

Town of Sandwich
Annual Town Meeting

WARRANT

Monday, May 3, 2010
7:00 p.m. – Sandwich High School



BOARD OF SELECTMEN

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Dana P. Barrette, Vice-Chair
Linell M. Grundman
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James W. Pierce

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Ellen Yaffe

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**TOWN OF SANDWICH
2010 ANNUAL TOWN MEETING
May 3, 2010**

Warrant

Barnstable, ss.

To the Constables of the Town of Sandwich, in the County of Barnstable,

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Sandwich qualified to vote in elections and Town affairs to meet at the Sandwich High School on Quaker Meetinghouse Road in said Sandwich on

Monday, May 3, 2010, at 7:00 p.m.,

then and there to act on the following articles, and for election on

Thursday, May 6, 2010, at 7:00 a.m.

Those residing within the area of Precincts 1 and 2 meet at the Henry T. Wing School. Those residing within the area of Precinct 3 meet at the Sandwich High School. Those residing within the area of Precincts 4 and 5 meet at the Oak Ridge School. Those residing within the area of Precincts 6 and 7 meet at the Forestdale School.

ARTICLE 1

To see if the Town will vote to hear the reports of all Town Officers and Committees and to act thereon and to hear the report of the Board of Selectmen on the Long Range Plan, or take any action relative thereto.

No Recommendation Required.

ARTICLE 2

To see if the Town will vote to hear the report of the Finance Committee and to see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$65,020,733.00, or any other amount, to defray Town expenses for the Fiscal Year July 1, 2010 to June 30, 2011 as itemized below in the third column entitled FY'11 Recommendation, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

Finance Committee Budget Message:

The message from the Finance Committee will come as no surprise: our Town faces serious financial challenges and the budget picture for 2011 and the years ahead is not good.

Last fall, the Board of Selectmen made a difficult decision based on the Town's financial situation and determined that both the municipal and school budget would need to take cuts. The mandated minus one-percent budgets are a serious movement away from the small (three- or four-percent) increases of the past several years and present a serious challenge to the Town and schools to provide at least level service – in essence to do the same or more with significantly less financial resources.

The Finance Committee reviewed the various departmental budgets in detail, given time restraints and some lingering unknowns in state funding levels. After much deliberation and discussion, the Finance Committee recommends passage of the 2011 budgets. We make special note of the Town employees from department heads to all six municipal unions and to the non-union staff who are taking no salary increase for the second year in a row. This a remarkable sacrifice on the part of our Town employees, especially when the overall economy is still reeling from the on-going recession, depressed housing market, and continuing credit issues. We offer a most sincere "Thank You!" to all of our employees who are sharing the financial strain with the taxpayers. In recognition of this accomplishment, the Finance Committee agreed to support the Selectmen in recommending a general government budget which would not eliminate any municipal positions in FY'11, amounting to an overall increase of just under 1.0% compared to FY'10.

Relative to the School Department budget, the School Committee and Superintendent achieved a difficult task in responding to the mandate by bringing forward a minus one-percent budget. Under the Superintendent, the Schools have identified several areas for cutting costs and making improvements in how services are provided. These are very positive steps forward and we generally applaud these efforts. But, there are some continuing issues of concern relative to cuts and reorganizations and the net results of those changes. The Finance Committee also has expressed concerns about certain line items and how the overall budget is put together and presented to us. We expect that with scrutiny and better communications with the School Committee and the Superintendent that we will have fuller confidence in the Schools budgets as we go forward.

In 2005, the voters of Sandwich authorized a \$3.1 million override to fund Town operating budgets. Selectmen and Town officials at the time promised voters that the override would provide enough financial support so that no such additional funding would be required for at least three years. Since then, through thoughtful multi-year financial projections and careful shepherding of the annual budgets by the Town Manager, the Board of Selectmen and the School Committee, Sandwich has been able to continue providing municipal services and education programming without going back to voters to seek an additional override. The three year promise has actually lasted for double that, but it comes as a result of serious cost avoidances and may not be able to be prolonged beyond 2011.

Sandwich residents should recognize that, while we have managed to avoid a wide range of expenses over the period since the 2005 override, we have not addressed some serious issues that require attention and funding. Deferring these issues further will increase their eventual costs. The need to address them presses more heavily upon us.

Together with our elected officials, all of us in Town will all have to come together with as much goodwill, thoughtful deliberation, and plain-old hard work as we can bring in order to prioritize these on-going needs and determine the best approaches to funding them (if we can fund them at all). The quality and levels of services we expect from our Town, the number and professional expertise of Town employees, the expenses and fees we may be willing to cover outside of property taxes will all be in question. Among the many issues we need to address:

1. We have deferred development, expansion, and a good deal of maintenance on Town buildings and infrastructure. The Capital Improvement Planning Committee (CIPC) recently identified \$26 million in capital project needs for many (but not all) Town buildings and schools. With many unknowns (including the situation at the Henry T. Wing School) and the ever-increasing costs of materials and labor, the estimated \$26 million figure could grow substantially.
2. We are being expertly served by both Police and Fire Departments, but both departments are significantly understaffed based on the size of our population and square miles of area they cover. These staffing levels have a direct impact on public safety, on our lives and well-being, as well as on our home-owners insurance. Further, the main headquarters for both Police and Fire are inadequate, outdated, and may not be in the proper location to adequately address our public safety needs.
3. While we are served by a skillful and committed Department of Public Works, they are not able to maintain the quality of Town roads and infrastructure due to the level of funding we now provide. Over the past four or five years, the quality of pavement on our roads (which some consider the Town's largest asset) has deteriorated appreciably. The costs involved in bringing roads back an acceptable condition is significant, and will grow exponentially in the years ahead.
4. We continue to seek ways to improve our school system and offer our children the best education we can, even as the per-pupil costs for educating continue to increase, educational standards evolve and the technology behind teaching develops rapidly. While we have seen a continuing decrease in our school-aged population, our per-student costs will continue to increase and we cover these costs with staffing cut backs and reorganization. As we seek balance and prioritize funding needs in future, we will need to address funding stresses on the schools because the once "sacred" levels of state funding for education have been cut and may continue to be reduced in the future.

Even as the Finance Committee is recommending passage of the 2011 budgets, we do have some concerns. For example, it appears that Sandwich Hollows will not meet its budget projections for 2010 and yet comparable amounts are budgeted for 2011. More importantly, we recognize that the Town needs to address many of the issues outlined above and many others we face. We look to next year and the several years ahead with trepidation. Sandwich will undoubtedly face serious shortfalls and multi-million dollar deficits in 2012 and the years ahead. It seems very likely that the Town will need to reconsider all aspects of the services it provides and the costs for doing so, what we can afford and what we are willing to forego, and whether we as a Town will support an override next year or sometime in the years ahead.

