

Town of Sandwich

THE OLDEST TOWN ON CAPE COD

130 MAIN STREET
SANDWICH, MA 02563

TEL: 508-888-4910 AND 508-888-5144

FAX: 508-833-8045

E-MAIL: selectmen@townofsandwich.net

E-MAIL: townhall@townofsandwich.net



BOARD OF
SELECTMEN

TOWN
MANAGER

BOARD OF SELECTMEN AGENDA April 9, 2015 – 7:00 P.M. Sandwich Town Hall – 130 Main Street

1. Pledge of Allegiance
2. Review & Approval of Minutes (*Vote*)
3. Public Forum (*15 Minutes*)
4. Town Manager Report
5. Correspondence / Statements / Announcements / Future Items / Follow-up (*10 Minutes*)
6. Staff Meeting (*45 Minutes*)
 - Chamber of Commerce – Route 130 Lease RFP & Financing Issues
 - Director of Public Works / Town Engineer Paul Tilton – Private Road Taking Policy
7. Old Business (*30 Minutes*)
 - FY'16 Budget
 - May 4, 2015 Annual Town Meeting – Draft Warrant
 - Other
8. New Business (*10 Minutes*)
 - Sandwich Hollows Food & Beverage Management Contract RFP
 - Other
9. Public Forum (*15 Minutes*)
10. Closing Remarks
11. Executive Session
 - Contract Negotiations
12. Adjournment

NEXT MEETING: Thursday, April 16, 2015, 7:00 P.M., Town Hall

Lapp, Doug

From: Lapp, Doug
Sent: Friday, March 13, 2015 10:39 AM
To: Jay Pateakos
Subject: Rt. 130 RFP

Dear Mr. Pateakos:

I wanted to let you know that last night (3/12/2015) the Board of Selectmen discussed the Sandwich Chamber of Commerce proposal submitted in response to our RFP issued on 1/21/2015 for the lease of land on Rt. 130. I am pleased to report that the Board voted to accept the Chamber's proposal, contingent on all the various requirements in the RFP and related draft lease agreement. The Board also wanted me to communicate that, consistent with RFP Addendum No. 1, the Town will require you to secure and document to the Town all necessary financing for the complete project no later than ninety (90) calendar days from the date of execution of the lease, and that the Board will not consider any extensions to that deadline in the future.

Congratulations for your successful proposal. I will work on finalizing the lease document and will send that to you shortly. After I do that, I think it would be useful if we had a brief meeting to go over the terms of the lease, as well as the other requirements from the RFP, so we're all on the same page. In the meantime, please do not hesitate to let me know if you have any questions. We look forward to working with you on this exciting project.

Sincerely,

Douglas Lapp

Assistant Town Manager
Town of Sandwich, MA
(508) 888-5144 or 4910

cc: Board of Selectmen
Town Manager
DPW Director
Building Inspector
Health Director
Director of Natural Resources
Director of Planning and Development
Assistant Town Engineer



Sandwich Chamber of Commerce
P.O. Box 744
Sandwich, MA 02563
(508) 833-9755
info@sandwichchamber.com
www.sandwichchamber.com

April 2, 2015

Dear Board of Selectmen,

The Chamber would like to update the Board as to our status in regards to the financing of the proposed Chamber Building located at 500F Route 130. Eastern Bank responded that they could not approve the Chamber's mortgage application, due to the restricted use clause in the proposed lease terms. They said that the restriction prohibited them from leasing out the building to certain marketable prospective tenants, in the event of the Bank had to take possession of the collateral.

In an email to the Chamber, Eastern Bank stated, "We cannot consider this transaction without the town subordinating to the bank. Especially, in the case of a default where we would take ownership of the building and need to rent it to whomever we wish. This would have to be allowed by the town without repercussions to bank's by the loss of use of the property. Therefore such language in the lease that prohibits the type of use would have to be removed, probably among other items that we could outline." As a result, they offered short term (5 year) financing, which we are uncomfortable with from a financial prospective.

Based on this new information, would the Town consider new language that would help alleviate the lender's concerns? Please note that as a result of this situation with Eastern Bank, we have sent an application to MassDevelopment as of last week. We will keep you abreast of any changes going forward, as we always have.

We appreciate your continued support in this endeavor. Please let me know if you have any additional questions.

Jay Pateakos
Executive Director
[Sandwich Chamber of Commerce](http://www.sandwichchamber.com)

(508) 833-9755
Cell: 508-971-2205
128 Route 6A
PO Box 744
Sandwich, MA 02563

Red-Lined Version

TOWN OF SANDWICH

BOARD OF SELECTMEN

ROAD ACCEPTANCE POLICY AND PROCEDURE TIMELINE

Resident petitions for the laying out and acceptance of private roads as public ways may be submitted to the Board of Selectmen. The acceptance of roads will only be at Annual Town Meetings. Petitions must be received as specified below to be considered for acceptance. Only the FIRST FIVE COMPLETE applications (including all fees) will be considered each year. The remainder will be put on a list for consideration the following year. Adding or reducing the number of private roads to be considered will be at the discretion of the Engineering Department with Board of Selectmen approval.

Petitions will be considered for roads that are in good condition, free of significant defects, and that meet the standards specified in the Planning Board's Subdivision Rules and Regulations. Petitions for roads not meeting these criteria may be considered provided that the abutters of the subject road(s) agree to betterments to be assessed by the Town to improve the road(s) in accordance with the aforementioned criteria.

Petitions may be obtained from the Engineering Department. Prospective petitioners are encouraged to meet with Department staff prior to submission to review the acceptance process and the particular roads that may be considered.

4:30 p.m. last business
day of June:

Closing time/date for filing road petitions with the Board of Selectmen. Petitions must be received at the Office of the Town Manager no later than the time/date specified. Petitions received after said time/date or incomplete petitions shall not be considered regardless of the cause for delay in the receipt of said petition.

Petitions shall be completed and signed by one hundred percent (100%) of the owners abutting the road petitioned for acceptance and returned to the Office of the Town Manager together with the following items, the cost of which shall be the responsibility of the petitioner.

1. Two (2) originals of the plan and profile of the existing roadway meeting the requirements of the Town of Sandwich Planning Board Subdivision Rules and Regulations for an "as-built" plan, prepared and certified by a Massachusetts Registered Professional Land Surveyor. Existing plans on file at the Planning Department are acceptable if they meet current regulations.
2. Coring and/or test hole logs showing pavement structure performed and certified by a Massachusetts Registered Professional Engineer approved by the Town of Sandwich Engineering Department. Said corings and/or test holes shall be taken at the limits of the petitioned road and at points every 300 feet in between, or at the midpoint if less than 300 feet.

Red-Lined Version

3. A certified abutter's list from the Town of Sandwich Assessor's Office indicating property owners abutting the roadway being petitioned. The Town Clerk shall certify such list.
4. \$100.00 application fee PER STREET request, paid to the Town of Sandwich.
5. \$22.00 publication fee is required per application, paid to the Town of Sandwich.
6. \$6.49 PER ABUTTER fee (certified letters must go to every abutter), paid to the Town of Sandwich. (Only one notification letter is required if a person owns more than one piece of property on a given street.)
7. Recording fees in accordance with Registry of Deeds requirements, paid to the Town of Sandwich. Recording costs are dependent on whether abutting land is registered, the number of abutters, and other factors. Contact the Engineering Department to determine the recording fees for each road petition. This fee will be returned if the road is NOT accepted.

July 1st to
Mid August:

Engineering Department performs preliminary investigation of petitioned road(s) including;

1. Research of construction records and historical information as needed to determine road construction quality.
2. Field inspection of road pavement structure, drainage components, utilities and other pertinent items.
3. Review submitted plans and all researched data and develop list of road conditions not meeting current Planning Board Rules & Regulation Standards and submit to Planning Board.

Note: As an option, abutters may improve the private road at their own expense without using the betterment process. All construction work shall be completed for Engineering Department inspection by August 1, to be discussed at a mid-August Planning Board Hearing.

