

**Town of Mashpee
Special & Annual Town Meeting Warrants
Mashpee High School
Monday, May 5, 2008
7:00 p.m.**

Barnstable, ss:

Greetings to the Constables of the Town,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and summon the inhabitants of the Town of Mashpee who are qualified to vote in the elections to meet at the Mashpee High School on Monday, the 5th day of May, 2008 at 7:00 p.m. for the following purposes:

To act on the articles contained in the following Warrant.

Article 1

To see if the Town will vote to appropriate and transfer from available funds \$19,615 to fund the Personnel Administration Plan (P.A.P.) Appendix B and Appendix C employees, Plumbing and Wiring Inspectors, effective November 1, 2007 (3%) and vote to fund Special Service Contracts with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Personnel Department

Explanation: This article will grant a cost of living adjustment for Fiscal Year 2008 to employees whose positions are classified under the Town's Personnel Administration Plan and fund Special Service Contracts.

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

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

Article 2

To see if the Town will vote to appropriate and transfer from available funds \$12,570 to fund the Administrator's, Unit A, Contract effective November 1, 2007 (3%) with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will grant a cost of living adjustment for Fiscal Year 2008 to employees whose positions are classified under the Town's Administrator's, Unit A Contract.

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

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

Article 3

To see if the Town will vote to appropriate and transfer from available funds \$23,833 to fund the Clerical Union Contract, effective November 1, 2007 (3%) with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will grant a cost of living adjustment for Fiscal Year 2008 to employees whose positions are classified under the Town's Clerical Union Contract.

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

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

Article 4

To see if the Town will vote to appropriate and transfer from available funds \$11,834 to fund the Department of Public Works Contract effective November 1, 2007 (3%) with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will grant a cost of living adjustment for Fiscal Year 2008 to employees whose positions are classified under the Town's Department of Public Works Contract.

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

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

Article 5

To see if the Town will vote to appropriate and transfer from available funds \$14,741 to fund the Administrator's, Unit B, Contract effective November 1, 2007 (3%) with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article will grant a cost of living adjustment for Fiscal Year 2008 to employees whose positions are classified under the Town's Administrator's, Unit B, Contract.

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

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

Article 6

To see if the Town will vote to appropriate and transfer from available funds \$5,000 to the Personnel Accrued Benefit Account, or take any other action relating thereto.

Submitted by the Personnel Department

Explanation: These funds will replenish the Personnel Accrued Benefit Account to cover vacation and sick leave buyback for employees who resign or retire; relieving the burden of departmental operating budgets from covering these costs.

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

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

Article 7

To see if the Town will vote to transfer \$58,000 from the Treasurer/Collector Salary/Wage Account to the Selectmen's Legal/ Engineering Account, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: The transfer will offset the cost of consulting services for the Treasurer/Collector's Department which were paid through the Legal/Engineering Account.

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

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

Article 8

To see if the Town will vote to appropriate and transfer from available funds \$36,195 to the Snow & Ice Account, or take any other action relating thereto.

Submitted by the Department of Public Works

Explanation: This article is necessary to fund the deficit in the Snow & Ice Account.

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

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

Article 9

To see if the Town will vote to appropriate and transfer from available funds \$142,484 to pay costs of designing, constructing and equipping a fuel depot, and for the payment of all other costs incidental and related thereto, and to determine whether this amount should be raised by taxation, by transfer from surplus bond proceeds, by borrowing or otherwise, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: These funds are surplus bond proceeds from the following capital projects:

<i>High School Construction</i>	<i>Town Hall Renovation</i>	<i>Senior Center Construction</i>
<i>Peck Property Purchase</i>	<i>Fire Truck Purchase</i>	<i>Mashpee Place Land Purchase</i>
<i>Melia Property Purchase</i>	<i>Cemetery Project</i>	

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

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

Article 10

To see if the Town will vote to transfer \$150,000 from the Assessors Overlay Surplus Account to the Assessors Revaluation Account, or take any other action relating thereto.

Submitted by the Board of Assessors

Explanation: This article is necessary to fund the Assessors' Revaluation Account for costs related to meeting the Department of Revenue's annual and triennial certification requirements.

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

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

Article 11

To see if the Town will vote to transfer the use of, and authorize the Board of Selectmen to convey an easement for sidewalk/public access purposes in and over, a portion of the Mashpee Public Library property located on Steeple Street, identified on Mashpee Assessor's Map 74 as Block 31: specifically, that portion of said parcel measuring approximately 5 feet by 250 feet running northerly from Steeple Street along the eastern boundary of said parcel, containing 1,250 square feet, more or less; and to authorize the Selectmen to execute any documents or instruments necessary to effect and convey said easement upon such terms as they deem to be in the best interest of the Town, or take any other action relating thereto.