Sandwich is a wonderful place to live. And, as the oldest town on the Cape, it is rich in history and culture, offering so much to its citizens and its visitors. As a community, we are all responsible for supporting the Town and acting as good stewards, just as our predecessors did before us. The Finance Committee, as concerned citizens volunteering our time and energy,

believes that the good citizens of the Town will continue to act and provide for the Town in the best possible manner especially in the challenging times ahead.

FY'11 BUDGET TOTALS

No.	Department	FY'09 Appropriation	FY'10 Appropriation	FY'11 Recommendation
114	Moderator	450	1	1
123	Selectmen/Administrator	360,172	382,310	382,385
	Personnel Expenses	145,580	76,799	75,000
131	Finance Committee	2,200	2,200	2,700
135	Accounting	168,310	172,844	176,755
141	Assessing	323,884	338,531	338,359
145	Treasurer	171,762	164,030	168,066
146	Tax Collector	224,586	229,981	235,820
147	Tax Title	15,000	25,000	25,000
151	Legal	225,000	225,000	225,000
152	Human Resources	123,329	143,842	143,842
161	Town Clerk	150,801	153,934	156,050
162	Elections & Registrations	51,500	35,500	56,500
171	Natural Resources	225,126	233,008	233,711
175	Planning & Development	143,549	150,849	149,662
190	Facilities Management	394,463	410,784	449,604
195	Town Reports	13,000	11,000	11,000
196	Bind Town Records	1,000	1,000	1,000
197	Data Processing	315,020	331,156	331,456
	Total 100s	3,054,732	3,087,769	3,161,911
210	Police Department	3,005,303	3,058,024	3,045,197
220	Fire Department	3,560,155	3,631,921	3,657,892
241	Inspections	222,944	229,480	230,843
244	Weights & Measures	1,200	1,200	1,200
291	Emergency Management	5,250	5,250	5,250
294	Forest Warden	1,500	1,500	1,500
297	Bourne Shellfish	4,000	4,000	4,000
299	Greenhead Fly	1,500	1,500	1,500
	Total 200s	6,801,852	6,932,875	6,947,382
300	School Department	30,086,416	30,413,314	30,176,539
313	UCCRVTS	1,755,017	1,575,093	1,686,655
	Total 300s	31,841,433	31,988,407	31,863,194
410	DPW – Engineering	117,795	123,293	123,593
420	DPW – Highways	1,446,213	1,478,417	1,509,979
421	Snow & Ice	250,007	250,008	250,009
424	Streetlights	30,000	30,000	30,000
435	DPW – Sanitation	787,569	765,569	765,569
	Total 400s	2,631,584	2,647,287	2,679,150

No.	Department	FY'09 Appropriation	FY'10 Appropriation	FY'11 Recommendation
510	Health Department	161,236	166,464	167,464
522	Nursing Department	121,865	126,322	118,665
541	Council on Aging	140,043	145,369	147,520
543	Veterans Services	31,759	37,591	42,000
547	Disabilities Commission	500	0	0
	Total 500s	455,403	475,746	475,649
610	Library	849,225	866,210	866,210
629	Youth Task Force	500	0	0
630	Recreation Department	69,258	70,849	71,149
650	DPW – Parks	13,850	13,850	13,850
671	Hoxie House / Grist Mill	20,000	0	10,000
693	Memorial Day	1,200	1,200	1,200
694	Historic District	11,500	11,500	12,000
	Total 600s	965,533	963,609	974,409
OPERATING SUBTOTAL:		45,750,537	46,095,693	46,101,695
	Stabilization Fund Transfer			1,250,000
135	Marina & SHGC Indirect Costs Transfers			30,000
171	Waterways Fund Transfer			17,500
171	Beach and Recreation Account Transfer			54,650
220	Ambulance Fund Transfer			150,000
630	Beach and Recreation Account Transfer (incl. Sandy Neck)			139,600
645	Community Preservation Act Debt			1,356,736
650	Cemetery Trust Fund Transfer			22,000
671	Hoxie House / Grist Mill Income Transfer			38,000
INTER-FUND TRANSFERS SUBTOTAL:				3,058,486
132	Reserve Fund			400,000
540	Social Services Programs			21,200
710	Short Term Debt			75,000
750	Debt			3,204,102
910	Group Health Insurance			8,250,000
912	Medicare			466,124
940	Property & Liability Insurance			785,000
941	Unemployment Account			250,000
950	Retirement Assessment			2,409,126
OTHER ACCOUNTS SUBTOTAL:				15,860,552
FY'11 BUDGET TOTAL:				65,020,733

ARTICLE 3

To see if the Town will vote to hear the report of the Capital Improvement Planning Committee, and further, to see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$320,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of purchasing and repairing equipment, vehicles, and buildings, and providing related services in accordance with the following list, with any unexpended balance for each item identified below to be placed in the Building Repairs / Capital Purchases account to be expended under the direction of the Board of Selectmen:

Fire Department – (4) Ambulance Defibrillators	120,000.00
Town Clerk – Voting Machines Replacement	50,000.00
Engineering – Vehicle Replacement	34,000.00
School Department – Pick-up Truck & Plow Replacement	45,000.00
School & Accounting Departments – Compatible Software	60,000.00
Facilities / Human Services Building – Chair Replacement	7,000.00
Building Repairs / Capital Purchases Account	4,000.00

or take any action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee.

ARTICLE 4

To see if the Town vote to raise and appropriate or transfer from available funds the sum of \$100,000.00, or any other amount, said funds to be expended under the direction of the Board of Selectmen, for the purpose of completing a building facility assessment and analysis of the Henry T. Wing School with architectural and other professional consultant services, or take any action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee.

ARTICLE 5

To see if the Town vote to raise and appropriate or transfer from available funds the sum of \$34,480.00, or any other amount, said funds to be expended under the direction of the Board of Selectmen, for the purpose of completing maintenance and improvements of exterior athletic fields and facilities at Sandwich High School, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 6

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money, said funds to be expended under the direction of the Board of Selectmen, for the purpose of reducing a projected FY'10 deficit in the Snow and Ice Account, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 7

To see if the Town will vote to transfer from the FY'10 Group Health Insurance Account, and appropriate a sum of money, to be expended under the direction of the Board of Selectmen, for the purpose of reducing a projected FY'10 deficit in the Unemployment Account, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 8

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53F½ to raise and appropriate or transfer from available funds a sum of money, to be expended under the direction of the Board of Selectmen, for the purpose of establishing the FY'11 operating budget for Sandwich Hollows Golf Club, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee that \$1,050,734.00 be appropriated for said purpose.