Mid August:

The Planning Board shall establish and post a public hearing date to discuss the road acceptance and shall notify the petitioner of such date. It shall be the responsibility of the petitioner or his agent to notify all abutters of the hearing date by Certified Mail, a minimum of two weeks prior to the established date. The applicant will supply the Planning Board with proof (Postal return receipt cards) of such notifications.

Red-Lined Version

Mid September: **Planning Board Hearing** – Planning Board reviews the proposed road betterments as to their compliance with current Subdivision Rules and Regulations Standards and makes recommendations to the Board of Selectmen.

September: Engineering Department develops preliminary estimates of betterment and legal costs and determines cost per abutter based on appropriate method (i.e. per lot, frontage, etc.)

Beginning of October: **Board of Selectmen Preliminary Road Meeting** – Board reviews Engineering Department report and Planning Board recommendations and votes whether to continue road acceptance to final hearing.

October to Mid November: Board of Selectmen notifies each abutter by Certified Mail of his/her estimated betterment cost and requests abutter return a signed form stating whether he/she agrees or does not agree with having the betterment assessed to them. Notice also includes information regarding betterment payment methods established by the Town of Sandwich Board of Assessors, as well as final road hearing date.

Mid January: Final Road Hearing notice published.

Beginning of February: **Board of Selectmen Final Road Hearing** – Board reviews “vote” by abutters. If one hundred percent (100%) of the abutters of the way agreed to accept the estimate of costs, the Board may vote to place an article on the next Annual Town Meeting Warrant recommending the taking of an Easement or Fee in the Way or Road. The Board shall not recommend acceptance of a road layout by Town Meeting unless one hundred percent (100%) of the abutters of the way have agreed to accept the estimate of costs or unless the Selectmen shall determine by a 4/5 vote that a compelling public need exists for acceptance of a particular way.

If an article is to be placed on the warrant, the Petitioner shall submit Construction and Layout Plans per Town regulations. ~~and Bid Documents for the recommended betterments to allow the Town to obtain~~ shall solicit construction bids in accordance with Mass. G.L. Ch. 30 and 30b for ~~said work~~ the recommended betterments.

Mid April: Final recordable plans and the Selectmen report are filed with the Town Clerk’s Office. Documents shall be submitted in hardcopy and electronic formats. Final estimated betterment costs are calculated using lowest acceptable construction bid.

May: **ATM Action** either accepts or rejects the Taking of an Easement or Fee in the Way or Road.

Within 30 days

Red-Lined Version

After ATM: Title examination performed, Order of Taking prepared and signed by Selectmen, Order and Plan recorded at the Registry of Deeds or Land Court.

Upon Completion
Of Betterments: Each abutting owner shall be billed for the actual total costs of accepting the road, not the estimated costs.

PROJECTED REVENUES AND EXPENSES - FY'16

REVENUES

<u>FY'16 Tax Levy:</u>		
FY'15 Levy Limit	52,158,738	
2.5% Increase	1,303,968	
Est. New Growth	525,000	
Excess Levy Reserve Est.	0	
Overrides / Exclusions	0	
County Assess. Outside 2.5: CCC	162,847	
Debt Outside 2.5 (- Non-Levy & SBA)	1,022,574	55,173,128
 <u>Other Revenue:</u>		
Land Bank / CPA Debt	1,252,561	
Marina Debt	210,000	
School Building Authority Funding	1,279,534	
State Aid: Discretionary (-9.05%)	1,886,891	
State Ch. 70 Aid: School (0.00%)	6,665,593	
Est. Local Receipts (<u>Includes</u> Meals Tax)	4,400,000	
Surplus Revenue / Free Cash	1,741,440	
Overlay Release	100,000	
Transfer from Stabilization Fund	0	<u>17,536,019</u>
Total Estimated Revenues		72,709,147

EXPENSES

<u>ReCap Sheet Items:</u>		
State Assess: Tuition Assess (1.67%)	3,100,000	
State Assess: All Other (4.00%)	546,382	
Abatements / Overlay	400,000	4,046,382
 <u>Town Meeting Items:</u>		
Group Health Insur.+ Mitig. Plan (5.98%)	9,300,000	
County Retirement Assess. (5.38%)	3,147,347	
Property & Liability Insurance (3.03%)	850,000	
Medicare (6.00%)	623,778	
Unemployment Account	100,000	
Debt: Long Term	4,221,147	
Debt: Short Term	50,000	
Reserve Fund	500,000	
Capital Budget - Net	924,575	
Transfer to Stabilization Fund	250,000	
OPEB Trust Fund	150,000	
FY'15 Snow & Ice Deficit	225,000	20,341,847
 <u>Operating Budgets:</u>		
School Budget: Local (-1.56%)	24,250,000	
Ch. 70 (0.00%)	6,665,593	30,915,593
UCCRVTS Budget (12.07%)		2,049,172
General Gov't. Budget (4.25%)		<u>15,345,157</u>
Total Estimated Expenses		72,698,151

<u>Stabilization Fund Balance:</u>	
Actual Balance on 1/1/15:	1,022,450
Proposed Transfer From/To Stabilization Fund:	<u>250,000</u>
Projected Post ATM Balance:	1,272,450

ESTIMATED FY'16 BUDGET BALANCE 10,995

FY'16 BUDGET TOTALS

NO.	DEPARTMENT	FY15 APPROP	FY16 SALARY	FY16 OPER	FY16 TOTAL	% CHANGE
114	Moderator	450	450	0	450	0.00%
123	Select./Manager	451,549	405,919	61,350	467,269.00	3.48%
	Personnel Expen.	252,254	244,875	0	244,875	-2.93%
131	Finance Comm.	3,400	2,000	1,400	3,400	0.00%
135	Accounting	217,367	206,060	20,750	226,810	4.34%
141	Assessing	373,800	359,893	24,925	384,818	2.95%
145	Treasurer	190,328	213,832	-7,950	205,882	8.17%
146	Tax Collector	193,336	150,900	50,900	201,800	4.38%
147	Tax Title	25,000	0	35,000	35,000	40.00%
151	Legal	275,000	0	300,000	300,000	9.09%
152	Human Resour.	161,271	162,163	8,000	170,163	5.51%
161	Town Clerk	158,168	162,677	3,000	165,677	4.75%
162	Elect. & Regist.	77,250	8,500	52,250	60,750	-21.36%
171	Natural Resour.	245,608	243,576	27,100	270,676	10.21%
175	Plan. & Devel.	202,623	201,174	21,125	222,299	9.71%
190	Facilities Mgmt.	502,862	199,955	322,500	522,455	3.90%
195	Town Reports	11,000	0	11,000	11,000	0.00%
196	Bind Records	6,000	0	6,000	6,000	0.00%
197	Info. Technology	492,219	171,829	357,500	529,329	7.54%
	Total 100s	3,839,485	2,733,803	1,294,850	4,028,653	4.93%
210	Police Dept.	3,479,919	3,779,429	318,835	4,098,264	17.77%
220	Fire Dept.	3,264,912	3,674,410	-463,200	3,211,210	-1.64%
241	Inspections	257,631	249,212	16,105	265,317	2.98%
244	Sealer of W & M	200	0	200	200	0.00%
291	Emerg. Mgmt.	11,500	3,000	8,500	11,500	0.00%
294	Forest Warden	1,500	0	1,500	1,500	0.00%
297	Bourne Shellfish	4,000	0	4,000	4,000	0.00%
299	Greenhead Fly	2,000	0	2,000	2,000	0.00%
	Total 200s	7,021,662	7,706,051	-112,060	7,593,991	8.15%
300	School Dept.	31,358,436	31,358,436	0	30,915,593	-1.41%
313	UCCRVTs	1,828,435	2,034,929	0	2,049,172	12.07%
	Total 300s	33,186,871	33,393,365	0	32,964,765	-0.67%

(Note: School Dep't. amount includes Ch. 70 aid.)

