

SPECIAL TOWN MEETING MINUTES

Monday, April 28, 2008

In accordance with the Warrant the Moderator opened the meeting at 7:00pm. A moment of silence was given to several people that served the Town as follows: William Cooper-Principal, teacher and Wellfleet Housing Authority; Virginia Parker- Wellfleet Housing Authority; John Wallace- Personnel Board, Personnel Board Revision Committee; Edward Simon-Finance Committee, Representative to Cape Cod National Seashore.

Motion to adopt Rules of Town Meeting passes by a voice vote.

Motion to recess the Annual Town Meeting until the conclusion of the Special Town Meeting passes by a voice vote.

ARTICLE 1: To see if the Town will vote to transfer from available funds and/or authorize the transfer from various line items within current appropriations, such sums or money necessary to supplement the operating and/or capital budgets of the various Town departments for the current fiscal year 2007-2008

Requests to Date:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Free Cash	#151 Legal Expenses	\$48,000
	#153 Computerization	\$20,000
	#155 Computerization, Capital	\$11,000
	#913 Unemployment Compensation	\$45,000
	#945 Liab/Property/WC Insurance	\$5,000
	#122 Town Administration	\$7,500
	#220 Fire Overtime	\$40,000
	#220 Fire – Repair & Maintenance Services	\$5,000
Marina Enterprise Free Cash	Marina Enterprise, Gasoline/Diesel for Resale.	\$10,000
Beach Fund	#699 Beach Program – Operating Expenses	\$5,000
Encumbered Funds	#210 Police Department – Salaries/Wages/Fringe	\$27,403

FINANCE COMMITTEE RECOMMENDS 7-0-1

BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote to accept and adopt as read.

ARTICLE 2: To see if the Town will vote to transfer from the Ambulance Fund the sum of \$180,000 or any other sum, to purchase and equip a new ambulance.

FINANCE COMMITTEE RECOMMENDS 5-1

BOARD OF SELECTMEN RECOMMENDS 5-0

Voice vote that the sum of \$180,000 be transferred from the Ambulance fund for the purpose of the article.

ARTICLE 3: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide \$187,000, or any other sum, for the purpose of reconstructing Uncle Tim's Bridge.

FINANCE COMMITTEE RECOMMENDS 4-2

BOARD OF SELECTMEN RECOMMENDS 5-0

HISTORICAL COMMISSION RECOMMENDS 7-0

2/3 voice vote attained that the sum of \$187,000 be and hereby is appropriated to pay costs of reconstructing Uncle Tim's Bridge, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7 (4) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the town therefor .

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide \$600,000, or any other sum, for the purpose of reconstructing and repaving the Town Marina.

FINANCE COMMITTEE RECOMMENDS 7-0
BOARD OF SELECTMEN RECOMMENDS 5-0

2/3 voice vote that the sum of \$600,000 be and hereby is appropriated to pay costs of reconstructing and repaving the town Marina, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to chapter 44, Sections 7(3A) and 7(6) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Provided that any borrowing by the Town pursuant to this vote shall be repaid in the first instance with revenue from the Marina Enterprise Fund.

Motion to adjourn Special Town Meeting passes at 7:35pm.

Attest:

Dawn E. Rickman
Town Clerk/Treasurer

ANNUAL TOWN MEETING MINUTES

Monday, April 28, 2008

The Moderator reconvenes the Annual Town Meeting at 7:35pm

ARTICLE 1: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary to fund the Fiscal Year 2009 Town Operating Budget, and fix the salaries and compensation of all elected officers of the Town for Fiscal Year 2009

FINANCE COMMITTEE RECOMMENDS THEIR RECOMMENDED BUDGET 7-0
BOARD OF SELECTMEN RECOMMENDS 4-0

	SELECTMEN BUDGET
114 MODERATOR	
Salaries/ Wages/Fringe Benefits	200
Operating Expenses	<u>353</u>
DEPARTMENT TOTAL	553
115 CONSTABLES	
Salaries/ Wages/Fringe Benefits	100
Operating Expenses	<u>0</u>
DEPARTMENT TOTAL	100
121 AUDIT	21,000
122 SELECTMEN	
Salaries/ Wages/Fringe Benefits	5,000
Operating Expenses	<u>4,500</u>

DEPARTMENT TOTAL	9,500
123 TOWN ADMINISTRATOR	
Salaries/ Wages/Fringe Benefits	171,606
Operating Expenses	<u>3,900</u>
DEPARTMENT TOTAL	175,506
124 GENERAL ADMINISTRATION	
Salaries/ Wages/Fringe Benefits	144,148
Operating Expenses	<u>23,130</u>
DEPARTMENT TOTAL	167,278
131 FINANCE COMMITTEE	250
132 RESERVE FUND	30,000
135 TOWN ACCOUNTANT	
Salaries/ Wages/Fringe Benefits	105,282
Operating Expenses	<u>9,102</u>
DEPARTMENT TOTAL	114,384
141 ASSESSOR	
Salaries/ Wages/Fringe Benefits	85,929
Operating Expenses	<u>38,715</u>
DEPARTMENT TOTAL	124,644
145 TOWN CLERK/TREASURER	
Salaries/ Wages/Fringe Benefits	96,235*
Operating Expenses	<u>27,915</u>
DEPARTMENT TOTAL	124,150
146 TOWN COLLECTOR	
Salaries/ Wages/Fringe Benefits	66,027*
Operating Expenses	<u>12,690</u>
DEPARTMENT TOTAL	78,717
151 LEGAL EXPENSES	122,000
153 COMPUTERIZATION	90,340
	SELECTMEN BUDGET
158 TAX TITLE	5,000
162 ELECTIONS/REGISTRATION	
Salaries/ Wages/Fringe Benefits	6,700
Operating Expenses	<u>6,400</u>
DEPARTMENT TOTAL	13,100
171 CONSERVATION COMM.	2,525
174 PLANNING DEPARTMENT	3,235
176 BOARD OF APPEALS	1,950
177 OPEN SPACE COMMITTEE	1,500
178 HERRING WARDEN	
Salaries/ Wages/Fringe Benefits	<u>300</u>
DEPARTMENT TOTAL	300
179 SHELLFISH	
Salaries/ Wages/Fringe Benefits	137,873
Operating Expenses	<u>18,965</u>
DEPARTMENT TOTAL	156,838
180 SHELLFISH CONS/PROP	31,735
181 SHELLFISH ADV COMM	100
183 NAT. RESOURCES ADV BD	100

186 URBAN DEVELOPMENT	0
189 HOUSING AUTHORITY	5,000
190 BEACH FAC. UPGRADE	21,000
195 TOWN REPORTS & WARR	12,500
196 CONSULTANCY	10,000
TOTAL GENERAL GOVERNMENT	1,323,305
210 POLICE	
Salaries/ Wages/Fringe Benefits	944,120
Overtime	86,000
Operating Expenses	93,055
Equipment	<u>34,000</u>
DEPARTMENT TOTAL	1,157,175
215 COMMUNICATIONS/DISPATCH	
Salaries/ Wages/Fringe Benefits	238,127
Overtime	28,000
Overtime (Police)	9,500
Operating Expenses	<u>19,250</u>
DEPARTMENT TOTAL	294,877
220 FIRE	
Salaries/ Wages/Fringe Benefits	690,371
Overtime	160,000
Operating Expenses	<u>158,280</u>
DEPARTMENT TOTAL	1,008,651
241 BUILDING DEPARTMENT	
Salaries/ Wages/Fringe Benefits	145,729
Operating Expenses	<u>7,700</u>
DEPARTMENT TOTAL	153,429
	SELECTMEN BUDGET
291 CIVIL DEFENSE	
Operating Expenses	1,000
292 ANIMAL CONTROL	
Salaries/ Wages/Fringe Benefits	26,856
Operating Expenses	<u>5,950</u>
DEPARTMENT TOTAL	32,806
293 TRAFFIC/PARK CONTROL	
Salaries/ Wages/Fringe Benefits	2,000
Operating Expenses	<u>2,215</u>
DEPARTMENT TOTAL	4,215
294 DPW FORESTRY	4,000
298 GREENHEAD FLY CONTROL	1,200
299 DPW TRAF CNTRL/ST SIGNS	2,900
TOTAL PUBLIC SAFETY	2,660,253
300 ELEMENTARY SCHOOL	2,125,178
301 NAUSET REG SCHOOL DIST	1,946,981
302 CAPE COD REG TCH HS DIST	119,963
TOTAL EDUCATION	4,192,122

