

**SPECIAL TOWN MEETING
WARRANT**

TOWN OF WELLFLEET



TUESDAY, NOVEMBER 15, 2016

Wellfleet Elementary School
7:00 PM

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PROPOSITION 2½ TERMS

Chapter 59, section 21C of the Massachusetts General Laws is commonly referred to as Proposition 2½ (Prop. 2½) or the Tax Limiting Law for Cities and Towns in Massachusetts.

LEVY: The property tax levy is the revenue a Town can raise through real and personal property taxes. The property tax levy is the largest source of revenue for the Town.

LEVY CEILING: This is the maximum the levy can be. The ceiling equals 2.5% of the Town’s full and fair cash value.

LEVY LIMIT: The maximum the levy can be in a given year. The limit is based on the previous year’s levy limit plus certain allowable increases, such as debt exclusions.

LEVY LIMIT INCREASE: The levy limit automatically increases each year by 2.5% of the previous year’s levy limit.

NEW GROWTH: New construction and new parcel subdivision may also increase the Town’s levy limit.

OVERRIDE: A community can permanently increase its levy limit by successfully voting at a referendum to exceed the limits. A community may take this action as long as it is below the levy ceiling.

DEBT EXCLUSION: This type of override ballot question can be placed on a referendum by a two-thirds vote of the Board of Selectmen. If a majority of the voters approve the ballot question, the Town’s levy limit is increased only for the amount voted at the referendum for the life of that debt only. The levy limit increase may exceed the Town’s levy ceiling.

CAPITAL OUTLAY EXPENDITURES EXCLUSION: This type of override ballot question can be placed on a referendum by a two-thirds vote of the Board of Selectmen. If a majority of the voters approve the ballot question, the additional amount for the payment of the capital project cost is added to the levy limit or levy ceiling only for the year in which the project is being undertaken.

CONTINGENT VOTES: Chapter 59, section 21C (m) permits a Town Meeting to appropriate funds contingent upon passage of a referendum question (OVERRIDE/DEBT EXCLUSION). A contingent vote does not automatically result in an override referendum. An override referendum can only be called by the Board of Selectmen. If a referendum is called by the Selectmen, it must take place within forty-five days of the Town Meeting vote.

TOWN MEETING PROCEDURES

A quorum of 6% of the Town's registered voters must be present in order to conduct business. (Charter: Sect. 2-1-3)

Voters are identified by voter cards, issued when they check in with the registrars at the beginning of the meeting.

Only voters may participate in voice votes. In case of a counted vote, voters will be identified by their voter cards.

Non-voters who have been admitted to the meeting must sit in the section designated for them. Non-voters who may wish to speak must identify themselves, and may address the meeting only by permission of the Moderator. (Charter: Sect. 2-1-2).

No voter will be allowed to speak until recognized by the Moderator.

Voters may only speak twice to any motion or amendment unless authorized by the Moderator. The provisions of this clause shall not apply to a) the person making the motion under an Article, and b) those persons required to be in attendance under the provisions of Charter Section 2-7-5. (Charter: Sect. 2-7-8).

All motions, including all amendments, must be in writing and be legible. Exceptions for very simple motions or amendments are at the discretion of the Moderator. (General Bylaws: Sect. II-2)

The order of consideration of the Articles as printed in the Warrant may be changed only by a two-thirds vote. (Charter: Sect. 2-7-4)

Some other common motions which require more than a simple majority to pass:

Zoning Bylaws	2/3 majority
To incur debt	2/3 majority
To transfer or sell Town land	2/3 majority
To approve charter amendments	2/3 majority
Transfer funds to or from a stabilization fund	2/3 majority
To pay unpaid bills of a prior fiscal year	4/5 majority at an Annual Town Meeting 9/10 majority at a Special Town Meeting

A motion to reconsider must be made at the same session as the vote it seeks to reconsider. It can only be made after some intervening business, and must be made within one hour of the vote to be reconsidered. It is debatable to the same extent as the motion it seeks to reconsider, and it requires a majority vote. (Charter: Sect. 2-7-9)

SPECIAL TOWN MEETING WARRANT

Tuesday, November 15, 2016
The Commonwealth of Massachusetts

To either of the Constables in the Town of Wellfleet in the County of Barnstable:

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wellfleet qualified to vote in town affairs, to meet in the **WELFLEET ELEMENTARY SCHOOL, 100 LAWRENCE ROAD in Wellfleet on the 15th day of November, 2016, at seven o'clock in the evening**, then and there to vote upon the following Articles:

ARTICLE 1: To see if the Town will vote to appropriate a sum of money to pay costs of designing, constructing, originally equipping and furnishing the renovation of the existing police station, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen be and hereby is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; provided, however that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of Chapter 59, Section 21C of the General Laws (Proposition 2 ½).

Board of Selectmen: recommends 4-0

Finance Committee: recommendation reserved to Town Meeting

SUMMARY: This article is the final phase (3 of 3) for the renovation of the police station project. The Wellfleet Police Station was originally constructed in 1983 as a combined police and fire facility. The Police Department took over the entire building when the Fire Department moved into their new facility in 2009, however, most of the space previously used as the fire station is now being used for storage. While the building, at 10,680 SF, is large enough to house the Police Department, it is not efficiently organized to support police operations, and the building itself is in need of repair.

