

SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: April 20, 2021

II

COVID-19 UPDATES AND RECOMMENDATIONS

REQUESTED BY:	Chair DeVasto/Health Agent Lemos
DESIRED ACTION:	Discuss any new updates or information
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: April 20, 2021



BUSINESS ~ A

REQUESTED BY:	Selectboard Chair Michael DeVasto
DESIRED ACTION:	Board to review and discuss the Capital Improvement Plan ~ From FY 2022 to FY 2026
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



TOWN OF WELLFLEET

300 MAIN STREET WELLFLEET MASSACHUSETTS 02667

Tel (508) 349-0300 Fax (508) 349-0305

www.wellfleetma.org

October 21, 2020

**Michael DeVasto, Chair
Wellfleet Select Board
300 Main Street
Wellfleet, MA 02667**

**Fred Magee, Chair
Wellfleet Finance Committee
300 Main Street
Wellfleet, MA 02667**

RE: Fiscal 2022 Capital Improvement Plan

Dear Chair DeVasto and Magee:

Enclosed please find a copy of the proposed Fiscal Year 2022 Capital Improvement Plan in fulfillment of the requirements of section 7-5-2 of the Wellfleet Town Charter. Copies will be uploaded to the Fiscal 2022 subsection of the Reports and Documents section of the Town website.

According to Wellfleet Charter Section 7-5-2, the Capital Improvement Plan shall be submitted to the Finance Committee and the Selectboard not later than the first of October. As you can see, we are a little behind schedule. Within sixty days the Finance Committee shall prepare and submit a report and its recommendations on the Capital Improvement Plan to the Town Administrator and the Selectboard. A copy of the report shall be filed with the Town Clerk.

Staff will be pleased to make a presentation of the plan or answer any questions at an upcoming board or committee meetings.

Sincerely,

**Maria T. Broadbent,
Town Administrator**

encl



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MEMORANDUM

To: Selectboard and Finance Committee
From: Maria Broadbent Town Administrator
Subject: Fiscal Year 2022 Capital Improvement Plan
Date: October 22, 2020

Section 7-5-2 of the Wellfleet Charter requires the submission of a detailed five-year capital improvement plan (CIP) to the Finance Committee and the Selectboard no later than October 1st.

The CIP consists of this memo and the accompanying supporting documents.

The FY 2022 CIP is \$1,845,400 and the total requests in the five-year CIP is \$5,496,900, **each exclusive of the Education CIP budget** which is not currently available. There are several large items that are not currently included in the CIP, but which should be acknowledged again this year.

- During the April 2019 Annual Town Meeting Wellfleet voters approved \$7.5M for dredging the Wellfleet Harbor. That represents the estimated share of the Town's cost for the initial dredging of the Wellfleet Harbor and assumes the State will provide a 50% matching grant. It does not account for the cost of future maintenance dredging.
- Both the Cape Cod Regional Technical High School new building and the Nauset Regional High School building renovations are in various stages within the Massachusetts School Building Authority.

Updates for the departments include the following:

MIS – Request #1

Staff has estimated an annual cost of \$50,000 for ongoing personal computer and server replacements.

Town Clerk's Office – Request #2 & 3

The department is requesting microfilming of permanent records and additional shelving for the basement storage vault.

Shellfish – Requests #4

The department is replacing a pick-up truck based on their five-year replacement plan.

Police – Requests #6 & 7

The department is requesting a vehicle replacement as part of their ongoing 'Cruiser Replacement Plan' and two ATVs for beach patrol.

Fire – Requests #12-15

Current year requests total \$508,000.

Recreation – Requests #16 & 17

The Recreation Department is requesting adult fitness stations at the Recreation area and resurfacing of the basketball courts.

Beach – Request #18

The Beach Department is requesting portable repeaters to improve cell phone service at Wellfleet beaches as part of an ongoing safety improvement.

Marina – Request #s 19 & 20

The Marina Department is requesting a new Emergency Response Vessel and new Telehandler/Forklift to replace aging equipment.

Dept. of Public Works – Requests #22-61

Maintaining the infrastructure of the Town, Town buildings and department equipment is always vital to the Town and its residents and visitors. Total Public Works CIP requests for FY 2022 total \$671,000.

Education – Requests #62 & 63

The two requests for the Wellfleet Elementary and the Nauset Regional School District are currently unavailable.

Administration – Request #64

This request is for a comprehensive permit tracking and GIS software system to be shared interdepartmentally.

It should be noted that the current funding schedule is in flux at this point. Free cash has not yet been certified so we don't have the amount of available free cash at this time and the tax levy has yet to be determined. The funding schedule will become clearer as we near the end of the calendar year.

Next Steps

The plan will continue to be refined between now and the town meeting in April 2021.

- The Town Administrator's office will continue to research the requests being made to determine if there are any better options available.
- Each department requesting a vehicle replacement has been asked to submit a vehicle roll-over form per the Selectboard's policy.
- Funding will continue to be refined as Free Cash is certified and the amount available through the tax levy is determined. The goal is always to avoid as many overrides as possible.

TOWN of WELLFLEET FY2021 FIVE YEAR CIP PLAN

	Dept	Project	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	5 Yr Cost
1	MIS	General MIS Equipment	50,000	50,000	50,000	50,000	50,000	250,000
2	Clerk	Microfilming of Permanent Records	11,000	5,000	5,000			21,000
3	Clerk	Storage Vault Shelving	5,750	5,000	5,000			15,750
4	Shell	Pick-Up Truck	24,000					47,000
5	Shell	Floating Upweller		34,000	2,500	2,500	2,500	41,500
6	Police	Police Cruisers Portable	100,000	55,000	55,000	110,000	60,000	380,000
7	Police	Radios Replace Police						
8	Police	Equipment Replace		100,000				100,000
9	Police	Tasers			50,000			50,000
10	Police	Replace AEDs				65,000		65,000
11	Police						25,000	25,000
12	Fire	Replace Command Car 81	58,000					58,000
13	Fire	Portable Radio Replacement	85,000					85,000
14	Fire	Replace Ambulance 98	340,000					340,000
15	Fire	Mobile Data Terminals	25,000					25,000
16	Rec	Adult fitness stations at Rec area	14,900					14,900
17	Rec	Resurface Basketball courts	12,750					12,750
18	Beach	Portable Repeaters	40,000					40,000
19	Marina	25' Ctr Console-Emergency Response Vessel	200,000					200,000
20	Marina	All-Terrain Forklift (floats/docks/gangways)	60,000					60,000
<u>PUBLIC WORKS</u>								
DPW - Equipment								
21	DPW	#6 Chevy 3/4 ton Pickup '04'	60,000					60,000
22	DPW	Backhoe '04'	150,000					150,000
23	DPW	#10 Dump Truck w sander/plow '00'		160,000				160,000
24	DPW	#3 Dump Truck w sander/plow '12'		85,000				85,000
25	DPW	#9 Dump Truck w sander/plow '14'		85,000				85,000
26	DPW	#12 Dump Truck w sander/plow '06'			160,000			160,000
27	DPW	Flail Mower '08'			85,000			85,000
28	DPW	Pick-up Truck w Plow			75,000			75,000
29	DPW	10 Wheel Dump Truck '03'				170,000		170,000
30	DPW	#8 One Truck w Sander '08'				85,000		85,000
31	DPW	#5 Dump Truck w sander/plow '16'					85,000	85,000
32	DPW	#7 Transit '16					35,000	35,000
Transfer Station								
33	DPW	#22 Tran Station-Roll-off Truck '00'	240,000					240,000
34	DPW	#L3 Tran Station-Front End Loader '08'		220,000				220,000
35	DPW	#14 Tran Station-Tractor Replace '99'			200,000			200,000
36	DPW	Tran Station-Refuse/Recycling Trailer				100,000		100,000
37	DPW	100 yard Refuse/Recycling Trailer					100,000	100,000
DPW - Facilities								
<u>Town Hall</u>								
38	DPW	Town Hall Railing	6,000					6,000
39	DPW	Town Hall-Siding replacement			60,000			60,000
40	DPW	Town Hall-Paint exterior trim			15,000			15,000
<u>Library</u>								
41	DPW	Library-PV System		5,000				5,000
42	DPW	Library-Paint exterior					20,000	20,000
<u>DPW</u>								
43	DPW	DPW-Generator Replacement					60,000	60,000
44	DPW	DPW-Salt Shed Replacement		250,000				250,000
45	DPW	DPW-Compressor Replacement			5,000			5,000
46	DPW	DPW-Vehicle Lift	TBD					
<u>COA</u>								
47	DPW	COA-HVAC System Upgrade		25,000				25,000
48	DPW	COA-Bathroom Upgrades		5,000				5,000
49	DPW	COA-Windows		10,000				10,000

Dept	Project	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	5 Yr Cost
	<u>Fire Station</u>						
50	DPW Fire-HVAC System Upgrades		TBD				0
51	DPW Fire-Solar Hot Water System		TBD				0
52	DPW Fire-Garage Door Replacement		TBD				0
	<u>Transfer Station Buildings</u>						
53	DPW Tran Station-Canopy Extension	40,000					40,000
54	DPW Tran Station-Guard Shack	15,000					15,000
55	DPW Tran Station-Equipment Storage Bldg		230,000				230,000
56	DPW Tran Station-Swap Shop		65,000				65,000
	<u>Rec Areas and Bakers Field</u>						
57	DPW Baker Field-Backstops	35,000					35,000
58	DPW Bandstand Awning replacement	25,000					25,000
	<u>Beach Restrooms</u>						
59	DPW Beach-Roof replacements (4)			25,000			25,000
	DPW - Capital Improvements						
60	DPW Kellars Corner Revetment	50,000	450,000				500,000
61	DPW Duck Creek Revetment/Engineering	50,000					50,000
	Education (based on prior year CIP)						
62	WES CIP Program	TBD	TBD	TBD	TBD	TBD	0
63	NRSD CIP Program (13% of total)	TBD	TBD	TBD	TBD	TBD	0
64	ADMIN Comprehensive Permit Tracking/GIS System	100,000					100,000
	Yearly Totals	\$1,845,400	\$1,839,000	\$792,500	\$582,500	\$437,500	5,496,900

Totals by Department

Information Technology	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	250,000
Town Clerk	\$16,750	\$10,000	\$10,000	\$0	\$0	36,750
Shellfish Department	\$47,000	\$34,000	\$2,500	\$2,500	\$2,500	88,500
Police	\$125,000	\$155,000	\$105,000	\$175,000	\$85,000	645,000
Fire	\$508,000	\$0	\$0	\$0	\$0	508,000
Recreation	\$27,650	\$0	\$0	\$0	\$0	27,650
Beach Department	\$40,000	\$0	\$0	\$0	\$0	40,000
Marina	\$260,000	\$0	\$0	\$0	\$0	260,000
Public Works	\$671,000	\$1,590,000	\$625,000	\$355,000	\$300,000	3,541,000
Education	\$0	\$0	\$0	\$0	\$0	0
Administration	\$100,000	\$0	\$0	\$0	\$0	100,000
	\$1,845,400	\$1,839,000	\$792,500	\$582,500	\$437,500	5,496,900

TOWN of WELLFLEET FY2022 CIP Funding Plan

Dept	Project		Funding by:				
			Free Cash	Raise & Appropriate	Borrow	Other Funds	
1	MIS	General MIS Equipment	50,000		50,000		
2	Clerk	Microfilming of Permanent Records	11,000		11,000		
3	Clerk	Storage Vault Shelving	5,750		5,750		
4	Shell	Pick-Up Truck	47,000		47,000		
6	Police	Police Cruisers	100,000		100,000		
7	Police	ATVs - Beach Patrols	25,000		25,000		
12	Fire	Replace Command Car 81	58,000		58,000		
13	Fire	Portable Radio Replacement	85,000		85,000		
14	Fire	Replace Ambulance 98	340,000			340,000 Ambulance Fund	
15	Fire	Mobile Data Terminals	25,000		25,000		
16	Rec	Adult fitness stations at Rec area	14,900		14,900		
17	Rec	Resurface Basketball Courts	12,750		12,750		
18	Beach	Portable Repeaters	40,000			40,000 Beach Fund	
19	Marina	25' Ctr Console-Emerg. Response Vessel	200,000		200,000		
20	Marina	All-Terrain Forklift	60,000		60,000		
<u>DPW - Equipment</u>							
21	DPW	#6 Chevy 3/4 ton Pickup '04'	60,000		60,000		
22	DPW	Backhoe '04'	150,000		150,000		
33	DPW	#22 Trans Station-Roll-off Truck '00'	240,000		240,000		
<u>DPW - Facilities</u>							
38	DPW	Town Hall Railing	6,000		6,000		
46	DPW	DPW-Vehicle Lift	TBD		TBD		
50	DPW	Fire-HVAC System Upgrades	TBD		TBD		
53	DPW	Tran Station-Canopy Extension	40,000			40,000 SEMASS	
54	DPW	Tran Station-Guard Shack	15,000			15,000 SEMASS	
57	DPW	Baker Field-Backstops	35,000			35,000 Rec Fund	
58	DPW	Bandstand Awning replacement	25,000			25,000 Rec Fund	
<u>DPW - Capital Improvements</u>							
60	DPW	Kellars Corner Revetment	50,000		50,000		
61	DPW	Duck Creek Revetment/Engineering	50,000		50,000		
Education (based on prior year CIP)							
62	WES	CIP Program	400,000		400,000		
63	NRSD	CIP Program (13% of total)	141,700		141,700		
64	ADMIN	Comprehensive Permit Tracking/GIS System	100,000		100,000		
Yearly Totals			2,387,100	0	0	1,892,100	0

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="2"/>	<input type="text" value="2"/>	<input type="text" value="2"/>	<input type="text" value="2,021"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text" value="11,000"/>	
FY 2022	<input type="text" value="5,000"/>	
FY 2023	<input type="text" value="5,000"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text"/>
FY 2026	<input type="text"/>	

Other Comments



KING INFORMATION SYSTEMS, INC.

3 Edgewater Drive Norwood, MA 02062 (781) 762-6477 FAX (781) 769-1236
Branch Office 2701 Boston Road, Wilbraham, MA 01095 (413) 599-1377

September 9, 2019

Town of Wellfleet
300 Main Street
Wellfleet, MA 02667

Attn: Jennifer Congel

Dear Jennifer:

First, let me say, it was a pleasure meeting you.

This letter is written as a result of our meeting in your office on September 4, 2019, and is intended as a quotation for one section of archive shelving, an archive audit, and to provide microfilming services to the town.

Archive shelving

We will install one section of archive shelving, 42" wide by 30" deep, in your basement archive area at a cost of \$445.00, plus shipping. This section of archive shelving will have four adjustable shelves, and will provide a total storage capacity of 36 standard size archive boxes.

