

Town of Sandwich  
Annual Town Meeting

# WARRANT

Monday, May 7, 2012  
7:00 p.m. – Sandwich High School



**BOARD OF SELECTMEN**

Frank Pannorfi, Chairman  
John G. Kennan, Vice-Chairman  
Linell M. Grundman  
James W. Pierce  
Ralph A. Vitacco

**MODERATOR**

Jan L. Teehan

**FINANCE COMMITTEE**

William Diederling, Chairman  
Paul J. Sylvia, Vice-Chairman  
Linda Bliss  
Courtney B. Bridge  
Thomas R. Hickey  
Paul C. Kilty  
Gene Parini  
John D. Vibberts  
Ellen Yaffe

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May 7, 2012**

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

**TOWN OF SANDWICH  
2012 ANNUAL TOWN MEETING  
May 7, 2012**

**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 7, 2012, at 7:00 p.m.,**

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

**Thursday, May 10, 2012, 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 Precincts 3 and 4 meet at the Oak Ridge School. Those residing within the area of Precincts 5 and 6 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.

**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 \$63,745,646.00, or any other amount, to defray Town expenses for the Fiscal Year July 1, 2012 to June 30, 2013 as itemized below in the third column entitled FY'13 Recommendation, or take any action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

## **Finance Committee FY'13 Budget Message:**

April 15, 2012

In accordance with the charter of the Town of Sandwich, the Finance Committee hereby presents this fiscal year 2013 budget message to the members of Town Meeting and to the taxpayers and residents of Sandwich. We would like to thank Town Manager Dunham and his staff, and School Superintendent Canfield and his staff for their diligent work in support of this process. After careful review and consideration, the Finance Committee voted unanimously to recommend that Town Meeting accept the budget as presented, and pass Article 2.

The recommended FY 2013 budget calls for a total expenditure of \$67,775,891. This is an increase of \$1,580,934 (2.4%) over the FY 2012 budget.

### **REVENUE SUMMARY**

Calculated into this budget is an increase in the tax levy of \$1,169,468 (2.5%) plus an additional \$400,000 of tax levy attributed to new growth. Our surplus revenue is \$2,137,550 which is an increase of \$769,839 over last year.

We won't know the exact amount of our Chapter 70 state aid for schools until it is voted by the state legislature. We feel confident in using an assumption of level funding for now. As we have done for the past several years, we will adjust this number at a future town meeting should it either increase or decrease.

No transfer of funds from the stabilization account is required or planned for in this budget. This is the second consecutive year that we have not had to rely on the stabilization fund as a source of revenue.

### **EXPENSE SUMMARY**

In 2011, the state legislature passed municipal health care reform measures giving cities and towns more flexibility to make cost saving changes in health insurance plans offered to employees. Working closely with our municipal and school unions, the Town was able to implement reasonable and effective plan design changes which resulted in lower health insurance premiums. In the FY 2013 budget, the Group Health Insurance line item is being reduced \$400,000 (-4.5%). Over the previous five years, we have had significant increases in this line item each year with the average being a \$530,000 annual increase. In effect, the \$400,000 reduction is about a \$730,000 savings from what we might have expected had we not been able to implement these changes.

Typically, our annual budgets include an amount to cover any deficit in the previous year's Snow & Ice budget. In recent years, this amount has ranged from \$50,000 to \$300,000 depending on the severity of the winter season. Due to the unusually mild

winter we experienced in FY 2012, there will be no deficit and this line item was reduced to \$0.

It is important to note that we will be adding \$175,000 to the Stabilization Fund bringing the balance in this account to slightly over \$1 million.

The budget calls for a 4.36% increase to the general government operating budget. This increase will cover increases in expenses and, in addition, some of the line item increases are simply an effort to more realistically budget for specific items that have been historically underfunded.

As has been the case for many years now, the general government departments are all running very lean in staffing, and in some cases are clearly understaffed. This will be the case in FY 2013 as well. However, this budget takes a very small step toward alleviating that situation by adding a part-time office assistant in the Engineering Department and a full-time IT Assistant.

The budget calls for an increase in the local contribution to the schools of \$367,117 (1.6%) and assumes level funding of Chapter 70 state aid to schools. The FY 2012 school budget included approximately \$450,000 of revenue from a federal jobs grant, but this money will no longer be available in FY 2013.

The School Department has advised the Finance Committee that they plan to supplement their revenue in two significant ways. The first is to draw from the School Choice Receiving Tuition Account. There is conservatively projected to be \$550,000 available in this fund at the beginning of FY 2013 and the school budget calls for spending \$437,265 of it. Secondly, the school budget includes raising an additional \$144,000 from new and increased fees, including a new \$100 Transportation & Parking fee.

The net result of all these changes is a \$30,207,658 school budget, which is a 1.37% increase.

It is important to note that student enrollment decreased by 136 students this year. In the past five years, enrollment has decreased by 523 students (-14%). Recent forecasts predict enrollment will continue to decline in the foreseeable future.

There is expected to be a net decrease in the total School Department staffing level of 1.58 employees (full-time equivalent).

## CONCLUSION

As the budget process unfolded this year, it became apparent that our financial situation is better than we predicted it would be. This is due mostly to three significant factors:

- The reduction in health care costs made possible by Health Care Reform laws

- The larger than normal surplus revenue from the previous year
- No necessity to cover the cost of our FY 2012 Snow & Ice deficit

The Finance Committee, which functions as an independent advisory committee, carefully and thoroughly scrutinizes the budget and analyzes the impact that the budget will have on the taxpayers, residents and visitors of Sandwich.

The impact on property taxes of the proposed FY 2013 budget is estimated to be a \$142 increase for the average single-family home, valued at \$354,400. This estimate does not include the capital exclusion article that appears later on the warrant.