ARTICLE 9

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$17,051.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of funding the FY'11 Sandwich Promotions Fund as established under Chapter 227 of the Acts of 1997, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 10

To see if the Town will vote to appropriate the sum of money, received or to be received, from the Chapter 90 State Aid to Highways Program for highway construction and/or maintenance on any State approved road during FY'11, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 11

To see if the Town will vote to reduce the rate of interest that accrues on property taxes deferred by eligible seniors under M.G.L. c.59, §5, Clause 41A, the so-called Property Tax Deferral for Seniors program, from 8.0% to 5.0%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2010, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 12

To see if the Town will vote to accept the provisions of the last paragraph of M.G.L. c.59, §5, clause 22E, which allows the Town to reduce from five consecutive years to one year the residency requirement making certain veterans and their surviving spouses or parents, as applicable, eligible for property tax exemptions under M.G.L. c.59, §5, clauses 22, 22A, 22B, 22C, 22D and 22E, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 13

To see if the Town will vote to accept the last clause of M.G.L. c.40, §3 which authorizes the School Department to carry over between fiscal years the balance of any revenues collected for school building rentals, to be expended under the direction of the School Committee for school building maintenance and upkeep purposes, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 14

To see if the Town will vote in accordance with M.G.L. c.44, §53E1/2 to establish a revolving fund in which to place revenues collected from the use of the meeting hall at Sandwich Town Hall, to be expended under the direction of the Board of Selectmen for Sandwich Town Hall building maintenance and utility expense purposes, and to establish a limit on the total amount that may be expended from the fund in FY 2011, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 15

To see if the Town will vote in accordance with M.G.L. c.44, §53E1/2 to establish a revolving fund in which to place revenues collected from the sale of shellfish licenses, to be expended under the direction of the Board of Selectmen for shellfish propagation and maintenance purposes, and to establish a limit on the total amount that may be expended from the fund in FY 2011, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 16

To see if the Town will vote to transfer and appropriate the sum of \$20,000.00, or any other amount, from the Sandwich boardwalk plank sale account to the boardwalk repair and maintenance account, to be expended under the direction of the Board of Selectmen, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 17

To see if the Town will vote to accept the provisions of M.G.L. c.32B, §20 to establish an Other Post Employment Benefits Liability Trust Fund, and to raise and appropriate or transfer from available funds the sum of \$1.00, or any other amount, for said purpose, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 18

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2011 Community Preservation budget and to appropriate from the Community Preservation Fund Fiscal Year 2011 estimated annual revenues the sum of \$75,000.00, or any other sum, to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2011; and further to reserve for future appropriation a sum of money from the Community Preservation Fund estimated annual revenues for open space, historic resources, and community housing purposes, as well as a sum of money to be placed in the 2011 Budgeted Reserve for general Community Preservation Act purposes; and further to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes as recommended by the Community Preservation Committee; or take any other action in relation thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 19

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$93,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and protecting historic Town of Sandwich records, documents, photographs, and other archival materials; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 20

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$55,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and rehabilitating the Forestdale – Greenville Schoolhouse; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 21

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$12,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and rehabilitating the Upper Shawme Pond Dam by installing a footbridge, fencing, and other associated improvements; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 22

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$250,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and rehabilitating the Sandwich Public Library; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 23

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$100,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and rehabilitating Sandwich Town Hall; that to meet this appropriation the Town transfer from the Community Preservation Fund a sum of money for this purpose; or take any other action relative thereto.

Recommended by the Board of Selectmen, Finance Committee, and Community Preservation Committee.

ARTICLE 24

To see if the Town will vote to transfer the care, custody, management and control of Parcel B or a portion thereof shown on a plan of land entitled "Town of Sandwich Acquisition of Verbon Trust Property, dated March 1, 1999, by Outback Engineering, Inc., 321 West Grove Street, Middleborough, Mass., as on file with the Town Clerk, and recorded with Barnstable County Registry of Deeds in Plan Book 551, Page 32," from the Board of Selectmen for active recreation purposes, namely golf course, and water supply and water protection purposes, to the Board of Selectmen for the purposes of water supply and water protection, and active recreation, including but not limited to active recreational fields and facilities and golf course purposes, and for purposes of leasing or licensing said recreational fields or facilities for recreation purposes, thereby expanding active recreation uses permitted on said Parcel B; and to authorize the Board of Selectmen to enter into said lease or leases upon such terms and conditions as the Board of Selectmen deem appropriate;

and, further, to authorize the Board of Selectmen to petition the Massachusetts General Court, pursuant to Article 97 of the Amendments of the Massachusetts Constitution for approval of such change in use and leasing of said Parcel B or a portion thereof, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 25

To see if the Town will authorize the Board of Selectmen to enter into a lease of a portion of the land shown as Parcel B on a plan of land entitled "Town of Sandwich Acquisition of Verbon Trust Property," dated March 1, 1999, by Outback Engineering, Inc., 321 West Grove Street, Middleborough, Mass., as on file with the Town Clerk, and as on file with the Town Clerk and recorded with Barnstable County Registry of Deeds in Plan Book 551, Page 32 for an active recreational facility on such terms and conditions as the Board deems appropriate; said lease may be a ground lease or may provide for the financing, design and construction of an active recreational facility by a party or parties, or may provide for a combination thereof, for a term of up to or more than twenty (20) years, and shall be awarded pursuant to section 16 of chapter 30B of the General Laws, but shall not be subject to the competitive bid requirements set forth in sections 38A ½ to 38O, inclusive, of chapter 7 section 39M of chapter 30 or sections 44A to 44M, inclusive, of chapter 149 of the General Laws;

and further to authorize the Board of Selectmen to petition the Massachusetts General Court, pursuant to Article 97 of the Amendments of the Massachusetts Constitution for approval of such lease of a portion of said Parcel B for an active recreational facility, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 26

To see if the Town will authorize the Board of Selectmen to amend the Declaration of Restrictions dated July 27, 1999 recorded with the Barnstable County Registry of Deeds in Book 12507, Page 319 imposed on property shown as Parcel A on a plan of land entitled "Town of Sandwich Acquisition of Verbon Trust Property," dated March 1, 1999, by Outback Engineering, Inc., 321 West Grove Street, Middleborough, Mass., as on file with the Town Clerk, and recorded with said Deeds in Plan Book 551, Page 32 by further restricting the use of the portion of said Parcel A located on the notherly side of the Mid-Cape Highway containing 37 acres as shown on said Plan for "passive" recreation use; and further to authorize the Board of Selectmen to grant a permanent conservation restriction pursuant to M.G.L. c.184, §§31-33 to a suitable, qualified organization or governmental body on the above-described portion of Parcel A; and further to authorize the Board of Selectmen to petition the Massachusetts General Court, pursuant to Article 97 of the Amendments of the Massachusetts Constitution to grant a permanent conservation restriction pursuant to M.G.L. c.184, §§31-33 to a suitable, qualified organization or governmental body on the above-described portion of Parcel A, or take any action relative thereto.