Archive audit

We propose that we send our archives supervisor for two days to perform an archive audit and review. The cost is \$585.00 per day, plus expenses. Because this is the first audit since the system was implemented in 2015, the supervisor may recommend additional days if any are needed to complete the audit. If additional work is needed, it will be scheduled during our next available open dates.

The following tasks will be performed:

- 1) Verify that boxes are being destroyed per your schedule
- 2) Add new boxes to the database (if necessary)
- 3) Adapt regulation changes affecting your retention schedule
- 4) Add any new record titles
- 5) Identify potential microfilm candidates, as space constraints dictate
- 6) *Audit the archives for accuracy (box number, location, etc...)
- 7) Audit the database, which includes converting to the newest version

* The number one priority.

We feel that this is the best way to protect the investment that you have made in a proper archive system.

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #

of Projects Submitted

Priority #

for Fiscal Year

Degree of Urgency (check all that apply)

Priority of Function (check all that apply)

Legislation: required by state or federal legislation or regulation

Hazard: removes an obvious or potential hazard to public health or safety

Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service

Standard of Service: maintains or provides existing standard of service

Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential

Increased Service: expands or increases a service or improves a standard of service

New services: makes possible a new service or increases convenience of an existing service.

Protection of persons and property: police, fire, rescue, inspections, etc.

Environmental health: water, sewer, sanitation, public health, etc.

Heritage and cultural: education, libraries, etc.

Housing: public housing, etc.

Pedestrian and vehicular transportation: street construction and maintenance, parking, etc

Recreation: parks, athletic programs, etc.

General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021

FY 2022

FY 2023

FY 2024

FY 2025

TOTAL

FY 2026

**Other
Comments**

Department

Requested By

Project Description & Objectives

A floating upweller system (FLUPSY) to grow baby clams and oysters from pin-head size to field plant size. A FLUPSY will allow WSD buy greater quantities of seed to propagate our wild fisheries, benefiting our commercial and recreational permit

Project Need & Background

In order to save money by purchasing smaller, cheaper shellfish seed in the future, the department will eventually need to invest in nursery infrastructure. A FLUPSY provides a platform in the water with a pump that creates waterflow with nutrients through silos to feed baby shellfish. This system helps the shellfish grow faster and protects them from predators and disease

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,023"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
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Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2020	<input type="text"/>	FY 2026	<input type="text" value="2,207"/>
FY 2021	<input type="text"/>	FY 2027	<input type="text" value="2,207"/>
FY 2022	<input type="text"/>	FY 2028	<input type="text" value="2,207"/>
FY 2023	<input type="text" value="34,057"/>	FY 2029	<input type="text" value="2,207"/>
FY 2024	<input type="text" value="2,207"/>	TOTAL	<input type="text" value="54,863"/>
FY 2025	<input type="text" value="2,207"/>		

Other Comments

Used our consultant's analysis to choose most effective and beneficial way for the Town to grow baby shellfish and make the most of town resources.

**Wellfleet Police Department
5 Year Capital Plan**

FY 2022

	DATE	CRUISER REPLACEMENT	OTHER
FY 2022	September-2021	Receive replacement for two cruisers (Police Interceptor Utility)	Two ATV'S Beach Patrols
FY 2023	September-2022	Receive replacement for one cruiser (Police Interceptor Utility)	Police Radios
FY 2024	September-2023	Receive replacement for one cruiser (Police Interceptor Utility)	Replace aging Police Equipment
FY 2025	September-2024	Receive replacement for two cruisers (Police Interceptor Utility)	Replace aging Tasers
FY 2026	September-2025	Receive replacement for one cruiser (Police Interceptor Utility)	Replace aging AED's
FY 2027	September-2026	Receive replacement for one cruiser (Police Interceptor Utility)	Bullet Proof Vests Replacement

Discussion on the state level that all radios and portable will need to be upgraded to digital, unknown when and the cost at this time.

Department

Requested By

Project Description & Objectives

Project Need & Background

Replace aging police cruiser (s). This is part of an ongoing cycle to replace marked cruisers, as part of a four year cycle. We are requesting two cruisers this fiscal instead of one due to the fact both cruisers in the last CIP Plan were removed/voted down.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

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Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="100,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text"/>
FY 2026	<input type="text"/>	

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

Replace aging police cruiser (s). This is part of an ongoing cycle to replace one of the 4 marked cruisers, as part of a four year cycle.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,023"/>

Degree of Urgency (check all that apply)

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Priority of Function (check all that apply)

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- Housing: public housing, etc.
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- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text" value="55,000"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text"/>
FY 2026	<input type="text"/>	

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,024"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
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Priority of Function (check all that apply)

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- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text" value="55,000"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text"/>
FY 2026	<input type="text"/>	

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

Replace aging police cruiser (s). This is part of an ongoing cycle to replace one of the 4 marked cruisers, as part of a four year cycle and 1 Executive car.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,025"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text" value="110,000"/>	TOTAL <input type="text"/>
FY 2026	<input type="text"/>	

Other Comments

TOWN of WELLFLEET

FY 2021 Capital Improvement Request

Department

Requested By

Project Description & Objectives

Project Need & Background

Replace aging police cruiser (s). This is part of an ongoing cycle to replace one of the 4 marked cruisers, as part of a four year cycle.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,026"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text"/>
FY 2026	<input type="text" value="60,000"/>	

Other Comments

TOWN of WELLFLEET

FY 2021 Capital Improvement Request

Department

Requested By

Project Description & Objectives

Project Need & Background

Replace aging police cruiser (s). This is part of an ongoing cycle to replace one of the 4 marked cruisers, as part of a four year cycle.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,027"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="60,000"/>
FY 2026	<input type="text"/>	

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

Replace aging vests. All Full time officers have been issued a bullet proof vest that need to be replaced approximately every 5 years. We are exploring grants to cover this cost and this request will be re-evaluated every year.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,027"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text"/>
FY 2026	<input type="text"/>	

Other Comments

TOWN of WELLFLEET

FY 2021 Capital Improvement Request

Department

Requested By

Project Description & Objectives

Project Need & Background

Replace aging police portable radios. The state is making a push to move from our current radio technology to a digital format which would increase the cost of portables to approx \$4,000 each.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,023"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text" value="100,000"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text"/>
FY 2026	<input type="text"/>	

Other Comments

Approx \$4,000 each for 14 full-time police officers, 1 ACO and 5 part-time officer. Also, need to replace cruiser radios in patrol vehicles.

TOWN of WELLFLEET

FY 2021 Capital Improvement Request

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,024"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021

FY 2022

FY 2023

FY 2024

FY 2025

FY 2026

TOTAL

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,025"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text" value="65,000"/>	TOTAL <input type="text"/>
FY 2026	<input type="text"/>	

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,026"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text"/>
FY 2026	<input type="text" value="25,000"/>	

Other Comments

Mike Trovato

From: Rich Pauley
Sent: Friday, October 16, 2020 3:06 PM
To: Maria Broadbent; Mike Trovato; Courtney Butler
Subject: FY-2022 Fire Department Capital Improvement Plan Requests
Attachments: FY 2022 Car 81 replacement request.101620.pdf; Two Way Radio Replacement request.101620.pdf; FY 2022 Ambulance 98 replacement request.101620.pdf; FY 2022 Replace Mobile Data Terminals & Technology upgrade request.101620.pdf

Hello,

Attached is the FY-2022 Fire Department Capital Improvement Plan requests. Two of these requests (replace command car 81 and the mobile and portable radio replacement project) are carried over from FY-2021. The other two requests (to replace Ambulance 98 and purchasing new mobile data terminals) are new projects.

As always, don't hesitate to contact me with any questions.

Rich

Chief Richard J. Pauley, Jr.
Wellfleet Fire Department
10 Lawrence Road
Wellfleet, Massachusetts 02667
Telephone (508)349-3754
rich.pauley@wellfleet-ma.gov



Department

Requested By

Project Description & Objectives

Project Need & Background

Car 81 is used on a daily basis by the fire chief and serves as the command vehicle for emergency incidents. The current vehicle was purchased in 2013 and should have been replaced two years ago. It has significant wear and tear and undercarriage corrosion/rust and must be replaced at this time.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="4"/>	<input type="text" value="1"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="58,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="58,000"/>
FY 2026	<input type="text"/>	

Other Comments

The cost of the vehicle is \$43,000.00. The cost to purchase and install new FCC compliant radios is \$8,000.00. The cost to outfit the vehicle with emergency warning lights and sirens is \$7,000.00.

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="2"/>	<input type="text" value="4"/>	<input type="text" value="2"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="85,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="85,000"/>
FY 2026	<input type="text"/>	

Other Comments

TOWN of WELLFLEET

FY 2021 Capital Improvement Request

Department

Requested By

Project Description & Objectives

Project Need & Background

Ambulance 98 is a 2015 Chevrolet model that will have over 100,000 miles on it within the next year. It is one of the most heavily used vehicles in our fleet and needs to be replaced because of wear and tear. In addition, we are beginning to see electrical and climate control issues with this vehicle which is somewhat typical given its age and usage.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="3"/>	<input type="text" value="4"/>	<input type="text" value="3"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="340,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="340,000"/>
FY 2026	<input type="text"/>	

Other Comments

It is imperative that we replace this ambulance in order to maintain the same quality level of emergency medical services to the community.

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="4"/>	<input type="text" value="4"/>	<input type="text" value="4"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="25,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="25,000"/>
FY 2026	<input type="text"/>	

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="2"/>	<input type="text" value="2"/>	<input type="text" value="2"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="14,900"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="14,900"/>
FY 2026	<input type="text"/>	

Other Comments

Department Recreation

Requested By Rebecca Rosenberg

Project Description & Objectives

Repair and resurface the outdoor Mayo Beach Basketball Courts

Project Need & Background

The Mayo Beach Basketball Courts were last resurfaced in 2009. The courts require repair and resurfacing every 10-15 years.

Priority # of Projects Submitted Priority # for Fiscal Year
1 2 1 2,022

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
Hazard: removes an obvious or potential hazard to public health or safety
Efficiency: replaces equipment or facility that is obsolete; or would be too costly to repair or maintain and better utilizes existing standard of service
Standard of Service: maintains or provides existing standard of service
Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
Increased Service: expands or increases a service or improves a standard of service
New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
Environmental health: water, sewer, sanitation, public health, etc.
Heritage and cultural: education, libraries, etc.
Housing: public housing, etc.
Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
Recreation: parks, athletic programs, etc.
General government: office facilities, central services, etc.

Projected Costs by Year

Table with 2 columns: Year (FY 2021-2026) and Cost. Values: FY 2021 (empty), FY 2022 (12,750), FY 2023 (empty), FY 2024 (empty), FY 2025 (empty), FY 2026 (empty), TOTAL (12,750)

Other Comments

Empty text box for other comments.

Department Beach

Requested By Suzanne Grout Thomas

Project Description & Objectives

Portable repeaters to enhance radio communications between Beach personnel, WPD and WFD

Project Need & Background

Because of the topography of the ocean side in Wellfleet, the existing radio communications are spotty at best. If the FD or the PD are on the beach, they can not receive radio communications. Similarly, the Beach Personnel, especially Lifeguards, need to communicate from beach to beach effectively.

Priority # of Projects Submitted Priority # for Fiscal Year
1 1 1 2,021

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
Hazard: removes an obvious or potential hazard to public health or safety
Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
Standard of Service: maintains or provides existing standard of service
Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
Increased Service: expands or increases a service or improves a standard of service
New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
Environmental health: water, sewer, sanitation, public health, etc.
Heritage and cultural: education, libraries, etc.
Housing: public housing, etc.
Pedestrian and vehicular transportation: street construction and maintenance, parking, etc.
Recreation: parks, athletic programs, etc.
General government: office facilities, central services, etc.

Projected Costs by Year

Table with 2 columns: Year (FY 2021-2026) and Cost. Values: FY 2021: 40,000; FY 2022: ; FY 2023: ; FY 2024: ; FY 2025: ; FY 2026: ; TOTAL: 40,000

Other Comments

Empty text box for other comments.

Department

Requested By

Project Description & Objectives

Project Need & Background

Replace aging crane truck in order to pull out floats, docks, and gangways. Needed as well to perform maintenance to those items.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="2"/>	<input type="text" value="2"/>	<input type="text" value="2"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="15,000"/>	
FY 2023	<input type="text" value="15,000"/>	
FY 2024	<input type="text" value="15,000"/>	
FY 2025	<input type="text" value="15,000"/>	TOTAL <input type="text" value="60,000"/>
FY 2026	<input type="text"/>	

Other Comments



Town of Wellfleet

Department of Public Works

**Facilities, Equipment, DPW Projects
Capital Plan**

Fiscal Year 2022

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1 (Town Hall)"/>	<input type="text"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="6,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="\$6,000"/>
FY 2026	<input type="text"/>	

Other Comments

TOWN of WELLFLEET

FY 2021 Capital Improvement Request

Department

Requested By

Project Description & Objectives

Project Need & Background

See Attached (unable to fit text): This project entails extending a canopy on the back side of the existing steel canopy that protects the solid waste containment area where users of the transfer station unload their waste into the open top refuse trailer. When a trailer is full, it is pulled away from the canopy and parked until the trailer is driven to SEMASS. Extending th

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="3"/>	<input type="text" value="4 (Transfer Station)"/>	<input type="text"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="40,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="\$40,000"/>
FY 2026	<input type="text"/>	

Other Comments

This project entails extending a canopy on the back side of the existing steel canopy that protects the solid waste containment area where users of the transfer station unload their waste into the open top refuse trailer. When a trailer is full, it is pulled away from the canopy and parked until the trailer is driven to SEMASS. Extending the canopy will allow the full trailer to be protected from rain and snow; hence, reducing additional weight from water that enters the trailer.

TOWN of WELLFLEET

FY 2021 Capital Improvement Request

Department

Requested By

Project Description & Objectives

Project Need & Background

This guard shack is proposed to be located next to the new demo area which is situated at the highest point of the Transfer Station. This guard shack would allow the Transfer Station Foreman and personell to closely supervise the operation of the transfer station fo quality control and efficient operation.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="2"/>	<input type="text" value="4 (Transfer Station)"/>	<input type="text"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="15,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="\$15,000"/>
FY 2026	<input type="text"/>	

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1 (Recreation)"/>	<input type="text"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="35,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL
FY 2026	<input type="text"/>	<input type="text" value="35,000"/>

Other Comments

TOWN of WELLFLEET

FY 2021 Capital Improvement Request

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="2"/>	<input type="text" value="2"/>	<input type="text" value="2"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text" value="25,175"/>	
FY 2022	<input type="text"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="25,175"/>
FY 2026	<input type="text"/>	

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="3"/>	<input type="text" value="3 (Equipment)"/>	<input type="text"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="80,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="\$60,000"/>
FY 2026	<input type="text"/>	

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

This is to replace a 2004 backhoe that is beyond it's serviceable life. The machine is used daily for packing the trash trailer at the Transfer Station, plowing, recycling and earth moving projects.