**FY'13 BUDGET TOTALS**

<b>No.</b>	<b>Department</b>	<b>FY'11 Appropriation</b>	<b>FY'12 Appropriation</b>	<b>FY'13 Recommendation</b>
114	Moderator	1	1	450
123	Selectmen/Administrator	382,385	377,656	408,966
	Personnel Expenses	75,000	158,153	158,730
131	Finance Committee	2,700	2,700	3,400
135	Accounting	176,755	183,362	199,489
141	Assessing	338,359	341,087	363,186
145	Treasurer	168,066	174,755	185,888
146	Tax Collector	235,820	241,224	251,359
147	Tax Title	25,000	25,000	25,000
151	Legal	225,000	225,000	225,000
152	Human Resources	143,842	143,842	152,282
161	Town Clerk	156,050	156,990	146,722
162	Elections & Registrations	56,500	45,000	57,500
171	Natural Resources	233,711	236,898	233,872
175	Planning & Development	149,662	153,133	153,345
190	Facilities Management	449,604	474,604	491,176
195	Town Reports	11,000	11,000	11,000
196	Bind Town Records	1,000	1,000	1,000
197	Data Processing	331,456	331,456	390,482
	<b>Total 100s</b>	3,161,911	3,282,861	3,458,662
210	Police Department	3,045,197	3,148,270	3,330,197
220	Fire Department	3,657,892	3,790,423	3,932,680
241	Inspections	230,843	231,306	239,002
244	Weights & Measures	1,200	200	200
291	Emergency Management	5,250	5,250	7,750
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
	<b>Total 200s</b>	6,947,382	7,182,449	7,516,829
300	School Department	30,176,539	29,225,227	29,626,393
313	UCCRVTS	1,686,655	1,786,439	1,906,350
	<b>Total 300s</b>	31,863,194	31,011,666	31,532,743
410	DPW – Engineering	123,593	123,593	143,188
420	DPW – Highways	1,509,979	1,540,118	1,343,672
421	Snow & Ice	250,009	250,010	250,011
424	Streetlights	30,000	30,000	30,000
435	DPW – Sanitation	765,569	765,569	0
	<b>Total 400s</b>	2,679,150	2,709,290	1,766,871

No.	Department	FY'11 Appropriation	FY'12 Appropriation	FY'13 Recommendation
510	Health Department	167,464	167,616	174,752
522	Nursing Department	118,665	128,938	123,991
541	Council on Aging	147,520	152,115	187,540
543	Veterans Services	42,000	41,992	42,883
	<b>Total 500s</b>	475,649	490,661	529,166
610	Library	866,210	892,196	918,962
630	Recreation Department	71,149	71,149	88,086
650	DPW – Parks	13,850	13,850	13,850
671	Hoxie House / Grist Mill	10,000	10,000	0
693	Memorial Day	1,200	1,200	1,200
694	Historic District	12,000	12,000	12,000
	<b>Total 600s</b>	974,409	1,000,395	1,034,098
	<b>OPERATING SUBTOTAL:</b>	46,101,695	45,677,322	45,838,369
135	Marina & SHGC Indirect Costs Transfers			30,000
171	Waterways Fund Transfer			17,500
220	Ambulance Fund Transfer			150,000
630	Beach and Recreation Account Transfer (incl. Sandy Neck)			196,255
645	Community Preservation Act Debt			1,240,250
650	Cemetery Trust Fund Transfer			22,000
671	Hoxie House / Grist Mill Income Transfer			33,000
	<b>INTER-FUND TRANSFERS SUBTOTAL:</b>			1,685,005
132	Reserve Fund			500,000
540	Social Services Programs			21,200
710	Short Term Debt			75,000
750	Debt			2,821,349
910	Group Health Insurance			8,500,000
912	Medicare			523,736
940	Property & Liability Insurance			880,000
941	Unemployment Account			100,000
950	Retirement Assessment			2,800,987
	<b>OTHER ACCOUNTS SUBTOTAL:</b>			16,222,272
	<b>FY'13 BUDGET TOTAL:</b>			<b>63,745,646</b>

**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'13 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 \$1,000,000.00 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'13 enterprise fund budget for Sandwich Hollows Golf Club, or take any action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee that \$956,471.00 be appropriated for said purpose.**

**ARTICLE 5**

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 \$700,000.00, 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:

Natural Resources – Pick-up Replacement	35,000.00
Natural Resources – Buoy Replacements	6,500.00
Natural Resources – Overhaul Tractor	4,500.00
Natural Resources – Shellfish / Aquaculture Efforts	3,000.00
Facilities Department – Town Building Repairs/Improvements	125,000.00
Facilities Department – Pick-up Replacement with Plow	35,000.00
Police Department – Purchase Tasers	50,000.00
Police Department – Communication Radios & Link w/Schools	8,500.00
DPW Sanitation – Packer Truck Replacement	180,000.00
Library – Restroom Renovations	20,000.00
Recreation Department – Sailboat Replacements	35,000.00
Recreation Department – Playground & Skate Park Maintenance	7,500.00
DPW Parks – Mower Replacement	8,000.00
School Department – Upgrade High School Locker Rooms	50,000.00
School Department – Compatible IT Software System Upgrade	50,000.00
School Department – Underground Storage Tank Removals	20,000.00

School Department – Bathroom Partition Replacements	30,000.00
School Department – Carpet & Tile Replacements	20,000.00
School Department – HTW School Tennis Court Demolition	10,000.00
Building Repairs / Capital Purchases Reserve Fund	2,000.00

or take any action relative thereto.

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

**ARTICLE 6**

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the Sandwich Public Library HVAC system located at 142 Main Street, including design, site improvements, equipment, furnishings and costs incidental thereto, and further to authorize the Board of Selectmen to enter into any and all contracts necessary to carry out such project; provided that said appropriation shall be contingent upon the passage of a so-called proposition two and one-half capital expenditure exclusion referendum in accordance with M.G.L. c.59, §21C(i½), or take any action relative thereto.

**Recommended by the Board of Selectmen, Finance Committee, and Capital Improvement Planning Committee that \$500,000.00 be appropriated for said purpose.**

**ARTICLE 7**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$175,000.00, or any other amount, to the Stabilization Fund, or take any action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

**ARTICLE 8**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$8,467.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of funding the FY'13 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 9**

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'13, 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 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, 2012, 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 transfer and appropriate the sum of \$25,000.00, 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 completing repairs and improvements to the athletic fields at Sandwich High School, 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 M.G.L. c.64L, §2(a), which imposes a local meals excise of 0.75%, to take effect on July 1, 2012, or take any action relative thereto.