NO. DEPARTMENT FY15 APPROP FY16 SALARY FY16 OPER FY16 TOTAL % CHANGE

410	DPW - Engineer.	184,212	178,945	9,800	188,745	2.46%
420	DPW	1,449,207	909,533	558,025	1,467,558	1.27%
421	Snow & Ice	250,013	12,523	237,491	250,014	0.00%
424	Streetlights	30,000	0	30,000	30,000	0.00%
435	DPW - Sanitation	250,058	416,611	-416,611	0	-100.00%
Total 400s		2,163,490	1,517,612	418,705	1,936,317	-10.50%

510	Health Dept.	177,515	177,205	10,125	187,330	5.53%
522	Nursing Dept.	132,121	116,042	29,700	145,742	10.31%
540	Social Services	21,200	0	35,000	35,000	65.09%
541	COA	198,448	207,269	10,500	217,769	9.74%
543	Veterans	44,006	0	45,500	45,500	3.39%
Total 500s		573,290	500,516	130,825	631,341	10.13%

610	Library	985,336	739,303	204,714	944,017	-4.19%
630	Recreation	108,320	139,412	16,375	155,787	43.82%
650	DPW - Parks	13,850	0	20,850	20,850	50.54%
671	Hoxie / Grist Mill	0	20,000	0	20,000	#DIV/0!
693	Memorial Day	1,200	0	1,200	1,200	0.00%
694	Historic District	13,000	1,500	11,500	13,000	0.00%
Total 600s		1,121,706	900,215	254,639	1,154,854	2.96%

GEN. GOVT. TOTAL 14,719,633 13,358,198 1,986,959 15,345,156 4.25%
 (no School)

Gen. Gov't. Budget @ 4.25% = 15,345,157 Adjustment Needed = 1

GRAND TOTAL 47,906,504 46,751,563 1,986,959 48,309,921 0.84%
 (incl. School)

FY'16 RECOMMENDED GENERAL GOVERNMENT BUDGET
Summary of Significant Budget Changes (+/- \$5,000)

(Contracted & Estimated Wage Increases Included in Appropriate Operating Budgets)

<u>Acct.</u>	<u>Budget - Description</u>	<u>Change</u>
ALL	52.4 Weeks in Fiscal Year vs. Usual 52.2 Weeks	39,660
147	Tax Title - Increase Due to Activity (Generates Revenue)	10,000
151	Legal - Contracted Professional Services	25,000
162	Elections & Registrations - Down Year in Normal Cycle	-16,500
171	Natural Resources - Loss of Waterways Revenue Transfer	7,500
190	Facilities Department - Town Hall Monitor Expenses	5,000
197	IT - Contracted Support Services	25,000
210	Police - More Realistically Fund Expenses	23,000
210	Police - (1) Detective	65,500
220	Fire - (4) EMS / Firefighters & OT (\$11,326 Above Original Est.)	279,326
210 & 220	Joint, Public Safety Civilian Dispatch (Net, Both Budgets)	99,714
435	Sanitation - Reduce Town Appropriation to Enterprise Fund	-250,058
522	PH Nurse - Increase Innoculation Purchases (Generates Revenue)	10,000
540	Social Services - Increase Grants; Add Local Funding Source	13,800
541	Council on Aging - Part-time Van Driver	12,500
610	Library - Reinstate Weston Memorial Fund Transfer; Actual vs. Est.	-12,500
630	Recreation - New Program Coordinator Position	41,600
650	DPW - Parks - Net Increase Tree Warden Expenses	7,000
671	Hoxie House / Grist Mill - Offset Decrease in Carryover Funds	20,000

FY'16 CAPITAL BUDGET SUMMARY

Presented to Capital Improvement Planning Committee: March 23, 2015

<u>DEPARTMENT</u>	<u>ITEM</u>	<u>COST</u>
PROJECTS >\$10,000		
<u>General Government:</u>		
141 ASSESSING	Vehicle Replacement (Ford Escape 4x4)	\$23,150
171 NATURAL RESOURCES	Replace John Deere Tractor	\$39,000
190 FACILITIES DEPT.	Repairs to Town Buildings	\$125,000
190 FACILITIES DEPT.	(30) AEDs for Town Facilities	\$44,000
190 FACILITIES DEPT.	Town Neck Restroom/Concession Feasibility Study	\$25,000
294 EMERGENCY MGMT.	Battery Back-Up System for Emergency Communications	\$20,000
210 POLICE DEPARTMENT	Replace (4) Mobile Radios	\$20,000
210 POLICE DEPARTMENT	New Telephone System for Police & Fire	\$50,000
220 FIRE DEPARTMENT	(4) Automatic Chest Compression Systems (Amb. Fund)	\$60,000
220 FIRE DEPARTMENT	(4) Stretcher Lift Systems (Amb. Fund)	\$100,000
241 INSPECTIONS	Replace Vehicle (Ford Explorer 4x4)	\$32,500
410 ENGINEERING	Boardwalk & Beach Access Repairs	\$60,000
420 DPW - HIGHWAY	Replace 2005 International Dump Truck with Plow	\$150,000
420 DPW - HIGHWAY	Replace 2003 Chipper	\$50,000
510 HEALTH DEPARTMENT	Vehicle Replacement (Ford Escape 4x4)	\$23,150
522 & 541 NURSING & COA	Shared Vehicle (Ford Escape 4x4) (Donation Acct.)	\$23,150
610 LIBRARY	Elevator Improvements	\$85,000
610 LIBRARY	Fire Alarm System Upgrade	\$11,875
630 RECREATION	Vehicle Replacement (Ford 15-Person Passenger Van)	\$30,000
630 RECREATION	Replace Sailing Rescue Boat, Motor, Trailer	\$10,000
650 DPW - PARKS	Replace 1999 F-350 1-Ton Dump Truck w/ Plow	\$70,000
650 DPW - PARKS	Replace 2005 F-350 1-Ton Dump Truck w/ Plow	\$70,000

TOTAL > \$10,000 CAPITAL EXPENSES \$1,121,825

PROJECTS <\$10,000

General Government:

123 SELECTMEN/MANAGER	Restoration of Town Hall Piano	\$10,000
171 NATURAL RESOURCES	Buoy Replacements - 2014 Damage	\$3,000
171 NATURAL RESOURCES	Conservation Lands Maintenance & Improvements	\$8,500
171 NATURAL RESOURCES	Equipment Upgrades (Mobile Radios, 800 MHz, UHF)	\$9,900
171 NATURAL RESOURCES	Replace Equipment Trailer & Related Accessories	\$10,000
210 POLICE DEPARTMENT	Replace Portable Radio Batteries	\$8,000
210 POLICE DEPARTMENT	Replace ATV	\$6,000
630 RECREATION	Oak Crest Cove Tennis Court Maintenance	\$8,800
630 RECREATION	Oak Crest Cove Retaining Wall Repairs	\$6,700
630 RECREATION	Purchase Kayaks	\$5,000

TOTAL < \$10,000 CAPITAL EXPENSES \$75,900

TOTAL RECOMMENDED FY'16 CAPITAL EXPENSES \$1,197,725

LESS SANITATION AMBULANCE FUND TRANSFER (\$160,000)
LESS SHAWME HEIGHTS DONATION ACCOUNT TRANSFER (\$23,150)
LESS LIBRARY HVAC BALANCE REAPPROPRIATION (\$90,000)

TOTAL FY'16 CAPITAL MINUS TRANSFERS \$924,575

*CAPITAL RESERVE FUND \$0

TOTAL FY'16 CAPITAL EXPENSES \$924,575

*Funds to be held for emergency/reserve purposes until released by CIPC and Town Manager.