Submitted by Board of Selectmen

Explanation: This article is necessary to construct a sidewalk/public access between the Mashpee Public Library and Building 42, which will house the Mashpee Post Office.

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

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

Article 12

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund, in accordance with the provisions of M.G.L. Ch.44B s5, \$35,500 for the purpose of funding the Relocation of the Mashpee One-Room Schoolhouse, including necessary costs and expenses related thereto, as recommended by the Community Preservation Act Committee, or take any other actions relating thereto.

Submitted by the Community Preservation Committee

Explanation: To relocate the historic One-Room Schoolhouse (circa 1831) to the Community Park near the Town Archives where it will have greater public visibility and be more accessible for school tours and general public tours. The purpose of the relocation would allow for the preservation of the building as a historical monument, and promote additional awareness of Mashpee's cultural heritage, the Indian Museum, the Veteran's Memorial and herring run. In 2007, the Board of Selectmen voted unanimously to relocate the Schoolhouse to the Community Park area. The article was submitted by the Mashpee One-Room Schoolhouse Preservation Council. Funding for the relocation of the One-Room Schoolhouse would derive from the 10% budgeted Historical Reserve Account of the CPA.

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

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

And you are hereby directed to serve this Warrant by posting up attested copies thereof, one at the Town Hall, one at the Post Office, and one each on the bulletin boards, thirty days at least before said meeting.

Hereof fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 24th day of March in the year two thousand and eight.

Per order of,
Board of Selectmen

Theresa M. Cook, Chairman
John J. Cahalane, Vice Chairman
Don D. Myers, Clerk
George F. Green, Jr.
Wayne E. Taylor

**Town of Mashpee
Annual Town Meeting**

Barnstable, ss:

Greetings

To the Constables of the Town,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and summon the inhabitants of the Town of Mashpee who are qualified to vote in the elections to meet at the Mashpee High School on Monday, the 5th day of May 2008 at 7:00 p.m. for the following purposes:

To act on the articles contained in the following Warrant.

Article 1

To see if the Town will vote to accept the reports of the Town officers, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: The 2007 Annual Town Report in which the reports of Town officers are presented is available at the Town Meeting and at the Town Hall.

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

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

Article 2

To see if the Town will vote to fix the salaries of the following elected officers as provided in Chapter 41, Section 108, of the Massachusetts General Laws for the Period of July 1, 2008 to June 30, 2009, and further to see if the Town will vote appropriate and transfer a sum of money to defray the Town's expenses for the ensuing fiscal year according to the following line item budget with the maximum amount to be appropriated as shown in the column entitled "Dept. FY 2009 Request" (See Omnibus Budget), or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article seeks to fund the annual operating budgets for the various Town departments.

The Board of Selectmen recommends approval by a vote of 4-1.

The Finance Committee recommends approval by a vote of 5-2.

Department		FY 2008 Dept Budget	FY 2009 Dept Request	FY 2009 Finance Comm Recommend	FY 2009 Town Mgr Recommend
MODERATOR					
SALARY	1	200	200	200	200
TOTAL		200	200	200	200
SELECTMEN					
SALARY-ELECTED	2	10,000	10,000	10,000	10,000
SALARY/WAGE	3	305,701	326,861	326,861	326,861
EXPENSE	4	36,750	36,750	36,750	36,750
LEG/ENG/CONSULTING	5	285,500	285,500	285,500	285,500
AFFORDABLE HOUSING	6	1,000	-	-	-
TOTAL		638,951	659,111	659,111	659,111
FINANCE COMMITTEE					
RESERVE FUND	7	100,000	100,000	100,000	100,000
EXPENSE	8	56,000	53,000	53,000	53,000
TOTAL		156,000	153,000	153,000	153,000
TOWN ACCOUNTANT					
SALARY/WAGE	9	143,583	159,172	159,172	159,172
EXPENSE	10	2,500	2,500	2,500	2,500
TOTAL		146,083	161,672	161,672	161,672