**Recommended by the Board of Selectmen. Not Recommended by the Finance Committee.**

**ARTICLE 13**

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY'13 Community Preservation budget and to appropriate from the Community Preservation Fund FY'13 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'13; 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'13 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 14**

To see if the Town will vote to transfer and appropriate under the Community Preservation Act historic resources program the sum of \$350,000.00, or any other amount, to be expended under the direction of the Board of Selectmen, for the purpose of preserving, restoring, and protecting the retaining wall, pedestrian access, and drinking water facilities adjacent to the historic 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 and Community Preservation Committee. Not Recommended by the Finance Committee.**

**ARTICLE 15**

To see if the town will vote to amend the description of the R-2 zoning district purposes in the Sandwich Protective Zoning By-laws Section 2140 by adding “The low density residential environment may include compatible uses as set forth in section 2310.” as the second sentence after “RESIDENCE: R-2,” so that as amended, the R-2 district purpose reads as follows: “RESIDENCE: R-2 – To provide for low-density residential environment in areas of good accessibility while protecting the quality of air, surface water and ground water of the area. The low density residential environment may include compatible uses as set forth in section 2310.”

**And further,**

To amend Section 2310 of the Sandwich Protective Zoning By-laws by adding a new line to the list of Principal Uses as follows:

	<b>R-1</b>	<b>BL-1</b>	<b>IND</b>	<b>MAR</b>	<b>RD-1</b>	<b>S</b>	<b>GD</b>
	<b>R-2</b>	<b>B-2</b>			<b>RD-2</b>		
Large Scale Ground Mounted Solar Photovoltaic Power Generation	R-1: N R-2: S	N	Y	N	S	N	N

**And further,**

To amend the Sandwich Protective Zoning By-laws by adding to the Definitions section in the appropriate alphabetical location as follows:

**LARGE SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION** – A facility for the generation of electric power from sunlight where the collection systems are mounted on the ground and not on the roofs of structures. Ground mounted systems shall have a minimum rated capacity of 250kW individually.

**And further,**

To amend the Sandwich Protective Zoning By-laws by adding Sections 4180-4196 “Large Scale Ground-Mounted Solar Photovoltaic Installations” as a new use allowed by right in the Industrial Zone and by Special Permit in R-2, RD-1 and RD-2 Zones as follows:

## **4180 LARGE SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS**

The Planning Board shall be the Special Permit Granting Authority for applications pertaining to sites outside the Industrial Limited District

### **4181 Purpose**

The purpose of this bylaw is to promote the creation of new large scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and, in certain cases, removal of such installations which standards address compatibility with adjoining residential neighborhoods, public safety and minimizing impacts on scenic, natural and historic resources.

The provisions set forth in this section shall apply to the construction, operation, change and/or repair of large scale ground-mounted solar photovoltaic installations which individually have a rated name plate capacity of 250 kW (DC) or more.

### **4182 Procedure**

Large scale ground-mounted solar photovoltaic installations located within the Industrial Limited District are allowed by right subject to compliance with sections 4180 through 4196 and other applicable sections of this bylaw.

Large scale ground-mounted solar photovoltaic installations located in R-2, RD-1 and RD-2 are allowed by Special Permit as provided in Section 1340 and subject to Sections 1480 through 1496 and other applicable sections of this bylaw.

### **4183 Applicability**

Sections 4180 through 4196 apply to large scale ground -mounted solar photovoltaic installations proposed to be constructed after the effective date of these sections. These sections also pertain to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

### **4184 Compliance with Laws, Ordinances and Regulations**

The construction and operation of all large scale solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications

requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

#### **4185 Building Permit and Building Inspection**

No large scale solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

#### **4186 Application Requirements for Building Permit and Special Permit**

- a. A site plan showing (i) property lines and physical features, including roads, for the project site, (ii) proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation and structures, (iii) designated primary access from a public way to the site and (iv) other features as set forth in Section 1340 and not specifically set forth herein;
- b. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed in Massachusetts showing the proposed layout of the system and any potential shading from nearby structures and off-site vegetation;
- c. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over-current devices;
- d. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
- e. Name, address, and contact information for proposed system installer;
- f. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
- g. The name, contact information and signature of any agents representing the project proponent;
- h. An Emergency Response to be provided to the Fire Chief which shall include a copy of the project summary, electrical schematic, and site plan. All means of shutting down the solar photovoltaic installation shall be clearly indicated. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation;
- i. An Operations and Maintenance Plan including measures for maintaining safe and controlled vehicle access to the installation, storm water controls, erosion controls as well as general procedures for operational maintenance of the installation.

Maintenance shall also include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any on-site access road(s);

- j. Proof of liability insurance;
- k. A fully inclusive estimate of the costs associated with removal of the facility if required by Section 4195 prepared by a qualified person. The amount shall include a mechanism for calculating increased removal costs due to inflation.
- l. Description of financial surety that satisfies Section 1495 if on town land.

The Planning Board or Building Inspector, as appropriate to the particular application, shall have the discretion to waive specific documentary requirements.

#### **4187 Other Special Permit Conditions**

- a. The Planning Board may also impose, in addition to any applicable conditions specified in this bylaw, such conditions as it finds reasonably appropriate to safeguard the neighborhood or otherwise serve the purposes of this bylaw, including, but not limited to: screening, lighting, fences, limitation upon size, method of access or traffic features, parking, removal upon cessation of use, or other requirements. Such conditions shall be imposed in the Special Permit decision and the applicant may be required to post bond or other surety for compliance with said conditions in an amount satisfactory to the Board.
- b. The Planning Board may require the proponent to provide or pay for peer review engineering services, including but not limited to the following: to evaluate proposals submitted; determining flexibility of geographic location, loading capacities of structures, and architectural and landscape review of camouflage techniques.

#### **4188 Site Control**

The project proponent shall submit documentation of existing or contractual rights to access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

#### **4189 Utility Notification**

No large scale ground-mounted solar photovoltaic installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

#### **4190 Dimensional and Density Requirements**

All sites and construction thereon shall conform to the area, frontage, building height, coverage and setbacks set forth in Section 2600 of this bylaw appropriate for the zoning district in which the installation is located except that the minimum lot area in R-2, RD-1 and RD-2 shall be 15 acres. The 15 acre minimum lot area may be reduced by special permit if, after hearing, the Planning Board finds that a smaller lot area will meet the standards and purposes of Sections 1330 and 4181 through 4195 and approves a specific smaller lot area. Lot coverage calculations shall not include the area of the solar panels.