417 DPW FACILITIES	
Operating Expenses	269,200
Capital Equipment	<u>4,800</u>
DEPARTMENT TOTAL	274,000
420 DEPT PUBLIC WORKS	
Salaries/ Wages/Fringe Benefits	719,020
Overtime	23,000
Operating Expenses	<u>128,750</u>
DEPARTMENT TOTAL	870,770
422 DPW GENERAL HIGHWAYS	42,000
423 DPW SNOW REMOVAL	
Overtime	23,000
Operating Expenses	<u>46,000</u>
DEPARTMENT TOTAL	69,000
424 DPW STREET LIGHTS	27,000
425 DPW DIKES BRIDGES PRK LT	4,900
426 DPW SURVEY & ENG	5,000
433 DPW TRANSFER STATION	251,550
441 WATER COMMISSIONERS	500
442 WELL MUN WATER SYSTEM	110,340
443 WESLEY SWAMP PUMP	1,400
TOTAL DPT. OF PUBLIC WORKS	1,656,460
510 HEALTH/CONSERVATION	
Salaries/ Wages/Fringe Benefits	123,660
Operating Expenses	<u>25,100</u>
DEPARTMENT TOTAL	148,760
	SELECTMEN BUDGET
520 HUMAN SERVICES	52,272
541 COUNCIL ON AGING	
Salaries/ Wages/Fringe Benefits	153,068
Operating Expenses	<u>25,900</u>
DEPARTMENT TOTAL	178,968
542 COUNCIL ON AGING BRD	0
543 VETERANS SERVICES	
Other Assessments	11,879
Veterans Benefits	<u>4,650</u>
DEPARTMENT TOTAL	16,529
TOTAL HUMAN SERVICES	396,529
610 LIBRARY	
Salaries/ Wages/Fringe Benefits	239,169
Operating Expenses	<u>74,950</u>
DEPARTMENT TOTAL	314,119
630 RECREATION	
Salaries/ Wages/Fringe Benefits	148,943
Overtime	1,900
Operating Expenses	66,235
Capital Equipment	<u>4,500</u>
DEPARTMENT TOTAL	221,578

690 HISTORICAL COMMISSION	50
691 HISTORICAL REVIEW BRD.	200
692 DPW HOL CELEBRATIONS	1,500
699 BEACH PROGRAM	
Salaries/ Wages/Fringe Benefits	184,804
Overtime	3,605
Operating Expenses	43,878
Capital Equipment	<u>250</u>
DEPARTMENT TOTAL	232,537
TOTAL CULTURE & REC.	769,984
753 SHORT TERM INTEREST	20,000
756 INT ON R/E TAX REFUNDS	250
TOTAL SHORT TRM DEBT SERV	20,250
911 COUNTY RETIREMENT	666,170
913 UNEMPLOYMENT COMP	15,000
914 GROUP INS. HEALTH	986,382
915 GROUP INSURANCE LIFE	5,910
916 MEDICARE TOWN SHARE	84,860
940 BORROWING COSTS	23,000
944 INSURANCE RESERVE	3,000
945 LIAB/PROP/COMP INS	296,651
946 SURETY BONDS	1,150
TOTAL MISCELLANEOUS	2,082,123
TOTAL OPERATING BUDGET	13,101,026

Voice vote that the Town vote the Selectmen's fiscal Year 2009 Town Operating Budget, including fixing the salaries and compensation of all elected officers of the Town for Fiscal 2009 as printed in the warrant, the total operating budget, thus to be \$13,101,026 with funding for the operating budget, provided in the following manner:

Raise and appropriate	\$11,578,841
Free Cash	250,000
Ambulance Fund	150,000
Beach Fund	652,180
Fire/NPS Mutual Aid Fund	7,320
Semass Fund	349,860
Recreation Fund	42,000
Shellfish Fund	53,000
State Aid to Libraries	4,800
Perpetual Care Income	6,500
Sale of Cemetery Lots	719
Debt Exclusion Reduction Reserve	5,806

For a total appropriation of \$13,101,026

Motion to amend Line #520 Human Services to Raise and appropriate the sum of \$1,522 passes by a voice vote.

ARTICLE 2: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary to fund the Fiscal Year 2009 Town Capital Budget.

FINANCE COMMITTEE RECOMMENDS THEIR RECOMMENDED BUDGET 5-1
BOARD OF SELECTMEN RECOMMENDS 4-0

	SELECTMEN BUDGET
ADMINISTRATION	
Equipment Copier	0
COMPUTERIZATION	
Equip./Hardware Replacement	25,000
SHELLFISH DEPARTMENT	
Replace 03' Chevy Truck	18,000
BUILDING & HEALTH DEPARTMENT	
Copier	7,000
COUNCIL ON AGING	
Shelter Window Film	0
BEACH DEPARTMENT	
Storage Shed	5,000
TOTAL GEN. GOVERNMENT	55,000
	SELECTMEN BUDGET
ELEMENTARY SCHOOL	
Technology	15,000
Paint Interior Trim (Phase II of II)	25,000
Replace Copier	0
Playground Fencing	0
NAUSET REGIONAL SCHOOLS	
Capital Facilities Improvements	45,000
TOTAL EDUCATION	85,000
POLICE	
Digital Video Cameras	0
FIRE	
Fire Suppression	0
Portable Radios	0
Equipment Copier	0
Brush Truck	
Stair Chairs	0
Replace Ambulance	0*
Replace Turnout Gear	10,000
Software	0
TOTAL PUBLIC SAFETY	10,000
DPW EQUIPMENT	
Replace 1 Ton Sander/Plow	0*
Replace Flail Mower	0*
Replace Refuse Trailers	0*

Front End Loader	0*
Replace Freightliner Tractor	0
DPW PROJECTS	
Bio-Diesel Fuel Tank	0
Playing Fields	0
Paint Exterior Town Hall	0
Pave Newcomb Hollow	0
Generator - Coles Neck	
Roll off Containers	
Generator – COA	0
Pave White Crest Lot	0
Replace Town Hall Carpet and Tile	0
Pave Maguire Landing	0
Drainage at Pier	23,000
TOTAL DEPT PUBLIC WORKS	23,000
TOTAL CAPITAL IMPROVEMENT	173,000
DEBT SERVICE PRIN. & INT. LONG-TRM.	
Municipal Water System	36,295
Elem School Renov/Addtn	258,792
DPW Garage	5,764
DPW Garage Facility	180,833
Land Bank – Geiger	19,445
Library Roof	23,214
Catholic Church	69,074
Church Planning	0
Land Bank - Chavchavadze	54,555
DPW Sweeper #1	0
Municipal Water System	29,445
Senior Center	93,230
Municipal Water System	55,054
Septic Loan	10,000
Six Wheel Dump Truck	16,350
SELECTMEN BUDGET	
Backhoe	16,725
Front End Loader	33,075
Coles Neck Well	11,150
Landfill Capping/Closure	178,588
Water Tank Design	3,125
Boy Scout Well Field Design	4,875
Water Transmission Mains Design	2,650
Fire Station Land Purchase (EST)	66,250
Fire Station Design (EST)	30,000
DPW Road Grader (EST)	37,000
DPW Sweeper (EST)	49,000
TOTAL DEBT SERVICE	1,284,489
TOTAL CAPITAL BUDGET	1,457,489

Voice vote that the Town vote the Selectmen’s Fiscal Year 2009 Capital Budget as printed in the warrant. The Capital budget thus to be \$1,457,489, with funding for the total Capital Budget, provided in the following manner:

Raise and appropriate	\$1,401,489
Ambulance Fund	10,000
Beach Fund	5,000
Semass Fund	23,000

Shellfish Fund 18,000

For a total appropriation of \$1,457,489, for this purpose.