Department		FY 2008 Dept Budget	FY 2009 Dept Request	FY 2009 Finance Comm Recommend	FY 2009 Town Mgr Recommend
ASSESSORS					
SALARY-APPOINTED	11	3,600	3,600	3,600	3,600
SALARY/WAGE	12	218,109	224,361	224,361	224,361
EXPENSE	13	7,350	7,350	7,350	7,350
TOTAL		229,059	235,311	235,311	235,311
TREASURER/TAX COLLECTOR					
SALARY/WAGE	14	244,239	254,087	254,087	254,087
EXPENSE	15	41,900	41,900	41,900	41,900
DEBT SERVICE	16	17,500	17,500	17,500	17,500
FORECLOSURE	17	20,000	20,000	20,000	20,000
TOTAL		323,639	333,487	333,487	333,487
PERSONNEL					
SALARY/WAGE	18	184,883	205,137	199,295	199,295
EXPENSE	19	40,345	40,345	40,345	40,345
TOTAL		225,228	245,482	239,640	239,640
DATA PROCESSING					
SALARY/WAGE	20	119,278	193,684	193,684	193,684
EXPENSE	21	124,231	134,694	132,694	132,694
TOTAL		243,509	328,378	326,378	326,378

Department		FY 2008 Dept Budget	FY 2009 Dept Request	FY 2009 Finance Comm Recommend	FY 2009 Town Mgr Recommend
TOWN CLERK					
SALARY-ELECTED	22	56,142	57,827	57,827	57,827
SALARY/WAGE	23	61,679	65,896	65,396	65,396
EXPENSE	24	8,900	10,250	8,900	8,900
TOTAL		126,721	133,973	132,123	132,123
ELECTIONS & REGISTRATIONS					
SALARY/WAGE	25	41,932	45,184	45,184	45,184
EXPENSE	26	8,500	41,750	12,000	12,000
TOTAL		50,432	86,934	57,184	57,184
CONSERVATION					
SALARY/WAGE	27	161,021	143,733	143,733	143,733
EXPENSE	28	3,810	3,810	3,810	3,810
TOTAL		164,831	147,543	147,543	147,543
PLANNING BOARD					
EXPENSE	29	8,125	10,875	8,125	8,125
TOTAL		8,125	10,875	8,125	8,125
PLANNING DEPARTMENT					
SALARY/WAGE	30	160,100	120,408	120,408	120,408
EXPENSE	31	6,200	6,200	6,200	6,200
TOTAL		166,300	126,608	126,608	126,608

Department		FY 2008 Dept Budget	FY 2009 Dept Request	FY 2009 Finance Comm Recommend	FY 2009 Town Mgr Recommend
BOARD OF APPEALS					
SALARY/WAGE	32	37,976	40,531	40,531	40,531
EXPENSE	33	306	260	260	260
TOTAL		38,282	40,791	40,791	40,791
TOWN HALL					
EXPENSE	34	215,400	215,400	215,400	215,400
TOTAL		215,400	215,400	215,400	215,400
POLICE					
SALARY/WAGE	35	2,973,882	3,049,472	3,049,472	3,049,472
EXPENSE	36	253,952	319,381	300,131	300,131
DISPATCHERS SALARY/WAGE	37	353,609	381,049	381,049	381,049
TOTAL		3,581,443	3,749,902	3,730,652	3,730,652
FIRE					
SALARY/WAGE	38	2,585,703	2,738,048	2,693,774	2,693,774
EXPENSE	39	361,501	374,998	363,511	363,511
TOTAL		2,947,204	3,113,046	3,057,285	3,057,285
BUILDING INSPECTOR					
SALARY/WAGE	40	239,963	251,939	251,939	251,939
EXPENSE	41	14,150	14,150	10,900	10,900
TOTAL		254,113	266,089	262,839	262,839

Department		FY 2008 Dept Budget	FY 2009 Dept Request	FY 2009 Finance Comm Recommend	FY 2009 Town Mgr Recommend
TREE WARDEN					
SALARY/WAGE	42	1,350	1,350	1,350	1,350
EXPENSE	43	1,350	1,350	1,350	1,350
TOTAL		2,700	2,700	2,700	2,700
HARBORMASTER					
SALARY/WAGE	44	80,101	83,400	83,400	83,400
EXPENSE	45	9,675	9,675	9,675	9,675
TOTAL		89,776	93,075	93,075	93,075
HERRING WARDEN					
SALARY/WAGE	46	500	-	-	-
EXPENSE	47	500	1,000	1,000	1,000
TOTAL		1,000	1,000	1,000	1,000
SHELLFISH					
SALARY/WAGE	48	59,738	62,661	62,661	62,661
EXPENSE	49	8,800	8,800	8,800	8,800
PROPAGATION	50	14,000	14,000	14,000	14,000
TOTAL		82,538	85,461	85,461	85,461
SCHOOL					
BUDGET	51	20,227,652	20,579,652	20,517,652	20,517,652
TOTAL		20,227,652	20,579,652	20,517,652	20,517,652

