

**Town of Mashpee
Special Town Meeting Warrant
Monday, May 7, 2012**

Town Meeting convened at 7:10 PM
Voters Present 189
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 7th day of May 2012 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 available funds \$711.75 to pay previous fiscal year unpaid bills as follows:

Watch All	\$363.00
Cape Cod Alarm	118.75
Pro Sports Orthopedics	165.00
Tufts Medical Center	65.00

or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article is necessary to pay Fiscal Year 2011 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 5-0, 2 absent.

Motion made by Selectman Wayne Taylor.

Motion: I move the Town vote to appropriate and transfer from available funds \$711.75 to Departmental Unpaid Bill Accounts in the respective amounts itemized in Article 1, with said funds to be distributed by the Town Accountant.

Motion passes unanimously at 7:11 PM.

Article 2

To see if the Town will vote to transfer \$25,638 from the Building Salary/Wage Account to the Building Expense Account, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This transfer will provide funding to cover the costs associated with hiring a temporary Building Commissioner through contract services.

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

Finance Committee recommends approval by a vote of 5-0, 2 absent.

Motion made by Selectman Michael Richardson.

Motion: I move the Town vote to appropriate and transfer \$25,638 from the Building Salary/Wage Account to the Building Expense Account.

Motion passes unanimously at 7:12 PM.

Article 3

To see if the Town will vote to appropriate and transfer from available funds \$26,315 to fund the Firefighter's Union Contract settlement effective July 1, 2011, 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 for Fiscal Year 2012 to employees whose positions are classified under the Firefighter's Union Contract.

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

Finance Committee recommends approval by a vote of 5-0, 2 absent.

Motion made by Selectman Carol Sherman.

Motion: I move the Town vote to appropriate and transfer from available funds \$26,315 to fund the Firefighter's Union Contract settlement effective July 1, 2011, with said funds to be distributed to various salary line items by the Town Accountant.

Motion passes unanimously at 7:13 PM.

Article 4

To see if the Town will vote to appropriate and transfer from available funds \$14,710 to fund the settlement for the Administrator's Contract, Units A, B, and C effective July 1, 2011, 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 for Fiscal Year 2012 to employees whose positions are classified under the Administrator's Contract, Units A, B, and C.

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

Finance Committee recommends approval by a vote of 5-0, 2 absent.

Motion made by Selectman John Cahalane.

Motion: I move the Town vote to appropriate and transfer from available funds \$14,710 to fund the Administrator's A, B and C contract settlement effective July 1, 2011, with said funds to be distributed to various salary line items by the Town Accountant.

Motion passes unanimously at 7:14 PM.

Article 5

To see if the Town will vote to appropriate and transfer from available funds \$22,487 to fund the Personnel Administration Plan (P.A.P.) Appendix B and Appendix C employees and the Plumbing and Wiring Inspectors effective July 1, 2011 and vote to fund Special Service Contracts 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 for Fiscal Year 2012 to employees whose positions are classified under the Town's Personnel Administration Plan, and fund Special Service Contracts.

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

Finance Committee recommends approval by a vote of 5-0, 2 absent.

Motion made by Selectman Thomas O'Hara.

Motion: I move the Town vote to appropriate and transfer from available funds \$22,487 to fund the Personnel Administration Plan (P.A.P.) Appendix B and Appendix C employees and the Plumbing and Wiring Inspectors, effective July 1, 2011 and vote to fund Special Service Contracts, with said funds to be distributed to various salary line item accounts by the Town Accountant.

Motion passes unanimously at 7:16 PM.

Article 6

To see if the Town will vote to appropriate and transfer from available funds \$25,553 to fund the settlement for the MASS C.O.P. Local 324 Units A & B, effective July 1, 2011, 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 for Fiscal Year 2012 to employees whose positions are classified under the Patrolmen/ Detectives and Sergeants Contracts.

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 available funds \$25,553 to fund the MASS C.O.P. Local 324 Units A and B contract settlement effective July 1, 2011, with said funds to be distributed to various salary line item accounts by the Town Accountant.

Motion passes unanimously at 7:17 PM.