Recommended by the Board of Selectmen.

ARTICLE 27

To see if the Town will vote to transfer from the Board of Selectmen for general municipal purposes to the Board of Selectmen for purposes of conveyance, and authorize the Board of Selectmen to convey, all or a portion of the Town property known as the Clark-Haddad Building located at 16 Dewey Avenue, and shown as Assessor Map 74, Lot 50 consisting of approximately 0.61 acres; said property to be conveyed on such terms and conditions as the Selectmen deem to be in the best interests of the Town; or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 28

To see if the Town will vote to accept the provisions of M.G.L. c.147, §10F to grant the Town the authority to appoint parking control officers, or take any action relative thereto.

Recommended by the Board of Selectmen.

ARTICLE 29

To see if the Town will vote to amend the Town Bylaws by deleting the text and title of Section 6.10, Junk Dealer/Collector, and inserting the following, or take any action relative thereto.

Secondhand Dealers and Secondhand Collectors

1. Definitions

ACCEPTABLE IDENTIFICATION means either:

- A. A current driver's license that includes the date of birth, photograph, and physical description of the person offering the identification; or
- B. Two other pieces of current identification, at least one of which is issued by a governmental agency or subdivision and includes the date of birth, photograph and physical description of the person offering the identification.

POLICE CHIEF means the Chief of Police of the Town of Sandwich or her or his designee.

REGULATED PROPERTY means the following used property:

- A. Precious metals, including but not limited to, any metal valued for its character, rarity, beauty or quality, including gold, silver, copper, platinum or other metals, whether as a separate item or in combination with other items.
- B. Precious gems, including but not limited to, any gem valued for its character, rarity, beauty or quality, including diamonds, rubies, emeralds, sapphires or pearls, or other precious or semi-precious gems or stones, whether as a separate item or in combination with other items or as a piece of jewelry.
- C. Watches and jewelry containing precious metals or precious gems, including but not limited to, rings, necklaces, pendants, earrings, brooches, chains, pocket watches, wrist watches, or stop watches.
- D. Sterling silver flatware, including but not limited to, knives, forks, spoons, candlesticks, coffee and tea sets, or ornamental objects.
- E. Any electronic audio, video or photographic and optical equipment along with computer or computer equipment or recordings in any form.
- F. Any power tools or equipment.
- G. Musical instruments.
- H. Sporting equipment.

I. Automobiles, boats, planes, motorcycles in whole or taken in parts, or any other type machinery.

J. Collectibles; including objects of art, coins, currency and antique objects, but not including those items identified in Section 8(H).

SECONDHAND COLLECTOR shall have the same meaning as the term “junk collector” M.G.L. c.140, §56.

SECONDHAND DEALER shall have the same meaning as the term “junk dealer” and keeper of a shop for the purchase, sale or barter of junk, old metals or second hand articles in M.G.L. c.140, §54.

LICENSING AUTHORITY means the Town of Sandwich Board of Selectmen or its designee.

2. Issuance, Renewal and Revocation of Licenses Required.

A. Secondhand collectors and secondhand dealers must obtain a license to conduct said activities within the Town of Sandwich. The Licensing Authority shall indicate on any such license the term that such license is valid, not to exceed one calendar year. The Licensing Authority may issue a limited license for a period of one or more days and shall state the starting and expiration dates on such license, and any limited license shall be subject to the requirements of this bylaw. The Licensing Authority may establish a fee for any license issued pursuant to this bylaw. Any annual license issued under this section shall expire on December 31.

B. The Licensing Authority of the Town of Sandwich shall, upon receipt of an application for a secondhand collectors or secondhand dealers license, conduct a public hearing as to whether to issue such license. After due notice and a hearing, the Licensing Authority may deny an original or renewal application for a Secondhand Dealer or Secondhand Collector License or revoke an issued license if it has probable cause to believe any of the following conditions exist after a public hearing:

1) The applicant, or any person who in part or whole, owns, manages or operates the secondhand dealer or secondhand collector business, has owned or operated a secondhand dealer or secondhand collector business regulated under this regulation or any substantially similar license and, within the five years prior to the application date:

(a) Has had a secondhand dealer or secondhand collector license revoked for a reason that would be grounds for a denial or revocation pursuant this chapter; or

(b) The secondhand dealer or secondhand collector business has been found by a Massachusetts court or the Licensing Authority to constitute a public nuisance.

(2) The licensee applicant, or any person who, in part or whole, owns, manages or operates the secondhand dealer or secondhand collector business, has been convicted of a felony or any crime involving a false statement within 15 years prior to the application date.

(3) The applicant has:

(a) Knowingly made a false statement in the application;

(b) Knowingly omitted information requested to be disclosed in the application; or

(c) Completed the application with reckless disregard for the truth or accuracy of the statements made therein.

(4) A lawful inspection of the secondhand dealer or secondhand collector business premises by the Police Chief or his designee has been unjustifiably refused by a person who, in part or whole, manages or operates the business.

(5) The secondhand dealer or secondhand collector business, the applicant or any person who, in part or whole, owns, manages or operates the secondhand dealer or secondhand collector business has more than five violations of these regulations, any state or federal law, or any combination thereof within a two-year period, including the two years prior to the application date.

(6) The secondhand dealer or secondhand collector business, the applicant or any person who, in part or whole, owns, manages or operates the secondhand dealer or secondhand collector business has been convicted of any law of the Commonwealth of Massachusetts that is contrary to the type of secondhand business to be conducted, such as, but not limited to, receiving stolen property, any form of breaking and entering, larceny from a person or any other form of larceny, or any form of aggravated assault, as verified by a CORI check by the Police Chief or his designee.