Department		FY 2008 Dept Budget	FY 2009 Dept Request	FY 2009 Finance Comm Recommend	FY 2009 Town Mgr Recommend
D.P.W.					
SALARY/WAGE	52	994,410	942,415	942,415	942,415
EXPENSE	53	428,800	428,800	425,900	425,900
BUILDINGS & GROUNDS	54	230,250	230,250	230,250	230,250
TOTAL		1,653,460	1,601,465	1,598,565	1,598,565
SNOW & ICE					
EXPENSE	55	116,570	116,570	116,570	116,570
TOTAL		116,570	116,570	116,570	116,570
STREET LIGHTING					
EXPENSE	56	40,000	44,517	44,517	44,517
TOTAL		40,000	44,517	44,517	44,517
HEALTH					
SALARY-APPOINTED	57	3,000	3,000	3,000	3,000
SALARY/WAGE	58	170,059	179,470	179,470	179,470
EXPENSE	59	26,035	26,035	25,050	25,050
TOTAL		199,094	208,505	207,520	207,520
HUMAN SERVICES					
SALARY/WAGE	60	55,211	58,279	58,279	58,279
EXPENSE	61	55,995	68,260	55,995	55,995
TOTAL		111,206	126,539	114,274	114,274

Department		FY 2008 Dept Budget	FY 2009 Dept Request	FY 2009 Finance Comm Recommend	FY 2009 Town Mgr Recommend
TRANSFER STATION					
EXPENSE	62	935,742	955,426	955,426	955,426
TOTAL		935,742	955,426	955,426	955,426
SEWER COMMISSION					
EXPENSE	63	120	42,720	120	120
TOTAL		120	42,720	120	120
CEMETERY					
SALARY/WAGE	64	-	-	-	-
EXPENSE	65	20,000	20,000	20,000	20,000
TOTAL		20,000	20,000	20,000	20,000
COUNCIL ON AGING					
SALARY/WAGE	66	174,946	184,391	184,391	184,391
EXPENSE	67	31,850	39,250	39,250	39,250
TOTAL		206,796	223,641	223,641	223,641
VETERANS					
MEMBERSHIP	68	22,349	23,759	23,759	23,759
EXPENSE	69	38,000	25,000	25,000	25,000
TOTAL		60,349	48,759	48,759	48,759

Department		FY 2008 Dept Budget	FY 2009 Dept Request	FY 2009 Finance Comm Recommend	FY 2009 Town Mgr Recommend
LIBRARY					
SALARY/WAGE	70	210,829	227,196	227,196	227,196
EXPENSE	71	93,966	93,971	93,971	93,971
TOTAL		304,795	321,167	321,167	321,167
LEISURE SERVICES					
SALARY/WAGE	72	265,652	279,502	279,002	279,002
EXPENSE	73	24,950	25,450	24,950	24,950
TOTAL		290,602	304,952	303,952	303,952
HISTORICAL					
SALARY/WAGE	74	4,945	5,209	5,209	5,209
EXPENSE	75	4,595	4,595	4,595	4,595
TOTAL		9,540	9,804	9,804	9,804
CULTURAL COUNCIL					
EXPENSE	76	90	90	90	90
TOTAL		90	90	90	90
PRINCIPAL INSIDE 2 ½	77	1,154,883	1,126,812	1,126,812	1,126,812
PRINCIPAL OUTSIDE 2 ½	78	2,021,047	1,959,014	1,959,014	1,959,014
INTEREST INSIDE 2 ½	79	533,885	485,523	485,523	485,523
INTEREST OUTSIDE 2 ½	80	917,470	769,086	769,086	769,086

Department		FY 2008 Dept Budget	FY 2009 Dept Request	FY 2009 Finance Comm Recommend	FY 2009 Town Mgr Recommend
TEMP BORROW INSIDE 2 ½	81	-	18,835	18,835	18,835
TEMP BORROW OUTSIDE 2 ½	82	47,565	36,677	36,677	36,677
COUNTY RETIREMENT	83	1,654,030	1,754,007	1,754,007	1,754,007
UNEMPLOYMENT	84	60,000	60,000	60,000	60,000
MEDICAL INSURANCE	85	4,635,973	5,109,908	5,109,908	5,109,908
GROUP INSURANCE	86	15,000	15,739	15,739	15,739
MEDICARE	87	340,423	343,420	343,420	343,420
TOWN INSURANCE	88	585,446	585,446	550,481	550,481
GRAND TOTAL		45,833,272	47,553,054	46,781,144	46,781,144

Article 3

To see if the Town will vote to adopt the Capital Improvement Program as presented by the Capital Improvement Committee and to see if the Town will vote to appropriate, borrow or transfer from available funds \$436,385 to various department Capital Accounts, or take any other action relating thereto.