Town of Sandwich
Annual Town Meeting

WARRANT

Monday, May 4, 2015

7:00 p.m. – Sandwich High School



BOARD OF SELECTMEN

Ralph A. Vitacco, Chair
Frank Pannorfi, Vice-Chair
R. Patrick Ellis
Susan James
James W. Pierce

MODERATOR

Garry N. Blank

FINANCE COMMITTEE

Gene Parini, Chair
Linell M. Grundman, Vice-Chair
Michael Dwyer
Robert Guerin
Thomas R. Hickey
James Lehane
Richard Reilly
Mark Snyder
Matthew Terry

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May 4, 2015 Annual Town Meeting

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2. FY'16 Budget (p. ____)
3. FY'16 DPW – Sanitation Division Operating Budget (p. ____)
4. FY'16 Golf Department Operating Budget (p. ____)
5. FY'16 Revolving Fund Appropriation Limits (p. ____)
6. FY'16 Capital Budget (p. ____)
7. School Department Cell Tower Lease Appropriation (p. ____)
8. Transfer to Stabilization Fund (p. ____)
9. FY'15 Snow & Ice Deficit Appropriation (p. ____)
10. Sandwich Promotions Fund Appropriation (p.____)
11. Ch. 90 State Aid to Highways Program (p. ____)
12. Establish Variable Interest Rate for FY'16 Tax Deferral Program (p. ____)
13. Beach Renourishment Appropriation (p. ____)
14. Accept Easements for Army Corps of Engineers Town Neck Beach Project (p. ____)
15. CPA Fund Expenditure – Administrative Costs & 10% Allocations (p. ____)
16. CPA Project: Printing Sandwich: A Cape Cod Town (p. ____)
17. Establish Revolving Fund for Sale of Sandwich: A Cape Cod Town (p. ____)
18. CPA Project: Civil War Memorial Plaque (p. ____)
19. CPA Project: Rescind Forestdale Village Affordable Housing Appropriation (p. ____)
20. Zoning By-laws: Section 2410 – Use Abandonment (p. ____)
21. Zoning By-laws: Section 4126 – Exterior Storage (p. ____)
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23. Zoning By-laws: Definitions (p. ____)
24. Town Bylaws: Section 2.01 – Capital Improvement Planning Committee (p. ____)
25. Town Hall Piano Restoration (p. ____)
26. Elect Officers (p. ____)

Reference Material & Volunteer Service Form:

1. Article 1 – Board of Selectmen – 2015 Long Range Plan (p. ____)
2. Article 2 – FY'16 Projected Revenues & Expenses (p. ____)
3. A Glossary of Commonly Used Terms (p. ____)
4. Table of Basic Points of Motions (p. ____)
5. Volunteer Service Form (p. ____)

NOTE: Petition articles have been printed as submitted and may contain typographic and other errors.

**TOWN OF SANDWICH
2015 ANNUAL TOWN MEETING
May 4, 2015**

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, 365 Quaker Meetinghouse Road, in East Sandwich on

Monday, May 4, 2015, at 7:00 p.m.,

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

Thursday, May 7, 2015, at 7:00 a.m.

Those residing within the area of Precincts 1 and 2 meet at the Henry T. Wing School, 33 Water Street, Sandwich. Those residing within the area of Precincts 3 and 4 meet at the Oak Ridge School, 260 Quaker Meetinghouse Road, East Sandwich. Those residing within the area of Precincts 5 and 6 meet at the Forestdale School, 151 Route 130, Forestdale.

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.

Recommended by the Board of Selectmen.

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 \$68,567,997.00, or any other amount, to defray Town expenses for the Fiscal Year July 1, 2015 to June 30, 2016 as itemized below in the third column entitled FY'16 Recommendation, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

Fiscal Year 2016 Finance Committee Budget Message:

In accordance with Section 7.2.b of the Town Charter, the Finance Committee hereby presents its Fiscal Year 2016 budget message to Town Meeting and to the taxpayers and residents of Sandwich.

FY'16 BUDGET TOTALS

No.	Department	FY'14 Appropriation	FY'15 Appropriation	FY'16 Recommendation
114	Moderator	450	450	450
123	Selectmen/Manager	432,571	451,549	467,269
	Personnel Expenses	388,878	252,254	244,875
131	Finance Committee	3,400	3,400	3,400
135	Accounting	204,731	217,367	226,810
141	Assessing	364,148	373,800	384,818
145	Treasurer	184,461	190,328	205,882
146	Tax Collector	254,595	193,336	201,800
147	Tax Title	20,000	25,000	35,000
151	Legal	275,000	275,000	300,000
152	Human Resources	156,551	161,271	170,163
161	Town Clerk	151,400	158,168	165,677
162	Elect. & Registration	42,750	77,250	60,750
171	Natural Resources	238,627	245,608	270,676
175	Planning & Development	150,334	202,623	222,299
190	Facilities Management	496,100	502,862	522,455
195	Town Reports	11,000	11,000	11,000
196	Bind Records	6,000	6,000	6,000
197	Info. Technology	393,379	492,219	529,329
	Total 100s	3,774,375	3,839,485	4,028,653
210	Police Department	3,326,005	3,479,919	4,098,264
220	Fire Department	3,096,128	3,264,912	3,211,210
241	Inspections	247,616	257,631	265,317
244	Sealer of Weights & Measures	200	200	200
291	Emergency Management	7,750	11,500	11,500
294	Forest Warden	1,500	1,500	1,500
297	Bourne Shellfish	4,000	4,000	4,000
299	Greenhead Fly	2,000	2,000	2,000
	Total 200s	6,685,199	7,021,662	7,593,991
300	School Department	30,324,286	31,358,436	30,915,593
313	UCCRVTs	1,998,563	1,828,435	2,049,172
	Total 300s	32,322,849	33,186,871	32,964,765
410	DPW - Engineering	146,059	184,212	188,745
420	DPW	1,362,853	1,449,207	1,467,558
421	Snow & Ice	250,012	250,013	250,014
424	Streetlights	30,000	30,000	30,000
	Total 400s	1,788,924	1,913,432	1,936,317

No.	Department	FY'14 Appropriation	FY'15 Appropriation	FY'16 Recommendation
510	Health Department	169,748	177,515	187,330
522	Nursing Department	125,873	132,121	145,742
540	Social Services	21,200	21,200	35,000
541	COA	191,191	198,448	217,769
543	Veterans	43,383	44,006	45,500
	Total 500s	551,395	573,290	631,341
610	Library	939,639	985,336	944,017
630	Recreation	93,746	108,320	155,787
650	DPW - Parks	13,850	13,850	20,850
671	Hoxie / Grist Mill	0	0	20,000
693	Memorial Day	1,200	1,200	1,200
694	Historic District	12,750	13,000	13,000
	Total 600s	1,061,185	1,121,706	1,154,854
Operating Budget Subtotal:		46,183,927	47,656,446	48,309,921
135	Sanitation, Marina & SHGC Indirect Costs Transfers			45,000
171	Waterways Fund Transfer			12,500
220	Ambulance Fund Transfer			1,000,000
630	Beach & Recreation Account Transfers (incl. Sandy Neck)			200,304
632	Marina Debt			210,000
645	Community Preservation Act Debt			1,252,561
650	Cemetery Trust Fund Transfer			25,000
671	Hoxie House / Grist Mill Transfer			33,000
Inter-Fund Transfers Subtotal:				2,778,365
132	Reserve Fund			500,000
710	Short Term Debt			50,000
750	Debt			2,758,586
910	Group Health Insurance			9,300,000
912	Medicare			623,778
940	Property & Liability Insurance			850,000
941	Unemployment Account			100,000
950	Retirement Assessment			3,147,347
	OPEB Trust Fund			150,000
Other Budget Accounts Subtotal:				17,479,711
FY'16 BUDGET TOTAL:				68,567,997

ARTICLE 3

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'16 enterprise fund budget for the Department of Public Works Sanitation Division, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee that \$1,035,611.00 be appropriated for said purpose.

ARTICLE 4

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'16 enterprise fund budget for Sandwich Hollows Golf Club, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee that \$858,958.00 be appropriated for said purpose.