(7) Such other grounds as the Authority determines to be in the public interest or in violation of the conditions of the license or any law or regulation of the Commonwealth or the Town of Sandwich.

3. Inspection of Property and Records.

A. Whenever necessary to make an inspection to enforce the provisions of this ordinance, or when the Police Chief or his designee has reasonable grounds to believe more likely than not that a specific item or regulated property held by a Secondhand Dealer or Secondhand Collector is associated with criminal conduct, the Police Chief or his designee may enter the premises of the Secondhand Dealer or Secondhand Collector at any reasonable time, provided that the premises are occupied at the time of entry and the Police Chief or his designee presents proper official identification at or

near the time of entry. If entry is refused, the police Chief or his designee shall have recourse to every remedy provided by law to secure entry, including an administrative search warrant or a criminal search warrant.

B. Authority to inspect Secondhand Dealer or Secondhand Collector premises under this bylaw is in addition to and not in limitation of the authority the Town or the Police Chief or any police officer would otherwise have to enter the business premises.

C. Once allowed to enter the premises of the Secondhand Dealer or Secondhand Collector, the Police Chief or his designee may inspect property kept there. The Police Chief or his designee may also inspect the business records associated with regulated property and perform any duty imposed upon the Town or the Police Chief by this bylaw.

4. Record Keeping

A. The Police Chief or his designee shall design a purchase report form and make copies available to all Secondhand Dealer or Secondhand collectors. Secondhand Sealers or Secondhand Collectors shall utilize these forms, or any other substantially similar form approved by the Police Chief, to record purchases of regulated property. The form may request any information reasonably calculated to help the Police Chief identify the purchaser, the seller or the property associated with the purchase of regulated property.

B. Whenever a Secondhand Dealer or Secondhand Collector purchases regulated property for business purposes, the Secondhand Dealer or Secondhand Collector shall obtain acceptable identification from the seller along with the seller's current residence address. The Secondhand Dealer or Secondhand Collector shall fill out a purchase report form in all relevant aspects at the time of the purchase. A purchase report form as required to be filled out by this section shall be filled out in legible English. The seller shall sign his or her name on the filled-out form.

C. A digital photograph will be taken of each item purchased as defined under regulated property Section 1(E). The photograph may be stored electronically, but are subject to the same recordkeeping requirements as listed in Section 4A. Copies of the photographs will be made available to the Chief of Police in a timely manner, and are subject to the same rights of inspection as listed in Section 3.

D. The licensee shall cause to be delivered to the Sandwich Police Department on a weekly basis, a copy of all transactions recorded in the ledger on the form provided. If, during the preceding week such Secondhand Dealer or Secondhand Collector has taken no articles, in, he/she shall make out and deliver to the Police Department a report of such fact.

5. Posting of Licenses and Notices

A. All licenses shall be conspicuously posted in an accessible place on the licensed premises, available at all times to the proper authorities.

B. A secondhand dealer shall post the following notice no smaller than eight and one-half inches by 11 inches with lettering no smaller than one-fourth of an inch in height outside each point of entry intended for patron use and at or near each place where a secondhand dealer purchases used property in the in the regular course of business.

NOTICE:

“The sale or attempted sale of property to a secondhand dealer without consent of the property’s owner is punishable by a civil penalty not to exceed \$300 per item. Don’t sell property without consent of the property’s owner. You will be held strictly liable for violation of this law.”

If a significant number of the patrons of the regular secondhand dealer use a language other than English as a primary language, the notice shall be worded in both English and the primary language or languages of the patrons.

6. Purchases by a Secondhand Dealer or Secondhand Collector

A. A Secondhand Dealer or Secondhand Collector shall not make any cash purchase in an amount that exceed \$50.00 (fifty dollars and zero cents.)

B. A Secondhand Dealer must not carry on the business of buying or selling secondhand property except at the premises designated in the dealership license.

C. A Secondhand Dealer must not purchase any property whose serial number or other identifiable marking has been wholly or partially tampered with or removed.

D. A Secondhand Dealer or Secondhand Collector may not purchase any item from any person under the age of 18 (eighteen).

7. Unauthorized Sale of Property.

A. No Secondhand Dealer or Secondhand Collector may purchase or sell any property of any type without the consent of the owner.

B. No purchase will be made from anyone under the age of 18.

8. Holding Periods.

A. A copy of every purchase report form filled out as required by this ordinance shall be kept on the premises of the Secondhand Dealer or Secondhand Collector business during normal business hours for at least three (3) years from the date of purchase. The report form shall be subject to inspection by the Police Chief or his designee.

B. All regulated property in the categories of precious metals or precious gems, defined in Section 1, purchased by a Secondhand Dealer or Secondhand Collector and required to be recorded on a purchase report form shall be held by said Secondhand Dealer or Secondhand collector for at least 21 days from the date of purchase.

C. All other regulated property purchased by a Secondhand Dealer or Secondhand Collector and required to be recorded on a purchase report form shall be held by said Secondhand Dealer or Secondhand Collector for at least 15 days from the date of purchase.

D. The Secondhand Dealer or Secondhand Collector shall maintain the property in substantially the same form as when purchased and shall not alter exchange or commingle the property. During the holding period the regulated property shall be kept on the business premises during normal business hours and shall be subject to inspection by the Police Chief, or his designee.

E. The Police Chief or his designee may give written notice to a Secondhand Dealer or Secondhand Collector holding regulated property that the Police Chief or his designee has reasonable grounds to believe more likely than not a specific item of regulated property is associated with criminal conduct. The Secondhand Dealer or Secondhand Collector holding the regulated property shall then continue to hold the property specified in the notice in the same manner and space as required under subsection (B) of this section until released by the Police Chief.

F. The holding period for any item of regulated property shall not exceed 180 days from the date of purchase.

G. A Secondhand Dealer or Secondhand Collector may from time to time request in writing that the Police Chief shorten the length of the holding period. If the Police Chief or his designee determines relief from the holding period is appropriate due to unreasonable hardship, the Police Chief or his designee shall provide the Secondhand Dealer or Secondhand Collector who requested relief with written authorization to sell, transfer or otherwise dispose of the regulated property. The request shall identify the property and state the basis or bases of the unreasonable hardship or hardships. The authorization shall be effective only upon delivery of the written authorization to the Secondhand Dealer.