Motion to amend by deleting \$18,000 from Shellfish Department loses.

ARTICLE 3: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary to fund the Fiscal Year 2009 Marina Services Enterprise Fund Budget.

FINANCE COMMITTEE RECOMMENDS 5-0
BOARD OF SELECTMEN RECOMMENDS 4-0

Table with columns: Description, SELECTMEN BUDGET. Rows include: MARINA ENTERPRISE FUND BUDGET FISCAL YEAR 2009, SALARY SUBTOTAL (159,120), EXPENSE SUBTOTAL (332,500), TOTALS FOR FUND (491,620), MARINA RESERVE FUND (50,000), MARINA ADVISORY COM (100), CAPITAL OUTLAY (40,000), SHORT TERM INTEREST (100,000), RESERVE SUB TOTAL (190,100), MARINA ENTERPRISE FUND TOTAL (681,720).

Unanimous voice vote that the Town vote the Selectmen’s Fiscal Year 2009 Marina Enterprise Fund Budget as printed in the Warrant, and that \$681,720 be funded as follows: \$639,720 from the Marina services revenues, \$5,000 from the Beach Fund,

and \$37,000 to be appropriated in the General Fund and funded from the Marina Services Revenue.

ARTICLE 4: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$116,000, or any other sum, as necessary to fund wage adjustments for unionized and contract personnel for FY2009 and/or contract settlements as may be negotiated by the Board of Selectmen.

FINANCE COMMITTEE RECOMMENDS 7-0
BOARD OF SELECTMEN RECOMMENDS 4-0

Unanimous voice vote that the sum of \$116,000 be raised and appropriated for the purpose of funding wage adjustments for unionized and contract personnel for the Fiscal Year 2009.

ARTICLE 5: To see if the Town will vote to revise the annual salary set by the Town Meeting under Article One for Elected Officials in offer to raise and appropriate and/or transfer from available funds the sum of \$3,466.00, or any other sum, to provide a 3% wage increase for the Town Clerk/Treasurer and the Town Collector.

FINANCE COMMITTEE RECOMMENDS 7-0
BOARD OF SELECTMEN RECOMMENDS 5-0

Voice vote that the sum of \$3,466 be raised and appropriated for the purpose of providing a 3% wage increase for the Town Clerk/Treasurer and the Town Collector for the Fiscal Year 2009.

ARTICLE 6: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$9,750, or any other sum, for fireworks, and to authorize the Board of Selectmen to accept gifts to be added to the funds appropriated for this purpose.

FINANCE COMMITTEE RECOMMENDS 7-1
BOARD OF SELECTMEN RECOMMENDS 3-2

Voice vote that the sum of \$9,750 be raised and appropriated for fireworks, and to authorize the Board of Selectmen to accept gifts to be added to the funds appropriated for this purpose.

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$10,000, or any other sum, for the purpose of partially funding informational programs of the Wellfleet Chamber of Commerce.

FINANCE COMMITTEE RECOMMENDS 7-1
BOARD OF SELECTMEN RECOMMENDS 5-0

Voice vote that the sum of \$10,000 be raised and appropriated for the purpose of partially funding informational programs of the Wellfleet Chamber of Commerce.

ARTICLE 8: To see if the Town will vote to raise and appropriate and/or transfer from available funds \$25,000, or any other sum, for the purpose of funding Wellfleet's share of the Flex Route bus system.

FINANCE COMMITTEE RESERVES RECOMMENDATION TO TOWN MEETING
BOARD OF SELECTMEN RECOMMENDS 5-0

Voice vote that the sum of \$25,000 be raised and appropriated for the purpose of funding Wellfleet's share of the Flex Route bus system.

ARTICLE 9: To see if the Town will vote to authorize the Board of Selectmen in accordance with bidding requirements of the General Bylaws of the Town, to dispose of or trade in the following property to date:

<u>Items</u>	<u>Estimated Value</u>
1980 Ford L-8000 Basin Cleaner	\$1,500
1970 Dodge Power Wagon 300	\$2,000
2002 Elgin Eagle Sweeper	\$40,000
1996 John Deere 544 Front End Loader	\$20,000
1998 Bomford Flail Mower	\$10,000
1994 Fabrex Refuse Trailer	\$1,500

or do or act anything thereon.

FINANCE COMMITTEE RECOMMENDS 7-0-1
BOARD OF SELECTMEN RECOMMENDS 5-0

Voice vote to accept and adopt Article 9 as printed in the Warrant

ARTICLE 10: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$50,000, or any other sum, for the purpose of contributing to the Stabilization Fund.

FINANCE COMMITTEE RECOMMENDS 8-0
BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote to raise and appropriate the sum of \$50,000 for the purpose of contributing to the Stabilization Fund.

ARTICLE 11: To see if the Town will vote to transfer a sum of money, in anticipation of reimbursement to be received pursuant to G.L. Chapter 90 as amended; said funds to be expended to repair and resurface Town roads and to carry out other authorized projects under the direction of the Department of Public Works.

FINANCE COMMITTEE RECOMMENDS 8-0
BOARD OF SELECTMEN RECOMMENDS 5-0

Voice vote to transfer the sum of \$189,913 be transferred from available funds in anticipation of reimbursement to be received pursuant to MGL Ch. 90 as amended.

ARTICLE 12: To see if the Town will vote to accept the provisions of G.L. Chapter 71, § 16B, which would allocate the sum of the member towns' contributions to the Nauset Regional School District in accordance with the Regional Agreement rather than the Education Reform Formula, so-called.

FINANCE COMMITTEE RECOMMENDS 8-0
NAUSET REGIONAL SCHOOL COMMITTEE 10-0
BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote that Article 12 be accepted and adopted as printed

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$43,500, or any other sum, to purchase a new one-ton truck for the Department of Public Works.

FINANCE COMMITTEE RECOMMENDS 5-1
BOARD OF SELECTMEN RECOMMENDS 5-0

2/3 voice vote attained that the sum of \$43,400 be and hereby is appropriated to pay costs of purchasing a new one-ton truck for the use of the Department of Public Works, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7 (9)

of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE 14: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$68,000, or any other sum, to purchase a new flail mower for the Department of Public Works.

FINANCE COMMITTEE RECOMMENDS 6-0
BOARD OF SELECTMEN RECOMMENDS 5-0

2/3 voice vote attained that the sum of \$68,000 be and hereby is appropriated to pay costs of purchasing a new flail mower for the use of the Department of Public Works, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7 (9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE 15: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$60,000, or any other sum, to purchase a new refuse trailer for the Department of Public Works.