ARTICLE 5

To see if the Town will vote in accordance with the provisions of M.G.L. c.44, §53E1/2 to authorize revolving funds for the following Town departments for FY'16, to be expended under the direction of the Board of Selectmen, in accordance with the following list:

Revolving Account	Revenue Source	Allowed Expenses	Expenditure Limit	Year-End Balance
Sandwich Marina	Marina revenues, fees & charges	Marina operations & capital	\$2,000,000	Available for following year
Recreation Programs	Program fees & charges	Recreation programs	\$250,000	Available for following year
Solar Energy / Town Utilities	Green energy payments	Town utility expenses	\$200,000	Available for following year
Town Hall Meeting Room	Function fees & charges	Town Hall & monitor expenses	\$5,000	Available for following year

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 hear the report of the Capital Improvement Planning Committee, and further, to raise and appropriate or transfer from available funds the sum of \$1,164,575.00, 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:

Assessing – Replace Vehicle	23,150
Natural Resources – Replace Tractor	39,000
Natural Resources – Replace Trailer & Equipment	10,000
Facilities Department – Town Building Repairs/Improvements	125,000
Facilities Department – (30) Automatic Defibrillators	44,000
Facilities Department – Town Neck Restroom/Concession Design	25,000
IT Department – Replace Police & Fire Phone System	50,000
Emergency Management – Communication Back-up System	20,000
Police Department – Replace (4) Mobile Radios	20,000
Fire Department – (4) Automatic Chest Compression Systems	60,000
Fire Department – (4) Stretcher Lift Systems	100,000
Inspections Department – Replace Vehicle	32,500
Engineering Department – Boardwalk & Beach Access Repairs	60,000
DPW – Highway Department – Replace Dump Truck w/Plow	150,000
DPW – Highway Department – Replace Chipper	50,000
Health Department – Replace Vehicle	23,150
Library – Elevator Repairs & Improvements	85,000
Library – Fire Alarm System Improvements	11,875
Recreation Department – Replace Van	30,000
Recreation Department – Replace Rescue Boat, Motor, Trailer	10,000
DPW – Parks Department – Replace (2) Dump Trucks w/Plows	140,000
Natural Resources – Replace Buoys	3,000
Natural Resources – Conservation Land Improvements	8,500
Natural Resources – Mobile Radio & System Upgrades	9,900
Police Department – Replace Radio Batteries	8,000
Police Department – Replace All Terrain Vehicle	6,000
Recreation Department – Oak Crest Cove Court Maintenance	8,800
Recreation Department – Oak Crest Cove Retaining Wall Repairs	5,000
Recreation Department – Kayak Purchases	5,000

Capital List Total 1,164,575

AND FURTHER,

To offset the cost of the capital projects listed in Article 6, to see if the Town will vote to transfer and appropriate the sum of \$160,000.00, or any other amount, from the Ambulance Fund, and transfer and appropriate the sum of \$90,000.00, or any other amount, from an unexpended balance from the Library HVAC project as voted at the May 7, 2012 Annual Town Meeting under Article 6, to be expended under the direction

of the Board of Selectmen, for a net FY'16 capital appropriation of \$914,575.00, or any other amount,

or take any action relative thereto.

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

ARTICLE 7

To see if the Town will vote to transfer and appropriate the sum of \$88,642.84, or any other amount, to be expended under the direction of the School Committee, from the Sandwich High School cellular tower lease receipt reserved for appropriation account, for the purpose of the maintenance and improvement 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 8

To see if the Town will vote in accordance with M.G.L. c.40, §5B to raise and appropriate or transfer from available funds a sum of \$250,000.00, or any other amount, to be transferred into the Stabilization Fund, or take any action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 9

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'15 deficit in the Snow and Ice Account, 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 raise and appropriate or transfer from available funds a sum of \$25,079.83, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of funding the FY'16 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 11

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'16, 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 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, 2015, 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 transfer and appropriate the sum of \$54,899.76, or any other amount, from the beach renourishment receipts reserved for appropriation account, to be expended under the direction of the Board of Selectmen, for the purpose of funding future public ocean beach and dune renourishment projects, 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.40, §14 to accept by purchase, gift, eminent domain, or otherwise any and all permanent easements associated with the Army Corps of Engineers' proposed Town of Sandwich Dune and Beach Reconstruction Project for access and placement of sediment purposes, or take any action relative thereto.

Recommended by the Board of Selectmen.

ARTICLE 15

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY'16 Community Preservation budget and to appropriate from the Community Preservation Fund FY'16 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 FY'16; 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 FY'16 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 16

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$15,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and protecting the Town's written history, Sandwich: A Cape Cod Town, by updating and publishing the document in both print and electronic forms; 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 17

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 any payments made to the Town from purchasing the Town's written history, Sandwich: A Cape Cod Town, to be expended under the direction of the Board of Selectmen for the purpose of paying for any future publication of the Town's history, and to establish a limit on the total amount that may be expended from the fund in FY'15, 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 transfer and appropriate under the Community Preservation Act historic resources program the sum of \$7,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of commemorating the Town's participation in the Civil War through the manufacture and display of a Civil War Memorial Plaque at 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 19

To see if the Town will vote to rescind the vote of the May 2, 2011 Annual Town Meeting under Article 19 appropriating \$450,000.00 from the Community Preservation Act affordable housing program for the purpose of supporting the Forestdale Village affordable housing project owned by Forestdale Village, LLC, or take any other action relative thereto.

Recommended by the Board of Selectmen and Finance Committee.

ARTICLE 20

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Section 2410, Abandonment, by deleting Section 2410 in its entirety and replacing it with the following, thereby increasing the allowed period of abandonment from two years to five years, or take any action relative thereto.

2410. Abandonment. A non-conforming use of a building or land, which has been abandoned for a period of five (5) years, shall not thereafter be returned to such non-conforming use. A non-conforming use shall be considered abandoned when the premises has been vacant for five years, or when the characteristic equipment and/or furnishings of the non-conforming use have been removed from the premises and have not been replaced by similar equipment, whichever shall occur first.

No Recommendation Required.

ARTICLE 21

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Article IV, Special Regulations, by adding a new Section 4126, Exterior Storage, to read as follows, or take any action relative thereto.

4126. Exterior storage units may temporarily (no longer than six months) be positioned on a property only after notification to the Building Inspector of its date of delivery and its date of proposed removal.

No Recommendation Required.

ARTICLE 22

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws by inserting a new Article VIII, Medical Marijuana Overlay District (MMOD), to read as follows, or take any action relative thereto.

ARTICLE VIII – MEDICAL MARIJUANA OVERLAY DISTRICT (MMOD)

8000 Medical Marijuana Overlay District

8001 Purpose

The purpose of this Section is to provide for the placement of a Registered Marijuana Dispensary (RMD) in accordance with the Humanitarian Medical Use of Marijuana at G.L. c 94C, App. S1-1 et seq., in a location suitable for a lawful medical marijuana facility and to minimize adverse impacts of a RMD on adjacent properties, residential neighborhoods, and locations where minors congregate by regulating the siting, design, placement, security and removal of a RMD.

Where not expressly defined in the Zoning Bylaw, terms herein shall be interpreted as defined in the Humanitarian Medical Use of Marijuana Act G.L. c 94C. App. S 1-1, et seq. and the Department of Public Health (DPH) Regulations promulgated thereunder, 105CMR 725, et seq., and otherwise by their plain language.

8002 Overlay District

The Medical Marijuana Overlay District (MMOD) is hereby established as an overlay district. The boundaries of the MMOD are shown on the Zoning Map on file with the Town Clerk. If the provisions of the MMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MMOD conflict with the requirements of the underlying district, the requirements of the MMOD shall control. Land within the MMOD may be used for either:

1. A Registered Marijuana Dispensary (RMD) in which case the requirements set forth in this Section shall apply; or
2. A use allowed in the underlying district in which case the requirements of the underlying district shall apply.

8003 Location

1. The MMOD overlay is located in the B-2 medical campus area along Route 130 in Sandwich between the Massachusetts Military Reservation, the Route 6 Mid-Cape Highway and the Sandwich Industrial Park as shown on the zoning map on file with the Town Clerk. This location is suitable because it is highly visible with direct access to state highways and byways, easy access for public and emergency services, and relatively central location within the community. The overlay district also share proximity with other medical uses within this campus area.

2. A RMD shall not be located within 500 feet of any of the following facilities that are in existence at the time of permit application:

- a. School, including a public or private elementary, vocational or secondary school or a public or private college, junior college or university;
- b. Child Care Center as defined in MGL Chapter 15D Section 1A;
- c. Public park; or
- d. Any facility where the primary purpose is to serve persons under age 18 who commonly congregate to participate in scheduled and structured activities other than medical uses.

