15 PM.**

## **Article 4**

To see if the Town will vote to appropriate and transfer \$18,000 from revenue available for appropriation to the Building Inspector Full-time Salary Account, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** The Town hired a new Building Commissioner. Given the experience and credentials of the candidate chosen, the Board of Selectmen agreed to place the individual at a step higher than was budgeted. Further, to assist with the transition, we continued to use the services of our contracted employee creating a shortfall in the salary line item.

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

**The Finance Committee recommends approval by a vote of 6-0, 1 absent.**

**Motion made by Selectmen John Cahalane.**

**Motion:** I move the Town vote to appropriate and transfer \$18,000 from revenue available for appropriation to the Building Inspector Full-time Salary Account.

**Motion passes unanimously at 7:16 PM.**

## **Article 5**

To see if the Town will vote to continue participation in the Community Septic Management Program and the Massachusetts Clean Water Trust (MCWT) 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 take any other action relating thereto.

Submitted by the Board of Health

**Explanation:** The Commonwealth of Massachusetts, through the Clean Water Trust, has provided approximately \$660,000.00 at 0% interest to the Town of Mashpee to assist homeowners in complying with Title V since 1998. The loans are available to homeowners at 5% interest, to cover any ongoing costs of the program. Loans must be secured by a betterment assessed by the Town on the property being improved by the loan. In 2006, Barnstable County took over issuance of new loans. The repayment of the loans to the Town with the 5% interest is being repaid through previously issued property betterments. In order for the Town to be able to re-loan funds to future additional septic projects, the Town must annually reauthorize/re-approve participation in the Community Septic Management Program. Failure to reauthorize participation in the Program will restrict the Town from re-lending funds to homeowners with failed septic systems. The repaid monies will be held in an account with the principal amount repaid to the MCWT as scheduled. This article is needed to allow monies to be expended before July 1, 2015.

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

**The Finance Committee recommends approval by a vote of 6-0, 1 absent.**

**Motion made by Selectmen Andrew Gottlieb.**

**Motion:** I move the Town vote to continue participation in the Community Septic Management Program and the Massachusetts Clean Water Trust (MCWT) 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.

**Motion passes unanimously at 7:17 PM.**

## **Article 6**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Budgeted Reserve for Appropriation, in accordance with the provisions of M.G.L. Chapter 44B, §5, \$170,000 for the purpose of funding the acquisition of the property located at 9 Quashnet Road, Mashpee, identified on Assessor's Map 44, Parcel 11 comprised of 4.212 acres, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

**Explanation:** This article seeks funding from the Community Preservation Fund to purchase 4.212 acres on a small freshwater pond for open space and passive recreation purposes. The calculated wetland is .216 acres and includes a 20' wide buffer zone around the wetlands. The remainder, 3.996 acres is upland. The land is located in a R-5 zoning district which would allow the property to be subdivided into (2) Approval Not Required (ANR) subdivision lots. The purchase of the property conforms to the Town of Mashpee Local Comprehensive Plan (LCP) five-year Open Space & Recreation Plan for the protection of, and access to, Washburn Pond, for agricultural preservation and for the protection of BioMap Core Habitat.

The vacant lot is accessible by public road. The property is wooded. The rear of the site lot fronts Washburn Pond, a small scenic pond suitable for limited canoeing, kayaking and fishing. There is a good level of privacy due to conservation influence.

An Appraisal Report was prepared by the Cape & Islands Group on October 10, 2014. As per the report, the appraised value of the 9 Quashnet Road property is \$265,000. The 2015 assessed value of the property is \$172,500. The 2014 assessment was \$170,000. Funding shall derive from the CPC Budgeted Reserve for Appropriation for this purpose.

The Community Preservation Committee voted 6-1-1 in support of this article.