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="2"/>	<input type="text" value="3 (Equipment)"/>	<input type="text"/>	<input type="text" value="2021"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="150,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL
FY 2026	<input type="text"/>	<input type="text" value="150,000"/>

Other Comments

Department

Requested By

Project Description & Objectives

Project Need & Background

See Attached:(unable to see text): Replace 2000 roll off truck that is used to truck material from the transfer station to disposal facilities. The current roll off truck is unsafe and is 19 years old. In light of the volatile market for recycling, its in the best interest of the DPW/Town to be in a position to be able to haul material off-cape if warranted and cost effective. The roll off is

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="2"/>	<input type="text"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or Improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="240,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="240,000"/>
FY 2026	<input type="text"/>	

Other Comments

Replace 2000 roll off truck that is used to truck material from the transfer station to disposal facilities. The current roll off truck is unsafe and is 19 years old. In light of the volatile market for recycling, its in the best interest of the DPW/Town to be in a position to be able to haul material off-cape if warranted and cost effective. The roll off is also used for snow removal, storm damage cleanup, beach cleanups, building cleanups and culch operations.

Department

Requested By

Project Description & Objectives

Project Need & Background

Priority #	of Projects Submitted	Priority #	for Fiscal Year
<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="1"/>	<input type="text" value="2,022"/>

Degree of Urgency (check all that apply)

- Legislation: required by state or federal legislation or regulation
- Hazard: removes an obvious or potential hazard to public health or safety
- Efficiency: replaces equipment or facility that is obsolete, or would be too costly to repair or maintain and better utilizes existing standard of service
- Standard of Service: maintains or provides existing standard of service
- Economic Advantage: directly benefits the Town's economic base by increasing property values or other revenue potential
- Increased Service: expands or increases a service or improves a standard of service
- New services: makes possible a new service or increases convenience of an existing service.

Priority of Function (check all that apply)

- Protection of persons and property: police, fire, rescue, inspections, etc.
- Environmental health: water, sewer, sanitation, public health, etc.
- Heritage and cultural: education, libraries, etc.
- Housing: public housing, etc.
- Pedestrian and vehicular transportation: street construction and maintenance, parking, etc
- Recreation: parks, athletic programs, etc.
- General government: office facilities, central services, etc.

Projected Costs by Year

FY 2021	<input type="text"/>	
FY 2022	<input type="text" value="100,000"/>	
FY 2023	<input type="text"/>	
FY 2024	<input type="text"/>	
FY 2025	<input type="text"/>	TOTAL <input type="text" value="100,000"/>
FY 2026	<input type="text"/>	

Other Comments



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: April 20, 2021

III

BUSINESS ~ B

REQUESTED BY:	Curt Felix
DESIRED ACTION:	To approve the Warrant Article Presented by the Wastewater Committee
PROPOSED MOTION:	I move to approve, place, and recommend the warrant article presented by Curt Felix on behalf of the Wastewater Committee
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____

ARTICLE xx: Wastewater Budget Authorization. To see if the Town will vote to appropriate a sum of money, not to exceed \$432,746 for the purpose of managing and monitoring elements of a comprehensive wastewater management plan so called “208 plan”. This includes the cost of a subcontract to inspect and monitor “enhanced” IA septic systems as required by DEP, operations and maintenance costs associated with the Town’s share of wastewater treatment facilities at 95 Lawrence Road, additional support for the shellfish department’s propagation program, a Water and Wastewater Director, grant writing support, monitoring and reporting associated with the initial wastewater projects 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 allocate funds that were created and authorized for that purpose.

SUMMARY: The Town does not currently have any capacity to implement a State and Federally required wastewater plan and is required to do so under the State and EPA approved “208 Plan”. This authorization would enable the Town to operate and manage a department that would oversee water and wastewater operations and facilities.

ARTICLE xx: Wastewater Capital Authorization. To see if the Town will vote to appropriate a sum of money, not to exceed \$6,431,886 for the purpose of planning, designing and undertaking elements of a comprehensive wastewater management plan so called “208 plan”. This includes the design and permitting of wastewater facilities in conjunction with an Affordable Housing Development at 95 Lawrence Road that will also initially connect Town Buildings, cost share for installation of “enhanced” I&A septic systems, design and installation of tidal control facilities at Hawes Pond and Mayo Creek for Salt Marsh Restoration and installation of a pilot permeable reactive barrier project on Commercial Street 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 8 of the General Laws, or pursuant to any other enabling authority including the Massachusetts Water Pollution Abatement Trust, 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 Massachusetts General Laws (Proposition 2 ½) or take any other action in relation thereto.

SUMMARY: The Town does not currently have any capacity to implement a State and Federally required wastewater plan and is required to do so under the State and EPA approved “208 Plan”. This authorization would enable to Town to seek grant sources, SRF financing, Cape Cod Water Protection Funds, Section 319 Federal grants, Massworks, USDA, EPA, DEP and other sources of support which cannot be applied for without a Town commitment. This authorization covers an expected 5 year period to undertake a variety of efforts to meet nutrient reduction targets established by the Massachusetts Estuary Project in Town watersheds. Funds will not be expended without the approval of the Board of Selectmen and Town Administration.



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: April 20, 2021

III

BUSINESS ~ C

REQUESTED BY:	Selectboard
DESIRED ACTION:	To discuss and place warrant updated and amended warrant articulated for the June 5, 2021 Annual Town Meeting
PROPOSED MOTION:	TBD
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____



ANNUAL TOWN MEETING

Saturday, June 5, 2021

10:00 AM

Wellfleet Elementary School Ball Field

100 Lawrence Road

&

TOWN ELECTION

Monday, June 14, 2021

TIME

Wellfleet Senior Center

715 Old King's Highway

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FINANCIAL & 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. The levy limit is equivalent to a tax rate of \$25.00.

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 Selectboard. 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.

DEBT SERVICE: The repayment cost, usually stated in annual terms and based on an amortization schedule, of the principal and interest owed on any particular bond issue.

ENCUMBRANCE: A reservation of funds to cover obligations chargeable to but not yet paid from a specific appropriation account.

CAPITAL OUTLAY EXPENDITURES EXCLUSION: This type of override ballot question can be placed on a referendum by a two-thirds vote of the Selectboard. 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 Selectboard. 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. Nonvoters 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)

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
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

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:

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).

FINANCE COMMITTEE STATEMENT

A Statement to the Voters from the Wellfleet Finance Committee

To the voters and citizens of the Town of Wellfleet:

The Finance Committee (FinCom) is an advisory board to the Selectboard, the Town Administrator and Town Meeting on financial matters of concern to the voters of the Town of Wellfleet.

These include major capital, staffing and operational outlays for the town's departments as well as the financial impact of large projects like harbor dredging, water/wastewater management and affordable housing.

In 2020, the FinCom has also become more focused on understanding the potential financial consequences to the town of the COVID-19, based on whether the pandemic lasts for a year or two or becomes a longer-term phenomenon that affects the financial profile of the town.

The Finance Committee is a volunteer committee of Wellfleet residents. The committee meets monthly (or more often as necessary) throughout the year to review budgets and issues that have financial implications for the town.

The FinCom makes its budget recommendations (pro and con) by casting votes at open meetings. Its opinions are made available in the Warrant at Town Meeting alongside those of the Selectboard and other appropriate boards.

On the occasions where its financial recommendations differ from those of the Selectboard, the FinCom is always prepared to explain its reasoning in response to questions from the voters.

We continue to work with the Selectboard and the Town Administrator to keep budgets transparent and understandable for the citizens of Wellfleet. Members of the public are encouraged to attend our meetings.

Respectfully submitted,

Fred Magee, Chair

Finance Committee Members: *Kathy Granlund, Linda Pellegrino, Stephen Polowczyk, Jenn Rhodes, Sarah Robin, Jeff Tash, Robert Wallace, Ira Wood*

ANNUAL TOWN MEETING WARRANT

Saturday, June 5, 2021

10:00 AM

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 WELLFLEET ELEMENTARY SCHOOL, 100 LAWRENCE ROAD in Wellfleet on the 5th day of June 2021, at ten o'clock in the morning, then and there to vote upon the following Articles:

DRAFT Warrant Articles for ATM 06-05-2021 (VERSION 04/15/2021)

Article # Page # Description

DRAFT Warrant Articles for ATM 06-05-2021 (VERSION 04/15/2021)

SECTION I: Operating Budget

ARTICLE 1: FY 2022 Operating Budget 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 2022 Town Operating Budget (Appendix A) and to fix the salaries and compensation of all elected officers (Appendix E) of the Town for Fiscal Year 2022; or to do or act anything thereon.

Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This Article requests approval of the Fiscal Year 2022 Operating Budget (Appendix A) This Article also sets the salaries of elected officials (Appendix E) as per the budget and approves the budgets of the two regional school districts.

SECTION II: Operating Budget Overrides

ARTICLE 2: Additional Fire Department Positions (2.0 FTE) To see if the Town will vote to raise and appropriate ONE HUNDRED SIXTY EIGHT THOUSAND EIGHTY DOLLARS (\$168,080), or any other sum, for the purpose of funding two new Firefighter/EMT/Paramedic positions; provided, however that no sums shall be expended hereunder unless and until the Town have voted to assess an additional \$168,000 in real estate and personal property taxes pursuant to the provisions of Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½); or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

SUMMARY: This article would fund the cost of adding two additional Firefighter/EMT/Paramedics. Funding, if approved would be through a Proposition 2 ½ override. Costs for each position include starting salary of each position (\$62,240), uniforms and protective clothing (\$2,000), holiday and call back costs (\$7,000) and an estimate of benefits and training costs (\$12,800). The total payroll, with estimated benefits and training costs of one position is \$84,040. Effect on Property Taxes: The cost of \$168,080 would add s.s cents to the tax rate and would cost the owner of a median priced (\$545,200) single-family home \$ss.ss.

Article 3: Paramedic Training Program To see if the Town will vote to raise and appropriate the sum of TEN THOUSAND DOLLARS (\$10,000), or any other sum, for the purpose of creating and funding a paramedic training program to pay for paramedic training for current or future Wellfleet Fire and Rescue staff, however that no sums shall be expended hereunder unless and until the Town has voted to assess an additional \$10,000 in real estate and personal property taxes pursuant to the provisions of Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½); or to do or act anything thereon.

Majority Vote Required

Selectboard:

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Finance Committee:

SUMMARY: This article would fund a paramedic training program for the Wellfleet Fire and Rescue Department with the intent to improve recruiting and retention for the Department. Paramedics who leave the department within two (2) full years of employment would be required to reimburse the Town for the full cost. Paramedics who left the department in their third (3rd) year would be required to reimburse 2/3 of the cost and those who left in their fourth (4th) year would be required to reimburse the Town for 1/3 of the costs. The cost of \$10,000 would add s.s cents to the tax rate and would cost the owner of a median priced (\$545,200) single-family home \$ss.ss.

Article 4: Additional Part-time Seasonal Shellfish Personnel To see if the Town will vote to raise and appropriate the sum of EIGHT THOUSAND TWO HUNDRED FIFTY SIX DOLLARS (\$8,256), or any other sum, for the purpose of funding a part-time seasonal employee for the Shellfish Department between May and September, however that no sums shall be expended hereunder unless and until the Town has voted to assess an additional \$8,256 in real estate and personal property taxes pursuant to the provisions of Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½); or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

SUMMARY: This article would fund a part-time seasonal employee for the Shellfish Department between May and September. The cost of EIGHT THOUSAND TWO HUNDRED FIFTY-SIX DOLLARS (\$8,256) would add s.s cents to the tax rate and would cost the owner of a median priced (\$545,200) single-family home \$ss.ss.

SECTION III: Capital Outlay Overrides

Article 5: Study Marina North Channel To see if the Town will vote to raise and appropriate the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000), or any other sum, for the purpose of investigating and recommending practical engineering methods to reduce the scope and expense of future north channel harbor dredging; however that no sums shall be expended hereunder unless and until the Town has voted to assess an additional \$25,000 in real estate and personal property taxes as a capital outlay expense pursuant to the provisions of Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½); or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

Natural Resources Advisory Board: *Recommends*

SUMMARY: This article seeks funding for a study of Wellfleet's Marina to evaluate and develop an engineering and permit plan to replace Marina north channel dredging with a natural distribution of dredge spoils ("black custard") on to Duck Creek marshes. The cost of TWENTY-FIVE THOUSAND

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DOLLARS (\$25,000) would add s.s cents to the tax rate and would cost the owner of a median priced (\$545,200) single-family home \$ss.ss.

SECTION IV: Other Financial Articles

ARTICLE 6: Wellfleet Police Officers Union Contract To see if the Town will vote to raise and appropriate funds in an amount of money sufficient to fund a one-year extension on the collective bargaining agreement between the Town of Wellfleet and the Wellfleet Police Officers Union beginning July 1, 2021; or to do or act anything thereon.

Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: Town Meeting approval is required to fund the 1st year of a collective bargaining agreement.

ARTICLE 7: Non-Union and Other Personnel Salaries & Compensation. To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary to fund wage and salary adjustments for non-union and other personnel beginning July 1, 2021; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee:

SUMMARY: This appropriation funds wage and salary adjustments for non-union and other personnel.

Article 8: Funding Additional Officer To see if the town will vote to transfer from Fiscal Year 2022 Police Department Budget (ACCT# 01-210-5116-000000) the sum of FIFTY-EIGHT THOUSAND THREE HUNDRED SIXTY-NINE DOLLARS (\$58,369) or any other sum, for the purpose of creating and funding a Full Time Academy trained police officer; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

Summary: This article would fund an additional full time academy trained police officer using a reallocation of existing general fund dollars. The upcoming phasing out of the Massachusetts Reserve Program, could result in the loss of 6-8 reserve officer positions within the department.

SECTION V: Capital Budget

ARTICLE 9: FY 2022 Capital Budget. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow such sums of money necessary to fund the Fiscal Year 2022 Town Capital Budget (Appendix B), and that to meet this appropriation the Town Treasurer, with the approval of the Selectboard, be and hereby is authorized to borrow for those purposes itemized in said Appendix B as being funded through borrowing under and pursuant to M.G.L. Chapter 44, Sections 7 and 8, or

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pursuant to any other enabling authority, to issue bonds or notes of the Town therefor; provided that one or more of the appropriations may be contingent on a proposition 2 ½ debt exclusion ballot question; and further, to authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, to be applied to the payment of costs approved hereunder in accordance with M.G.L. c. 40, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or to do or act anything thereon.