3. Measurement of distance for the purpose of this bylaw shall be measured from property line to property line. The Zoning Board of Appeals may waive this distance requirement by a supermajority vote as part of the issuance of a Special Permit in any of the following instances:

- a. Renewal of a Special Permit for an existing RMD; or
- b. New application (change of applicant) for an existing RMD; or

c. If the applicant demonstrates that a RMD would otherwise be effectively prohibited within the Town; or

d. The applicant demonstrates that the RMD will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004.

8004 Eligibility

1. Only one RMD shall be permitted within the Town. As defined in Section 10.2 a RMD can either dispense, prepare, cultivate or any combination thereof. Therefore, any facility with one or a combination of these activities constitutes a RMD.

2. Only an applicant holding a valid Provisional Certificate of Registration from the Department of Public Health is eligible to apply for a Special Permit under this Section.

8005 Administration and Procedure

1. One RMD shall be permitted in the MMOD pursuant to a Special Permit. The Zoning Board of Appeals shall be the Special Permit Granting Authority (SPGA) for a RMD Special Permit. In addition to the RMD Special Permit, applicants are urged to attend a voluntary town staff Site Plan Review.

2. The Zoning Board of Appeals shall notify and refer copies of RMD applications to the appropriate Town officials, such as Police Department, Fire Department, Building Commissioner, Town Engineer, Highway Superintendent, Health Department, Water Department, and Council on Aging, who have expertise or responsibilities relating to the application or serve constituencies likely to use a RMD. These reviewers may examine the application and submit written comments to the Zoning Board of Appeals. Failure to submit written comments by the designated deadline shall be construed as a lack of opposition to the proposal.

3. Applicants for a RMD Special Permit shall follow the application requirements on forms provided by the Zoning Board of Appeals or their designee.

a. An applicant for a Special Permit to operate a RMD under this bylaw shall submit the following to the Zoning Board of Appeals for its review:

1) A copy of its Provisional Certificate of Registration from the Massachusetts Department of Public Health (DPH);

2) A copy of any waivers of DPH regulations issued to the RMD;

3) A full description of all security measures including employee security policies approved by the DPH;

4) A copy of the emergency procedures approved by the DPH;

- 5) A copy of the policies and procedures for patient or personal caregiver home delivery approved by DPH;
- 6) A copy of the policies and procedures for the transfer, acquisition or sale of marijuana between RMDs as approved by the DPH; and
- 7) A security contingency plan to address emergency situations and conditions presented by emergencies such as extended power outage and natural disasters.

b. The site plan shall clearly delineate various areas of the RMD (both indoors and outdoors) including but not limited to as public access areas, employee-only access areas, storage, cultivation, preparation, waste disposal, administrative, transportation and loading as well as parking areas. Site plans and/or application narrative shall contain sufficient information so that the Zoning Board of Appeals can evaluate the following design and operational standards.

4. Design Standards. The facility shall meet the following minimum requirements:

- a. All activities related to the RMD with regard to processing, cultivation, or storage of marijuana shall be conducted indoors. No materials, plants or byproducts shall be visible from outside of the premises/building. With the exception of loading areas, no operations shall be visible to the public;
- b. The facility may include waiting areas for patients and caretakers and areas where patients and caregivers receive instruction about use of the product and other activities directly related to administration of services. There shall not be any facilities for use by the general public such as public reception areas, public restrooms or public lounge or seating areas;
- c. All shipping and receiving areas shall exclusively serve the RMD. In the case of a multi-use or multi-tenant site, the RMD shall be laid out and designed to ensure separation from other uses or tenants at the site;
- d. The facility shall have adequate water supply, stormwater systems, sewage disposal, and surface and subsurface drainage;
- e. Adequate lighting, including night lighting that provides for monitoring of building and site security;
- f. Signage is limited to that which is permitted under 105 CMR 725.100 (L) and shall comply with the Town of Sandwich Sign Bylaw.

5. Security and Operational Standards

a. The Zoning Board of Appeals shall request review and comment from the Chief of Police or designee. Failure to submit written comments by a designated deadline set by the Zoning Board of Appeals shall be construed as a lack of opposition to the proposal. The Chief of Police or designee may recommend reasonable security conditions to the Board;

b. The applicant under this Section shall provide and keep up to date contact information as required by the Chief of Police and Building Commissioner such as name, telephone number and electronic mail address of a contact person who must be available 24 hours a day.

c. Security Design Requirements. At a minimum, the security features used to protect the site shall fully comply with 105 CMR 725 and, in addition, must have the following capabilities:

1) A security camera system that monitors all entrances and exits for vehicles and persons as well as all areas where marijuana is received, stored, processed, sent or otherwise handled;

2) The security camera system shall have a minimum 180 day storage capacity;

3) Access and egress to all entrances and exits for vehicles and persons into areas where marijuana is received, stored, processed, sent or otherwise handled shall be controlled by an electronic access security system that records the ingress and egress of vehicles and persons;

4) All personnel shall have a security identity card that includes a front facial picture of the employee. The identity card shall also serve as the electronic access card for entrance into all restricted areas. The date and time of all access and egress into such areas shall be digitally recorded. Identification cards shall be worn at all times when personnel are in the RMD facility and must be plainly visible and not concealed;

5) All security alarm systems for the RMD shall be monitored by central station alarm. The Sandwich Police Department shall be immediately notified of the receipt of any alarm by the central station monitor; and

6) The applicant shall immediately notify the Sandwich Police Department of any breakdown or malfunction of any part of the security system. This notification shall include at a minimum the following:

- Date and time of malfunction;
- Nature of malfunction;
- Any loss or attempted loss of product as a result of the malfunction;

- The compensatory measures in place to address the discontinuity of the security system; and
- Estimated date and time of restoration of the security measures.

6. Enforcement

a. Failure to comply with any of the provisions of the security measures in this Section shall be reported to the Building Commissioner for review. The applicant's unwillingness or inability to make timely repairs to the security systems may result in the issuance of a Cease and Desist order until such repairs have been completed and approved by appropriate town officials.

8006 Special Permit Approval Criteria and Conditions

1. The Zoning Board of Appeals may impose reasonable conditions to improve site design, traffic flow, public safety, water quality, air quality, protection of significant environmental resources and the preservation of community character of the surrounding area including but not limited to the following:

- a. Minimize the impacts of increased noise and traffic;
- b. Impose security precautions related to the high value of products and cash transactions;
- c. Deter unauthorized or ineligible customers at the RMD;
- d. Impose measures to prevent diversion of marijuana; and
- e. Conditions related to the design and construction of the facility to improve safety, security and conformance with community character.

2. Zoning Board of Appeals shall address the following general conditions in each special permit issued under this Section:

- a. Hours of operation, including dispatch for home delivery;
- b. The reporting of any incidents to the Building Commissioner and Zoning Board of Appeals as required under the requirements of 105CMR 725.110(f) within 24 hours of occurrence. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
- c. The reporting of any summary cease and desist order, quarantine order, summary suspension order, limiting sales order, notice of hearing or final action by DPH or the Division of Administrative Law Appeals as applicable regarding the RMD to the Building Commissioner and the Zoning Board of Appeals within 48 hours of their receipt.

3. A Special Permit may be issued to any applicant who, in the determination of the Zoning Board of Appeals, has met the requirements of this Section; as well as the criteria in Sections 1330 and 1340.

4. The issuance of a special permit under this Section shall also be subject to the following:

- a. The special permit shall expire within five (5) years of the date of issue. If the applicant wishes to renew the special permit, an application to renew must be submitted at least 120 days prior to the expiration of the Special Permit;
- b. Special permits shall be limited to the current applicant and shall expire on the date the Special Permit holder ceases operation of the RMD;
- c. Special permits shall lapse upon the expiration or termination of an applicant's registration by DPH;
- d. The holder of a special permit for an RMD facility shall notify the Building Inspector and the Zoning Board of Appeals in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the permit holder's registration with DPH; and
- e. Any failure to fully comply with any conditions of the special permit, this or any bylaws of the Town of Sandwich, or the laws or regulations of the Commonwealth of Massachusetts, may result in the suspension or revocation of the special permit by the Zoning Board of Appeals.

8007 Prohibition Against Nuisances

No use shall be allowed in the MMOD which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in that area.