FINANCE COMMITTEE RECOMMENDS 6-0
BOARD OF SELECTMEN RECOMMENDS 5-0

2/3 voice vote attained that the sum of \$60,000 be and hereby is appropriated to pay costs of purchasing a new refuse trailer for the use of the Department of Public Works, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7 (9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the sum of \$145,000, or any other sum, to purchase a new front end loader for the Department of Public Works.

FINANCE COMMITTEE RECOMMENDS 3-2-1
BOARD OF SELECTMEN RECOMMENDS 5-0

2/3 voice vote attained that the sum of \$145,000 be and hereby is appropriated to pay costs of purchasing a new front end loader for the use of the Department of Public Works, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to chapter 44, Section 7 (9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

ARTICLE 17: To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2009 Community Preservation budget and to appropriate from the Community Preservation Fund estimated annual revenues a sum of \$31,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2009; and further to appropriate from Community Preservation Fund estimated revenues a sum of \$74,000 for open space debt service; a sum of \$60,500 to reserve and transfer to the Wellfleet Affordable Housing Trust Fund for community housing; and further to reserve for future appropriation a sum of \$60,500 for historic resources, as well as a sum of \$13,693 to be placed in the 2009 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.

FINANCE COMMITTEE RECOMMENDS 8-0
COMMUNITY PRESERVATION COMMITTEE

OPEN SPACE COMMITTEE RECOMMENDS 6-0
HOUSING AUTHORITY RECOMMENDS 3-0
BOARD OF SELECTMEN RECOMMENDS 5-0
HISTORICAL COMMISSION 7-0

Voice vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2009 Community Preservation budget and to appropriate from the Community Preservation Fund estimated annual revenues a sum of \$31,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2009; and further to appropriate from Community Preservation Fund estimated revenues a sum of \$74,000 for open space debt service; to reserve for future appropriation the sum of \$60,500 for community housing; and further to reserve for future appropriation a sum of \$60,500 for historic resources, as well as a sum of \$13,693 to be place in the 2009 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.

ARTICLE 18: To see if the Town will vote, pursuant to MGL c.44B, to appropriate from the Community Preservation Fund estimated annual revenues, fund balance or historic preservation reserve the sum of \$100,000 to contribute to the cost of, and thereby support, the restoration of the Gips House, located off Wiles Lane, Assessor's Map 17, Lot 13, to preserve as a historic Modern Style House available for educational purposes with the contingency that funds not be released until a lease has been received and approved by the Community Preservation Committee.

FINANCE COMMITTEE RECOMMENDS 6-1-1
COMMUNITY PRESERVATION COMMITTEE RECOMMENDS 5-2
BOARD OF SELECTMEN RECOMMENDS 5-0

Designed by Charles Zehnder, the Kuegel/Gips house is one of several Modern Style Homes within the National Seashore. The Cape Cod Modern House Trust has a memo of understanding (MOU) with the National Seashore regarding a long term lease of the property located on Northeast Pond. Restoration of the house to its original condition will allow it to be open for tours, academic retreats, and a scholar-in-residence program. Using the Kuegel/Gips house as a base, the Modern House Trust's intends to hold exhibitions and presentations in local schools, libraries and galleries.

Voice vote that the sum of \$60,500 be transferred from CPA Historic Resources Reserve and the sum of \$39,500 be transferred from CPA Estimated Revenues for the purpose of Article 18.

ARTICLE 19: To see if the Town will vote, pursuant to MGL c.44B, to appropriate from the Community Preservation Fund estimated annual revenues, fund balance or affordable housing reserve the sum of \$240,000 to contribute to the cost of, and thereby support, the purchase of available properties for the development of affordable housing.

FINANCE COMMITTEE RECOMMENDS 7-0
COMMUNITY PRESERVATION COMMITTEE
LOCAL HOUSING PARTNERSHIP RECOMMENDS 7-0
HOUSING AUTHORITY RECOMMENDS 3-0
BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote to transfer the sum of \$60,500 from CPA Housing Reserves and transfer the sum of \$179,500 from CPA Estimated Revenues to contribute to the cost of, and thereby support the purchase of available properties for the development of affordable housing.

ARTICLE 20: To see if the Town will vote, pursuant to MGL c.44B, to appropriate from the Community Preservation Fund estimated annual revenues, fund balance or open space reserve, the sum of \$100,000 to contribute to the cost of, and thereby support, the purchase of a perpetual conservation restriction that includes provision for public access, on property at 105 Pilgrim Spring Road, Assessor's Map 29, Lot 282.2, for conservation and passive recreation purposes.

FINANCE COMMITTEE RECOMMENDS 8-0
COMMUNITY PRESERVATION COMMITTEE

OPEN SPACE COMMITTEE RECOMMENDS 6-0
CONSERVATION COMMITTEE RECOMMENDS 6-0
BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote to transfer the sum of \$59,193 from Open Space Reserves and transfer the sum of \$40,807 from CPA Estimated Revenues to contribute to the cost of, and thereby support, the purchase of a perpetual conservation restriction that includes provision for public access, on property at 105 Pilgrim Spring Road, Assessors' Map 29, Lot 282.2, for conservation and passive recreation purposes.

ARTICLE 21: To see if the town will transfer the sum of \$60,000 to the Wellfleet Affordable Housing Trust Fund for the purposes of Affordable Housing Support from the Wellfleet Community Preservation Fund.

FINANCE COMMITTEE RECOMMENDS 6-0
COMMUNITY PRESERVATION COMMITTEE
OPEN SPACE COMMITTEE RECOMMENDS 6-0
LOCAL HOUSING PARTNERSHIP RECOMMENDS 7-0
HOUSING AUTHORITY RECOMMENDS 3-0
BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote to transfer the sum of \$60,000 from CPA Estimated Revenues (Community Preservation Fund) to the Wellfleet Affordable Housing Trust Fund for the purpose of affordable housing support.

ARTICLE 22: To see if the Town will vote to accept gifts offered to the Town since the 2007 Annual Town Meeting and appearing on a list dated March 1, 2008 and posted in the Office of the Town Clerk.

BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote to accept gifts offered to the Town since the 2007 Annual Town Meeting and gifts during the past year include: Town Flags, 30 x 40ft. tent for Baker's field, Painting by Rick Fox, Books, Audios, DVDs, Magazine Subscriptions, Museum passes, Brush Truck Equipment & Cutterhead for Jaws of Life.

ARTICLE 23: To see if the Town will vote in accordance with G.L. Chapter 41, § 38 to authorize the Town Collector to use all means for collecting taxes, which the Treasurer may use when appointed Collector.

BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote as printed in the Warrant

ARTICLE 24: To see if the Town will vote to assume liability in the manner provided by Sections 29 and 29A of Chapter 91 of the General Laws, as most recently amended, for damage that may be incurred for work to be performed by the Department of Environmental Protection of Massachusetts for improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, excluding the Herring River and Herring River Dike, in accordance with Section 11 of Chapter 91 of the General Laws, and to authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth.

CONSERVATION COMMISSION RECOMMENDS 6-0
BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote as printed in the Warrant

ARTICLE 25: To see if the Town will vote to amend the Town of Wellfleet Zoning By-laws, SECTION II, DEFINITIONS, Noncomplying Structures, by adding as follows:

Noncomplying Structures – structures built without benefit of a permit or without benefit of an appropriate permit.