Article 9A: Ambulance 98 Replacement To see if the Town will vote to appropriate from the Ambulance Receipts Reserved for Appropriation Special Revenue Fund, in accordance with G.L. c.40, 5F, the sum of THREE HUNDRED FORTY THOUSAND DOLLARS (\$340,000) for the purpose of funding a replacement ambulance; all expenditures to be made by the Fire Department, subject to the approval of the Town Administrator; or to do or act anything thereon.

Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase a replacement ambulance for the Fire Department using funds from the Ambulance Receipts Reserve Fund.

Article 9B: Fire Station HVAC Upgrades (**Previously approved through 2019 TM with no funding source, this is a request to fund the project through borrowing.*) To see if the Town will vote to borrow the sum of \$80,000 for the purchase of upgrades to the fire station HVAC system for the Department of Public Works, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase upgrades to the fire station HVAC system for the Department of Public Works.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$80,000 would be borrowed over five years and would add \$0.008 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$4.74.

Article 9C: Replacement Pick-up Truck To see if the Town will vote to borrow the sum of \$46,495 for the purchase of a replacement pick-up truck for the Shellfish Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 8-0*

SUMMARY: This article requests authorization to purchase a pick-up truck for the Shellfish Department.

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Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$46,495 would be borrowed over five years and would add \$0.004 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$2.73.

Article 9D: Cruiser Replacements (2) To see if the Town will vote to borrow the sum of \$100,000 for the purchase of two replacement cruisers for the Police Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

SUMMARY: This article requests authorization to purchase two replacement cruisers for the Police Department.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$100,000 would be borrowed over five years and would add \$0.008 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$4.83.

Article 9E: Command Car 81 Replacement To see if the Town will vote to borrow the sum of \$58,000 for the purchase of a command car replacement for the Fire Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

SUMMARY: This article requests authorization to purchase a command car replacement for the Fire Department.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$58,000 would be borrowed over five years and would add \$0.007 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$4.20.

Article 9F: Portable Radio Replacements (12 Mobile / 32 Portable) To see if the Town will vote to borrow the sum of \$85,000 for the purchase of portable radio replacements for the Fire Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase portable radio replacements for the Fire Department.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$85,000 would be borrowed over five years and would add \$0.008 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$4.76.

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Article 9G: Mobile Data Terminal Replacements To see if the Town will vote to borrow the sum of \$25,000 for the purchase of mobile data terminal replacements for the Fire Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase mobile data terminal replacements for the Fire Department.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$25,000 would be borrowed over five years and would add \$0.002 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$1.21.

Article 9H: Portable Repeaters To see if the Town will vote to borrow the sum of \$40,000 for the purchase of portable repeaters for the Beach Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase portable repeaters for the Beach Department.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$40,000 would be borrowed over five years and would add \$0.004 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$2.37.

Article 9I: Emergency Response Vessel To see if the Town will vote to borrow the sum of \$250,000 for the purchase of an emergency response vehicle for the Marina Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

SUMMARY: This article requests authorization to purchase an emergency response vehicle for the Marina Department.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$250,000 would be borrowed over five years and would add \$0.022 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$12.07.

Article 9J: All-Terrain Forklift To see if the Town will vote to borrow the sum of \$60,000 for the purchase of an all-terrain forklift for the Marina Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

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SUMMARY: This article requests authorization to purchase an all-terrain forklift for the Marina Department.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$60,000 would be borrowed over five years and would add \$0.006 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$3.55.

Article 9K: Replacement Pick-up Truck To see if the Town will vote to borrow the sum of \$60,000 for the purchase of a replacement pick-up truck for the Department of Public Works, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase a replacement pick-up truck for the Department of Public Works.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$60,000 would be borrowed over five years and would add \$0.006 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$3.55.

Article 9L: Transfer Station Roll-Off Truck Replacement To see if the Town will vote to borrow the sum of \$240,000 for the purchase of a replacement transfer station roll-off truck for the Department of Public Works, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase a replacement transfer station roll-off truck for the Department of Public Works.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$240,000 would be borrowed over five years and would add \$0.022 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$12.02.

Article 9M: Town Hall Railing Replacement – Only borrow for 1 year (Should be operating or capital outlay override) To see if the Town will vote to borrow the sum of \$6,000 for the purchase Town Hall replacement railings for the Department of Public Works, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase Town Hall replacement railings for the Department of Public Works.

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Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$6,000 would be borrowed over one year and would add \$0.002 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$1.34.

Article 9N: Kellars Corner Revetment To see if the Town will vote to borrow the sum of \$50,000 for the purchase of a revetment for Kellars Corner for the Department of Public Works, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase a revetment for Kellars Corner for the Department of Public Works.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$50,000 would be borrowed over five years and would add \$0.004 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$2.41.

Article 9O: Duck Creek Revetment & Engineering To see if the Town will vote to borrow the sum of \$50,000 for the purchase of engineering services and a revetment for Duck Creek for the Department of Public Works, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

SUMMARY: This article requests authorization to purchase engineering services and a revetment for Duck Creek for the Department of Public Works.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$50,000 would be borrowed over five years and would add \$0.004 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$2.41.

Article 9P: Transfer Station Guard Shack Replacement & Canopy Extension To see if the Town will vote to borrow the sum of \$55,000 for the purchase of a replacement transfer station guard shack and new canopy extension for the Department of Public Works, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

SUMMARY: This article requests authorization to purchase of a replacement transfer station guard shack and new canopy extension for the Department of Public Works.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$55,000 would be borrowed over one year and would add \$ to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$.

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Article 9Q: Public Works Substation Roof Replacement To see if the Town will vote to borrow the sum of \$15,000 for the purchase of a replacement substation roof for the Department of Public Works, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

SUMMARY: This article requests authorization to purchase of a replacement substation roof for the Department of Public Works.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$15,000 would be borrowed over five years and would add \$ to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$.

Article 9R: Financial System Replacement To see if the Town will vote to borrow the sum of \$150,000 for the purchase of a financial systems replacement including both hardware and software for the General Administration Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase a financial systems replacement including both hardware and software for the General Administration Department.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$150,000 would be borrowed over ten years and would add \$0.009 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$5.16.

Article 9S: Shelving – Only borrow for 2 years (Should be operating or capital outlay override) To see if the Town will vote to borrow the sum of \$11,000 for the purchase of shelving for the Town Clerk Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This article requests authorization to purchase shelving for the Town Clerk.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$11,000 would be borrowed over two years and would add \$0.002 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$1.36.

Article 9T: Microfilm – Only borrow for 1 year (Should be operating or capital outlay override) To see if the Town will vote to borrow the sum of \$5,750 for the purchase of microfilming for the Town Clerk Department, and costs related thereto; or to do or act anything thereon.

2/3 Majority Vote Required

Selectboard:

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Finance Committee:

SUMMARY: This article requests authorization to purchase microfilming for the Town Clerk.

Effect on Property Taxes: These funds will be borrowed as a debt exclusion. The cost of \$5,750 would be borrowed over one year and would add \$0.002 to the tax rate in the first year and would cost the owner of a median priced (\$545,200) single-family home \$1.29.

SECTION VI: Reserve Funds / Transfers

ARTICLE 10: Beach Reserve Fund To see if the Town will vote to appropriate from the Beach Receipts Reserved for Appropriation Special Revenue Fund, in accordance with G.L. c.40, 5F, the sum of ONE MILLION DOLLARS (\$1,000,000) for the purpose of offsetting costs for Fiscal Year 2022 associated with beach and recreation services including but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations; all expenditures to be made by the Beach Department, Recreation Department and Department of Public Works, subject to the approval of the Town Administrator; or to do or act anything thereon.

Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This Article requests approval to transfer funds from the Beach Receipts Reserved Fund to offset the Fiscal Year 2022 Operating Budget.

ARTICLE 11: Recreation Reserve Fund To see if the Town will vote to appropriate from the Recreation Receipts Reserved for Appropriation Special Revenue Fund, in accordance with G.L. c.40, 5F, the sum of TWENTY THOUSAND DOLLARS (\$20,000) for the purpose of offsetting costs for Fiscal Year 2022 associated with recreation services including but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations; all expenditures to be made by the Recreation Department, subject to the approval of the Town Administrator; or to do or act anything thereon.

Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This Article requests approval to transfer funds from the Recreation Receipts Reserved Fund to offset the Fiscal Year 2022 Operating Budget.

SECTION VII: Revolving Funds

ARTICLE 12: Shellfish Revolving Fund To see if the Town will vote pursuant to G.L. c.44, E ½ to establish a Fiscal Year 2022 spending limit of FIFTY THOUSAND DOLLARS (\$50,000) for the Shellfish Revolving Fund; or to do or act anything thereon.

Majority Vote Required

Selectboard: Recommends 5-0

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Finance Committee: *Recommends* 0-0

SUMMARY: This Article requests approval to establish a spending limit for the Shellfish Revolving Fund for the purposed of propagation.

SECTION VIII: Special Revenue Funds

ARTICLE 13: PEG Access and Cable Related Fund To see if the town will vote to accept the provisions of G.L. Chapter 44 Section 53F ¾ for the purpose of establishing a PEG Access and Cable Related Fund. And further to appropriate from the PEG Access and Cable Related Fund the sum of ONE HUNDRED THIRTY FIVE THOUSAND THREE HUNDRED SEVENTY DOLLARS (\$135,370) for the purpose of offsetting costs for Fiscal Year 2022 associated with cable-related purposes including but not limited to support of public, educational or governmental access cable television services, monitor compliance of the cable operator with the franchise agreement, or prepare for renewal of the franchise license; or to do or act anything thereon.

Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This Article requests approval to establish the PEG Access and Cable Related Fund and to appropriate cable franchise fees for cable related purposes.

SECTION IX: Enterprise Funds

ARTICLE 14: Marina Enterprise Fund To see if the Town will vote to raise and appropriate and/or transfer from the Marina Enterprise Fund the sum of FIVE HUNDRED SIXTY-NINE THOUSAND DOLLARS (\$569,000) (Schedule X) pursuant to G.L. c.44, 5F ½ for the purpose of supporting costs for Fiscal Year 2022 associated with Marina operations including but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations; all expenditures to be made by the Marina Department, subject to the approval of the Town Administrator; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends* 5-0

Finance Committee: *Recommends* 0-0

SUMMARY: This Article requests approval to appropriate from the Marina Enterprise Fund.

ARTICLE 15: Water Enterprise Fund To see if the Town will vote to to raise and appropriate and/or transfer from the Water Enterprise Fund the sum of DOLLARS (\$XX.XX) pursuant to G.L. c.44, 5F ½ for the purpose of supporting costs for Fiscal Year 2022 associated with water utility operations including but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations; all expenditures to be made by the Water Department, subject to the approval of the Town Administrator; or to do or act anything thereon.

Majority Vote Required

Selectboard:

Finance Committee:

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SUMMARY: This Article requests approval to appropriate from the Water Enterprise Fund.

SECTION X: Acceptance of Chapter 90 Funds

ARTICLE 16: To see if the Town will vote to authorize the Selectboard to apply for and accept State Grants from the Massachusetts Department of Transportation Highway Division (Chapter 90), and to expend those funds for the purposes of state approved Chapter 90 projects, services, and purchases; or to do or act anything thereon.

Majority Vote Required

Selectboard:

Finance Committee:

SUMMARY: This Article requests approval to give the Selectboard authority in which to, apply for, accept, and expend funds from Chapter 90 sources.

SECTION XI: Community Preservation Act Funding

ARTICLE 17: Administrative Expenses, Debt Service, and Allocation of Reserves To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2022 Community Preservation budget and to appropriate from the Community Preservation Fund estimated annual revenues a sum of THIRTY FOUR THOUSAND EIGHT HUNDRED FIFTEEN DOLLARS AND SEVENTY FIVE CENTS (\$34,815.75) to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2022; and further to appropriate from Community Preservation Fund estimated revenues a sum of THIRTY THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$30,450) for open space debt service; a sum of THIRTY NINE THOUSAND ONE HUNDRED EIGHTY ONE DOLLARS AND FIFTY CENTS (\$39,181.50) reserve for open space; a sum of SIXTY NINE THOUSAND SIX HUNDRED THIRTY ONE DOLLARS AND FIFTY CENTS (\$69,631.50) to reserve to for community housing; and further to reserve for future appropriation a sum of SIXTY NINE THOUSAND SIX HUNDRED THIRTY ONE DOLLARS AND FIFTY CENTS (\$69,631.50) for historic resources as recommended by the Community Preservation Committee, as well as a sum of FOUR HUNDRED FIFTY TWO THOUSAND SIX HUNDRED FOUR DOLLARS AND SEVENTY FIVE CENTS (\$452,604.75) to be placed in the 2022 Budgeted Reserve for general Community Preservation Act purposes; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

Community Preservation Committee: *Recommends 7-0*

SUMMARY: This is an annual CPC housekeeping article. Out of a total projected revenue figure of \$696,315.00 for Fiscal Year 2022, \$34,815.75 is the 5% of estimated for administrative expenses, as provided by the Community Preservation Act. Open Space's 10% is allocated as the funding source for Land Bank debt service in the capital budget. There is a remainder of \$39,181.50 to be placed in an Open Space Reserve after debt service has been met. This is the last year that Community Preservation funds are needed for Open Space debt service. Community Housing's 10%, and Historic Resources'

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10% are reserved respectively for housing and historic preservation purposes. The balance of \$452,604.75 is reserved for approved CPA projects in any category including Recreation.

ARTICLE 18: Affordable Housing Trust To see if the Town will vote, pursuant to G.L. c.44B, to appropriate FIFTY FOUR THOUSAND SIX HUNDRED THIRTY TWO DOLLARS (\$54,632) from the Community Preservation Fund budgeted housing reserve and FOUR HUNDRED FORTY FIVE THOUSAND THREE HUNDRED SIXTY EIGHT DOLLARS (\$445,368) from projected Fiscal Year 2022 revenues for a total of FIVE HUNDRED THOUSAND DOLLARS (\$500,000) to contribute to the cost of, and thereby support, for building the financial capacity of Affordable Housing Trust; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

Community Preservation Committee: *Recommends 7-0*

Affordable Housing Authority: *Recommends*

Housing Partnership: *Recommends*

SUMMARY: The Community Preservation Act allows communities to allocate funds to the Affordable Housing Trust. This offers the Affordable Housing Committee a way to respond in a timely manner to appropriate market opportunities for land acquisition, building purchase, essential maintenance needs and other allowed activities.