Article 7

To see if the Town will vote to appropriate and transfer \$36,198 from the Department of Public Works Salary/Wage Account to fund the settlement for the SEIU, Local 888, AFL CIO, Public Works Unit effective July 1, 2011, 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 for Fiscal Year 2012 to employees whose positions are classified under the Public Works Contract.

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 that the Town vote to indefinitely postpone Article 7.

Motion passes at 7:18 PM

Article 8

To see if the Town will vote to appropriate and transfer \$13,600 from available funds to fund the settlement for the SEIU, Local 888, AFL CIO, Clerical Unit effective July 1, 2011, 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 for Fiscal Year 2012 to employees whose positions are classified under the Clerical Contract.

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 Carol Sherman.

Motion: I move the Town vote to appropriate and transfer from available funds \$13,600 to fund the SEIU, Local 888, AFL CIO, Clerical Unit contract settlement effective July 1, 2011, with said funds to be distributed to various salary line item accounts by the Town Accountant.

Motion passes unanimously at 7:19 PM.

Article 9

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 of funding (2) Habitat for Humanity affordable housing construction projects located at 6 Park Place Way and 9 Park Place Way, 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 Funds to assist Habitat for Humanity of Cape Cod in the development of (2) three bedroom affordable homes on Town donated land at the following locations: 6 Park Place Way and 9 Park Place Way, Mashpee. The CPA grant 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 would derive from the 10% Affordable Housing Reserve Account of the Community Preservation Committee.

*The Community Preservation Committee voted 7-0 in support of this article.

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

Finance Committee recommends approval by a vote of 4-1, 2 absent.

Motion made by Selectman John Cahalane.

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, section 5, \$70,000 for the purpose of funding (2) Habitat for Humanity affordable housing construction projects located at 6 Park Place Way and 9 Park Place Way, Mashpee, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee.

Motion passes unanimously at 7:21 PM.

Article 10

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, \$300,000 for the purpose of funding the Mashpee Housing Authority - Mashpee Housing Assistance Program, 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 Funds to assist the Mashpee Housing Authority in the development of a Mashpee Housing Assistance Program for a (3) three-year period, a CPA grant award of \$100,000 per year, a total of \$300,000. The new and much-needed program would encompass housing assistance in one or more of the following areas:

- Ongoing, short-term rental assistance
- One-time assistance for first/last/security deposits
- One-time emergency assistance for rent

- Mortgage assistance for short-term
- Down payment assistance for first-time homebuyers

The Mashpee Housing Authority currently owns, manages, operates and administers approximately 150 units of affordable housing. The Mashpee Housing Authority will implement and maintain the Housing Assistance Program. Mashpee Veterans will be given first priority for all programs. Second priority would be given to those who live and work in the Town of Mashpee. Third priority is given to those who live (only) in the Town of Mashpee. With full funding of the program, it is estimated that 25 to 40 Mashpee families would receive yearly assistance. The Community Preservation Committee has required to be updated on the program on a semi-annual basis. Funds would derive from the 10% Affordable Housing Reserve Account of the Community Preservation Committee.

*The Community Preservation Committee voted 7-0 in support of this article.

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

Finance Committee recommends approval by a vote of 5-1, 1 absent.

Motion made by Selectman Thomas O'Hara.

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, section 5, \$300,000 for the purpose of funding the Mashpee Housing Authority-Mashpee Housing Assistance Program, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee.

Motion passes unanimously at 7:23 PM.

Article 11

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Historical Purpose Reserve, in accordance with the provisions of M.G.L. Chapter 44B §5, \$40,000 in supplemental funding for the preservation and restoration of the Mashpee Archives, 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: This article seeks additional funding from the Community Preservation 10% Budgeted Historic Reserve Account to assist in the preservation and restoration of the Mashpee Archives, a Town building displaying and storing documents, records, photographs, maps, and other artifacts collected from the Town's history. Funding of \$200,000 was approved at the May 2011 Special Town Meeting. Additional funds are needed for work that was not originally anticipated including abatement of hazardous materials and re-insulation of the building as well as for work that exceeds the original budget estimate, including replacement of the HVAC system and upgrading of the electrical wiring.