#### **4191 Appurtenant Structures**

All appurtenant structures to large scale ground-mounted solar photovoltaic installations shall be subject to bulk, height, yard, parking and coverage regulations of this bylaw. All such appurtenant structures, including but not limited to office buildings, equipment shelters, storage facilities, workshops, transformers, and substations, shall be architecturally compatible with each other and adjacent development. Whenever reasonable, structures should be screened from view by vegetation and/or joined or clustered to minimize visual impacts on adjacent properties.

#### **4192 Design Standards**

##### **1. Lighting**

Lighting of large scale solar photovoltaic installations shall comply with Section 3470 and shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the large scale solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

##### **2. Signage**

A sign consistent with the Town's sign bylaw shall be required at the entrance of the site to identify the owner and provide the business name for the companies that own and operate the installation, their business address, the name of a contact person, and a 24-hour emergency contact phone number. Large scale solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.

##### **3. Site design**

The site shall be designed to minimize adverse impacts on adjacent properties used or zoned for residential purposes. Perimeter setback areas of Section 2600 shall be vegetated to provide screening.

#### **4193 Utility Connections**

Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

#### **4194 Land Clearing, Soil Erosion and Habitat Impacts**

Notwithstanding any other provisions of this bylaw, clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground mounted solar photovoltaic installation. Effective storm water and erosion controls shall be maintained at all times.

#### **4195 Maintenance and Modifications**

1. The owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to landscape screening, painting, structural repairs and integrity of security measures. Site access shall be maintained to a level reasonably acceptable to the Fire Chief and, if different, Emergency Medical Services. The owner or operator shall also be responsible for maintaining the designated primary site access road(s) from the facility to a public way.

2. All material modifications to a solar photovoltaic installation made after issuance of the required building permit shall be in compliance with Sections 4180-4196 and all other applicable sections of this bylaw.

#### **4196 Decommissioning on Town Owned Land**

1. Any large scale ground-mounted solar photovoltaic installation, if located on town owned land, which has reached the end of its useful life or has been abandoned shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the building Inspector by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- a. Physical removal of all large scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site;
- b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations; and
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion.

2. A removal bond shall be provided to cover the costs of removal of the facility, in an amount and form determined to be reasonable by the Building Inspector, but not to exceed more than 125 percent of such costs.

or take any action relative thereto.

**No Recommendation Required.**

**ARTICLE 16**

To see if the Town will vote to amend the Sandwich Protective Zoning By-laws, Section 2300, Use Regulation Schedule, by deleting the use item “Municipal sewage treatment with onsite disposal of secondary-treated effluent” and inserting in its place use items “Wastewater Treatment Facility” and “Wastewater Effluent Disposal” as written below:

**SECTION 2300 – USE REGULATION SCHEDULE**

	<b>R1</b>	<b>BL-1</b>	<b>IND</b>	<b>MAR</b>	<b>RD-1</b>	<b>S</b>	<b>G</b>
	<b>R2</b>	<b>B2</b>			<b>RD-2</b>		
Wastewater Treatment Facility (15)	SA	SA	SA	SA	SA	SA	SA
Wastewater Effluent Disposal (16)	SA	SA	SA	SA	SA	N	SA

**USE REGULATION SCHEDULE NOTES:**

- 15. If within Water Resource Overlay District - Subject to the requirements of Section 5000.
- 16. If outside Water Resource Overlay District.

**And further,**

To amend the Sandwich Protective Zoning By-laws by adding the following to the Definitions section:

**DEFINITIONS**

**WASTEWATER TREATMENT FACILITY** – A public or private facility constructed to treat wastewater, not including the disposal of treated effluent.

**WASTEWATER EFFLUENT DISPOSAL** – The disposal of treated effluent from a public or private wastewater treatment facility.

or take any action relative thereto.

**No Recommendation Required.**

## **ARTICLE 17**

To see if the Town will vote to transfer the care, custody, management and control of the following parcels of land, from the Town Treasurer for the purposes of sale at auction to the Board of Selectmen for general municipal purposes and wastewater treatment and or discharge purposes; and further to authorize the Board of Selectmen to convey perpetual easements on said parcels for the purposes of wastewater treatment and or discharge purposes, on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town;

Said parcels are identified as follows:

1. Assessor's Map 28, Lot 57, located off Kiah's Way, containing approximately 6.04 acres; and
2. Assessor's Map 28, Lot 58, located off Kiah's Way, containing approximately 6.13 acres; and
3. Assessor's Map 28, Lot 101, located off Quaker Meetinghouse Road, containing approximately 5.04 acres; and
4. Assessor's Map 28, Lot 102, located off Quaker Meetinghouse Road, containing approximately 17.51 acres; and
5. Assessor's Map 28, Lot 121, located off Quaker Meetinghouse Road, containing approximately 9.15 acres;

And further to authorize the Board of Selectmen to execute any and all instruments as may be necessary to effectuate the vote taken hereunder; or take any action relative thereto.

**Recommended by the Board of Selectmen.**

## **ARTICLE 18**

To see if the Town will vote to authorize the Board of Selectmen to convey all or a portion of the Town property, shown on Assessor's Map 17, as Lots 134, 137, and 138 which includes the Sandwich Pop Warner football field, off Quaker Meetinghouse Road shown as Parcels B and C on a plan entitled "Plan to Accompany R.F.P. Land in Sandwich, Massachusetts, Quaker Meetinghouse Road" as prepared by David C. Thulin, PE, PLS, dated June 14, 2004 which is on file with the Town Clerk's office containing a total of approximately 56.21 acres; said property to be conveyed on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town, and subject to the requirement that the successful purchaser or purchasers of all or any portion of Parcel B construct a new Pop Warner football field and associated infrastructure of the same or better quality than the existing field and infrastructure on land to be identified by the Board of Selectmen; or take any action relative thereto.

**Recommended by the Board of Selectmen and Finance Committee.**

**ARTICLE 19**

To see if the Town will vote to amend the Sandwich Town Bylaws by deleting Section 6.0, Temporary Transient Business: Door to Door, in its entirety and replacing it with the following Section 6.00, Temporary Transient Business: Door-to-Door Canvassing and Solicitation, to read as follows:

**Section 6.00: Temporary Transient Business: Door-to-Door Canvassing and Solicitation.**

**6.1 Title.**

This chapter shall be known as the “Door-to-Door Solicitation Law of the Town of Sandwich.”