Submitted by the Board of Selectmen

Explanation: This article is to appropriate funds for the Fiscal Year 2009. This article will be funded using \$200,000 from the Ambulance Reserved Receipt Account and \$236,385 from Free Cash.

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

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

<i>Department</i>		<i>FY2009 CIP Committee Report</i>	<i>Finance Committee Recommendation</i>	<i>Town Manager Recommendation</i>
DPW				
6 Wheel Dump Truck (Final)	1	56,390	56,390	56,390
Total		56,390	56,390	56,390
POLICE				
10 Vehicles (Year 1 of 3)	2	105,000	105,000	105,000
2 Vehicles (Final Payment)	3	29,995	29,995	29,995
Total		134,995	134,995	134,995
FIRE				
Air Pack Replacement (Final)	4	45,000	45,000	45,000
3 rd Ambulance	5	200,000	200,000	200,000
Total		245,000	245,000	245,000
Grand Total		\$436,385	\$436,385	\$436,385

Article 4

To see if the Town will vote to approve the annual regional school district budget for the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2008, in the amount of \$11,903,693 and further, to see if the Town will vote to raise and appropriate \$494,742 to meet its share of the cost of operation and maintenance of the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2008, or take any other action relating thereto.

Submitted by the Treasurer

Explanation: Mashpee's share of the Regional Technical High School budget is \$494,742. There are 45 students from Mashpee at the Regional Technical High School, an increase from 40 students last year.

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

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

Article 5

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds \$460,000 to provide for road improvement projects under the Chapter 90 program, or take any other action relating thereto.

Submitted by the Department of Public Works

Explanation: This article authorizes use of funds which will be 100% reimbursed by the Commonwealth of Massachusetts. The budget approved each fiscal year by the Legislature and Governor establishes the total funding available for Chapter 90 local transportation aid for that year. These funds are then apportioned to the 351 Massachusetts towns and cities. The funding authorized by this article is the maximum anticipated Town's share for FY08 of the Chapter 90 program. The Town may receive this funding in one or multiple apportionments over the fiscal year.

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

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

Article 6

To see if the Town will vote to re-authorize the Council on Aging revolving account, through the Town Accountant, in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½ to be expended under the direction of the Council on Aging, in order to place anticipated revenues collected from program income which shall be used to further the operation of programs under the Council on Aging, and to establish the limit on expenditures from said account for Fiscal Year 2009 at \$15,000, or to take any other action relating thereto.

Submitted by the Council on Aging

Explanation: Revolving account is required in order to receive and disburse funds generated through programs supported by such revolving fund such as senior trips and educational program staff. Revenues will be used to offset expenses related to these programs.

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

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

Article 7

To see if the Town will vote to appropriate and transfer \$57,500 from the Waterways Improvement Reserved Receipts Account to the Waterways Improvement Maintenance Account, or take any other action relating thereto.

Submitted by the Harbormaster and
Waterways Commission

Explanation: This money is for maintenance dredging of the Popponeset Bay and Waquoit Bay navigation channels, repair and maintain Town owned docks, equipment, and navigational aids as needed.

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

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

Article 8

To see if the Town will vote to appropriate \$262,755 for the operation of the Kids Klub Enterprise Fund for Fiscal Year 2009; such sums to be raised from \$262,755 in receipts of the Enterprise, or take any other action relating thereto.

Submitted by the Leisure Services Department

Estimated Revenues

Toddler Program	\$75,680.00
3 & 4 YO Daycare	\$132,040.00
Pre-School Program	\$51,415.00
Pre-School Camp	\$3,620.00
Other Revenue	\$0.00
Interest	
Total Budgeted Revenues:	\$262,755.00

Estimated Expenses

Direct Expenses	
Personnel	\$201,018.00
Operating Expenses	\$48,908.00
Administrative Overhead	\$12,829.00
Total Budgeted Expenses:	\$262,755.00

Net Profit/loss **\$0.00**

Explanation: The proposed Leisure Service Enterprise budget for next year will authorize the Department to operate a Toddler/Pre-School Program as a self-sufficient, self-funded operation.

All costs related to the operation of the program are projected to be offset by the program revenues. All surpluses of this account at the end of the year will remain within the account.

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

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

Article 9

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund \$45,000 to the Community Preservation Act Committee Administrative and Operating Expenses Account, or take any other action relating thereto.

Submitted by the Community Preservation Act Committee

Explanation: This article will provide funding to cover secretarial support and other related expenses.