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

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

**Motion made by Selectman Wayne Taylor.**

**Motion:** I move the Town vote to appropriate and transfer from the Community Preservation Fund Budgeted Reserve for Appropriation, in accordance with the provisions of M.G.L. Chapter 44B, §5, \$170,000 for the purpose of funding the acquisition of the property located at 9 Quashnet Road, Mashpee, identified on Assessor's Map 44, Parcel 11 comprised of 4.212 acres, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee.

**Motion passes by majority at 7:24 PM.**

**Article 7**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Affordable Housing Reserve, in accordance with the provisions of M.G.L. Chapter 44B, §5, \$70,000 for the purpose assisting with the funding of (2) Habitat for Humanity affordable housing projects located at 108 Orchard Road and 132 Quinaquisset Avenue, Mashpee, including any 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:** This article seeks funding from the Community Preservation Fund to assist Habitat for Humanity of Cape Cod in the development of (2) three bedroom homes deemed affordable in perpetuity on Town donated land at the following locations; 108 Orchard Road and 132 Quinaquisset Avenue, Mashpee. The CPA award of \$35,000 per home, a total of \$70,000 will be used to offset costs associated to the development of the affordable homes. The projects as identified will contribute to the Town's goal of achieving an affordable housing inventory of 10%. Funding shall derive from the CPC 10% Affordable Housing Reserves for this purpose.

The Community Preservation Committee voted 5-3 in support of this article.

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

**The Finance Committee recommends approval by a vote of 6-0, 1 absent.**

**Motion made by Selectman Michael Richardson.**

**Motion:** I move the Town vote to appropriate and transfer from the Community Preservation Fund Affordable Housing Reserve, in accordance with the provisions of M.G.L. Chapter 44B, §5, \$70,000 for the purpose assisting with the funding of (2) Habitat for Humanity affordable housing projects located at 108 Orchard Road and 132 Quinaquisset Avenue, Mashpee, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee.

**Motion passes unanimously at 7:25 PM.**

## **Article 8**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Open Space/Recreation Reserves in accordance with the provisions of M.G.L. Chapter 44B, §5, \$61,250 for the purpose of funding the Santuit Pond Preserve Improvement Project, including any 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:** This article seeks funding from the Community Preservation Fund to assist the Town of Mashpee in improving the Santuit Pond Preserve by constructing a 10-vehicle parking lot off of Route 130 for public use. Currently, there is no public access to the property located on the southern shore of Santuit Pond; 117 Main Street (Map 38 Parcel 1) and Shields Road (Map 38 Parcel 9). The project includes a site survey for the 100' x 50' parking lot with a 24' access road, parking lot construction, signage, a kiosk, and the removal of an old metal storage garage once a part of the cranberry bog operation. Re-vegetation of the storage garage site is also proposed in the scope of improvements.

The area is deemed valuable for the habitat of various wildlife species. There are a number of trails throughout the property which consists of several cranberry bogs, the Santuit River and other wetlands. The property includes an active herring run and newly reconstructed dam and fish ladder. The project conforms to the Selectmen's goal of obtaining more access lands with trails to encourage and enhance the merits of the Town of Mashpee as a Green Community. Funding shall derive from the CPC 10% Open Space/Recreation Reserves for this purpose.

The Community Preservation Committee voted 8-0 in support of this article.

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

**The Finance Committee recommends approval by a vote of 4-1, 1 abstention, 1 absent.**

**Motion made by Selectman Carol Sherman.**

**Motion:** I move the Town vote to appropriate and transfer from the Community Preservation Fund Open Space/Recreation Reserves in accordance with the provisions of M.G.L. Chapter 44B, §5, \$61,250 for the purpose of funding the Santuit Pond Preserve Improvement Project, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee.