PLANNING BOARD RECOMMENDS 7-0
BOARD OF SELECTMEN RECOMMENDS 5-0

**2/3 voice vote attained to accept and adopt as printed in the Warrant
Planning Board report given**

ARTICLE 26: To see if the Town will vote to amend the Town of Wellfleet Zoning By-laws, SECTION VIII, ADMINISTRATION, by adding **Section 8.2.2, Noncomplying, nonconforming structures 10 years or older**, as follows:

8.2.2 Noncomplying, nonconforming structures 10 years or older. Noncomplying, nonconforming structures which are 10 years or older and which are provided protections under MGL c.40A, §7 are entitled to treatment as lawfully preexisting non-conforming structures as provided in this By-law.

PLANNING BOARD RECOMMENDS 7-0
BOARD OF SELECTMEN RECOMMENDS 5-0

**2/3 voice vote attained to accept and adopt as printed in the Warrant
Planning Board report given**

ARTICLE 27: To see if the Town will vote to grant an easement appurtenant to NSTAR Electric Company and Verizon New England, Inc. to install lines and all necessary fixtures and equipment for the transmission and/or distribution of electricity upon the land of the Town located at 10 Lawrence Road, more particularly shown on Assessors Map 13 Parcel 3, or to take any other action regarding the same.

BOARD OF SELECTMEN RECOMMENDS 5-0

2/3 Voice vote attained to accept and adopt as printed in the Warrant

ARTICLE 28: To see if the Town will vote pursuant to Article II, Section 7 of the Town of Wellfleet Bylaws to authorize the Board of Selectmen to transfer jurisdiction and control of land on Old King's Highway and Old Long Pond Road known as Lots 110, 111, 143 and 145 on Assessor's Map 16 to the Wellfleet Housing Authority for the purpose of providing affordable housing for low and moderate income residents of all ages provided said property shall be made available to Wellfleet residents under a local preference program to the extent permissible by law; said land shall not exceed 3.35 acres. Transfer shall be contingent of the location of a municipal water tower at the Elementary School. The deed transferring the land to the Housing Authority shall provide that in the event the land ceases to be used for the purposes provided herein or if the housing construction has not begun on the land within 10 years from the date the title to said land is transferred to the Housing Authority, the title to said land will revert back to the Town of Wellfleet and become vested in the inhabitants of the Town of Wellfleet.

FINANCE COMMITTEE RECOMMENDS 7-0
PLANNING BOARD DOES NOT RECOMMEND 6-1
LOCAL HOUSING PARTNERSHIP RECOMMENDS 7-0
OPEN SPACE COMMITTEE RECOMMENDS 6-0
HOUSING AUTHORITY RECOMMENDS 3-0
BOARD OF SELECTMEN RECOMMENDS 5-0

2/3 Voice vote attained to accept and adopt as printed in the Warrant

ARTICLE 29: To see if the Town will vote pursuant to Article II, Section 7 of the Town of Wellfleet Bylaws to authorize the Board of Selectmen to transfer jurisdiction and control of a portion of the land on Lawrence Road and Long Pond Road known as Lot 2.1 on Assessor's Map 13 to the Wellfleet Housing Authority for the purpose of providing affordable housing for low and moderate income residents of all ages provided said property shall be made available to Wellfleet residents under a local preference program to the extent permissible by law; said land shall not exceed 2 acres. The deed transferring the land to the Housing Authority shall provide that in the event the land ceases to be used for the purposes provided herein or if the housing construction has not begun on the land within 10 years from the date the title to said land is transferred to the Housing Authority, the title to said land will revert back to the Town of Wellfleet and become vested in the inhabitants of the Town of Wellfleet.

FINANCE COMMITTEE RECOMMENDS 7-0
PLANNING BOARD DOES NOT RECOMMEND 6-1
LOCAL HOUSING PARTNERSHIP RECOMMENDS 6-1
HOUSING AUTHORITY RECOMMENDS 3-0
BOARD OF SELECTMEN DOES NOT RECOMMEND 3-1

Unanimous voice vote to Indefinitely Postpone

ARTICLE 30: To see if the Town will vote to authorize the Board of Selectmen to convey to Helen G. Lord the parcel of land being Lot 12, Block C, containing 0.03 acres more or less, as shown on a plan entitled: "Plan of Old Wharf Property, South Wellfleet, Mass., Surveyed by Tully Crosby, Jr., 1890", recorded at Barnstable County Registry of Deeds in Plan Book 33 Page 29, acquired by the Town through a tax taking recorded with Barnstable County Registry of Deeds in Book 10434 Page 73.

BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote to accept and adopt as printed in the Warrant

ARTICLE 31: To see if the Town will vote, in accordance with MGL c.40 §15C, to designate the following as Scenic Roads:

Lieutenant Island Road (from Route 6 to Lieutenant's Island)
Paine Hollow Road
Pleasant Point Road
LeCount Hollow Road
Ocean View Drive
Cahoon Hollow Road (from Route 6 to Ocean)
Long Pond Road (from Main Street to Ocean View Drive)
Gross Hill road (from Route 6 to Ocean)
Gull Pond Road (from Route 6 to Gross Hill Road)
Schoolhouse Hill Road (from Gull Pond Road to Truro)
Chequessett Neck Road, (from junction with Kendrick Avenue to the Gut)
Griffin Island Road (entirely within Cape Cod National Seashore)
High Toss Road (from Pole Dike Road to Duck Harbor Road)
Old County Road/Bound Brook Island Road (from Transfer Station to Truro)
Bound Brook Island Rd. (Old County Rd. to Bound Brook Public Landing)
Pamet Point Road (from Route 6 to Old County Road)

OPEN SPACE COMMITTEE RECOMMENDS 6-0
PLANNING BOARD RECOMMENDS 6-1
BOARD OF SELECTMEN RECOMMENDS 5-0

Lieutenant Island Rd. (from Rte. 6 to Lieutenant's Island)

Conservation lands (north and south sides)
Access to walking trail
Vistas of marsh, Loagy Bay, Lieutenant's Island Bridge, Lieutenant's Island
Access to Lieutenant's Island

Paine Hollow Rd.

On south side – Unnamed pond and Conservation wetland
Historic homes
Public landing with views of Lieutenant’s Island, Old Wharf Point, Field Point, Great Island
Marsh access

Pleasant Point Rd.

Views of Blackfish Creek, Lieutenant’s Island, Old Wharf Point, Field Point, Great Island
Pleasant Point beach access

LeCount Hollow Rd.

Connection to Cape Cod Rail trail – Historic site of RR crossing
Glimpses of Blackfish Creek eastward side
Pass through NPS boundary
Intersection with Wireless Rd., original access to Marconi site, walking access to White Cedar Swamp and Marconi site
Public landing – Maguire’s Landing at Atlantic Ocean
South Ocean – site of wreck of the Whidah

Ocean View Drive

Entirely within the National Seashore
Vistas of Atlantic Ocean
Connects to Maguire’s Landing, WhiteCrest Beach, Cahoon’s Hollow Beach and Newcomb’s Hollow Beach
Junction with Cahoon Hollow Rd., Long Pond Rd., and Gross Hill Rd.
Winter view of Doane’s Bog Pond

Cahoon Hollow Rd. (from Rte. 6 to Ocean)

Historic Duck Creek Cemetery on north side
Pass through NPS boundary
Beach access to Great Pond
Walking access to Dyer Pond
View of Great Pond and South East Pond
Intersects Ocean View Drive
Historic Cahoon’s Hollow Life Saving Station (now Beachcomber’s)
Public landing – Cahoon’s Hollow Beach

Long Pond Rd. (from Main St. to Ocean View Drive)

To west: wetland – vestiges of Willow Pond
Rte. 6 overpass – biking/walking access across highway
Pass through NPS boundary
Public landing – access to Long Pond
Walking access to Dyer Pond
Views of Long Pond
Intersection with Ocean View Drive

Gross Hill Rd. (from Rte. 6 to ocean)

Historic Pleasant Hill and Oakdale Cemeteries (north side)
Pass through NPS boundary
Views of Gull Pond
Junction with Ocean View Drive
Public landing – access to Newcomb’s Hollow Beach
Access to walking trail north of Newcomb’s Hollow Beach

Gull Pond Rd. (from Rte. 6 to Gross Hill Rd.)