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

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

Article 10

To see if the Town will vote to authorize the Selectmen to acquire, by purchase or otherwise, for open space, conservation and passive recreation purposes, consistent with the provisions of Mass. Gen. Laws. Ch. 40, Section 8C, General Laws Ch. 44B Section 2, and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, that parcel of land known as the St. Vincent's Home Corporation parcel, identified on the 2007 Mashpee Assessors' Maps as Map 9 Block 1 consisting of 78.67 acres, more or less, located on Route 130, to be held in the care and custody of the Conservation Commission pursuant to Massachusetts General Laws Chapter 40, Section 8C; and further, to see if the Town will vote to appropriate the aggregate sum of \$3,146,800 for such purpose, including expenses incidental and related thereto; and, to fund this acquisition, to see if the Town will vote to transfer and appropriate from the Community Preservation Fund, in accordance with the provisions of M.G.L. Ch.44B s.5 the sums of \$177,267 from the CPA Open Space reserve Account and \$322,733 from the CPA Budgeted Reserve Account, as recommended by the Community Preservation Committee, to authorize the Board of Selectmen and / or Conservation Commission to apply for and accept Federal, State and / or County grants, including reimbursement under Chapter 132A, Section 11 of the General Laws, the "Self-Help Act", and/or the Federal Land & Water Conservation Fund, P.L. 88-568, 78 Stat 897, in the amount of \$1,000,000, said grants to be applied by the Town toward the financing of this land purchase, to authorize the Treasurer to borrow, upon approval by the Board of Selectmen, the sum of \$2,146,800, subject to and contingent upon successful passage of a Proposition 2 ½, so-called, debt exclusion ballot question pursuant to the provisions of G.L. Chapter 59, Section 21C (k); to authorize the Town to enter into contracts or agreements with Federal, State and / or County agencies, private conservation trusts or other entities or

persons in connection with the purchase of such land and its preservation for conservation and passive recreation purposes; and finally, to see if the Town will authorize the Conservation Commission and the Board of Selectmen to enter into agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate said acquisition, sale, transfer or preservation; or take any other action relating thereto.

Submitted by the Community Preservation Act Committee

Explanation: This article would authorize the Board of Selectmen to acquire 78.67 acres located on Route 130. Funding for this acquisition will require the use of CPC funds, Self Help Funds, Land & Water Conservation Funds, and a \$2,146,800 debt exclusion.

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

Finance Committee to make recommendation at Town Meeting.

Article 11

To see if the Town will vote to authorize the Selectmen to acquire, by purchase or otherwise, for conservation and passive recreation purposes, consistent with the provisions of Mass. Gen. Laws. Ch. 40, Section 8C, and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, that parcel of land identified on the 2007 Mashpee Assessors' Maps as Map 45, Block 69, consisting of 1.09 acres, more or less, located at 100 Meetinghouse Road, to be held in the care and custody of the Conservation Commission pursuant to Massachusetts General Laws Chapter 40, Section 8C; and further, to see if the Town will vote to appropriate, from the Conservation Commission Acquisition of Lands and Maintenance Account, \$180,000 for such purpose, including expenses incidental and related thereto; and further, to see if the Town will authorize the Board of Selectmen and / or Conservation Commission to apply for and accept Federal, State and / or County grants, including reimbursement under Chapter 132A, Section 11 of the General Laws, the "Self-Help Act", and/or the Federal Land & Water Conservation Fund, P.L. 88-568, 78 Stat 897, to be applied by the Town toward the financing of this purchase, and to enter into contracts or agreements with Federal, State and/or County agencies, private conservation trusts or other entities or persons in connection with the purchase of such land and its preservation for conservation and passive recreation purposes; to appropriate back to the Conservation Commission Acquisition of Lands and Maintenance Account any funds reimbursed from the aforesaid sources in connection with this acquisition; and finally, to see if the Town will authorize the Conservation Commission and the Board of Selectmen to enter into agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate said acquisition, sale, transfer or preservation; or take any other action relating thereto.

Submitted by Conservation Commission

Explanation: This article would authorize the Board of Selectmen to purchase, on behalf of the Conservation Commission, a 1.09 acre parcel on Meetinghouse Road, which is adjacent to existing conservation land owned by the Massachusetts Division of Fisheries & Wildlife on the Mashpee River. The purchase would be paid for with funds from the Conservation Commission's Acquisition of Lands and Maintenance Account. The purchase would normally not require Town Meeting approval, except that this article is required to conform with the requirements of the state's "Self-Help" land acquisition program, from which a 52% reimbursement will be sought.