ARTICLE 19: Veterans Home To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from the Community Preservation Fund Fiscal Year 2022 housing reserve, the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to contribute to the cost of the Veterans Home in Dennis, offering supportive housing to homeless veterans from the Cape and Islands Veterans Outreach Center and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

Community Preservation Committee: *Recommends 7-0*

Affordable Housing Authority:

Local Housing Partnership:

SUMMARY: The five-bedroom home in Dennis, located at 1341 Route 134, will provide temporary housing, counseling, case management, monitoring by a registered nurse, employment training, and financial and nutritional counseling for veterans to help empower them to move forward into their own independent and sustainable living situations. The facility will be open to veterans from all Cape towns. It is the nearest housing available for Wellfleet veterans, who number 192, according to census data.

ARTICLE 20: Lower Cape Housing Institute To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from the Community Preservation Undesignated Fund Balance the sum of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500) to contribute to the cost of, and thereby support, the continuance of the Community Development Partnership sponsored Lower Cape Housing Institute in

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Fiscal Year 2022 and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

Community Preservation Committee: *Recommends 7-0*

Housing Authority:

Local Housing Partnership:

SUMMARY: The Community Development Partnership (CDP) is offering the Lower Cape Housing Institute for a fifth year. The CDP seeks contributions from the eight participating towns towards the costs of continued training and technical assistance to develop better understanding of Community Housing needs and to support the town in meeting its housing production goals. Sessions are free to Town officials and other interested parties.

ARTICLE 21: Ephemeral Historical Artifacts To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from the Community Preservation Fund Fiscal Year 2022 historical reserve, the sum of TWELVE THOUSAND DOLLARS (\$12,000) to the Wellfleet Historical Society & Museum for the purpose of the preservation and storage of museum artifacts and to authorize the Selectboard to enter into a grant agreement to set forth the terms and conditions thereof; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

Community Preservation Committee: *Recommends 7-0*

SUMMARY: Sensitive materials such as old maps, textiles, paintings, documents on paper, photographs, postcards and prints require specific types of storage, including consistent humidity and temperature levels, and acid free containment. The Historical Society & Museum project would provide a designated storage area to protect the donations that have been entrusted to their care and add security cameras to critical areas in the museum.

ARTICLE 22: Stage for Baker's Field Pavilion To see if the Town will vote, pursuant to G.L. c.44B, to appropriate from the Community Preservation Undesignated Fund Balance the sum of SEVENTEEN THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$17,450) for the purchase of a stage for the Baker's Field Pavilion, and to enter into a grant agreement to set forth the terms and conditions thereof; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 5-0*

Finance Committee: *Recommends 0-0*

Community Preservation Committee: *Recommends 7-0*

SUMMARY: An upgraded stage system will increase the types of events offered at Baker's Field Pavilion and enable the Recreation Department to offer popular programming into the shoulder seasons. The proposed stage is for a durable 12'x16'x24-48" all terrain structure appropriate to the setting and easily stored and set up as needed.

SECTION XII: FY 2021 BUDGET TRANSFERS

ARTICLE 23: FY 2021 Budget Transfers To see if the Town will vote to transfer from available funds and/or authorize the transfer from various line items within FY 2021 appropriations such sums of money necessary to supplement the operating of the various Town Departments; or to do or act anything thereon.

Majority Vote Required

Selectboard: *Recommends 0-0*

***Insert spreadsheet Appendix**

SUMMARY: This article requests transfers and additional funding for the FY 2021 operating budget ending June 30, 2021. Additional requests may be added at Town Meeting.

SECTION XIII: DISPOSITION OF TOWN PROPERTY ARTICLES

ARTICLE 24: Disposition of Town Land To see if the Town will vote to transfer care, custody, management and control of Assessors Map 30, Parcel 14 Town owned property from the board or commission currently having custody thereof and from the purpose for which said property is currently held, to the Selectboard for the purpose of conveyance, and further to authorize the Selectboard to convey said land to the abutters upon such terms as the Selectboard deems to be in the best interest of the Town, subject to compliance with G.L. Chapter 30B as applicable; or to do or act anything thereon.

Two-thirds vote required.

Selectboard: *Recommends withhold*

Open Space Committee: *Reserve recommendation until town meeting*

Planning Board: *Recommends*

Conservation Commission: *Reserve recommendation until town meeting*

Natural Resources Advisory Board: *Recommends*

SUMMARY: This 2.00 acre parcel of land is land-locked and abuts the Clemens-Nowack and Nowack property.

SECTION XIV: UNCLASSIFIED ARTICLES

ARTICLE 25: To see if the Town will vote to accept as a town way the road known as High Toss Road, between Pole Dike Road and Duck Harbor Road, as heretofore laid out by the Selectboard and shown on a plan entitled “Plan of Land High Toss Road, Wellfleet, MA Being a 40’ Public Way as Laid Out by the Town of Wellfleet,” dated April 6, 2020, prepared by Outermost Land Survey, Inc., and on file with the Town Clerk, and to authorize the Selectboard to acquire on behalf of the Town by gift, purchase, or eminent domain an easement to use High Toss Road, as herein described, for all purposes for which public ways are used in the Town of Wellfleet, and drainage, utility, access, and/or other easements related thereto; or to do or act anything thereon.



Two-thirds Vote Required

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Selectboard: *Recommends 5-0*

SUMMARY: This Article authorizes the Town to secure an easement in High Toss Road between Pole Dike Road and Duck Harbor Road. The Town has maintained this section of road for years, but the road has not been laid out as a public way.

ARTICLE 26: Open Space Transfer To see if the Town will vote to transfer care, custody, management and control of three properties shown on Assessor's Map 28; Parcels 80, 82, and 239 from the board or commission currently having custody thereof and from the purpose for which said property is currently held to the **Conservation Commission** for purposes of open space conservation; or to do or act anything thereon.

Two-thirds Vote Required

Selectboard: *Recommends 5-0*

Open Space Committee: *Recommends*

SUMMARY: All three of these properties are located just south of the Indian Neck Beach parking area at the end of Nauset Road. All parcels are within the Areas of Critical Environmental Concern (ACEC), contain areas of NHESP Estimated Habitats of Rare Wildlife and Priority Habitats of Rare Species, and are within the FEMA Flood Zone.

- Parcel 82 is a 4.73 acre beach and dune property on the west side of Nauset Road and lies between Town Conservation land to the south and a Wellfleet Conservation Trust property to the north.
- Parcel 80 is a 9.64 acre property- 8.43 upland and 1.21 lowlands on the east side of Nauset Road, and abuts the Chipman's Cove marsh on the east.
- Parcel 239 is a 12.56 acre tidal flats and marsh lot in Chipman's Cove to the east of Parcel 80.

ARTICLE 27: Open Space Transfer To see if the Town will vote to transfer care, custody, management and control of two properties shown on Assessor's Map 30, Parcel 186 and Map 42, Parcel 137 from the board or commission currently having custody thereof and from the purpose for which said property is currently held to the **Conservation Commission** for purposes of open space conservation; or to do or act anything thereon.

Two-thirds Vote Required

Selectboard: *Recommends 4-1*

Open Space Committee: *Recommends*

SUMMARY: Map 30, Parcel 186 is a 2.06 acre wetlands marsh property in Blackfish Creek abutting conservation lands owned by the Wellfleet Conservation Trust and Mass Audubon Society. Map 42, Parcel 137 is 3.26 acres of wetlands marsh in the Fresh Brook Estuary and abuts the Town owned Bayberry Hill Conservation Land and Trail property off Lt. Island Road.

ARTICLE 28: Petition to Exempt the Town of Wellfleet from Prevailing Wages To see if the Town will vote to petition the General Court to enact a special act of the Town of Wellfleet, the text of which is set forth below, and that the General Court be authorized with the approval of the Selectboard to make

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constructive changes in the text thereof as may be necessary or advisable in order to accomplish the intent of this legislation to secure its passage, as follows; or to do or act anything thereon:

AN ACT RELATIVE TO THE PREVAILING WAGE IN THE TOWN OF WELLFLEET

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Wellfleet shall be exempt from complying with sections 26 through 27G of chapter 149 of the General Laws for projects estimated to cost \$50,000 or less.

SECTION 2. This act shall take effect on the first day of the fiscal year following passage of this act and shall apply to taxes levied for fiscal years beginning that fiscal year and thereafter.

Majority Vote Required

Selectboard: *Recommends 5-0*

SUMMARY: In the interest of reducing the costs borne by Wellfleet taxpayers this would exempt construction projects with a total cost under \$50,000 from prevailing wage determinations reducing the overall costs of small projects within the town.

ARTICLE 29: Accessory Dwelling Units (Petitioned Article) To see if the Town will vote to delete 6.21 Affordable Accessory Dwelling Units of the Wellfleet Zoning By-laws and substitute the following sections in place thereof, and to amend the Table of Contents and Sections 2.1, 5.3, 5.46, 5.47, and 8.3 as follows; or to do or act anything thereon.

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[~~"Affordable Accessory Dwelling Units"~~ is hereby deleted and "Accessory Dwelling Units" is substituted in place thereof.]

SECTION II

2.1 **DEFINITIONS**

[~~Dwelling Affordable Accessory~~ is hereby deleted and the following definition is substituted in place thereof.]

Dwelling, Accessory: a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling or other principal structure that shall be leased year-round.

5.3. **Use Regulations**

Table 5.3.1 is amended as follows: Insert "Dwelling, Accessory" between "Conversion of Dwelling Unit" and "~~Dwelling, Affordable Accessory~~"

["P" is a permitted use. "A" is a use authorized under special permits.]

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	CD	R1	R2	NSP	C	C2
Dwelling, Accessory Unit	P	P	P	A	P	P
Dwelling, Affordable Accessory	Ø	Ø	Ø	Ø	A	Ø

[5.4.6. **Intensity of Use Application to Affordable Accessory Dwelling Units** is hereby deleted and the following section is substituted in place thereof.]

5.4.6. Intensity of Use Application to Accessory Dwelling Units

(ADU)

An Accessory Dwelling Unit shall consist of a minimum of 200 square feet of Livable Floor Area, subject to any requirements of the state.

[5.4.7 **Intensity of Use Application to the Conversion of Dwelling Units** is hereby amended and the following section in bold is inserted.]

5.4.7 Intensity of Use Application to the Conversion of Dwelling Units

No dwelling unit shall be converted into two or more units unless each resulting unit consists of a minimum of 600 square feet of livable floor area; the external appearance of the structure is not changed; the front, side and rear yard requirements of the district in which located are met; and the lot area is not less per dwelling than the lot requirement of the district in which located, **except in the case of an Accessory Dwelling Unit, as provided in Section 6.21 of these Zoning By-laws.**

6.21 Accessory Dwelling Unit (ADU)

6.21.1 Purpose: To enable an increase of year-round rental housing opportunities; to encourage greater diversity of housing types appropriate to residents with varying needs, and to support a stable and diverse year-round community and a robust local workforce.

6.21.2 Accessory Dwelling Unit (ADU)

An Accessory Dwelling, as defined in Section 2.1 DEFINITIONS of the Wellfleet Zoning By-laws is an additional dwelling unit allowed on a single lot in all districts of the Town if in compliance with all Town, Commonwealth of Massachusetts and Federal statutes, by-laws and regulations where applicable, unless otherwise allowed by this bylaw.

6.21.2. Accessory Dwelling Units are allowed either as a Detached Building, or as a separate dwelling unit within or attached to a Dwelling, a building used for a Principal Use; or within or attached to any Accessory Building, as defined in Section 2.1 DEFINITIONS of the Wellfleet Zoning By-laws.

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6.21.2.2 Accessory Dwelling Units shall be no larger than one thousand two hundred (1,200) square feet of Livable Floor Area as that term is defined in Section 2.1 DEFINITIONS of the Wellfleet Zoning By-laws.

6.21.2.3. Ownership of an Accessory Dwelling Unit cannot be separated from that of the principal use.

6.21.2.4. The rights and requirements of this By-law shall be transferred upon any transfer of ownership of a property containing an Accessory Dwelling Unit built under the provisions of this By-law.

6.21.2.5. A property owner may choose to cease to use an Accessory Dwelling Unit by formally reporting its change in use to the agent designated by the Town Administrator to administer and monitor such units and altering it to meet the requirements of a permitted use. The agent will then register this change in use with the Building Inspector, the Health Agent and the Town Assessor.

6.21.3 Procedure

6.21.3.1 The property owner shall apply for and receive a Building Permit for an Accessory Dwelling Unit from the Building Inspector before construction or use may begin.

6.21.3.2 Once an Accessory Dwelling Unit has received a Certificate of Occupancy, it shall not be occupied or used until registered with the agent designated by the Town Administrator to administer and monitor such units who will maintain a current record of such units and register them with the Town's Assessor, Building Department, and Health Department.

6.21.4 **Monitoring**

An Affidavit of Compliance signed by the property owner shall be submitted initially, when the unit is first occupied or used, and then annually, on September 1st or the nearest business day, to the agent designated by the Town Administrator to monitor and administer such Units to confirm that the Accessory Dwelling Unit or Units are being leased for a minimum of a year, and not otherwise leased or occupied for any other purpose, and that they shall be used as a dwelling, according to the standards and conditions of this By-law.

6.21.5 **Enforcement and Penalties**

Upon a written determination by the Building Inspector that the property owner has failed to comply with these provisions the property owner shall bring the unit or units into compliance within thirty (30) days of such written notice pursuant to Massachusetts General Law Chapter 40A Section 7. In addition, the Building Inspector shall impose any and all fines and penalties referenced in Section 8.3 of these By-laws.

6.21.6. **Opportunity for Affordable Housing Property Tax Exemption**

A property owner who leases an Accessory Dwelling Unit affordably and in compliance with this By-law, as specified by the Special Act of 2010 and adopted by Wellfleet voters in May 2011 may apply to the agent designated by the Town Administrator to administer and monitor such units to receive an application for a property tax exemption.

[8.3 **Penalty** is hereby amended and the following sections in bold are inserted therein.]

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8.3 **Penalty** Any person violating any of the provisions of these By-laws may be fined not more than \$50.00 for each offense, **except in the case of violations of Section 6.21 Accessory Dwelling Units, the fine shall be \$300.00 for each offense.** Each day that such violation continues shall constitute a separate offense.

Majority Vote Required

Selectboard: *Recommends 5-0*

Summary: The purpose of this bylaw is to enable an increase of year-round rental opportunities; to encourage greater diversity of housing types appropriate to residents with varying needs; and to support a stable and diverse year-round community with a robust local workforce.