**Motion passes unanimously 7:27 PM.**

## **Article 9**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Open Space/Recreation Reserve, in accordance with the provisions of M.G.L. Chapter 44B, §5, \$30,000 for the purpose of funding the Attaquin Park Playground Project located at 35 Lake

Avenue, Mashpee, including any 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:** This article seeks funding from the Community Preservation Fund to assist the Town of Mashpee in the restoration of the Attaquin Park Playground located at the site of the Town beach at Mashpee/Wakeby Pond. The goal of this project is to incrementally fund the aging playground equipment for safety purposes and to improve the recreational facilities for the Town recreational program and its visitors using the Town beach. For security, the budget includes solar lighting as there is no electricity at the site location. With CPA funding, the playground would be available for use by mid-summer 2015. Funding shall derive from the CPC 10% Open Space/Recreation Reserves Account for this purpose.

The Community Preservation Committee voted 8-0 in support of this article.

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

**The Finance Committee recommends approval by a vote of 6-0, 1 absent.**

**Motion made by Selectman John Cahalane.**

**Motion:** I move the Town vote to appropriate and transfer from the Community Preservation Fund Open Space/Recreation Reserve, in accordance with the provisions of M.G.L. Chapter 44B, §5, \$30,000 for the purpose of funding the Attaquin Park Playground Project located at 35 Lake Avenue, Mashpee, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee.

**Motion unanimously at 7:28 PM.**

## **Article 10**

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44B, §5, to amend the previous vote of the Town Meeting under Article 11 of the FY 2014 October Town Meeting by transferring the sum of \$92,821.92 appropriated for purposes of the John's Pond Beach Improvement Project to the Heritage Park Improvement Project, including necessary costs and expenses relating thereto; and, further, to see if the Town will vote to appropriate and transfer from the Community Preservation Fund Open Space/Recreation Reserve the sum of \$63,000 for the purpose of additional funding of the Heritage Park Improvement project, including necessary costs and expenses related thereto, all as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

**Explanation:** In October 2013, CPA funding was approved by Town Meeting to improve the recreational facilities at John's Pond Beach. That \$326,000 appropriation contemplated, among other improvements, funding for a proposed bathhouse/picnic pavilion. With that appropriation,

the Town of Mashpee purchased a bathhouse/picnic pavilion, at a cost of \$92,821.92, and presently maintains possession of this structure.

The Town anticipated installing the purchased bathhouse/picnic pavilion at John's Pond Beach; however, upon review and further consideration of plumbing and septic requirements, soil conditions and irregular topography at the John's Pond site, the project was deemed to be cost prohibitive. The project budget, as initially estimated, did not anticipate or reflect the cost of water and septic improvements required for the bathhouse, a facility that would be used for approximately three months during the beach season. It was, thus, determined, in the interest of the Town, that the installation of this structure at the John's Pond Beach location was not a feasible option.

Upon further review, the Community Preservation Committee voted to recommend installation of the bathhouse/picnic pavilion at the more widely used Heritage Park recreation facility. The multi-use recreational site consists of two playgrounds, a basketball court, the splash pad and eight athletic fields, which are actively used by the Town from March through November. There are presently no permanent restroom facilities at the Heritage park site location. The DPW has proposed to locate the bathhouse/picnic pavilion behind the lighted playing field referenced as Field 3. At this location, the facility would be readily accessible to two baseball fields and two multi-purpose fields.

In consultation with the Community Preservation Coalition in Boston, the Community Preservation Committee determined that the transfer of the bathhouse structure, upon recommendation by the Committee, would be permissible pending final approval and authority by Town Meeting.

The additional Community Preservation Fund appropriations requested by this article, in the amount of \$63,000, would fund the design, permitting, septic and water connections, a concrete foundation/pad and parking lot lighting to improve and enhance the Heritage Park property for the community and its users.

Approval of this article would, thus, authorize the bathhouse/picnic pavilion transfer and installation at Heritage Park, and fund the installation of lighting in the parking lot area for safety and security purposes. The Mashpee Dog Park will be situated across the street from Heritage Park, and users of that facility would also likely take advantage of the lighted parking lot.