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

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

Article 12

To see if the Town will vote to amend Section 174-45.5 of the Zoning By-law as follows:

Add the following new definition, in correct alphabetical order, to subsection B.:

"Building-Mounted Turbine – any WECF specifically designed to be mounted on, or attached to, a building. For the purposes of this Section, "Building" shall mean a three dimensional structure, designed for permanent use or occupancy, that has at least 4 walls and a roof and that requires a building permit for its construction, not including structures like fences, retaining walls, billboards, signs, towers, poles, small sheds, foundations, residential structure canopies, carports etc., except that certain other non-residential structures, such as water towers or canopies covering gas station islands, may be approved by the Planning Board for mounting of such turbines.";

Add the following sentence to Subsection C.: "Tilt-up towers, fixed-guyed towers, freestanding towers, Building-Mounted Turbines or other designs may be considered for approval."

Delete Subsection D.(1);

Renumber Subsection D.(2) to become D.(1) and add the phrase "Except for Building-Mounted Turbines," after "Setback:";

Renumber Subsection D.(3) to become D.(2) and add the following new second sentence: "Building-Mounted Turbines may not extend more than 20 feet above the highest point of the building or structure to which they are mounted.";

In the second paragraph of Subsection E.(4) change "30" to "fourteen" in the first sentence and add the following second sentence: "Any person aggrieved by the Building Inspector's decision may appeal such decision to the Zoning Board of Appeals.";

Add the following new Subsection E.(6): “(6) All Building-Mounted Turbine applications shall be accompanied by detailed plans showing how the turbine will be structurally fastened to the building, along with a written certification by a licensed structural engineer that the turbine and the proposed structure to which the turbine is to be fastened are sound and that the proposed turbine and mounting will safely withstand the installation and continued operation of the turbine and create no hazard to the structure, its occupants, abutting properties and the public.”;

Replace Section H.(2) with the following: “(2) Climbing access to any tower shall be limited by placing the bottom of any permanent climbing apparatus no lower than ten (10) feet from the ground.”;

Add the following new Subsection H.(5): “(5) Building-Mounted Turbines located on a roof shall be located or protected so as to prevent unauthorized access and any hazard to persons on said roof.”;

Add the following new Subsection H.(6): “(6) Minimum horizontal clearance between a Building-Mounted Turbine and any overhead utility wiring shall be equal to 150 percent of the total height of the turbine above its mounting point to the building.”

or take any other action relating thereto.

Submitted by Planning Board

Explanation: The Town’s existing wind bylaw prohibits the installation of any building-mounted wind turbines. This amendment would allow the Planning Board to consider the installation of building-mounted turbines and specifies the standards to be applied to the implementation of such facilities. The article also amends provisions of the by-law regarding appeals of Building Inspector violation decisions which were disapproved by the Attorney General in his decision on the wind power by-law as approved at the October 2007 Town Meeting.

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

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

Article 13

To see if the Town will vote to accept the layout as a public way of Meadowbrook Road as shown on plans entitled “Easement Taking Plan of ‘Seabrook Meadows’ Subdivision” prepared by The BSC Group, Inc., dated November 21, 2000”; which layout shall have been filed in the Office of the Town Clerk, not later than seven days prior to the date of the vote hereunder and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking any land necessary for the purposes of such ways as so laid out; and further authorize the Board of Selectmen to assess betterments to the owners of the land abutting the ways, or take any other action relating thereto.

Submitted by Board of Selectmen

Explanation: This article is to reauthorize previous road taking approved at the October 16, 2006 Town Meeting in order to meet recording requirements set by State Law.

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

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

Article 14

To see if the Town will vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Hicks Way and to accomplish said purpose and for expenses incidental and related thereto, the Town vote to raise and appropriate or transfer from available funds for appropriation \$5,000 to the Hicks Way Account, or take any other action relating thereto.

Submitted by Petition

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

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

Article 15

To see if the town will vote to amend the General By-Laws of the town, as most recently amended, by inserting into the title of Chapter 4, Elected Boards and Commissions, after the word “elected”, the word “officers”, so that the title as so amended will read “Elected officers, Boards and Commissions” and by inserting after said title a new Article 1, In General, substantially as follows:

Article 1 – In General

Any elected town officer, or any member of an elected multiple member body, may serve by virtue of office as a member of a multiple member body whenever the town by-law, or town meeting vote, or other vote, or order establishing the multiple member body specifies that one or more of the members of the said multiple member body shall be the town clerk, or the town moderator, or a member of the board of selectmen, or a member of the school committee, or a member of the board of library trustees or a member of the planning board. Unless otherwise provided in the town by-law, town meeting vote or other vote, or order establishing the said multiple member body the person representing a particular multiple member body shall be chosen by the body being represented. Unless otherwise provided in the by-law, vote or order establishing the multiple member body such member shall have all the rights and privileges available to every other member of the multiple member body.

and by renumbering the existing provisions following the provisions being inserted into Chapter 4 as Article 2, Board of Selectmen and Article 3, Planning Board,

or to take any other action relating thereto.