*The Community Preservation Committee voted 5-0 in support of the additional funding request for the Mashpee Archives preservation and restoration project to derive from the 10% Historic Reserve Account.

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

Finance Committee recommends approval by a vote of 5-0, 2 absent.

Motion made by Selectman Wayne Taylor.

Motion: I move the Town vote to appropriate and transfer from the Community Preservation Fund Historical Purpose Reserve, in accordance with the provisions of M.G.L. Chapter 44B section 5, \$40,000 in supplemental funding for the preservation and restoration of the Mashpee Archives, including necessary costs and expenses related thereto, as recommended by the Community Preservation Committee.

Motion passes unanimously at 7:24 PM.

Article 12

To see if the Town will vote to appropriate and transfer from available funds \$50,000 to the Santuit Pond Dam Account, to be expended under the direction of the Town Manager, for design, permitting, archeological evaluation, and reconstruction of the dam and fish ladder on Santuit Pond, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: The Town is under order from the Massachusetts Office of Dam Safety to reconstruct the earthen embankment dam on Santuit Pond. The dam is located on the southern edge of the pond within the Santuit Pond Preserve, a property of over 200 acres purchased jointly by the Towns of Mashpee and Barnstable in 2002. Integral to the dam is a fish ladder which provides passage for river herring and American eel to Santuit Pond. Because of this fish ladder, the Town was able to secure funding for the re-construction of the dam and fish ladder through the Cape Cod Water Resource Restoration Project (CCWRRP), a federally funded program with multiple goals including the improvement of fish passage. A requirement of the CCWRRP is a 25% local match. The estimated project cost, including design and construction, is almost \$500,000. Approximately \$400,000 of this cost will be paid through the CCWRRP. The \$50,000 sought by this article is Mashpee's share of the local match plus funding for other required work that is not eligible for the CCWRRP, including permitting and an archeological site evaluation. The Town of Barnstable will also be responsible for contributing \$50,000 to the project. Per the Dam Safety Order issued by the state and the funding agreement for the CCWRRP, reconstruction of the dam must be completed by October 31, 2012.

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

Finance Committee recommends approval by a vote of 5-0, 2 absent.

Motion made by Selectman Michael Richardson.

Motion: I move the Town vote to appropriate and transfer from available funds \$50,000 to the Santuit Pond Dam Account, to be expended under the direction of the Town Manager, for design, permitting, archeological evaluation, and reconstruction of the dam and fish ladder on Santuit Pond.

Motion passes unanimously at 7:25 PM.

Article 13

To see if the Town will vote to appropriate and transfer from available funds \$60,000 to the Unemployment Trust, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will cover a projected shortfall in the Town's Unemployment Trust. This account covers both town and school employees unemployment benefits.

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

Finance Committee recommends approval by a vote of 5-0, 2 absent.

Motion made by Selectman Carol Sherman.

Motion: I move the Town vote to appropriate and transfer from available funds \$60,000 to the Unemployment Trust.

Motion passes unanimously at 7:25 PM.

Article 14

To see if the Town will vote to appropriate and transfer from available funds \$60,000 to the School Health Insurance Account, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: Approval of this article will fund a deficit in the School Health Insurance Account due to an unexpected increase in the number of school employee's participating in the town's health insurance program.

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

Finance Committee recommends approval by a vote of 5-0, 2 absent.

Motion made by Selectman John Cahalane.

Motion: I move the Town vote to indefinitely postpone Article 14.

Motion passes unanimously at 7:26 PM.

Article 15

To see if the Town will vote to appropriate and transfer from available funds \$25,000 to the Department of Public Works Capital Account, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: The Capital Improvement Committee recommended that this article be voted on at the Special Town Meeting for the purposes of constructing a storage building at South Cape Beach prior to the summer season.

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

Finance Committee recommends approval.

Motion made by Selectman Thomas O'Hara.

Motion: I move the Town vote to appropriate and transfer from available funds \$25,000 to the Department of Public Works Capital Account.

Motion passes unanimously at 7:27 PM.

Special Town Meeting Adjourned at 7:27 PM.