H. Secondhand Dealers, retailing or wholesaling used property limited to the following, are exempt from section B above:

(1) Used clothing, furniture, costume jewelry, knickknacks, footwear, and house ware items, such as dishes, pots, pans, cooking utensils, and cutlery; or

(2) Used clothing, furniture, costume jewelry, footwear and house ware items such as dishes, pots, pans, cooking utensils and cutlery, obtained only from or through a "registered charity" or by donations; or

(3) Used books, papers, or magazines.

9. Testing of weighing and measuring devices.

MI weighing or measuring devices used by a licensee in the conduct of the licensed business shall be tested and sealed by the Town of Sandwich Sealer Weights and Measures Division, or its designee, prior to being placed in service.

10. Violations and Penalties.

A. Violation of any provision of this bylaw may be prosecuted, as a criminal matter or as an administrative procedure or by the method provided in §21D of Chapter 40 of the General Laws. Each violation shall be considered separately.

B. Whoever violates the provisions of this bylaw shall be fined not more than \$300. The Licensing Authority may, after hearing, suspend, revoke or modify any license issued by them whenever they have reasonable cause to believe the licensee has violated the terms, conditions or regulations pertaining to such license. Any violation of this bylaw enforced by the methods provided in §21D of Chapter 40 of the General Laws shall be subject to a fine of \$250.

11. Severability.

Each provision of this chapter shall be construed as separate. If any part of this chapter shall be held invalid for any reason, the remainder shall continue in full force and effect.

Recommended by the Board of Selectmen.

ARTICLE 30

To see if the Town will vote to amend Section 3.75 of the Town Bylaws, Animal Control, by deleting the current text and inserting the following in its place, or take any action relative thereto.

Part 6 Restraint of Dogs

It shall be unlawful for any owner or keeper (hereinafter, "owner") of a dog to allow such dog to be outside the property of the owner or keeper unless such dog is securely restrained with a collar and leash or such dog is under the immediate and effective voice control and under the direct control and supervision of the owner, except as set forth below. To be under effective voice control for purposes of this bylaw, the dog must be within the keeper's sight and the keeper must be carrying a leash.

An unleashed dog may be on the property of another person with the knowledge and permission of such person. The presence of an unleashed dog upon property other than

that of its owner or keeper shall be prima facie evidence that the required permission was not obtained.

This section of the Bylaws shall not apply to a service dog. For purposes of this bylaw, a service dog is a dog specially trained to perform tasks for the benefit of an individual with a disability, including but not limited to guiding individuals with impaired vision, alerting persons with impaired hearing, or providing other similar assistance to individuals. This section of the Bylaws shall not apply to a public safety dog in the performance of their official duties.

This section of the Bylaws shall not apply to a dog under the strict voice control and direct supervision of an owner while such dog is being used or trained for hunting.

Recommended by the Board of Selectmen.

(For Informational Purposes Only. Section 3.75, Part 6 of the Town Bylaws, Animal Control, Restraint of Dogs, currently reads: It shall be unlawful for the owner, keeper or person responsible for any dog to permit it to be at large upon the premises other than those where it is lawfully kept, except with the permission of the landowner. The presence of a dog at large upon premises other than those of its owner or keeper shall be prima facie evidence that the required permission was not obtained.)

ARTICLE 31

Proposed Change to the Sandwich Noise Bylaw Section 3.55

It shall be unlawful for any person or persons present or having charge of any building, premises, motor vehicle, boat or conveyance or any part thereof in the Town of Sandwich, other than that section of any establishment licensed under Chapter 138 of the General Laws, to cause or suffer to allow any unnecessary, loud, excessive or unusual noises in the operation of any mechanical or electronic sound-making device or instrument, or reproducing device or instrument, or ornament, portable or affixed, regardless of it's nature, source or manner of production or propulsion, but not limited to electricity, wind, solar, water or manual power, or in the playing of any band, orchestra, musician or group of musicians, or in the use of any device to amplify the aforesaid, or the making of loud outcries, exclamations or other loud or boisterous noises or loud or boisterous singing by any person or group of persons or in the use of any device to amplify the aforesaid noise, where such noise is plainly audible at the abutting property line from the building, premises, motor vehicle, boat or conveyance in or from which it originates, and at any time or place so as to annoy or disturb the reasonable quiet, comfort or repose of persons in any dwelling, hotel, hospital, or other type of residence and shall constitute prima facie evidence of a violation of this Bylaw.

It shall be unlawful for any person or persons being in control of a motor vehicle to cause an unnecessary, loud, excessive, or unusual noise in the operation of such vehicle. It shall be unlawful for any person or persons present or having charge of any

building, premises, motor vehicle, boat or conveyance or any part thereof, to construct or reconstruct any building, premises, motor vehicle, boat or conveyance or any part thereof, and cause or emit any sound or noise evident to an abutting property between the hours of 8:00 P.M. and 7:00 A.M. Any person violating this bylaw shall be punished by a fine of not more than three hundred (\$300.00) dollars for each offense.

(Submitted by Petition)

No Recommendation Required.

ARTICLE 32

To Elect the following Officers:

- One Assessor for a term of three years;
- One Assessor for an unexpired term of one year;
- One Board of Health member for a term of three years;
- Two Selectmen for a term of three years;
- One Constable for a term of three years;
- One Sandwich Housing Authority member for a term of five years;
- One Sandwich Housing Authority member for an unexpired term of three years;
- One Trustee of the Weston Memorial Fund for a term of three years;
- Two Planning Board members for a term of three years;
- Two Planning Board members for an unexpired term of two years;
- Two School Committee members for a term of three years;
- One Town Clerk for a term of three years;
- Three Trustees of the Sandwich Public Library for a term of three years;
- One Trustee of the Sandwich Public Library for an unexpired term of two years;

and all other candidates that may appear on the official ballot,

The polls for the election will be open at 7:00 a.m. and close at 8:00 p.m. on said

THURSDAY, THE SIXTH DAY OF MAY, 2010.

And you are hereby directed to serve this Warrant by posting attested copies thereof, one at the Town Hall, and one at each of the Post Offices in Sandwich, the last posting to be at least fourteen days prior to the time of holding said meeting,

given under our hands this 15th Day of April, 2010.



John G. Kennan, Chairman



Dana P. Barrette, Vice Chairman



Linell M. Grundman



F. Randal Hunt



James W. Pierce

SELECTMEN OF SANDWICH

I hereby certify that I have posted attested copies of this warrant at Sandwich Town Hall, Town Hall Annex, Sandwich Post Office, East Sandwich Post Office and Forestdale Post Office, all located within the Town of Sandwich, on

4-16-2010
Date



Constable

Reference Material & Volunteer Service Form for Residents

NOTE: Reference material is provided for informational purposes only.)