Wellfleet's year-round housing crisis is well documented. The need for year-round rentals has become increasingly pressing as more and more year-round homes are converted to short term and seasonal use. There are often no year-round rentals available at any price. From young people and families to seniors and well-paid professionals, finding and keeping a year-round rental is less and less possible. Our shellfishing families are particularly vulnerable as they are required by regulations to be domiciled in Wellfleet. Businesses of all types and even the Town's departments struggle to find employees because of the high cost and lack of year-round housing. This will impact both residents and visitors as it is already affecting the quality of life and economic sustainability of the town.

This By-law would allow Accessory Dwelling Units (ADUs) which are additional size-restricted dwellings, on a single lot with an existing dwelling or structure or other Principal use, in all Zoning districts if in compliance with all applicable By-laws and regulations. Properties in the National Seashore Park would require a Special Permit. Such dwellings can be no larger than 1,200 square feet of Livable Floor Area. Before an ADU can be used or occupied it must be registered with an agent designated by the Town Administrator to administer and monitor such units. Such units **MUST** be leased and occupied year-round with an Affidavit of Compliance filed annually with the Town by the property owner. ADUs do not have limits on who can rent based on income, and there is no set rent for ADUs. The property owner may lease the unit at market rates or may take advantage of the Affordable Housing Tax Exemption if leased affordably as determined by the Town. ADUs cannot be rented seasonally, weekly or daily. The property owner may live in the unit year-round themselves after filing the required Affidavit of Compliance.

ARTICLE xx: Wastewater Budget Authorization. To see if the Town will vote to appropriate a sum of money, not to exceed \$432,746 for the purpose of managing and monitoring elements of a comprehensive wastewater management plan so called "208 plan". This includes the cost of a subcontract to inspect and monitor "enhanced" IA septic systems as required by DEP, operations and maintenance costs associated with the Town's share of wastewater treatment facilities at 95 Lawrence Road, additional support for the shellfish department's propagation program, a Water and Wastewater Director, grant writing support, monitoring and reporting associated with the initial wastewater projects 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 allocate funds that were created and authorized for that purpose.

SUMMARY: The Town does not currently have any capacity to implement a State and Federally required wastewater plan and is required to do so under the State and EPA approved "208 Plan". This

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authorization would enable the Town to operate and manage a department that would oversee water and wastewater operations and

ARTICLE xx: Wastewater Capital Authorization. To see if the Town will vote to appropriate a sum of money, not to exceed \$6,431,886 for the purpose of planning, designing and undertaking elements of a comprehensive wastewater management plan so called “208 plan”. This includes the design and permitting of wastewater facilities in conjunction with an Affordable Housing Development at 95 Lawrence Road that will also initially connect Town Buildings, cost share for installation of “enhanced” I&A septic systems, design and installation of tidal control facilities at Hawes Pond and Mayo Creek for Salt Marsh Restoration and installation of a pilot permeable reactive barrier project on Commercial Street 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 8 of the General Laws, or pursuant to any other enabling authority including the Massachusetts Water Pollution Abatement Trust, 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 Massachusetts General Laws (Proposition 2 ½) or take any other action in relation thereto.

SUMMARY: The Town does not currently have any capacity to implement a State and Federally required wastewater plan and is required to do so under the State and EPA approved “208 Plan”. This authorization would enable to Town to seek grant sources, SRF financing, Cape Cod Water Protection Funds, Section 319 Federal grants, Massworks, USDA, EPA, DEP and other sources of support which cannot be applied for without a Town commitment. This authorization covers an expected 5 year period to undertake a variety of efforts to meet nutrient reduction targets established by the Massachusetts Estuary Project in Town watersheds. Funds will not be expended without the approval of the Board of Selectmen and Town Administration.

Article XX Short Term Rental Tax

To see if the Town of Wellfleet accepts the provisions of G.L. c. 64G, § 3A for the purpose of imposing a local excise upon the transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental, or motel located within that city or town by an operator at a rate of 6 percent of the total amount of rent for each such occupancy. This section shall take effect on the first day of the calendar quarter following 30 days after its acceptance or on the first day of a later calendar quarter as the city or town may designate. The city or town, in accepting this section, shall not revoke or otherwise amend the applicable local tax rate more often than once in a 12-month period.

Explanation: This would raise Wellfleet’s short-term rental tax from 4% to 6%, doing so will yield an estimated \$375,000 in additional tax revenue per year and will help limit the increase in property taxes. Due to the cycle of short term rental bookings the town will not receive the full benefit of this increase until FY 2023.

Majority vote required

DRAFT 4.4.20

Article ___ Home Rule Petition to Authorize the Town of Wellfleet to Establish a Real Estate Transfer Fee. **DRAFT FROM SELECTBOARD MEMBER RYAN CURLEY**

To see if the Town will vote to petition the General Court to enact a special act of the Town of Wellfleet, the text of which is set forth below, and that the General Court be authorized with the approval of the Selectboard to make constructive changes in the text thereof as may be necessary or advisable in order to accomplish the intent of this legislation to secure its passage, as follows:

AN ACT AUTHORIZING THE TOWN OF WELLFLEET TO ESTABLISH A REAL ESTATE TRANSFER FEE

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

[Definitions] SECTION 1. For purposes of this act, the words and phrases set forth in this section shall have the following meanings:

"Purchaser", shall refer to the transferee, grantee or recipient of any real property interest.

"Purchase price", all consideration paid or transferred by or on behalf of a purchaser to a seller or his nominee, or for his benefit, for the transfer of any real property interest, and shall include, but not be limited to, all cash or its equivalent so paid or transferred; all cash or other property paid or transferred by or on behalf of the purchaser to discharge or reduce any obligation of the seller; the principal amount of all notes or their equivalent, or other deferred payments, given or promised to be given by or on behalf of the purchaser to the seller or his nominee; the outstanding balance of all obligations of the seller which are assumed by the purchaser or to which the real property interest transferred remains subject after the transfer, determined at the time of transfer, but excluding real estate taxes and other municipal liens or assessments which are not overdue at the time of transfer; the fair market value, at the time of transfer, of any other consideration or thing of value paid or transferred by or on behalf of the purchaser, including, but

not limited to, any property, goods or services paid, transferred or rendered in exchange for such real property interest.

"Real property interest", shall refer to any present or future legal or equitable interest in or to real property, and any beneficial interest therein, including the interest of any beneficiary in a trust which holds any legal or equitable interest in real property, the interest of a partner or member in a partnership or limited liability company, the interest of a stockholder in a corporation, the interest of a holder of an option to purchase real property, the interest of a buyer or seller under a contract for purchase and sale of real property, and the transferable development rights created under chapter 183A of the General Laws; but shall not include any interest which is limited to any of the following: the dominant estate in any easement or right of way; the right to enforce any restriction; any estate at will or at sufferance; any estate for years having a term of less than 30 years; any reversionary right, condition, or right of entry for condition broken; and the interest of a mortgagee or other secured party in any mortgage or security agreement.

"Seller", shall refer to the transferor, grantor or immediate former owner of any real property interest.

Opt "Seasonal" shall be defined as a period commencing April 1 of each calendar year and termination November 30 of the same calendar year.

"Time of transfer" of any real property interest shall mean the time at which such transfer is legally effective as between the parties thereto, and, in any event, with respect to a transfer evidenced by an instrument recorded with the appropriate registry of deeds or filed with the assistant recorder of the appropriate registry district, not later than the time of such recording or filing.

"Town" shall refer to the Town of Wellfleet acting by and through its Selectboard.

[Rate] SECTION 2. There is hereby imposed a Real Estate Transfer Fee equal to

FEE Options:

1. a fee in the amount of one (1) percent of said purchase price shall be due and payable by the seller; and (B) a fee in the amount of one (1) percent of said purchase price shall be due and payable by the purchaser. [2% of total split]

2. a fee in the amount of one half per cent (1/2) percent of said purchase price shall be due and payable by the seller; and (B) a fee in the amount of one half per cent (1/2) percent of said purchase price shall be due and payable by the purchaser. [1% of total split]

3. . a fee in the amount of one half per cent (1/2) percent of said purchase price shall be due and payable by the seller. [1/2% of total seller]

4. a fee in the amount of one half per cent (1/2) percent of said purchase price shall be due and payable by the purchaser. [1/2% of total purchaser]

upon the transfer of any real property interest in any real property situated in the Town of Wellfleet. Said fee shall be the liability of the _____ of such property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the purchaser.

The fee shall be paid to the Town of Wellfleet. The first \$75,000 collected in each fiscal year shall be deposited in the Town's Capital Improvement Stabilization Fund. The remaining funds collected each fiscal year shall be deposited into the Wellfleet Housing Trust Fund , [the Wellfleet Affordable Housing Trust Fund] [or the Wellfleet Housing Authority?]

[Exemptions] SECTION 3. The following transfers of real property interests shall be exempt from the Real Estate Transfer Fee:

A. First time homebuyers who live in the home for at least 5 years. A lien shall accompany the deed stating that “There is running with the land a lien equal to the amount of fee exempted, plus accumulated interest and penalties until such time as all conditions of this sub-section are met.”

B. Transfers to the Government of the U.S., The Commonwealth, the Town of Wellfleet and any of their instrumentalities, agencies or sub-divisions, such as the Wellfleet Housing Authority and The Wellfleet Housing Trust.

C. Transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made.

D. Transfers of convenience with consideration under \$100.00 which include: name change, into trusts, out of trust, etc.

E. Transfers to any charitable organization as defined in Clause Third of Section Five of Chapter 59 of the General Laws or any religious organization providing that the real property interests so transferred will be held solely for public charitable or religious purposes.

F. Transfers between immediate family members, marriage partners, parents and children, grandchildren, step-parents and step-children, brothers and sisters.

[Value Exclusion Options]

E.1 The [Previous?] fiscal year’s median single family home assessed value as assessed by the Wellfleet Town Assessor. (Opt.) This exemption shall not apply to properties occupiable on a seasonal basis only.

E.2 The first \$500,000 of the purchase price. (Opt.) This exemption shall not apply to properties occupiable on a seasonal basis only.

E.3 The first \$750,000 of the purchase price. (Opt.) This exemption shall not apply to properties occupiable on a seasonal basis only.

E. 4 Transfers for which the sale price is under \$1,000,000

SECTION 4.

- A. The fee imposed shall be due at the time of the transfer of the real property interest.
- B. The buyer shall pay interest on any unpaid amount of the fee at the rate the Town collects on unpaid Real Estate Taxes.
- C. The Town shall notify a buyer by Registered or Certified Mail of any failure to discharge the amount in full of fee due.
- D. All fees and interest required to be paid under this Act shall constitute a personal debt of the buyer and may be recovered in an action of contract;
- D. (Opt) The fee shall be paid to the Wellfleet, or its designee, and shall be accompanied by a copy of the deed or other instrument evidencing such transfer, if any, and an affidavit signed under oath or under the pains and penalties of perjury by the purchaser or his legal representative and the seller or his legal representative, attesting to the true and complete purchase price and the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee imposed hereby. The Town, or its designee, shall promptly thereafter execute and issue a certificate indicating that the appropriate fee has been paid or that the transfer is exempt from the fee, stating the basis for the exemption. The register of deeds for Barnstable County, and the assistant recorder for the registry district of Barnstable County, shall neither record nor register, or receive or accept for recording or registration, any deed, except a mortgage deed, to which has not been affixed such a certificate executed by the Town or its designee. The Town is authorized to provide for the collection and liening of any outstanding transfer fee. The Town shall have such remedies to collect said amount as provided by law with respect to the collection of real property taxes. Failure to comply with this requirement shall not affect the validity of any instrument.

SECTION 5. Annual Report. The Town shall prepare and issue an annual report that (i) identifies fee receipts by payer category including buyers and sellers, location and unit type; and (ii) quantifies affordable housing programs funded, including type and purpose.

SECTION 6. Severance Clause. The determination or declaration that any provision of this act is beyond authority of the general court or is preempted by law or regulation shall not affect the validity or enforceability of any other provisions.

SECTION 7. This Act shall take effect on passage.

References

DRAFT

ARTICLE 45: Real Estate Transfer Tax - To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Town to impose a 0.5% real estate transfer tax as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE TOWN OF WELLFLEET TO IMPOSE A 0.5% REAL ESTATE TRANSFER TAX.

Section 1. There is hereby imposed a real estate transfer tax equal to 0.5% (half percent, h%) of the purchase price upon the transfer of any real property interest in any real property situated in the Town of Wellfleet. Said tax shall be the liability of the seller of such property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said tax shall not affect such liability of the seller. The tax shall be paid to the Town of Wellfleet. The receipts collected in each fiscal year shall be deposited in the Town's Affordable Housing Trust Fund.

Section 2. The following transfers of real property interests shall be exempt from the real estate transfer tax:

- (a) Transfers to the Government of the U. S., The Commonwealth, the Town of Wellfleet and to any of their instrumentalities, agencies or subdivisions.
- (b) Transfers made without additional consideration to confirm, correct, and modify transfers previously made.
- (c) Transfers with consideration of less than \$100.00 which include, but are not limited to, the following: name change, transfer into trust or out of trust where grantor and grantee are the same party.
- (d) Transfers among or between immediate family members including spouses, parents, children, grandparents, grandchildren, step parents, step children, brothers and sisters.
- (e) Transfers to any charitable organization as defined in Clause 3 of Section 5 of Chapter 59 of the General Laws or any religious organization providing that the real property interests so transferred will be held solely for public charitable or religious purposes.
- (f) The first \$500,000 of the purchase price shall be exempt from the tax.

Section 3.

- (a) The fee imposed shall be due at the time of the transfer of the real property interest.
- (b) The seller shall pay interest on any unpaid amount of the tax at the rate the Town collects on unpaid real estate taxes.
- (c) The Town shall notify a seller by registered or certified mail of any failure to discharge the amount in full of fee due.
- (d) All tax and interest required to be paid under this Act shall constitute a personal debt of the seller and may be recovered in an action of contract.

Section 4. This Act shall take effect on passage.

Board of Selectmen: Recommends 4-0.

Finance Committee: Recommends 7-0.

Housing Authority: Recommends 3-0.

Local Housing Partnership: Recommends 5-0.

ARTICLE 45: Real Estate Transfer Tax

Ms. Reinhart moved and it was seconded that the article as printed in the warrant be amended to correct a typographical error in Section 1, line one, by striking the existing text that reads "(h%)" and replacing it with "(1/2%)" and further, I move that the Town vote to file a home rule petition to implement a real estate transfer tax as printed in the warrant under article 44, and as amended by this motion.

The Board of Selectmen voted 4-0, the Finance Committee voted 7-0, the Housing Authority voted 3-0 and the Local Housing Partnership voted 5-0 to recommend adoption of the main motion.