**6.2 Purpose**

This article, adopted pursuant to Chapter 43, Section 13, of the General Laws and Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts, establishes registration requirements and specific operational requirements for persons intending to engage in door-to-door canvassing or solicitation in the Town of Sandwich in order to protect its citizens from disruption of the peaceful enjoyment of their residences and from the perpetration of fraud or other crimes; and, to allow for reasonable access to residents in their homes by persons or organizations who wish to communicate either commercial or non-commercial messages.

**6.3 Definitions**

For the purpose of this Bylaw, the following definitions shall apply:

6.3.1 “Soliciting” shall mean and include any one or more of the following door-to-door activities:

- a) selling, or seeking to obtain orders for the purchase of goods or services, including advertising in any type of publication, for any kind of consideration whatsoever;
- b) selling, or seeking to obtain prospective customers for application for purchase of insurance of any kind;
- c) selling, or seeking to sell subscriptions to books, magazines, periodicals, newspapers or any other type of publication;

- d) seeking to obtain gifts or contributions of money, or any valuable thing for the support or benefit of any association, organization, corporation or project wholly or in part for commercial purposes or by a professional solicitor or commercial co-venturer for a charitable or other non-commercial organization; and
- e) seeking to obtain information on the background, occupation, economic status, political affiliation, attitudes, viewpoints, or the like of the occupants of a residence for the purpose of selling or using such data, wholly, or in part, for commercial purposes.

6.3.2 “Canvassing” shall mean and include any one or more of the following door-to-door activities:

- a) person-to-person distribution of literature, periodicals, or other printed materials for commercial purposes, but shall not include placing or dropping off printed materials on the premises;
- b) seeking to enlist membership in any organization for commercial purposes; and
- c) seeking to present, in person, organizational information for commercial purposes.

6.3.3 “Residence” shall mean and include every individual dwelling unit occupied for residential purposes by one or more persons.

6.3.4 “Registered solicitor” shall mean any person who has obtained a valid certificate of registration from the Town as required by this Bylaw.

6.3.5 “Charitable Organization,” “Professional Solicitor” and “Commercial Co-venturer” shall be defined as set forth in Chapter 68, Section 18, of the General Laws.

## **6.4 Registration**

Every person or organization intending to engage in soliciting or canvassing door-to-door in the Town of Sandwich must apply for a permit with the Chief of Police by filing a registration application form with the Chief of Police. Applications for individual registration shall be filed at least ten business days in advance. Applications for organizational registration shall be filed at least ten business days in advance.

6.4.1 Organization application forms shall include the following information:

- a) The name and address of the organization applying for registration, and the names and addresses of the organizations’ principal officers. If the organization is a charitable organization, a certification that the most recent Annual

Registration Statement required to be filed with the Attorney General's Division of Public Charities has been so filed.

- b) If the organization is a Professional Solicitor or a Commercial Co-venturer for a charitable organization, a copy of the contract with the charitable organization must be provided with this application. Failure to include a copy of the contract with the charitable organization under such circumstances will render the application incomplete and no action will be taken thereon;
- c) The name, title and phone number, IRS or Social Security (optional) number and valid driver's license or other government-issued photo identification of the persons filing the application form;
- d) The names and addresses of the person(s), if any, who will be directly supervising the solicitation or canvassing operation in the Town of Sandwich;
- e) A list of the names, addresses, dates of birth of all individuals who will be employed in solicitation or canvassing by the applicant;
- f) Period of time for which certificate of registration is needed (note: no certificate may be granted for longer than a 60-day period);
- g) Names of the last three communities (if any) in which the organization has conducted a solicitation or canvassing operation, complete with the date issued and date expired; and
- h) Insurance information and license, if applicable.

6.4.2 Individual registration forms shall be required for all individuals, including those who are affiliated with an organization registered under Section 6.4.1 hereof. Individual registration forms shall contain the following information:

- a) Name and address of the present place of residence and length of residence at that address; if less than three years residence at present address, the address of residence(s) during the past three years;
- b) Date of birth;
- c) Name, address and telephone number of the person or organizations whom the applicant represents and the length of time the applicant has been associated with or employed by that person or organization. If the individual is a professional solicitor or a commercial co-venturer for a charitable organization, a copy of the contract, if any, with the charitable organization must be provided with this application. Failure to include a copy of the contract with the charitable organization under such circumstances will render the application incomplete and no action will be taken thereon;

- d) Period of time for which certificate of registration is needed (note: no certificate may be granted for longer than a 60-day period);
- e) Name of the last three communities (if any) in which the applicant has solicited or canvassed door-to-door, complete with the date of issue and expiration date;
- f) Valid driver's license or other government issued photo identification; and
- g) Make, model and registration number of any vehicle to be used by the applicant while soliciting or canvassing.

## **6.5 Registration Fee**

There shall be an application fee of \$50.00 for an individual registration card. Each organizational applicant for registration or re-registration shall pay to the Town an application fee of \$75.00.

## **6.6 Registration Cards**

6.6.1 The Chief of Police, after a review, but in no event more than ten (10) business days after receipt of a fully-completed application, shall furnish each person with a registration card which shall contain the following information:

- a) The name of the person;
- b) A recent photograph of the person;
- c) The name of the organization (if any) which the person represents;
- d) A statement that the individual has been registered with the Town of Sandwich Police Department but that registration is not an endorsement of any individual or organization; and
- e) Specific dates or period of time covered by the registration.

6.6.2 Persons engaged in solicitation or canvassing as defined in this Bylaw must display their Town issued registration card on the outermost portion of their clothing at all times while soliciting or canvassing and show such card to any person solicited or upon the request of any police officer.

6.6.3 Registration cards are valid only for the specific dates or time period specified thereon and in no case for longer than 60 days.

6.6.4 The Police Chief shall routinely grant registrations without further inquiry but shall refuse registration to an organization or an individual whose registration has been

revoked for violation of this Bylaw within the previous two-year period or who has been convicted of murder/manslaughter, rape, robbery, arson, burglary/breaking and entering, felony assault, or larceny over \$250, as such persons pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of the violent crimes so listed. The Police Chief shall also refuse to register a person who is a sex offender required to register with the Sex Offenders Registry Board and who is finally classified as Level 2 or Level 3 Sex Offender, as such persons have been found to have a moderate to high risk of re-offense and pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of sex crimes.

## **6.7 Exceptions**

6.7.1 Registration shall not be required for officers or employees of the Town, County, State or Federal governments when on official business.