Eel Creek and swamp (north side)
Pass through NPS boundary
Junction with Schoolhouse Hill Rd. (north side)
Site of Historic Pierce Tavern (south side)
View of Gull Pond
Junction with Gross Hill Rd.

Schoolhouse Hill Rd. (from Gull Pond Rd. to Truro)

Access to Public Landing at Gull Pond
Dirt road access to Public Landing at the Sluiceway
Cross between Higgins Pond and Herring Pond

Junction at Truro line with Black Pond Rd. (designated Scenic Rd.)

Chequessett Neck Rd. from junction with Kendrick Ave. to the Gut)

Views of Wellfleet Bay, Herring River Dike, Herring River, the Gut, Great Island
Pass through NPS boundary
Access to Great Island parking and walking trails
Access to the Gut beach area

Griffin Island Rd. (entirely within National Seashore)

Sunset Hill view of Cape Cod Bay
Views of Cape Cod Bay
Access to Duck Harbor parking and Cape Cod Bay beach
Junction with Duck Harbor Rd. (inaccessible but designated Scenic Rd.)

High Toss Rd. (Pole Dike Rd. to Duck Harbor Rd.)

Boundary line for NPS
Herring River marsh area
Cross Herring River at High Toss Bridge
Junction with Duck Harbor Rd. (designated Scenic Rd.)

Old County Rd./ Bound Brook Island Rd. (from Transfer Station to Truro line)

Enter NPS boundary
Cross Herring River
Historic RR crossings
Herring River marsh area
Intersection with Bound Brook Island Rd. to public landing
To east: walking access into Paradise Valley

Bound Brook Island Rd. (Old County Rd. to Bound Brook Public Landing)

Entirely within National Seashore
Historic Atwood-Higgins House (south side)
Access to walking trails
Access to Bound Brook Island Public Landing – Cape Cod Bay Beach

Pamet Point Rd. (Rte. 6 to Old County Rd.)

Historic site of Delilah Sampson, last Indian (north side)
Walking access to Truro Ryder Pond
Junction with Old County Rd.

Voice vote to accept and adopt as printed in the Warrant

ARTICLE 32: To see if the Town of Wellfleet will vote as follows:

WHEREAS, housing costs in Wellfleet continue to escalate due to the pressure created by the tourist/second home market, which threatens the ability of residents to remain in Wellfleet and the ability of businesses to access the labor force they need; and

WHEREAS, the Town of Wellfleet considers it a top public policy priority to preserve affordable rental housing; and

WHEREAS, the Town desires to increase the number of rental housing units in Wellfleet that are affordable;

THEREFORE, the Town’s representative in the General Court is instructed to file a home rule petition for a special act entitled, “An Act Relative to Property Tax Exemptions for Rental Properties in the Town of Wellfleet Restricted as Affordable Housing” to read as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, dwelling units occupied by income eligible occupants and rented in accordance with Fair Market Rental Guidelines shall be exempt from taxation under chapter 59 of the General Laws.

SECTION 2. All occupants of the affordable dwelling unit shall upon initial application and annually thereafter on the first of September, submit to the Town or its agent necessary documentation to confirm their eligibility for the dwelling unit. Specifically, all dwelling units

must be rented to those meeting the guidelines for a low or moderate income family. For the purpose of this section, low income families shall have an income less than eighty (80) percent of the Town of Wellfleet median family income, and moderate income families shall have an income between eighty (80) and one hundred twenty (120) percent of the Town of Wellfleet median family income, as determined by the United States Department of Housing and Urban Development (HUD) Published Income Guidelines, and as may from time to time be amended.

SECTION 3. Maximum rents shall be established in accordance with HUD published Fair Market Rental Guidelines. Property owners are required to submit to the Town or its agent information on the rents to be charged. Each year thereafter on the first of September, they shall submit information on annual rents charged and a signed lease to the Town or its agent. Forms for this purpose shall be provided. Rents may be adjusted annually in accordance with amendments to the Fair Market Rental Guidelines.

SECTION 4. Such exemption shall be equal to the tax otherwise owed on the property based on the assessed value of the entire property, including any accessory dwelling units, multiplied by the square feet of the living space of all accessory dwelling units on the property that are restricted to occupancy by low or moderate income households, divided by the total square feet of all structures on the property. For any property with a single dwelling unit, the exemption allowed shall not exceed 50% of the tax otherwise owed. For purposes of determining the assessed value of the entire property, if by income approach to value, such assessment shall assume that all housing units are rented at fair market value.

SECTION 5. The date of determination as to the qualifying factors required by this act shall be September first of each year.

SECTION 6. This act shall be submitted to the voters of said town at the next annual or special town election in the form of the following question which shall be placed upon the official ballot to be used at said election: Shall an act passed by the General Court in the year 2004 entitled "An Act Relative to Property Tax Exemptions for Rental Properties in the Town of Wellfleet Restricted as Affordable Housing", be accepted? If a majority of the voters cast in answer to said question is in the affirmative, then Sections 1, 2, 3, 4 and 5 of this act shall thereupon take effect, but not otherwise.

SECTION 7. Section 6 of this act shall take effect upon its passage. The General Court may only make clerical or editorial changes of form to the bill, unless the Board of Selectmen approved amendments to the bill before enactment by the General Court. The Board of Selectmen is hereby authorized to approve amendments that are within the scope of the general public objectives of this petition.

This article will instruct the Town's representative in the General Court to file a home rule petition for a special act entitled "An Act Relative to Property Tax Exemptions for Rental Properties in the Town of Wellfleet Restricted as Affordable Housing". The act would allow a property tax exemption on the portion of a property that is deed restricted and rented affordably, in accordance with Department of Housing and Urban Development (HUD) guidelines. Property owners must file documentation annually in order to qualify for the exemption.

This article was originally approved at Annual Town Meeting in 2004. The Home Rule Petition was filed, but was not passed. In order to re-file the special legislation, a vote to "refresh" the Town's approval is required.

BOARD OF SELECTMEN RECOMMENDS 5-0

Voice vote to accept and adopt as printed in the Warrant

ARTICLE 33: To see if the Town will vote, in accordance with the Local Comprehensive Plan Regulations of the Cape Cod Commission, Section IV. E., to adopt the Wellfleet Local Comprehensive Plan Update, dated February 2008, inclusive of all appendices and maps.

The overriding goal of this Update is to preserve Wellfleet as a livable community and maintain its character as a coastal village

Our Planning Committee has identified six priority objectives in furtherance thereof; which we recommend is addressed immediately, i.e., within the next twelve months:

1. Improve our community health facilities, including the reestablishment of a local pharmacy.
2. Protect and preserve open space for future generations, and acquire properties linking present open space parcels, especially those with shoreline access.
3. Protect and preserve water resources, both in terms of potability and treatment of wastewater.
4. Develop plans for community housing which will permit diverse populations to continue to live in our town.
5. Establish a blue ribbon commission to identify and recruit year-round business enterprises and activities, including off-season uses of our Harbor and Marina areas, which will be friendly to our environment.
6. Protect and preserve our beaches and shorefront areas for recreation and industry.