A simple majority is required for adoption. The Moderator declared the motion carried on a voice vote.

HOUSE No. 3300

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake and Daniel A. Wolf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Provincetown to impose a 0.5% real estate transfer fee.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>1/15/2015</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>	<i>1/15/2015</i>

HOUSE No. 3300

By Representative Peake of Provincetown and Senator Wolf, a joint petition (accompanied by bill, House, No. 3300) of Sarah K. Peake and Daniel A. Wolf (by vote of the town) that the town of Provincetown be authorized to impose a real estate transfer fee. Revenue. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2690 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act authorizing the town of Provincetown to impose a 0.5% real estate transfer fee.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. There is hereby imposed a Real Estate Transfer Fee equal to 0.5% (half
2 percent, ½%) of the purchase price upon the transfer of any real property interest in any real
3 property situated in the Town of Provincetown. Said fee shall be the liability of the purchaser of
4 such property interest, and any agreement between the purchaser and the seller or any other
5 person with reference to the allocation of the responsibility for bearing said fee shall not affect
6 such liability of the purchaser. The fee shall be paid to the Town of Provincetown. The first
7 \$250,000 collected in each fiscal year shall be deposited in the Town’s Capital Improvement
8 Stabilization Fund. The remaining funds collected each fiscal year shall be deposited into the
9 Town’s General Fund.

10 SECTION 2. The following transfers of real property interests shall be exempt from the
11 Real Estate Transfer Fee:

12 A. First time homebuyers who live in the home for at least 5 years. A lien shall
13 accompany the deed stating that “There is running with the land a lien equal to the amount of fee
14 exempted, plus accumulated interest and penalties until such time as all conditions of this sub-
15 section are met.”

16 B. Transfers to the Government of the U.S., The Commonwealth, the Town of
17 Provincetown and any of their instrumentalities, agencies or sub-divisions, such as the
18 Provincetown Housing Authority.

19 C. Transfers made without additional consideration to confirm, correct, modify or
20 supplement a transfer previously made.

21 D. Transfers of convenience with consideration under \$100.00 which include: name
22 change, into trusts, out of trust, etc.

23 E. Transfers to any charitable organization as defined in Clause Third of Section Five of
24 Chapter 59 of the General Laws or any religious organization providing that the real property
25 interests so transferred will be held solely for public charitable or religious purposes.

26 F. Transfers between family members, marriage partners, parents and children,
27 grandchildren, step-parents and step-children, brothers and sisters.

28 SECTION 3.

29 A. The fee imposed shall be due at the time of the transfer of the real property interest.

30 B. The buyer shall pay interest on any unpaid amount of the fee at the rate the Town
31 collects on unpaid Real Estate Taxes.

32 C. The Town shall notify a buyer by Registered or Certified Mail of any failure to
33 discharge the amount in full of fee due.

34 D. All fees and interest required to be paid under this Act shall constitute a personal debt
35 of the buyer and may be recovered in an action of contract;

36 SECTION 4. This Act shall take effect on passage.

Offered by Councilors Lydia Edwards and Kim Janey



CITY OF BOSTON

IN THE YEAR TWO THOUSAND NINETEEN

HOME RULE PETITION

- WHEREAS*, The City of Boston is facing a housing affordability and displacement crisis, impacting the health and quality of life of city residents, contributing to housing insecurity, rent burden, homelessness and evictions, increasing transportation emissions by displacing residents who work in the City of Boston and straining public resources; and
- WHEREAS*, Multiple factors are contributing to the housing affordability crisis, including inadequate supply of homes, the construction of housing that is unaffordable to an overwhelming majority of Boston residents, expiring use affordability restrictions, the speculative and rapid resale of property resulting in inflation of real estate prices, activities that remove supply from the housing market including short-term rentals and intentionally vacant investor properties, and a reduction in public investment in housing; and
- WHEREAS*, The federal government has, for many years, steadily decreased support for housing, necessitating municipal, state and private sector action; and
- WHEREAS*, Resources deployed by the Commonwealth of Massachusetts, including matching funds for the Community Preservation Act, the Massachusetts Rental Voucher Program, and potential loan funds authorized by state housing bonds, are important but insufficient resources to address the housing needs of Boston residents; and
- WHEREAS*, The structure of existing city revenue streams, such as development impact fees or linkage, by nature and explicitly seek to *mitigate* the impact of large-scale real estate development and do not purport to solve the housing crisis or produce sufficient resources to tackle housing affordability; and
- WHEREAS*, The current inclusionary development policy developed by the city also generates affordability as a mitigation of large-scale real estate development and primarily serves residents between 50% and 100% of the Area Median Income and those who earn between \$50,000 and \$100,000 annually; and

- WHEREAS*, Research conducted on behalf of the Boston Tenant Coalition indicates that the median incomes of Black and Latino households, as well as renters in Boston, tend towards between 30% and 40% of the Area Median Income; and
- WHEREAS*, Public housing, which serves residents below the affordability restrictions set by the current inclusionary development policy, has historically benefited from federal support, and in order to preserve public housing amidst federal disinvestment, the city is redeveloping public housing as mixed use properties; and
- WHEREAS*, New large-scale real estate construction, which is necessary to house a growing population and alleviate economic pressures on certain segments of the market, can simultaneously impact the rent burden and housing stability of lower-income residents, while substantial impacts on market pressure may take years or decades to be realized; and
- WHEREAS*, An analysis by the Department of Neighborhood Development identified hundreds of secondary sales each year for the years 2015-2017, occurring at high and low ends of the market, in new construction and in existing housing, in downtown neighborhoods; and
- WHEREAS*, Despite strong leadership on many housing issues, the city lacks the appropriate financial and regulatory tools to discourage harmful practices in the real estate market; and
- WHEREAS*, A fee on real estate transfers would target regular market activity outside of construction and development, which could be deployed to mitigate impacts of real estate speculation in high- and low-ends of the market and could also discourage speculative practices outright; and
- WHEREAS*, It is hereby determined that: (1) prior to the effective date of this act, the City of Boston has experienced a housing affordability and displacement crisis; (2) research by city departments indicates the recurring and rapid resale of properties in low-income outer neighborhoods as well as in high-end new construction in downtown neighborhoods, inducing an artificial appreciation in value; (3) current city policies mitigate the impacts of large new development, but do not mitigate the impacts of speculative market activity; (4) the city has relied upon federal resources that are no longer available to house extremely low-income residents; (5) the city is engaged in the planning of construction of thousands of new units of housing, but without intervention, the majority of new construction will be unaffordable to residents of Boston; and (6) to provide for the health and wellbeing of all Bostonians, the city must dedicate greater resources to building affordable housing and building housing at deeper levels of affordability; now
THEREFORE BE IT

ORDERED, That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**PETITION FOR A SPECIAL LAW RE:
AN ACT AUTHORIZING THE CITY OF BOSTON TO ESTABLISH AN INVESTOR
AND COMMERCIAL PROPERTIES TRANSFER FEE**

SECTION 1. Findings and Purpose. The General Court finds and declares that a serious state of emergency exists in the City of Boston with respect to housing, whereby the inadequate supply of affordable housing and the inadequate affordability of housing deemed affordable is impacting quality of life and public health, contributing to housing insecurity, rent burden, homelessness and increasing evictions, that rising housing costs and speculative real estate practices disproportionately impact protected classes, including households of color, and further finds that imposition of a fee on certain real estate transfers shall be applied, at the discretion of the City and with exemptions as detailed in this Act, in order to mitigate the impacts of speculative market practices through the production of affordable and deeply affordable housing and by discouraging rapid repeat sales of property.

SECTION 2. Transfer Fee. Except where otherwise exempted pursuant to this act, the City of Boston may impose a fee of up to six (6) percent of the purchase price upon the transfer of any real property interest or the transfer of a controlling interest in a trust, limited liability company, or other entity that directly or indirectly holds an interest, in any real property situated in the City of Boston, as follows: (A) a fee in the amount of three (3) percent of said purchase price shall be due and payable by the seller; and (B) a fee in the amount of three (3) percent of said purchase price shall be due and payable by the purchaser. In the case of a transfer of a controlling interest, the City of Boston may define by ordinance what constitutes a controlling interest and the calculation of the fee.

SECTION 3. Fee on Repeat Sales, Payable by Seller. Except where otherwise exempted pursuant to this act, the City of Boston may impose a fee of up to twenty-five (25) percent of the purchase price upon the repeat transfer within twenty-four months of any real property interest or the transfer of a controlling interest in a trust, limited liability company, or other entity that directly or indirectly holds an interest, in any real property situated in the City of Boston. Such a fee in the amount of up to twenty-five (25) percent of said purchase price shall be due and payable by the seller. In order to discourage the rapid and speculative resale of property, the city may establish such a fee as a graduated fee based on the brevity of duration between transfers.

SECTION 4. Payment of Fees to City. Fees established via this act shall be paid to the City of Boston. The City is authorized to adopt an ordinance to provide for the collection and lien of any outstanding transfer fee. The City shall have such remedies to collect said amount as provided by law with respect to the collection of real property taxes.

The City shall deposit all fees received pursuant to this act into the Neighborhood Housing Trust Fund established by the City pursuant to Chapter 665 of the Acts of 1965, as amended.

SECTION 5. Affidavit and Deed. A copy of the deed or other instrument evidencing such transfer shall be provided to the City and shall be accompanied by, (a) an affidavit signed under oath or under the pains and penalties of perjury by the purchaser and seller attesting to the purchase price, (b) the applicable fee owed, and (c) the basis, if any, upon which the transfer, or one or both of the parties to the transfer, is claimed to be exempt in whole or in part from said fee or fees. Upon receipt of such payment and/or satisfactory evidence of exemption, the City or its designee shall promptly thereafter issue a certificate indicating that the fee has been paid or that the purchaser or seller, or the transfer, is exempt from the fee. The Suffolk County Register of Deeds shall not record or register a deed unless the deed is accompanied by such certificate.

SECTION 6. Exempt Transfers. The following transfers of real property interests shall be exempt from the fee established by this act: (i) transfers between family members as may be defined by ordinance; (ii) transfers of convenience as may be defined by ordinance; (iii) transfers to the government of the United States or any other instrumentality, agency or subdivision thereof, or the Commonwealth or any instrumentality or subdivision thereof; (iv) taxpayers approved by the City for an exemption for residential real property pursuant to section 5C of chapter 59 of the General law for the property to be transferred, and (v) transfers for which the sale price is under \$2,000,000, provided that fees on repeat sales authorized by Section 3 shall not be subject to this exemption.

SECTION 7. Clarification by Ordinance; Further Exemptions. The City may, by ordinance, adopt additional exemptions for beneficiaries of a city-approved homebuyer program or adopt other exemptions, requirements, or clarifications under what conditions exemptions are granted, and regulations to implement or enforce said fee, consistent with this act.

SECTION 8. Annual Report. The City shall prepare and issue an annual report that (i) identifies fee receipts by payer category including buyers and sellers, location and unit type; and (ii) quantifies affordable housing programs funded, including type and purpose.

SECTION 9. Severance Clause. The determination or declaration that any provision of this act is beyond authority of the general court or is preempted by law or regulation shall not affect the validity or enforceability of any other provisions.

SECTION 10. Date of Effect. This act shall take effect upon signing.

Filed in Council: January 16, 2019



Town Of Chatham
Department of
Community Development



Town Annex 261 George Ryder Road
Chatham, MA 02633

TELEPHONE (508) 945-5168

FAX (508) 945-5163

CHATHAM SELECT BOARD
AGENDA REPORT

Example

TO: Honorable Select Board
Jill R. Goldsmith, Town Manager

FROM: Katie Donovan, Director of Community Development
Aly Sabatino, Principal Planner

DATE: February 11, 2021 (Date of Meeting February 23, 2021)

SUBJECT: Housing Related Special Legislation – An Act Establishing a Real Property Transfer Fee in the Town of Chatham

BACKGROUND AND DISCUSSION

At your meeting on January 12th, you requested that Town Counsel draft Special Legislation to that would create a property tax surcharge to be used for attainable housing purposes. Attached please find the drafted special legislation.

RECOMMENDATION

Should the Board wish to move forward with the Special Legislation staff will prepare a corresponding warrant Article for the upcoming Annual Town Meeting.

(2-11-21 DRAFT FOR DISCUSSION PURPOSES)

**AN ACT ESTABLISHING A REAL PROPERTY
TRANSFER FEE IN THE TOWN OF CHATHAM.**

*Be it enacted by the Senate and House of Representatives in General
Court assembled, and by the authority of the same as follows:*

SECTION 1. For purposes of this act, the words and phrases set forth in this section shall have the following meanings:

"Purchaser", shall refer to the transferee, grantee or recipient of any real property interest.

"Purchase price", all consideration paid or transferred by or on behalf of a purchaser to a seller or his nominee, or for his benefit, for the transfer of any real property interest, and shall include, but not be limited to, all cash or its equivalent so paid or transferred; all cash or other property paid or transferred by or on behalf of the purchaser to discharge or reduce any obligation of the seller; the principal amount of all notes or their equivalent, or other deferred payments, given or promised to be given by or on behalf of the purchaser to the seller or his nominee; the outstanding balance of all obligations of the seller which are assumed by the purchaser or to which the real property interest transferred remains subject after the transfer, determined at the time of transfer, but excluding real estate taxes and other municipal liens or assessments which are not overdue at the time of transfer; the fair market value, at the time of transfer, of any other consideration or thing of value paid or transferred by or on behalf of the purchaser, including, but not limited to, any property, goods or services paid, transferred or rendered in exchange for such real property interest.

"Real property interest", shall refer to any present or future legal or equitable interest in or to real property, and any beneficial interest therein, including the interest of any beneficiary in a trust which holds any legal or equitable interest in real property, the interest of a partner or member in a partnership or limited liability company, the interest of a stockholder in a corporation, the interest of a holder of an option to purchase real property, the interest of a buyer or seller under a contract for purchase and sale of real property, and the transferable development rights created under chapter 183A of the General Laws; but shall not include any interest which is limited to any of the following: the dominant estate in any easement or right of way; the right to enforce any restriction; any estate at will or at sufferance; any estate for years having a term of less than 30 years; any reversionary right, condition, or right of entry for condition broken; and the interest of a mortgagee or other secured party in any mortgage or security agreement.

"Seller", shall refer to the transferor, grantor or immediate former owner of any real property interest.

"Time of transfer" of any real property interest shall mean the time at which such transfer is legally effective as between the parties thereto, and, in any event, with respect to a transfer evidenced by an instrument recorded with the appropriate registry of deeds or filed with the assistant recorder of the appropriate registry district, not later than the time of such recording or filing.