ARTICLE 2 – FY'11 PROJECTED REVENUES & EXPENSES

REVENUES

FY'11 Tax Levy:

FY'10 Levy Limit	43,634,101	
2.5% Increase	1,090,853	
Est. New Growth	425,000	
Excess Levy Reserve Est.	0	
Requested Operational Overrides	0	
County Assess. Outside 2.5: CCC	158,841	
Debt Outside 2.5 (- Non-Levy & SBA)	1,308,046	46,616,840

Other Revenue:

Land Bank Purchases	1,356,736	
School Building Authority Funding	1,418,438	
State Aid: Discretionary (-5.00%)	1,717,986	
State Ch. 70 Aid: School (0.00%)	6,735,852	
Estimated Local Receipts	4,800,000	
Ambulance Transportation Receipts	750,000	
Surplus Revenue: Certified	976,979	
Overlay Release	150,000	
Transfer from Stabilization Fund	1,250,000	19,155,990

Total Estimated Revenues 65,772,830

EXPENSES

ReCap Sheet Items:

Abatements / Overlay	450,000	
County / State Assess. (14.80%)	1,471,731	1,921,731

Town Meeting Items:

Group Health Insurance (5.10%)	8,250,000	
County Retirement Assess. (7.83%)	2,409,126	
Property & Liability Insur. (7.83%)	785,000	
Medicare (6.00%)	466,124	
Unemployment Account	250,000	
Debt: Long Term	4,548,017	
Debt: Short Term	75,000	
Reserve Fund	400,000	
Social Services	21,200	
Capital Budget (Net Amb. Fund)	200,000	
HTW Study	100,000	
SHS Fields Maintenance	34,480	
FY'10 Snow & Ice Deficit	200,000	17,738,947

Operating Budgets:

School Budget: Local (-1.00%)	23,440,687	
Ch. 70 (0.00%)	6,735,852	30,176,539
UCCRVTS Budget (7.08%)		1,686,655
General Gov't. Budget (0.93%)		14,238,501

Total Estimated Expenses 65,762,373

ESTIMATED FY'11 BUDGET BALANCE 10,457

Stabilization Fund Balance:

Actual Balance on 1/1/10:	2,071,214
Transfer from Stabilization Fund:	-1,250,000
Projected Post ATM Balance:	821,214

EST. FY'12 BUDGET BALANCE	-2,204,120
EST. FY'13 BUDGET BALANCE	-3,134,917
AVE. DEFICIT CHANGE FY'12-'14	-1,002,398

A GLOSSARY OF COMMONLY USED TERMS

Appropriation – An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited to a specific amount and identifies the timeframe when it will be expended.

Assessed Valuation – A valuation set upon real estate or other property by a government as a basis for levying taxes. Equalized assessed valuation refers to a municipality's assessed valuation, as determined by local assessors, adjusted by the State Department of Revenue to reflect a full and fair market value ("Equalized Valuation").

Betterment – An addition made to, or change made in, a fixed asset which is expected to prolong its life or to increase its efficiency. The term is also applied to sidewalks, water lines, and highways and the corresponding tax assessment abutters may authorize for repairs to their properties.

Bond – A written promise to pay a specified sum of money, called the face value (par value) or principal amount, at a specified date or dates in the future, called the maturity date(s) together with periodic interest at a specified rate. The difference between a note and a bond is that the latter runs for longer period of time and requires greater legal formality.

Bond Anticipation Note (BAN) – Short-term note of a government sold in anticipation of bond issuance. BANs are full faith and credit obligations.

Bond Ratings – Designations used by bond rating services to give relative indications of credit quality.

Budget – A plan of financial operations embodying an estimate of proposed expenditures for a given period and the proposed means of financing them.

Budget Message – Statement summarizing the plans and policies contained in the budget report, including an explanation of the principal budget items and recommendations regarding financial policy for the upcoming year.

Capital Budget – A plan for expenditure of public funds for capital purposes.

Capital Expenditure – Nonrecurring payments for capital improvements including construction, acquisition, site development and overhead costs. The fees for architects, engineers, lawyers, and other professional services plus the cost of financing may be included.

Cherry Sheet – An annual statement received by the Town from the Department of Revenue detailing estimated receipts for the next fiscal year from various state aid accounts, the lottery, and estimated charges payable in setting the tax rate.

Supplemental Cherry Sheets may be issued during the year and there is no guarantee that the estimated receipts and charges shown thereon will not vary from actual receipts and charges. The name was derived from the pink color of the document.

Debt Service – The cost (usually stated in annual terms) of the principal retirement and interest of any particular bond issue.

Enterprise Fund – Those funds which are established for specific uses under M.G.L. c.44, §53F1/2 that require an annual appropriation to operate (i.e. Sandwich Hollows Golf Club).

Excess Levy Capacity – The difference between a community's maximum tax levy limit as established by Proposition 2.5 and its actual tax levy in the most recent year for which the community has set a tax rate. It is the additional tax levy that a community can raise at Town Meeting without going to the voters for an override or debt exclusion.

Exclusions (Debt Exclusion or Capital Expenditure Exclusion) – Proposition 2.5 allows communities to raise funds for certain purposes above the amount of their levy limits or levy ceilings. Subject to voter approval, a community can assess taxes in excess of its levy limit for the payment of certain capital projects and for the payment of specified debt service costs. Such an exclusion increases the amount of property tax revenue a community may raise for a limited or temporary period of time in order to fund the specific project. Unlike overrides, exclusions do not increase the community's levy limit and do not become part of the base for calculating future years' levy limits.

Fiscal Year – The state and municipalities operate on a fiscal year which begins on July 1 and ends on June 30. For example, the FY'04 fiscal year is from July 1, 2003 to June 30, 2004.

Free Cash (Surplus Revenue) – Free cash represents the portion of surplus revenue which the municipality is able to appropriate. It is money that the community raised to spend for a particular item but was left over because the full appropriation was not expended. From this surplus the municipality's liabilities are subtracted (i.e. any unpaid back taxes). The remainder, if any, is certified annually by the Department of Revenue as the community's free cash. Amounts from certified free cash may be appropriated at Town Meeting by the community for expenditures or to offset property taxes.

General Fund – The fund into which the general (non-earmarked) revenues of the municipality are deposited and from which money is appropriated to pay the general expenses of the municipality.