Many Town committees focus on these areas. They need to talk to each other. We therefore highly recommend that quarterly meetings of groups identified, on both the staff and committee level become common practice.

Our Update comprises 13 major areas, including some topics not in previous Plans. Highlights of specific planning goals for each area, which we recommend be addressed within the next one to three years, include:

Land Use: Develop detailed land use plan for remaining undeveloped land in Town. Identify historic districts and flood zones.

Natural Resources: Establish Citizens Wastewater Advisory Committee. Complete Herring River Restoration project.

Open Space: Complete comprehensive management plan for all Town-owned land. Protect traditional viewsheds and scenic roads.

Economic Development: Lobby for and impose local option excise taxes on rooms and meals to be used in part to support year-round economic development activities

Community Housing: Continue initiatives which provide short-term relief to Wellfleet-related residents. Develop Community Housing Action Plan.

Historic Preservation: Establish Local Historic District Study Committees to begin designation of Central Village and Pond Hill School Historic Districts

Human & Health Services: Establish a paid part-time Human Services Coordinator

Energy & Conservation: Create a Standing Town Energy Committee with staff support to devise a Wellfleet Energy Plan

Community Facilities: Complete construction, design & funding plans as needed for new fire and police stations

Education: Continue to address financial issues, both through seeking a more balanced state school aid formula and creating worst-case contingency scenarios.

Recreation: Adopt a long-range vision including additional activities for retirees

Marina & Harbor: Support Phase II of Marina Restoration

Transportation: Make downtown Wellfleet more pedestrian and bicycle friendly

Details on these and scores of other specific recommendations may be found in the body of the Update. Supporting documents are in the several appendices to the Update.

PLANNING BOARD RECOMMENDS 7-0

OPEN SPACE COMMITTEE RECOMMENDS 6-0

CONSERVATION COMMISSION RECOMMENDS 5-1

BOARD OF SELECTMEN RECOMMENDS 5-0

Unanimous voice vote to adopt the Local Comprehensive Plan Update, dated February 2008, in accordance with the Local comprehensive Plan Regulations of the Cape Cod Commission, Section IV.E. Such adoption is an endorsement of the goals of the Plan Update. Such goals and recommended actions are proposals and not binding upon the Town. Action to implement the goals will require review by the appropriate Town Board(s) and Committee(s) and any action requiring funding or By-law revision must come before Town Meeting for voter approval.

ARTICLE 34: To see if the Town will vote to appropriate \$56,000 for the installation of a Massachusetts Technology Collaborative supported solar energy system on the Wellfleet Library and to fund such article or raise or transfer from available funds or authorize the Treasurer with the approval of the Board of Selectmen to borrow \$56,000 under Chapter 44 of the Massachusetts General Laws. *(By Petition)*

FINANCE COMMITTEE DOES NOT RECOMMEND 7-0-1

ALTERNATIVE ENERGY RECOMMENDS 6-0

BOARD OF SELECTMEN RECOMMENDS 4-0 to defer to Alternative Energy and Building Needs

Voice vote to Indefinitely Postpone

ARTICLE 35: To see if the Town will vote to amend the Wellfleet Zoning Bylaws as follows:

Amend Section 5.3 USE REGULATIONS by deleting the table for Section 5.3.2 "Restaurant, Indoor" in its entirety and inserting in lieu thereof following:

<i>5.3.2 Commercial</i>	<i>CD</i>	<i>RI</i>	<i>R2</i>	<i>NSP</i>	<i>C</i>	<i>C2</i>
<i>Restaurant, Indoor⁴</i>	<i>A</i>	<i>O</i>	<i>O</i>	<i>O</i>	<i>A</i>	<i>O</i>

⁴ With the approval of the Zoning Board of Appeals upon advice of the Board of Health and in accordance with restrictions that may be imposed.

A = Use authorized under special permits as provided for in Section 8.4.2

O = An excluded or prohibited use

(By Petition)

BY LAW COMMITTEE HAS NO RECOMMENDATION
PLANNING BOARD RECOMMENDS 6-0
BOARD OF SELECTMEN RECOMMENDS 3-1

145 In favor 65 Against Motion passes

Motion to refer to the appropriate regulatory boards and the 355 Main Street Committee loses 83 in favor 131 against.
Tellers sworn – Seth Rolbein and Martha Carroll

ARTICLE 36: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$195,000 for the purpose of salaries and wages for members of the Wellfleet Employees Association contract settlement for FY08-09. *(By Petition)*

FINANCE COMMITTEE DOES NOT RECOMMEND 8-0
BOARD OF SELECTMEN DOES NOT RECOMMEND 4-0

Voice vote to Indefinitely Postpone

Motion to raise and appropriate the sum of \$195,000 loses.
Motion to Indefinitely Postpone passes.

ARTICLE 37: To hear reports of the Selectmen, Town Officers, and all other Committees and to act thereon.

BOARD OF SELECTMEN RECOMMENDS 5-0

Voice vote to accept and adopt as printed in the Warrant

ARTICLE 38: To act on any other business which may legally come before the meeting.

BOARD OF SELECTMEN RECOMMENDS 5-0

At this time the Moderator made the following appointments for approval by Town Meeting:

Daniel Wexman – Finance Committee to ATM 2011

Robert F. Kelly – Finance Committee to ATM 2011

MacGregor Hay – Finance Committee to ATM 2011

Eric E. Winslow – Regional Vocational Technical School Committee to ATM 2011

Francis Corbin – Social Human Services Committee to ATM 2011

Lizanne Stansell – By-law Review Committee to ATM 2011

Voice vote of approval of appointments

There being no further business a motion to adjourn was passed at 11:35pm.

Attest:

Dawn E. Rickman
Town Clerk/Treasurer

**ANNUAL TOWN ELECTION
MAY 5, 2008**

In accordance with the Warrant the Warden, Robert Hankey opened the polls at 12 noon and the ballot box read 0000. Workers for the day included: Robert Hankey and Richard Hazen – Wardens; Barbara Atwood – Clerk; Ann Fox, Ruth Ann Dykeman, Barbara Stevens and Frances Hartswick – Inspectors; Kelly Medeiros, Martha Dilts, Eleanor Hazen and Marilee Frazier – Counters; Barbara Souther – Tallier; Sandra Wonders and Todd LeBart – Constables. The box was opened at 1:45pm reading 145 to prevent jamming. The box was opened at 3:00 pm reading 250 and again at 5:45 reading 375 to prevent jamming. The polls were declared closed by the Warden , Richard Hazen at 7:00 pm with the ballot box reading 471.

QUESTION 1. Shall the Town of Wellfleet be allowed to exempt from the provisions of Proposition 2 1/2 so-called, the amounts required to pay for bonds or notes issued by the Town in order to pay for funding the reconstruction of Uncle Tim's Bridge?

**YES - 325
NO - 116
Blanks - 30**

QUESTION 2. Shall the Town of Wellfleet be allowed to exempt from the provisions of Proposition 2 1/2 so-called, the amounts required to pay for bonds or notes issued by the Town in order to pay for a new one-ton truck for the Dept. of Public Works?

**YES - 254
NO - 213
Blanks - 4**

QUESTION 3. Shall the Town of Wellfleet be allowed to exempt from the provisions of Proposition 2 1/2 so-called, the amounts required to pay for bonds or notes issued by the Town in order to pay for a new flail mower for the Dept. of Public Works?

**YES - 241
NO - 227
Blanks- 3**

QUESTION 4. Shall the Town of Wellfleet be allowed to exempt from the provisions of Proposition 2 1/2 so-called, the amounts required to pay for bonds or notes issued by the Town in order to pay for a new refuse trailer for the Dept. of Public Works?