6.7.2 Individual registration shall not be required for minors under the age of 18, except in connection with canvassing or soliciting on behalf of a profit organization, newspaper carriers excepted.

6.7.3 Nothing in this Bylaw shall be construed to impose any registration requirement or otherwise restrict or in any way regulate any activity for religious, political, newspaper distribution or public policy purposes or other non-commercial purposes, regardless of whether such activity includes acts that would otherwise constitute soliciting or canvassing.

## **6.8 Duties of Persons Going Door-to-Door**

6.8.1 Upon going into any residential premises in the Town of Sandwich, every solicitor, canvasser or other person must first examine any notice that may be posted prohibiting solicitation or other activities. If such a notice is posted, the solicitor, canvasser or other person shall immediately and peacefully depart from the premises.

6.8.2 Any solicitor, canvasser or other person who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

6.8.3 Immediately upon gaining entrance to any residence, each Solicitor or Canvasser as defined in this Bylaw must do the following:

- a) Present his registration card for inspection by the occupant;
- b) Request that the occupant read the registration card; and

- c) Inform the occupant in clear language of the nature and purpose of his business and, if he is representing an organization, the name and nature of that organization.

### **6.9 Restrictions on Methods of Solicitation, Canvassing, or Other Door-to-Door Activities**

It shall be unlawful for a solicitor, canvasser or other person to do any of the following:

- a) Falsely represent, directly or by implication, that the solicitation, canvassing or other activity is being done on behalf of a governmental organization, or on behalf of any municipal employee or elected official;
- b) Solicit, canvass or conduct any other activity at any residence where there is a posted sign prohibiting the same, without express prior permission of an occupant;
- c) Solicit, canvass or conduct any other activity at any residence without express prior permission of an occupant, before 9:00 a.m. or after 9:00 p.m. where there is no sign posted otherwise limiting solicitation or the hours of solicitation or such other activities;
- d) Utilize any form of endorsement from any department head currently employed or serving the Town of Sandwich; and
- e) Solicit, canvass or conduct any other activity at any residence in a threatening, abusive or illegal fashion.

### **6.10 Penalty**

6.10.1 Any person or organization who shall violate any of the provisions of this Bylaw or any applicable state or federal laws governing soliciting or canvassing, including, but not limited to Chapter 68 of the General Laws, shall be subject to a fine not to exceed \$300.00 for each offense.

6.10.2 Any person or organization who for himself, herself, itself, or through its agents, servants or employees is found after investigation by a police officer to have:

- a) violated any provision of this Bylaw, or any applicable state or federal laws governing soliciting or canvassing, including but not limited to Chapter 68 of the General Laws; or
- b) knowingly provided false information on the registration application shall have his, her or its registration revoked by the Chief of Police by written notice delivered to the holder of the registration in person, or sent to the holder by certified mail at the address set forth in the application.

## **6.11 Appeals**

Any person or organization who is denied registration or whose registration has been revoked may appeal by filing a written notice of appeal with the Board of Selectmen. Such appeal must be filed within 5 days after receipt of the notice of denial or revocation. The Board of Selectmen shall hear the appeal at its next scheduled meeting after the filing of the written notice of appeal, provided, however, that if the Board of Selectmen fails to make a determination within 30 days after the filing of the appeal, the registration shall be deemed granted or reinstated as the case may be.

## **6.12 Severability**

Invalidity of any individual provision of this Bylaw shall not affect the validity of the Bylaw as a whole.

### **No Recommendation Required.**

#### **ARTICLE 20**

To see if the Town will vote to dissolve the Mary I. Freeman Community Nursing Fund, established at the April 8, 1926 Special Town Meeting under Article 5, which bequeathed funds to the Community Nursing Association, which no longer exists; and further, in recognition of the stated wishes of Ms. Freeman as voted at the April 8, 1926 Special Town Meeting, to transfer the balance of said Mary I. Freeman Community Nursing Fund to the Nursing Department Donation Account; or take any action relative thereto.

### **Recommended by the Board of Selectmen and Finance Committee.**

#### **ARTICLE 21**

To see if the Town will vote to amend the Town Bylaws by deleting the text and title of Section 2.97, Part 3, and inserting the following, or take any action relative thereto.

#### **Part 3 Jurisdiction**

Because Regulatory Authorities subject citizens to fees, fines and regulations and the Town to possible litigation, the Town's interest is best served by requiring the following to comply with all provisions of this ByLaw. The Board of Selectmen, the Board of Assessors, the Planning Board, the Board of Health, the Sandwich Historic District Committee, the Zoning Board of Appeals, Sandwich Economic Initiative Corporation, the Conservation Commission, and the Water Quality Review Committee, all hereafter referred to as "Regulatory Authorities."

*(Submitted By Petition)*

### **No Recommendation Required.**

**ARTICLE 22**

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 Moderator for a term of three years;
- One Sandwich Housing Authority member for a term of five years;
- Three Planning Board members for a term of three years;
- One Planning Board member for an unexpired term of two years;
- Two Planning Board members for an unexpired term of one year;
- Three School Committee members for a term of three years;
- 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;
- One Trustee of the Weston Memorial Fund for an unexpired term of one year;

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

And to vote YES or NO on the following question:

**BALLOT QUESTION #1**

Shall the Town of Sandwich be allowed to assess an additional \$500,000 in real estate and personal property taxes for the purpose of constructing improvements and remodeling, constructing, reconstructing and making extraordinary repairs to the Sandwich Public Library HVAC system for the fiscal year beginning July first, two thousand twelve?

**YES:** \_\_\_\_\_

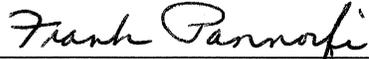
**NO:** \_\_\_\_\_

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

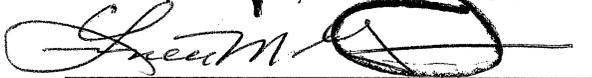
THURSDAY, THE TENTH DAY OF MAY, 2012.

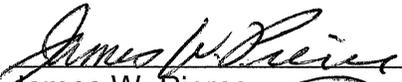
And you are hereby directed to serve this Warrant by posting attested copies thereof, one at the Town Hall, and one at each of the Post Offices in Sandwich, the last posting to be at least fourteen days prior to the time of holding said meeting,

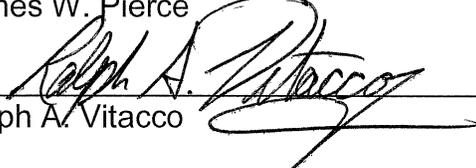
given under our hands this 19th Day of April, 2012.