Growth Revenue (New Growth) – The amount of property tax revenue that a community can add to its allowable tax levy from taxes from new construction, alterations, subdivisions, or changes of use. It is computed by applying the prior year's tax rate to the increase in valuation.

Note – A short-term loan, typically of a year or less in maturity.

Overlay – The amount raised by the assessors in excess of appropriations and other charges for the purpose of creating a fund to cover abatements and state allowed exemptions.

Overrides – Proposition 2.5 allows a community to assess taxes in excess of the automatic annual 2.5% increase and any increase due to new growth by passing an override. A community can take this action as long as it is below its levy ceiling (2.5% of full and fair cash value of community). When an override is passed, the levy limit for the year is calculated by including the amount of the override. Unlike exclusions, the override results in a permanent increase in the levy limit of a community, which becomes part of the levy limit base and increases along with the base at the rate of 2.5% each year.

Proposition 2.5 – M.G.L. c.59, §21C was enacted in 1980 and limits the amount of revenue a city or town may raise from local property taxes each year. This amount is the community's annual levy limit. The law allows the levy limit to increase each year by 2.5% plus any new growth revenue derived from taxes from new construction and alterations. This amount may not exceed the community's levy ceiling. Proposition 2.5 also established two types of voter approved increases in local taxing authority – overrides and exclusions.

Reserve Fund – A fund established by Town Meeting which is under the control of the Finance Committee and from which transfers may be made for extraordinary and unforeseen expenditures. The appropriation cannot be greater than 5% of the tax levy for the prior fiscal year.

Revolving Funds – Those funds which may be used without appropriation and which are established for particular uses under M.G.L. such as continuing education programs, school lunch programs, self-supporting recreation and park services, conservation services, etc. (i.e. Sandwich Marina, Sandwich Community School).

Stabilization Fund – A special reserve account which is invested until used. Towns may appropriate into this fund in any year an amount no more than 10% of the prior year's tax levy. The outstanding balance in the account cannot exceed 10% of the Town's equalized valuation. Generally, it takes a 2/3 vote of Town Meeting to appropriate money from the Stabilization Fund.

Surplus Revenue – See "Free Cash".

TABLE OF BASIC POINTS OF MOTIONS

Rank	Type of Motion	2nd Req'd.	May Debate	May Amend	Vote Req'd.	May Recons.	May Interrupt
MAIN MOTIONS							
None	Main Motion	Yes	Yes	Yes	Varies	Yes	No
Same	Reconsider or Rescind	Yes	Same	No	Majority	No	No
None	Take from the Table	Yes	No	No	Majority	No	No
None	Advance an Article	Yes	Yes	Yes	Majority	Yes	No
PRIVILEGED MOTIONS							
1	Dissolve or Adjourn	Yes	No	No	Majority	No	No
	Adjourn to Fixed						
2	Time/Recess	Yes	Yes	Yes	Majority	No	No
3	Point of No Quorum	No	No	No	None	No	No
4	Fix the Time to Adjourn	Yes	Yes	Yes	Majority	Yes	No
5	Question of Privilege	No	No	No	None	No	Yes
SUBSIDIARY MOTIONS							
6	Lay on the Table	Yes	No	No	2/3	Yes	No
7	The Previous Question	Yes	No	No	2/3	No	No
8	Limit or Extend Debate	Yes	No	No	2/3	Yes	No
9	Postpone to Time Certain	Yes	Yes	Yes	Majority	Yes	No
10	Commit or Refer	Yes	Yes	Yes	Majority	Yes	No
11	Amend (or Substitute)	Yes	Yes	Yes	Majority	Yes	No
12	Indefinitely Postpone	Yes	Yes	No	Majority	Yes	No
INCIDENTAL MOTIONS							
Same	Point of Order	No	No	No	None	No	Yes
Same	Appeal	Yes	Yes	No	Majority	Yes	No
Same	Division of a Question	Yes	Yes	Yes	Majority	No	No
Same	Separate Consideration	Yes	Yes	Yes	Majority	No	No
Same	Fix the Method of Voting	Yes	Yes	Yes	Majority	Yes	No
Same	Nominations to Committee	No	No	No	Plurality	No	No
Same	Withdraw or Modify Motion	No	No	No	Majority	No	No
Same	Suspension of Rules	Yes	No	No	2/3*	No	No

* Unanimous if rule protects minorities; out of order if rule protects absentees

Source: Town Meeting Time, 3rd Edition

TOWN OF SANDWICH TALENT BANK

Serve Your Community

Town Government needs citizens who are willing to give time in the service of their community. The Talent Bank was adopted by the Board of Selectmen as a means of compiling names of citizens who are willing voluntarily serve on boards, committees, and as resource people. Names in this file are available for use by the public as well as the Selectmen and all Town offices.

Talent Bank files are being updated to include categories consistent with the changing needs of the Town of Sandwich. Please complete the questions listed below, indicate your areas of interest, and either drop the form off at Town Hall or send it to:

Town of Sandwich Talent Bank
Sandwich Town Hall
130 Main Street
Sandwich, MA 02563

Name: _____ Tel. No.: _____

Mailing Address: _____

E-Mail Address: _____

Occupation / Background / Experience: _____

LIST ORDER OF PREFERENCE:

- | | | |
|--|---|---|
| <input type="checkbox"/> Beach Advisory Committee | <input type="checkbox"/> Econ. Develop. Comm. | <input type="checkbox"/> Planning Board* |
| <input type="checkbox"/> Board of Health* | <input type="checkbox"/> Energy Committee | <input type="checkbox"/> Recreation Committee |
| <input type="checkbox"/> Cape Cod Commission | <input type="checkbox"/> Emergency Management | <input type="checkbox"/> Sandwich Cultural Council |
| <input type="checkbox"/> Capital Planning Comm.** | <input type="checkbox"/> Finance Committee** | <input type="checkbox"/> Sandwich Housing Authority* |
| <input type="checkbox"/> Communications Technology | <input type="checkbox"/> Golf Advisory Comm. | <input type="checkbox"/> Sandwich Historical Commission |
| <input type="checkbox"/> Conservation Comm. | <input type="checkbox"/> Historic District Comm.* | <input type="checkbox"/> Visitor Services Board |
| <input type="checkbox"/> Council on Aging | <input type="checkbox"/> Library Trustees* | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Disabilities Commission | <input type="checkbox"/> Personnel Board | Other: _____ |

* = Elected

** = Appointed by Moderator