8008 Severability

The provisions of the Bylaw are severable. The invalidity of any Section or provision of this Zoning Bylaw shall not invalidate any other Section or provision hereof.

No Recommendation Required.

ARTICLE 23

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Definitions, by deleting the current definitions of "Height" and "Yard" and replacing them with the following definitions, and by inserting a new definition of "Storage, Exterior", or take any action relative thereto.

HEIGHT – The vertical distance from the mean existing grade at the front line of the building to the highest point of the roof for flat or shed roofs, to the deck line for mansard roofs and to the ridge for gable, hip and gambrel roofs; except for those buildings that are required to be placed on elevated foundations adjacent to the shoreline and/or within those areas designated by FEMA to be part of any A or V Zone, where the vertical distance would be measured from the top of the elevated foundation to the highest point of the roof for flat or shed roofs, to the deck line for mansard roofs and to the ridge for gable, hip and gambrel roofs. Not included are spires, cupolas, TV antennae and other parts of structures, which do not enclose potentially habitable floor space.

YARD – A required open space, unobstructed with structures other than fences or other customary yard accessories.

STORAGE, EXTERIOR – Temporary (no longer than six months) exterior storage units located outside a building including but not limited to “pods”, trailers, containers and the like which may house merchandise, furniture and more.

No Recommendation Required.

ARTICLE 24

To see if the Town will vote to amend Section 2.01 of the Town Bylaws, Capital Improvement Planning Committee, by deleting the language in Part 2 highlighted below with a strikethrough and adding the language highlighted with an underline, or take any action relative thereto.

Part 2: The Committee shall define and study all proposed capital projects and improvements involving major non-recurring tangible assets and projects. All officers, boards and committees, including the Selectmen and the School Committee, shall give to the Committee on forms prepared by it the information needed to prepare a Capital Budget for Town Meeting. The Committee shall consider the relative need, impact, timing, cost and funding methodology of these capital expenditures and the effect each will have on the financial position of the Town. ~~No appropriation shall be voted for a capital improvement requested by a department, board or commission unless the proposed capital improvement is considered in the Committee's report, or the Committee shall first have submitted and may make a report to the Finance Committee and Board of Selectmen explaining the omission.~~

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

ARTICLE 25

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$10,000.00, or any other amount, to be expended under the direction of the

Board of Selectmen, for the purpose of restoring and repairing the Town Hall auditorium piano, or take any action relative thereto.

Recommended by the Board of Selectmen. Not Recommended by the Finance Committee and Capital Improvement Planning Committee.

ARTICLE 26

To Elect the following Officers:

- One Board of Assessor member for a term of three years;
- One Board of Health member for a term of three years;
- One Board of Selectmen member for a term of three years;
- One Constable for a term of three years;
- One Town Moderator for a term of three years;
- Three Planning Board members for a term of three years;
- One Sandwich Housing Authority member for a term of five years;
- Three School Committee members for a term of three years;
- One School Committee member for an unexpired term of one year;
- Three Trustees of the Sandwich Public Library for a term of three years;
- One Trustee of the Weston Memorial Fund for a term of three 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 SEVENTH DAY OF MAY, 2015.

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 16th Day of April, 2015.

Ralph A. Vitacco, Chairman

Frank Pannorfi, Vice Chairman

R. Patrick Ellis

Susan James

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

Date

Constable

Reference Material & Volunteer Service Form for Residents

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

ARTICLE 1 – BOARD OF SELECTMEN – 2015 LONG RANGE PLAN

MISSION STATEMENT

The government of the Town of Sandwich will provide the public with the highest, most efficient and effective level of service with the resources available in a manner that exemplifies honesty, integrity and a commitment to public service while honoring our rich history, protecting our environment and responsibly planning for our future.

SUMMARY OF LONG RANGE PLAN

The purpose of the Long Range Plan (LRP) is to annually project the future needs of the Town and identify the primary issues and projects on which the Town will focus, and to report this to Town Meeting (Section 4.2.5(i) of Town Charter). The vision that forms the basis for the LRP is articulated in detail in the Local Comprehensive Plan (LCP) approved by Town Meeting in May 2009. The document below is long range in the sense that it takes us further than just one budget cycle. It is meant to define the next few steps of the journey to the vision set forth in the LCP and the other planning documents identified in the Attachments below. The Board of Selectmen and Town Meeting have already initiated many of these efforts, with progress continuing to be made on many fronts. Several of the items found in the Action Plan will also be voted on at the May 4, 2015 Annual Town Meeting and are addressed in the recommended FY'16 budget.

INTRODUCTION

Guiding principles followed in developing the LRP include:

- Adequate staffing takes precedence over new buildings
- Realistic limitations of a large population & small tax base need to be considered
- Proposition 2.5 funding limitations need to guide wage / compensation packages
- Funding sources & tax impacts of proposed actions will be identified during the planning phase

ACTION PLAN

(* = proposed action item leader)

1. Improved Delivery of Existing Services

- a. Complete consolidation & unification of financial systems with School & Town –School Director of Finance & Business Operations*, Information Technology Director*, Finance Director*, Town Treasurer / Collector, Director of Assessing, School Information Technology Staff
 - i. Assessing Department implements new software program – July 2015
- b. Outline & prioritize General Government staffing & reorganization implementation plan – 2015 & Beyond – Board of Selectmen & Town Manager*
 - i. Continue to assess effectiveness of delivery of services when vacancies occur & make appropriate organizational changes when prudent
 - ii. Prioritize positions not requiring override or substantial reallocation of funds to implement
 - iii. Prioritize positions requiring override or substantial reallocation of funds to implement
 - iv. Present & fund reorganization plan to address organizational chart deficiencies
 - v. Identify & fund chronically underfunded operating budget accounts to more closely match expenses
- c. Continued review of Pay-As-You-Throw Program – 2015& Beyond – Director of Public Works*
 - i. Eliminate tax subsidized operation to a full fee for service operations and recommend fees changes, when appropriate – May 2015 & Beyond
 - ii. Work with Upper Cape towns to set actual closing date and any future use of Upper Cape Regional Transfer Station on Joint Base Cape Cod – 2015 & Beyond
- d. Continue progress on recreational facilities & Sandwich Hollows Recreation Master Plan – 2015 & Beyond – Town Manager’s Office*, Recreation Director, Golf Director
- e. Continue prioritization of Tax Title Redemption & Foreclosure Process – Board of Selectmen, Town Treasurer/Collector*
- f. Continue Substance Abuse Prevention Committee efforts & focus on regional grant request to federal Drug Free Community program – 2015 – Substance Abuse Prevention Committee*, Barnstable County, Board of Selectmen, School Committee, Public Health Nurse

g. Continue to support the implementation of STEM Program – 2015 & Beyond – School Committee*, Superintendent of Schools

h. Implement relevant recommendations from Beach Management Plan – 2015 & Beyond – Recreation Director*, Natural Resources Director, Director of Public Works, Public Facilities Director

i. Appropriate funding for recommended capital improvements – May 2015 & Beyond

ii. Initiate maintenance plan for beach parking lots & cleanliness of beach areas with implementation contingent upon proper funding – 2015 & Beyond

2. Capital Asset Management

a. Refocus public safety planning efforts – 2015 – Board of Selectmen*, Public Safety Planning Group, Consultants

i. Conduct public process on chosen alternative(s) - including website outreach, public feedback, public outreach & listening meetings, etc. – 2015

ii. Present public safety building infrastructure & personnel plan supported by Board of Selectmen to future Town Meeting(s) – Fall 2015

iii. Successfully implement public safety civilian dispatch locally – FY'16

iv. Continue to participate in ongoing discussion about regional efforts for joint 911 dispatch services for Barnstable County – 2015 & Beyond – Board of Selectmen, Town Manager, Chief of Police, Fire Chief

b. Public roads and public infrastructure improvements – 2015 & Beyond – Board of Selectmen, Director of Public Works

i. Determine recommended capital funding alternative(s) & present to Town Meeting & voters – 2015 & Beyond

ii. Lobby Governor & State House for additional Ch. 90 appropriations & more timely release of approved Ch. 90 funds – 2015 & Beyond

iii. Provide sufficient additional funding to DPW Budget to maintain roads & infrastructure at higher standard

iv. Implement private road taking process for action at 2015 & future Annual Town Meetings

c. Evaluate the developing School District Master Plan & adopt School Committee recommendation(s) – 2015 & Beyond – School Committee*