If the project is supported by the Town Meeting, the subject improvement would be completed by mid-summer 2015. Funding would be appropriated from the CPC 10% Open Space/Recreation Reserves for this purpose.

The Community Preservation Committee voted 8-0 in support of this article.

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

**The Finance Committee recommends approval by a vote of 6-0, 1 absent.**

**Motion made by Selectman Andrew Gottlieb.**



**Motion:** I move the Town vote pursuant to the provisions of M.G.L. Chapter 44B, §5, to amend the previous vote of the Town Meeting under Article 11 of the FY 2014 October Town Meeting by transferring the sum of \$92,821.92 appropriated for purposes of the John's Pond Beach Improvement Project to the Heritage Park Improvement Project, including necessary costs and expenses relating thereto; and, further, the Town vote to appropriate and transfer from the Community Preservation Fund Open Space/Recreation Reserve the sum of \$63,000 for the purpose of additional funding of the Heritage Park Improvement project, including necessary costs and expenses related thereto, all as recommended by the Community Preservation Committee.

**Motion passes unanimously at 7:30 PM.**

## **Article 11**

To see if the Town will vote in accordance with the provisions of M.G.L. Chapter 44B, §5, to appropriate and transfer from the Community Preservation Fund Budgeted Reserve for Appropriation the sum of \$93,000 for the purpose of funding the John's Pond Beach Improvement Project, including any 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:** This article seeks funding from the Community Preservation Fund to complete the John's Pond Improvement Project, for expenditures that include the final coat of asphalt at the site location, the installation of a concrete pad for the picnic pavilion, the installation of a picnic pavilion with storage for the Recreation Department, and handicap accessible walkways to connect the playground to the picnic pavilion.

Consistent with past practice, portable restroom facilities would be rented by the Town for usage during the beach season. Funding shall derive from the CPC Budgeted Reserve for Appropriation for this purpose.

The Community Preservation Committee voted 8-0 in support of this article.

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

**The Finance Committee recommends approval by a vote of 6-0, 1 absent.**

**Motion made by Selectman Wayne Taylor.**

**Motion:** I move the Town vote in accordance with the provisions of M.G.L. Chapter 44B, §5, to appropriate and transfer from the Community Preservation Fund Budgeted Reserve for Appropriation the sum of \$93,000 for the purpose of funding the John's Pond Beach Improvement Project, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee.

**Motion passes unanimously at 7:32 PM.**

## **Article 12**

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 Community Preservation Budgeted Reserve for Appropriation the following amounts:

\$14,283	10% for Open Space/Recreation Purposes
\$14,283	10% for Historic Purposes
\$14,283	10% for Community 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 supplemental CPA FY 2015 Trust Fund distribution. After receiving additional CPA funding from the FY 2015 state budget, a total of \$142,833, the annual 10% appropriation is required to be set aside to the Community Preservation Reserves. Funding shall derive from the Community Preservation Fund Balance for this purpose.

The Community Preservation Committee voted 6-0 in support of this article.

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

**The Finance Committee recommends approval by a vote of 6-0, 1 absent.**

**Motion made by Selectman Michael Richardson.**

**Motion:** I move the Town vote to appropriate and transfer, pursuant to the provisions of M.G.L. Chapter 44B, §6, to reserve from the Community Preservation Budgeted Reserve for Appropriation \$14,283 for Open Space/Recreation Purposes, \$14,283 for Historic Purposes, and \$14,283 for Community Housing Purposes, all as recommended by the Community Preservation Committee.

**Motion passes unanimously at 7:33 PM.**

**Special Town Meeting adjourned at 7:33 PM.**

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 23<sup>rd</sup> day of March in the year two thousand and fifteen.

Per order of,  
Board of Selectmen


  
Wayne E. Taylor, Chairman

  
Michael R. Richardson, Vice Chairman

  
Carol A. Sherman, Clerk

  
John J. Cahalane

  
Andrew R. Gottlieb

  
Jason Brooks-Constable  
Posted April 3, 2015