  
\_\_\_\_\_  
Frank Pannorfi, Chairman

  
\_\_\_\_\_  
John G. Kennan, Vice Chairman

  
\_\_\_\_\_  
Linell M. Grundman

  
\_\_\_\_\_  
James W. Pierce

  
\_\_\_\_\_  
Ralph A. Vitacco

**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

4-20-2012  
Date

  
\_\_\_\_\_  
Constable

# Reference Material & Volunteer Service Form for Residents

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

# **ARTICLE 1 – 2012 LONG RANGE PLAN UPDATE**

## **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 7, 2012 Annual Town Meeting and are addressed in the recommended FY'13 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
- Action items over the next 12 months are heavily weighted toward collecting information and plan development
- 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. Consolidating & unifying financial systems with School & Town –School Business Manager\*, Town Accountant\*, Town Treasurer, Human Resources Director, Information Technology Director, School Information Technology Staff
  - i. Warrant article to fund software – May 2012 – Selectmen
- b. Continued implementation of Pay-As-You-Throw – 2012 & Beyond – Director of Public Works\*
  - i. Review and improve Sanitation Division enterprise fund implementation – FY’2013 – Director of Public Works, Town Accountant
  - ii. Present plan to Selectmen on migrating from a tax subsidized operation to a full fee for service operations – Summer 2012 – Director of Public Works, Town Accountant, Town Manager’s Office
  - iii. Resolve SEMASS contract issue & determine future of Upper Cape Regional Transfer Station on Massachusetts Military Reservation – 2012 – Director of Public Works
- c. Submit a plan to the Selectmen to expand delivery of senior & social services – Summer 2012 – Council on Aging Director\*, Public Health Nurse
  - i. Consider warrant article to fund initial step(s) – May 2013 – Selectmen
- d. Continue progress on recreational facilities & existing Recreation Field Development Plan with the Selectmen – 2012 – Town Manager’s Office\*, Recreation Director
  - i. Review RFP responses for additional recreational uses / services at Sandwich Hollows Golf Club – Spring 2012 – Selectmen, Town Manager’s Office\*, Golf Director, Recreation Director
  - ii. Proceed with development of public recreation fields at SHGC & corresponding license agreements with youth sports boards – 2012 – Town Manager’s Office\*, Recreation Director
- e. Charter Review Committee recommended changes to Selectmen – Summer 2012 – Selectmen\*
  - i. Present approved changes to Town Meeting, then to Legislature, if approved – Fall 2012 / Spring 2013
- f. Post all committee mission statements on website, etc. – July 2012 – Selectmen\*
- g. Review feasibility of future disposition of relevant tax title properties – 2012 & Beyond – Selectmen, Town Treasurer\*, Director of Natural Resources, Director of Assessing

- i. Update list of relevant tax title properties & review with appropriate departments and Board of Selectmen
- ii. Conduct public disposition of properties deemed appropriate
- h. Continue Substance Abuse Prevention Task Force efforts & submit grant to federal Drug Free Community program – March 2012 with September 2012 potential award – Substance Abuse Prevention Task Force\*, Barnstable County Grant Writing, Selectmen, School Committee

## 2. Capital Asset Management

- a. Complete construction of MSBA Green Repair Program work for Forestdale and Oak Ridge Schools – September 2012 – School Department\*
- b. Warrant article & ballot question for library HVAC capital exclusion – May 2012 – Selectmen, Library\*, Capital Improvement Planning Committee
- c. Monitor status of current library branch proposal on State waiting list – 2012 – Library\*
- d. Move forward on public safety improvement plan
  - i. Submit schematic design, cost estimate, and staffing plan to Selectmen & commence outreach / educational efforts – March 2012 – Town Manager’s Office\*, Fire Chief, Police Chief
  - ii. Warrant article/ballot question to support construction – 1<sup>st</sup> Quarter 2013 – Selectmen
  - iii. Warrant article/ballot question to support staffing plan – 2013 – Selectmen
- e. Evaluate consultant’s School District Master Plan & School Committee recommendation – Spring 2012 – School Committee\*
  - i. Review School Committee’s recommended action concerning School District Master Plan – Fall 2012 – School Committee, Selectmen
- f. Submit a comprehensive capital improvement needs plan to the Selectmen, School Committee and Finance Committee – 2012 – Town Manager’s Office\*, Public Facilities Director, Building Inspector, School Business Manager, School Facilities Director, Capital Improvement Planning Committee
  - i. Prepare a 10-year plan encompassing all physical facilities, proposing new construction, if needed, to support a joint public safety building, road bond, school master plan, marina office building, consolidated town hall, senior / community center,

library facilities, beach erosion issues, wastewater infrastructure, etc. Plan would also propose necessary maintenance for facilities further down the prioritized list for new construction and show the tax impact of any borrowing needed to finance either construction, repairs, or maintenance – 2012 – Town Manager\*, Financial Department Heads

ii. Consider warrant article to adopt (first phase of?) the plan – 2013 – Selectmen

iii. Consider warrant article to fund the first step(s) – 2013 – Selectmen

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

a. Continue to achieve early Comprehensive Water Resources Management Plan milestones – per Wright-Pierce schedule – 2012 & Beyond – Health Director\*, Water Quality Advisory Committee, Wright-Pierce

i. Proceed with Interim Solutions plan and implement appropriate action items – 2012 – Health Director, Town Counsel, Wright-Pierce

b. Commence a 10-year tax base expansion plan – 2012 – Sandwich Economic Initiative Corporation\*, Town Planner, Director of Assessing

i. Issue South Sandwich Village Center Request for Expression of Interest / Request for Proposals – Spring 2012 – Selectmen, Town Manager's Office\*, Sandwich Economic Initiative Corporation

ii. Complete Development Agreement with Tsakalos Realty Trust, Cape Cod Commission, Town – Summer 2012 – Planning Board, Town Planner\*

iii. Complete road & infrastructure easement for South Sandwich Village Center – Spring 2012 – Selectmen, Town Manager's Office\*

iv. Issue RFP for use of Town Route 130 land as tourism information / economic development office – Spring 2012 – Selectmen, Town Manager's Office\*