**YES- 275
NO- 192
Blanks- 4**

QUESTION 5. Shall the Town of Wellfleet be allowed to exempt from the provisions of Proposition 2 1/2 so-called, the amounts required to pay for bonds or notes issued by the Town in order to pay for a new front end loader for the Dept. of Public Works?

**YES- 260
NO- 201
Blanks- 10**

QUESTION 6. Should this town approve the amendment of the Town charter, as approved by the Town Meeting, summarized below:

This proposed amendment to the Wellfleet Home Rule Charter would make several changes relative to the language, style, and organization of the Charter including, but not limited to, the following: insertion of a "definitions" section; designation of two post offices at which the warrant for the l"Annual/Special" Town Meeting must be posted; changing the designation of the "Tax Collector" to "Town Collector", deleting Chapter 9, entitled, "Transitional Provisions" and the Afterward and Final Word which follow; authorization of the Selectmen to call a special town meeting at any time; authorizing the Town Moderator to make appointments of committees created by Town Meeting be provided at the next Annual Town Meeting occurring at least six months after a quorum of the committee is appointed; providing that the Town Administrator shall be responsible for the "direction and supervision of all employees"

rather than for the "administrating and coordinating" of such employees; required the Town Administrator to submit the budget to the Finance Committee as well as to the Board of Selectmen, requiring the Town Administrator to inform the Board of Selectmen when vacancies exist in positions to be filled by the Board of Selectmen, and when vacancies exist in departments under the supervision and control of the Town Administrator?

YES- 360
NO- 83
Blanks- 28

QUESTION 7. Should this town approve the amendment of the Town charter, as approved by the Town Meeting, summarized below:

This proposed amendment to the Wellfleet Home Rule Charter would make certain ministerial and clerical corrections to various sections of the charter so as to render said sections gender neutral?

YES- 369
NO- 84
Blanks- 18

QUESTION 8. Should this town approve the amendment of the Town charter, as approved by the Town Meeting, summarized below:

This proposed amendment to the Wellfleet Home Rule Charter would replace the use of Robert's Rules of Order with Town Meeting Time at Town Meeting; reduce from 45 to 35 the minimum number of days prior to a Special Town Meeting that citizens' petitions must be filed, and impose a requirement that Town Meeting consider all articles on the warrant?

YES- 334
NO- 121
Blanks- 16

QUESTION 9. Should this town approve the amendment of the Town charter, as approved by the Town Meeting, summarized below:

This proposed amendment to the Wellfleet Home Rule Charter would require elected Town officers and boards designated in Section 4-2-1 and 4-1-1 having independent authority to make appointments to paid positions, other than the Board of Selectmen, Cemetery Commission, Moderator and Constables, to provide information requested by the Town Administrator and Finance Committee relating to the preparation of the annual operating budget, capital budget, and Capital Improvement Plan?

YES- 330
NO - 119
Blanks- 22

QUESTION 10. Should this town approve the amendment of the Town charter, as approved by the Town Meeting, summarized below:

This amendment to the Wellfleet Home Rule charter would delete the last sentence of Section 5-10-1, thereby removing the prohibition against a person designated to act as Town Administrator during a vacancy in that office from being a candidate for permanent appointment?

YES- 360
NO- 96
Blanks- 15

QUESTION 11. Should this town approve the amendment of the Town charter, as approved by the Town Meeting, summarized below:

This amendment to the Wellfleet Home Rule charter would amend various sections of the charter to clarify that the Board of Water Commissioners shall have charge and control over the Wellfleet Municipal Water System (the "Water System"), subject to such bylaws and other votes of Town Meeting, and shall have all powers, duties and responsibilities given by the General Laws to elected water commissioners or to boards of selectmen acting as water commissioners, other than the power of eminent domain or the authority to enter into contracts, as well as authority to develop and maintain rules, regulations and policies of the Water System, to review contracts and governmental correspondence and to perform long-range planning for the Water System, and further, that the Dept. of Public Works shall be responsible for implementing the

policies developed by the Board of Water Commissioners, as well as for routine operation and maintenance of the system as for routine operation and maintenance of the system as directed by the Board of Water Commissioners?

YES-	334
NO-	112
Blanks-	25

QUESTION 12. Should this town approve the amendment of the Town charter, as approved by the town Meeting, summarized below:

This amendment to the Wellfleet Home Rule Charter would amend various sections of the Charter relative to the budget matters, including: providing for two alternate members to be appointed by the Town Moderator and designated by the Finance Committee Chair to sit as needed due to absence, conflict or vacancy; inserting a deadline of October 1 for preparation by the Board of Selectmen of the budget policy statement; changing the deadline for submission of the budget by the Town Administrator from "at least one hundred and twenty days prior to the scheduled date" of the Annual Town Meeting, to "not later than the 15th of December preceding" the date of the Annual Town Meeting; requiring that the message be submitted to the Finance Committee in addition to the Board of Selectmen and be filed with the Town Clerk; requiring the Board of Selectmen and finance Committee to hold joint public meetings to review budget requests with department heads; requiring the town Administrator to consult with the finance Committee in the preparation of the Capital Improvement Plan, to prepare the Plan in accordance with the form, standards and information requirements established by the Finance Committee, and to submit the plan to the Finance Committee and the Board of Selectmen not later than the 15th of November preceding the annual town meeting; and requiring the Finance Committee to prepare within thirty days a report and recommendations regarding the Capital Improvement Plan, submit said report to the Finance Committee and Board of Selectmen and to file the report with the Town Clerk?

YES-	351
NO-	87
Blanks-	33

QUESTION 13. Should this town approve the amendment of the Town charter, as approved by the Town Meeting, summarized below:

This proposed amendment to the Wellfleet Home Rule Charter would amend Section 8-10, Town Board, Commissions and Committees, which provides that persons cannot serve on more than one of the listed boards, to include the Board of Water Commissioners, so that the section would provide as follows:

"No person shall serve simultaneously as a member of more than one of the following Town Boards: Conservation Commission, Board of Health, Planning Board, Personnel Board, Zoning Board of Appeals or the Board of Water Commissioners"?

YES-	380
NO-	70
Blanks-	21

QUESTION 14. Should this town approve the amendment of the Town charter, as approved by the Town Meeting, summarized below:

This proposed amendment to the Wellfleet Home Rule Charter would amend Section 3-6-1, Powers of Appointment, to include within the appointment authority of the Board of Selectmen the offices of Herring Warden and Assistant Town Administrator, which appointment must be made from among those candidates recommended by the Town Administrator?

YES-	339
NO -	93
Blanks-	39

QUESTION 15: Public Opinion Advisory Question

Whereas, Congress has the sole responsibility to allocate funds, and;

Whereas, Congress is the check to the Executive branch of government which is prosecuting the illegal occupation of Iraq, and;

Whereas, a majority of American citizens call for an end to the war in Iraq, and;

Whereas, \$480+ billion of taxpayer money has already been spent on this war without an end in sight, depriving us of necessary funds for education, housing, healthcare, support for returning veterans, reparations to the people of Iraq, and for other vital human needs,
We therefore call upon our Congressional representatives to vote only for funding for a safe and rapid withdrawal of all US troops from Iraq.

The Town Clerk is instructed to send a copy of this resolution to Senator Edward Kennedy, Senator John Kerry, Representative William Delahunt, Senator Harry Reid, Representative Nancy Pelosi and President George Bush.

YES-	312
NO-	124
Blanks-	35

Attest:

Dawn E. Rickman
Town Clerk/Treasurer