- i. Assist School Committee in implementing recommended actions from School District Master Plan – May 2015 & Beyond – School Committee, Board of Selectmen
 - ii. Support the decommissioning of the Henry T. Wing School for school purposes; School Department continued oversight of Wing School until any municipal services are relocated to the Wing School
 - iii. Continue professional re-living analysis of the Henry T. Wing School with associated public outreach & input– 2015 & Beyond – Board of Selectmen, Capital Improvement Planning Committee, Consultants
 - iv. Present recommended decision & associated funding to future Town Meeting – 2015 & Beyond
- d. Follow-up on Long Range Capital Plan (LRCP) & recommendations presented to Board of Selectmen – 2015 & Beyond – Board of Selectmen*, School Committee, Finance Committee, Capital Improvement Planning Committee
- i. Consider warrant article(s) to fund relevant portions of the LRCP – 2015 & Beyond
 - iv. Review LRCP for future changes and updates – 2015 & Beyond – Town Manager*, CIPC
- e. Revisit future of Clark-Haddad Building & Deacon Eldred House with Consultant report & input to determine course of action for these properties – Board of Selectmen, Capital Improvement Planning Committee, Community Preservation Committee, Consultants – 2015 & Beyond
- i. Seek appropriate funding when recommended course(s) of action determined – 2015 & Beyond

3. Economic Development (Commercial Tax Base Growth & Job Creation)

- a. Continue to achieve Comprehensive Water Resources Management Plan (CWRMP) milestones – per wastewater consultant's schedule – 2015 & Beyond – Health Director*, Water Quality Advisory Committee, Wastewater Consultant
- i. Proceed with recommendations of Interim Solutions plan and implement appropriate action items, where possible – 2015 & Beyond
 - ii. Actively participate in Barnstable County Section 208 planning efforts & implement watershed recommendations where possible, while representing the interests of the Town of Sandwich
 - iii. Educate public on Federal and State Section 208 requirements and consequences of inaction – 2015 & Beyond

- iv. Work with relevant private developers in meeting local CWRMP goals & regional Section 208 requirements
- b. Continue to assist successful South Sandwich Village Center (SSVC) developer in permitting efforts & any potential zoning changes – 2015 & Beyond
- c. Continue to foster positive working relations with NRG ownership of Canal Station power plant and assist NRG with any potential development / redevelopment and related infrastructure efforts – May 2015 & Beyond – Town Manager*, Director of Assessing, Town Planner, Town Meeting
- d. Continue to focus on economic development efforts – 2015 & Beyond – Board of Selectmen, Town Manager’s Office, Planning & Economic Development Director*, Director of Assessing, Sandwich Economic Initiative Corporation
 - i. Continue on-going RESET efforts with Cape Cod Commission (CCC) – 2015 & Beyond – Town Manger’s Office, Appropriate Town Staff
 - 1. Town land in SSVC – RFP
 - 2. Private land in SSVC – CCC permitting efforts
 - 3. Sandwich Industrial Park – Ch. H relevance, thresholds & locations
 - 4. South Shore YMCA Property – open space & wastewater credits
 - ii. Continue MassDevelopment master planning effort for Town Marina and adjoining property– 2015 & Beyond
- e. Implement appropriate Town staffing to further assist economic development efforts & review success of staffing to implement economic development goals; adjust as deemed appropriate – 2015 & Beyond
- f. Continue to explore infrastructure improvement efforts for enhanced economic development, considering all of the legal options available on a local, regional, state, and federal basis – 2015 & Beyond

4. Preserve and Protect Historic Character and Natural Resources

- a. Continue extensive efforts to address beach erosion issues & lobby county, state, federal officials accordingly – 2015 & Beyond – Board of Selectmen, Town Manager, Natural Resources Director*, Woods Hole Group
 - i. Continue active participation with Army Corps of Engineers on Section 111 & Section 204 studies, various permitting & funding efforts – 2015 & Beyond
 - ii. Lobby state & federal officials for access to future sources of sand & proceed with Coastal Zone Management grant to permit nearshore sediment borrow source for future renourishment efforts – 2015 & Beyond

- iii. Work with federal and state delegation to secure funding for completion of Beach Renourishment Project, including funding of Hurricane Sandy & Tropical Storm Nemo FEMA requests, release of State Environmental Bond Bill funds, and coastal resiliency grant efforts – 2015 & Beyond
- iv. Work with federal and state delegation to secure funding for future completion of Old Harbor Inlet Stabilization Project – 2015 & Beyond
- b. Warrant articles for Community Preservation Committee recommendations with Selectmen pre-authorization prior to submission of Town-related & owned requests, particularly with limited funding available – 2015 & Beyond – Board of Selectmen*, Community Preservation Committee
- c. Meet with Sandwich Housing Authority to discuss progress on George Fernandes Way expansion project & ways to address Sandwich Affordable Housing Plan; continue joint efforts with Habitat for Humanity to construct home(s) in Sandwich, – Summer 2015 & Beyond – Board of Selectmen, Sandwich Housing Authority*
- d. Continue to review open space purchase priority list, particularly if large, desirable parcels become available – 2015 & Beyond – Board of Selectmen, Natural Resources Director*, Conservation Commission, Community Preservation Committee

ATTACHMENTS

Many of the action items and concepts expressed above are also addressed with much more specificity in numerous documents like the Local Comprehensive Plan, our annual multi-year financial projections, and various planning documents covering specific issue areas. A listing of all these documents – and the documents themselves – can be found on the Town’s website (www.sandwichmass.org) or viewed at the Office of the Board of Selectmen & Town Manager, Town Hall, 130 Main Street, Sandwich, MA 02563.

MANAGEMENT CONTRACT

This MANAGEMENT CONTRACT, made and entered into on this 22nd day of March, Two Thousand and Eleven by and between the **TOWN OF SANDWICH**, a municipal corporation organized under the laws of the Commonwealth of Massachusetts, by its TOWN MANAGER, with offices at 130 Main Street, Town Hall, Sandwich, Massachusetts 02563, hereinafter called the "**the TOWN**", and

B.A.C. Clubhouse, LLC, "**the OPERATOR**".

WHEREAS, the TOWN, as owner of a golf course known as the Sandwich Hollows Golf Club located in the Town of Sandwich, Massachusetts, is seeking an OPERATOR to operate a food and beverage service at said golf course that can serve the golfing community and the general public in a pleasing, efficient manner; and,

WHEREAS, the OPERATOR is desirous of continuing to operate the restaurant and function facility for the period from March 22, 2011, to December 31, 2013, with a contract extension period to December 31, 2015 at the sole discretion of the TOWN, and the TOWN is willing to contract said property to said OPERATOR;

NOW THEREFORE, the parties agree as follows:

1. PREMISES

1.1: The premises are as shown on Exhibit 1 attached hereto and shall consist of the restaurant, lounge, and kitchen located on the second floor, the third floor function room, subject to the restrictions set forth in section 7 of this contract, and the office space and additional food and beverage storage on the first floor.

1.2: For the purpose of this contract, all restrooms at the clubhouse shall be considered common areas and the OPERATOR and the TOWN shall have equal access to said common areas.

2. TERM

2.1: The term of this contract shall be for thirty three months (33), commencing April 1, 2011 and terminating on December 31, 2013. The OPERATOR shall have the option of terminating this Contract in the event of the permanent disability or death of either of the Principals of the Corporation, provided the TOWN is given thirty (30) days notice in writing of such termination. The Town of Sandwich, Town Administrator reserves the right to award an extension to this contract for an additional two years to December 31, 2015, at its sole discretion.

3. COMPENSATION

3.1: The OPERATOR agrees to pay the TOWN the sum of: eight percent (8%) of annual gross sales for calendar year 2011; nine percent (9%) of annual gross sales for calendar year 2012; ten percent (10%) for calendar year 2013; eleven percent (11%) for calendar year