v. Seek authority to sell additional 7 acres of Town land in South Sandwich Village Center – May 2012 – Town Manager's Office\*, Recreation Director

vi. Submit MassWorks grant request for internal roadway between Route 130 and end of Jan Sebastian Drive – September 2012 – Selectmen, Town Manager\*, Sandwich Economic Initiative Corporation

vii. Lobby Cape Cod Commission for expanded commercial development thresholds in Industrial Service Trade Area (Sandwich Industrial Park) – 2012 – Town Manager\*, Town Planner, Sandwich Economic Initiative Corporation

viii. GenOn future & successor to current Tax Valuation Agreement – 2012 – Town Manager, Director of Assessing\*

c. Approve Sandwich Economic Initiative Corporation grant agreement for \$50,000 appropriation & corresponding business plan – Spring 2012 – Selectmen\*, Sandwich Economic Initiative Corporation

d. Continue efforts toward town meeting approval of revised zoning bylaws – 2012 & Beyond – Selectmen, Town Counsel, Planning Board, Town Planner\*

e. Explore regional Upper Cape economic development efforts & possibilities – 2013 Town Meetings – Town Manager\*, Cape Cod Commission, Upper Cape Towns

f. Continue Payment-In-Lieu-Of-Tax (PILOT) efforts with local non-profit organizations – 2012 & Beyond – Selectmen, Assessors, Director of Assessing\*

#### 4. Preserve and Protect Historic Character and Natural Resources

a. Warrant articles for Community Preservation Committee recommendations with Selectmen pre-authorization prior to submission of Town-related & owned requests, particularly with limited funding available – 2012 & Beyond – Selectmen\*, Community Preservation Committee

b. Commence actions in contracted scope of work to address beach erosion & lobby County, State, Federal officials accordingly – 2012 & Beyond – Selectmen, Town Manager, Natural Resources Director\*, Woods Hole Group

i. Continue to lobby County, State, Federal officials for renewed action on funding & permitting efforts – 2012 – Selectmen, Town Manager, Natural Resources Director\*, Woods Hole Group, Federal & State Delegation

ii. Consider warrant article to fund any interim improvements as permits are achieved – 2012 – Selectmen

iii. Lobby County, State, Federal officials for access to future sources of sand – 2012 & Beyond – Selectmen, Woods Hole Group

iv. Work with federal and state delegation to secure funding – 2012 – Selectmen, Woods Hole Group

c. Progress report or new requests relative to Sandwich Affordable Housing Plan & Proposed George Fernandes Way expansion project – Summer 2012 – Sandwich Housing Authority\*

d. Continue to review open space purchase priority list, particularly if large, desirable parcels become available – 2012 & Beyond – 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](http://www.sandwichmass.org)) or viewed at the Office of the Board of Selectmen & Town Manager, Town Hall, 130 Main Street, Sandwich, MA 02563.

## ARTICLE 2 – FY'13 PROJECTED REVENUES & EXPENSES

### REVENUES

#### FY'13 Tax Levy:

FY'12 Levy Limit	46,778,703	
2.5% Increase	1,169,468	
Est. New Growth	400,000	
Excess Levy Reserve Est.	0	
Requested Operational Overrides	0	
County Assess. Outside 2.5: CCC	166,882	
Debt Outside 2.5 (- Non-Levy & SBA)	965,795	49,480,848

#### Other Revenue:

Land Bank Purchases	1,240,250	
School Building Authority Funding	1,405,795	
State Aid: Discretionary (-5.96%)	2,150,000	
State Ch. 70 Aid: School (0.00%)	6,376,393	
Estimated Local Receipts (-\$500K)	4,300,000	*
Ambulance Transportation Receipts	750,000	
Surplus Revenue: Certified	2,137,550	
Overlay Release	150,000	
Transfer from Stabilization Fund	0	18,509,988

**Total Estimated Revenues** 67,990,836

\* = Est. Local Receipts & General Gov't. Budget both reduced by \$500,000 for DPW - Sanitation Division Enterprise Fund.

### EXPENSES

#### ReCap Sheet Items:

State Assess: Tuition Assess (36.57%)	2,200,000	
State Assess: All Other (2.65%)	500,000	
Abatements / Overlay	400,000	3,100,000

#### Town Meeting Items:

Group Health Insur.+25% Mitig. Plan(-4.49%)	8,500,000	
County Retirement Assess. (8.87%)	2,800,987	
Property & Liability Insurance (6.67%)	880,000	
Medicare (6.00%)	523,736	
Unemployment Account	100,000	
Debt: Long Term	4,061,599	
Debt: Short Term	75,000	
Reserve Fund	500,000	
Social Services	21,200	
Capital Budget	700,000	
Transfer to Stabilization Fund	175,000	
FY'12 Snow & Ice Deficit	0	18,337,522

#### Operating Budgets:

School Budget: Local (1.60%)	23,250,000	
Ch. 70 (0.00%)	6,376,393	29,626,393
UCCRVTS Budget (6.71%)		1,906,350
General Gov't. Budget (4.36%-\$500K)	*	14,805,626

**Total Estimated Expenses** 67,775,891

**ESTIMATED FY'13 BUDGET BALANCE** 214,944

## 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
	<b>MAIN MOTIONS</b>						
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
	<b>PRIVILEGED MOTIONS</b>						
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
	<b>SUBSIDIARY MOTIONS</b>						
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
	<b>INCIDENTAL MOTIONS</b>						
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:

- |                              |                              |                                     |
|------------------------------|------------------------------|-------------------------------------|
| ___ Beach Advisory Committee | ___ Energy Committee         | ___ Sandwich Cultural Council       |
| ___ Board of Health*         | ___ Finance Committee**      | ___ Sandwich Econ. Initiative Corp. |
| ___ Cape Cod Commission      | ___ Golf Advisory Comm.      | ___ Sandwich Historical Commission  |
| ___ Capital Planning Comm.** | ___ Historic District Comm.* | ___ Sandwich Housing Authority*     |
| ___ Conservation Comm.       | ___ Library Trustees*        | ___ Visitor Services Board          |
| ___ Council on Aging         | ___ Personnel Board          | ___ Zoning Board of Appeals         |
| ___ Disabilities Commission  | ___ Planning Board*          | Other: _____                        |
| ___ Emergency Management     | ___ Recreation Committee     | Other: _____                        |

\* = Elected

\*\* = Appointed by Moderator