ARTICLE 2: To see if the Town will vote, pursuant to G. L. c. 44B, to appropriate from the Community Preservation Fund the Community Housing budgeted reserves or fund balance the sum of **\$54,162** to contribute to the cost of, and thereby support, for the Housing Rental Assistance Program.

Board of Selectmen recommends 4-0

Finance Committee: recommends 7-0

Community Preservation Committee: recommends 8-0

Housing Authority: recommends 5-0

SUMMARY: Using existing housing in Wellfleet, the program will continue to serve the community need for affordable rentals. The program provides subsidies to landlords to bring rental rates down to affordable levels for income qualified applicants. Applicants are

expected to pay 30% of their income toward the rent, and the subsidy makes up the difference. Funding now available for the program is expected to run out in December or January without additional CPA money.

ARTICLE 3: To see if the Town will vote to transfer from the Beach Fund the sum of \$9,600, or any other sum, for the purpose of funding a survey of the ocean beach landings, Newcomb Hollow, Cahoon Hollow, White Crest and Maguire Landing at LeCount Hollow and costs related thereto.

Board of Selectmen: recommends 4-0

Finance Committee: recommends 7-0

SUMMARY: A survey of the ocean beach landings has not been done for at least the last 25 years and it is necessary so that we can know exactly what our boundaries are as we plan for and compensate for annual erosion and loss of parking.

ARTICLE 4: To see if the Town will vote to adopt M.G.L. Chapter 41, section 110A. Any public office in any city or town may remain closed on any or all Saturdays as may be determined from time to time, in a city by the city council, subject to the provisions of the City charter, or, in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday.

Board of Selectmen: recommends 4-0

Finance Committee: recommendation reserved to Town Meeting

SUMMARY: MGL Chapter 4, Section 9 provides that when the day or the last day for the performance of any act, including the making of any payment or tender of payment, authorized or required by statute or by contract, falls on Sunday or a legal holiday, the act may, unless it is specifically authorized or required to be performed on Sunday or on a legal holiday, be performed on the next succeeding business day. MGL Chapter 51 Section 31 provides that if the final day for registration of voters falls on Sunday or on a holiday, the preceding day shall be the final day for such registration.

Acceptance of this will essentially authorizes all public offices in the Town to remain closed for all Saturdays and to treat Saturdays as a legal holiday for the purposes of calculating the time frame for filing matters in the Town. Most specifically for the deadline for voter registration for an annual or special election or town meeting where the 10th or 20th day prior falls on a Saturday the voter registration deadline would be held on the previous Friday. The law requires the Office of the Town Clerk to be open from 9am to 8pm on voter registration deadline dates.

ARTICLE 5: To see if the Town will vote to authorize the Board of Selectmen to: (i) enter into one or more solar net metering credit purchase agreements with one or more solar energy providers for terms of up to 30 years; and (ii) take any actions and execute any other documents and ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer the solar net metering credit purchase agreements, all of which agreements and documents shall be on such terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town, or do or act anything thereon.

Board of Selectmen: recommends 4-0

Finance Committee: recommendation reserved to Town Meeting

Energy Committee: recommendation reserved to Town Meeting

SUMMARY: The town is currently soliciting offers from solar energy producers and hopes to be able to present a more specific proposal within the scope of this article at town meeting. Contracts for the purchase of net metering credits are used to reduce the Town's electricity costs. With certain exceptions, town meeting must vote to authorize the selectmen to enter into contracts for terms longer than three years.

ARTICLE 6: To hear reports of the Selectmen, Town Officers and all other Committees and to act thereon, or do or act anything thereon.

Board of Selectmen: recommends 4-0

ARTICLE 7: To act on any other business that may legally come before the meeting.

Board of Selectmen: recommends 4-0

SUMMARY: Moderator's appointments are made under this article.

SPECIAL TOWN MEETING WARRANT

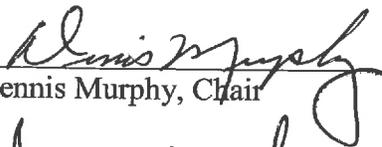
October 4, 2016

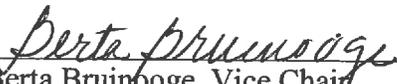
And you are hereby directed to serve this Warrant by posting attested copies thereof, one in the Post Office in Wellfleet and one in the Post Office in South Wellfleet, fourteen (14) days at least before the date of said meeting.

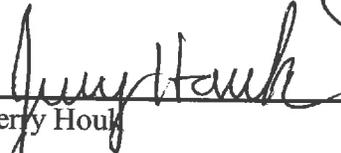
Hereof fail not and make due return of the Warrant with your doings thereon, to the Town Clerk, at the time of the meeting aforesaid.

Given under our hands this fourth day of October, 2016.

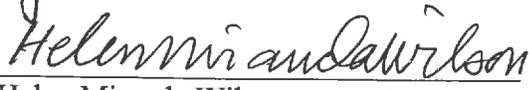
Wellfleet Board of Selectmen


Dennis Murphy, Chair


Berta Bruinooge, Vice Chair


Jerry Houk


Janet Reinhart, Clerk


Helen Miranda Wilson

I have served the foregoing Warrant by posting attested copies thereof in the Post Office in Wellfleet and the Post Office in South Wellfleet and by delivering to the Town Administrator printed copies of the Warrant of a number not less than the number of registered voters in the Town on 10/17/16, which is at least fourteen (14) days before the date of said meeting, as within directed.

Date: 10/17/16

Constable: 