Submitted by Petition

The Board of Selectmen voted to take no position by a vote of 5-0.

The Finance Committee does not recommend approval by a vote of 4-1.

Article 16

To see if the Town will vote to appropriate or borrow \$50,000 for the installation of a solar energy system on the Mashpee Senior Center, or take any other action relating thereto.

Submitted by Petition

The Board of Selectmen voted to take no position by a vote of 4-1.

Finance Committee recommends Article 16 be indefinitely postponed and the article be referred to the Planning and Construction Committee for its review and recommendation by a vote of 5-0.

Article 17

To see if the Town will vote to accept the layout as a public way Preakness Lane as shown on a plan entitled "Easement Taking and Layout Plan of Preakness Lane" in Mashpee, Massachusetts (Barnstable County)", dated September 14, 2006 and prepared by Eagle Surveying, Inc. which layout shall have been filed in the Office of the Town Clerk, not later than seven days prior to the date of the vote hereunder and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking any land necessary for the purposes of such way as so laid out, and to appropriate and transfer from available funds \$38,060 to the Preakness Lane Roadway Account and to raise said appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow at one time, or from time to time, under and pursuant to Chapter 44 Section 7 or 8 or any other enabling authority for such purchase or taking and layout including costs of constructing such ways and legal financing and other costs incidental and related thereto; and further authorize the Board of Selectmen to assess betterments to the owners of the land abutting the ways, or take any other action relating thereto.

Submitted by Petition

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

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

Article 18

Article – By Petition of the Board of Water commissioners of the Mashpee Water District and others:

To see if the Town will vote to rescind the vote under Article 21 of the May 7, 2007 annual Town Meeting; and further, that the Town meeting supports and approved Legislation sought by

the Board of Water Commissioners of the Mashpee Water District to seek a change in the election of the Board of water Commissioners to have the election of the Board of water Commissioners of the Mashpee Water District and the Town of Mashpee elections held in conjunction with one another as of the 2009 Annual elections, or to take any other action relative thereto.

Explanation: Article 21 of the May 7, 2007 Town meeting was a proposed charter Amendment brought by petition. The petitioners indicated that the purpose of the Article was to bring the Mashpee Water District and the Town elections together so as to maximize participation in the elections and minimize voter inconvenience. The Mashpee Water District Board of Water Commissioners supports these goals.

However, the manner in which Article 21 was worded creates a great number of problems, financial and otherwise, for the Town and the Water District. Several legal opinions have been rendered by regular Counsel, Special Counsel, and Bond Counsel to the Board of Selectmen and the Mashpee Water District on these issues.

The Mashpee Water District is seeking legislation to change its election dates in order to achieve the goal of streamlining the elections. However, in order to prevent the many issues and financial problems associated with Article 21, this article would rescind that vote, and express the Town's support of the Mashpee Water District's efforts to change the election date.

Submitted by Petition

The Board of Selectmen does not recommend approval by a vote of 5-0.

The Finance Committee does not recommend approval by a vote of 7-0.

Article 19

To see if the Town will vote to accept the layout as a public way Equestrian Avenue as shown on a plan entitled "Easement Taking and Layout Plan of Equestrian Avenue" in Mashpee, Massachusetts (Barnstable County)", dated May 10, 2007 and prepared by Eagle Surveying, Inc. which layout shall have been filed in the Office of the Town Clerk, not later than seven days prior to the date of the vote hereunder and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain taking any land necessary for the purposes of such way as so laid out, and to appropriate and transfer from available funds \$17,264 to the Equestrian Avenue Roadway Account and to raise said appropriation, the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow at one time, or from time to time, under and pursuant to Chapter 44 Section 7 or 8 or any other enabling authority for such purchase or taking and layout including costs of constructing such ways and legal financing and other costs incidental and related thereto; and further authorize the Board of Selectmen to assess betterments to the owners of the land abutting the ways, or take any other action relating thereto.

Submitted by Petition

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

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

And you are hereby directed to serve this Warrant by posting up attested copies thereof, one at the Town Hall, one at the Post Office, and one each on the bulletin boards, thirty days at least before said meeting.

Hereof fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 24th day of March in the year two thousand and eight.

Per order of,
Board of Selectmen

Theresa M. Cook, Chairman
John J. Cahalane, Vice Chairman
Don D. Myers, Clerk
George F. Green, Jr.
Wayne E. Taylor