"Town" shall refer to the Town of Chatham acting by and through its Select Board.

SECTION 2. There is hereby imposed a fee equal to one half per cent (1/2%) of the purchase price paid upon the transfer of any real property interest in any real property situated in the Town of Chatham for consideration of two million dollars (\$2,000,000) or more. Said fee shall be the liability of the seller of such real property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the seller. The fee shall be paid to the Town of Chatham,

or its designee, and shall be accompanied by a copy of the deed or other instrument evidencing such transfer, if any, and an affidavit signed under oath or under the pains and penalties of perjury by the purchaser or his legal representative and the seller or his legal representative, attesting to the true and complete purchase price and the basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee imposed hereby. The Town, or its designee, shall promptly thereafter execute and issue a certificate indicating that the appropriate fee has been paid or that the transfer is exempt from the fee, stating the basis for the exemption. The register of deeds for Barnstable County, and the assistant recorder for the registry district of Barnstable County, shall neither record nor register, or receive or accept for recording or registration, any deed, except a mortgage deed, to which has not been affixed such a certificate executed by the Town or its designee. Failure to comply with this requirement shall not affect the validity of any instrument. The Town shall deposit all fees received hereunder with the Town treasurer. The treasurer shall deposit such fees in the Chatham Housing Trust Fund or the Chatham Affordable Housing Trust Fund. The fee imposed hereunder shall be due simultaneously with the time of transfer of the transfer upon which it is imposed. Notwithstanding the foregoing, whenever there is a conveyance of real property interests and a conveyance of personalty related thereto at or about the same time, the allocations of payments between real estate and personalty agreed to by the purchaser and seller shall not determine the amount of the fee due pursuant to this section; instead, the Town may require payment of the fee referred to in real property interests so conveyed as determined by the Town.

SECTION 3. At any time within seven days following the issuance of the certificate of payment of the fee imposed by section two, the seller or his legal representative may return said certificate to the Town or its designee for cancellation, together with an affidavit signed under oath or under the pains and penalties of perjury that the transfer, with respect to which such certificate was issued, has not been consummated, and thereupon the fee paid with respect to such transfer shall be forthwith returned to the seller or his legal representative.

SECTION 4. The following transfers of real property interests shall be exempt from the fee established by section two. Except as otherwise provided, the seller shall have the burden of proof that any transfer is exempt under this section and any otherwise exempt transfer shall not be exempt in the event that such transfer (by itself or as part of a series of transfers) was made for the primary purpose of evading the fee imposed by Section 10.

(a) Transfers to the government of the United States, the commonwealth, and any of their instrumentalities, agencies, or subdivisions, including but not limited to transfers to the Town of Chatham.

(b) Transfers which, without additional consideration, confirm, correct, modify, or supplement a transfer previously made.

(c) Transfers made as gifts without consideration. In any proceedings to determine the amount of any fee due hereunder, it shall be presumed that any transfer for consideration of less than fair market value of the real property interest transferred was made as a gift without consideration to the extent of the difference between the fair market value of the real property interest transferred and the amount of consideration claimed by the seller to have been paid or transferred, if the purchaser shall have been at the time of transfer the spouse, the lineal descendant, or the lineal ancestor of the seller, by blood or adoption, and otherwise it shall be presumed that consideration was paid in an amount equal to the fair market value of the real property interest transferred, at the time of transfer.

(d) Transfer to the trustees of a trust in exchange for a beneficial interest received by the purchaser in such trust; distributions by the trustees of a trust to the beneficiaries of such trust.

(e) Transfers by operation of law without actual consideration, including but not limited to transfers occurring by virtue of the death or bankruptcy of the owner of a real property interest.

(f) Transfers made in partition of land and improvements thereto, under chapter two hundred and forty-one of the General Laws.

(g) Transfers to any charitable organization as defined in clause Third of section five of chapter fifty-nine of the General Laws, or any religious organization, provided that the real property interest so transferred will be held by the charitable or religious organization solely for its public charitable or religious purposes.

(h) Transfers to a mortgagee in foreclosure of the mortgage held by such mortgagee, and transfers of the property subject to a mortgage to the mortgagee in consideration of the forbearance of the mortgagee from foreclosing said mortgage.

(i) Transfers made to a corporation or partnership or limited liability company at the time of its formation, pursuant to which transfer no gain or loss is recognized under the provisions of section three hundred and fifty-one or seven hundred and twenty-one of the Internal Revenue Code of 1986, as amended; provided, however, that such transfer shall be exempt only in the event that (1) with respect to a corporation, the transferor retains an interest in the newly formed corporation which is equivalent to the interest the transferor held prior to the transfer, or (2) with respect to a partnership or limited liability company, the transferor retains after such formation rights in capital interests and profit interests within such partnership or limited liability company which are equivalent to the interest the transferor held prior to the transfer.

(j) Transfers made to a stockholder of a corporation in liquidation or partial liquidation of the corporation, and transfers made to a partner of a partnership or to a member of a limited liability company in dissolution or partial dissolution of the partnership or limited liability company; but the transfer shall be exempt only if (i) with respect to a corporation, the transferee receives property (including real property interests and other property received) which is the same fraction of the total property of the transferor corporation as the fraction of the corporation's stock owned by the transferee prior to the transfer or (ii) with respect to a partnership or limited

liability company, the transferee receives property (including real property interests and other property received) which is the same fraction of the property of the partnership or limited liability company as the fraction of the capital and profit interests in the transferor formerly owned by the transferee.

(k) Transfers consisting of the division of marital assets under the provisions of section thirty-four of chapter two hundred and eight of the General Laws or other provisions of law.

(l) Transfers of property consisting in part of real property interests situated in Chatham and in part of other property interests, to the extent that the property transferred consists of property other than real property situated in Chatham; provided that the purchaser shall furnish the Town with such information as it shall require or request in support of the claim of exemption and manner of allocation of the consideration for such transfers.

(m) Transfers of minority interests in corporations, trusts, partnerships, or limited liability companies which are publicly traded, which trades are not part of a series of transfers which together constitute a transfer of control of a corporation, trust, partnership, or limited liability company.

SECTION 5. (a) The Town treasurer shall keep a full and accurate account stating when, from or to whom, and on what account money has been paid or received relative to the activities of the Chatham Housing Trust Fund or the Chatham Affordable Housing Trust Fund. Said accounts shall be subject to examination by the director of accounts or his agent pursuant to section forty-four of chapter thirty-five of the General Laws.

(b) Schedules of beneficiaries of trusts, list of stockholders of corporations and lists of partnerships filed with the Town for the purpose of determining or fixing the amount of the fee imposed under section two or for the purpose of determining the existence of any exemption

under section four shall not be public records for the purposes of section ten of chapter sixty-six of the General Laws.

SECTION 6. A seller who fails to pay all or any portion of the fee established by section two on or before the time when the same is due shall be liable for the following additional payments in addition to said fee:

(a) Interest: The seller shall pay interest on the unpaid amount of the fee to be calculated from the time of transfer at a rate equal to fourteen per cent per annum.

(b) Penalties: Any person who, without fraud or willful intent to defeat or evade a fee imposed by this chapter, fails to pay all or a portion of the fee within thirty days after the time of transfer, shall pay a penalty equal to five per cent of the outstanding fee as determined by the Town for each month or portion thereof thereafter that the fee is not paid in full; provided, however, that in no event shall the amount of any penalty imposed hereunder exceed twenty five per cent of the unpaid fee due at the time of transfer. Whenever the Town determines that all or a portion of a fee due under this chapter was unpaid due to fraud with intent to defeat or evade the fee imposed by this chapter, a penalty equal to the amount of said fee as determined by the Town shall be paid by the seller in addition to said fee.

SECTION 7. (a) The Town shall notify the purchaser and the seller by registered or certified mail of any failure to discharge in full the amount of the fee due under this Act and any penalty or interest assessed. The Town shall grant a hearing on the matter of the imposition of said fee, or of any penalty or interest assessed, if a petition requesting such hearing is received by the Town within thirty days after the mailing of said notice. The Town shall notify the purchaser and the seller in writing by registered or certified mail of its determination concerning the deficiency, penalty, or interest within fifteen days after said hearing. Any party aggrieved by a determination of the Town concerning a deficiency, penalty or interest may, after payment of said deficiency, appeal to the district or superior court within three months after the mailing of notification of the

determination of the Town. Upon the failure to timely petition for a hearing, or appeal to said courts, within the time limits hereby established, the purchaser and seller shall be bound by the terms of the notification, assessment, or determination, as the case may be, and shall be barred from contesting the fee, and any interest and penalty, as determined by the Town. All decisions of said courts shall be appealable. Every notice to be given under this section by the Town shall be effective if mailed by certified or registered mail to the purchaser or the seller at the address stated in a recorded or registered instrument by virtue of which the purchaser holds any interest in real property, the transfer of which gives rise to the fee which is the subject of such notice; and if no such address is stated or if such transfer is not evidenced by an instrument recorded or registered in the public records in Barnstable County, such notice shall be effective when so mailed to the purchaser or seller in care of any person appearing of record to have a fee interest in such land, at the address of such person as set forth in an instrument recorded or registered in Barnstable County.

(b) All fees, penalties and interest required to be paid pursuant to this chapter shall constitute a personal debt of the seller and may be recovered in an action of contract or in any other appropriate action, suit or proceeding brought by the Town; said action, suit or proceeding shall be subject to the provisions of chapter two hundred and sixty of the General Laws.

(c) If any seller liable to pay the fee established by this act neglects or refuses to pay the same, the amount, including any interest and penalty thereon, shall be a lien in favor of the Town upon all property and rights to property, whether real or personal, belonging to either such purchaser or such seller. Said lien shall arise at the time of transfer and shall continue until the liability for such amount is satisfied. Said lien shall in any event terminate not later than six years following the time of transfer. Said lien shall not be valid as against any mortgagee, pledgee, purchaser or judgment creditor unless notice thereof has been filed by the Town (i) with respect to real property or fixtures, in the registry of deeds for Barnstable County, or (ii) with respect to personal property, in the office in which a security or financing statement or notice with respect

to the property would be filed in order to perfect a nonpossessory security interest belonging to the person named in the relevant notice, subject to the same limitations as set forth in section fifty of chapter sixty two C of the General Laws.

(d) Sellers applying for an exemption under subsections (a) through (m) of section four shall be required at the time of application for exemption to execute an agreement legally binding on sellers and separately legally binding upon any Legal Representative of the sellers (1) assuming complete liability for any fee, plus interest and penalties if any, waived on account of an allowed exemption subsequently determined to have been invalid, and (2) submitting to the jurisdiction of the trial court of the commonwealth sitting in Barnstable County. Fees, plus interest and penalties if any, shall be calculated as of the date of the initial property transfer. Execution of the above-described agreement shall not be required of any mortgagee, pledge, purchaser, or judgment creditor unless notice of the agreement has been recorded or filed by the Town.

In any case where there has been a refusal or neglect to pay any fee, interest or penalties imposed by this act, whether or not levy has been made, the Town, in addition to other modes of relief, may direct a civil action to be filed in a district or superior court of the commonwealth to enforce the lien of the Town under this section with respect to such liability or to subject any property of whatever nature, of the delinquent, or in which he has any right, title or interest, to the payment of such liability.

The Town may issue a waiver or release of any lien imposed by this section. Such waiver or release shall be conclusive evidence that the lien upon the property covered by the waiver or release is extinguished.

SECTION 8. The fee described by Section two shall be of ten-year duration from the date this legislation takes effect. This fee may continue for five-year periods by a majority vote at Town Meeting reauthorizing the fee. The fee described by Section two 1) may be decreased or increased, 2) the threshold consideration amount may be revised, or 3) the fee may be eliminated

by a two-thirds vote of Town Meeting. In the event that Town Meeting does not renew the fee at the ten-year anniversary, or any subsequent five year anniversary, or Town Meeting votes to eliminate the fee, the balance of any fees previously collected shall be used to satisfy any outstanding liabilities or obligations incurred by the Town of Chatham, the Chatham Housing Trust or the Chatham Affordable Housing Trust as a result of imposition of the fee, and the remainder may be expended without further appropriation by the Select Board for affordable or attainable housing purposes. In the event that the liabilities and obligations of the Town of Chatham, the Chatham Housing Trust or the Chatham Affordable Housing Trust exceed the amounts transferred to the Town, the fee shall remain in full force and effect until such liabilities and obligations have been satisfied.

SECTION 9. The provisions of this act are severable, and if any provision hereof, including without limitation any exemption from the fee imposed hereby, shall be held invalid in any circumstances such invalidity shall not affect any other provisions or circumstances. This act shall be construed in all respects so as to meet all constitutional requirements. In carrying out the purposes and provisions of this act, all steps shall be taken which are necessary to meet constitutional requirements whether or not such steps are required by statute.

SECTION 10. If the Town has determined that a fee is due by asserting the application of the evasion of fee doctrine described in Section six (b), then the seller shall have the burden of demonstrating by clear and convincing evidence as determined by the Town that the transfer, or series of transfers, possessed both: (i) a valid, good faith business purpose other than avoidance of the fee set forth in Section two and (ii) economic substance apart from the asserted fee avoidance benefit. In all such cases, the transferee shall also have the burden of demonstrating by clear and convincing evidence as determined by the Town that the asserted non-fee-avoidance business purpose is commensurate with the amount of the fee pursuant to Section two to be thereby avoided.

SECTION 11. This act shall take effect ninety (90) days following the date of passage.

	Median Home Value		Sale Price Over	Sale Price Over	Sale Price Over	Sale Price Over
FY 17	510000		\$ 500,000.00	\$ 510,000.00	\$ 750,000.00	\$ 1,000,000.00
	Total Value	\$ 137,862,593.00	\$ 94,909,653.00	\$ 90,939,903.00	\$ 49,175,821.00	\$ 25,044,000.00
	Number of Sales		114	111	42	15
	Value Subject to Tax		\$ 37,909,653.00	\$ 34,329,903.00	\$ 17,675,821.00	\$ 22,923,000.00
	Tax rate	0.5%	\$ 189,548.27	\$ 171,649.52	\$ 88,379.11	\$ 114,615.00
		1%	\$ 379,096.53	\$ 343,299.03	\$ 176,758.21	\$ 229,230.00
		2%	\$ 758,193.06	\$ 686,598.06	\$ 353,516.42	\$ 458,460.00
	Value of Cc	\$ 14,740,225.00				
	Condos as	10.69%				

*includes com condos

	Median Home Value		Sale Price Over	Sale Price Over	Sale Price Over	Sale Price Over
FY 18	518600		\$ 500,000.00	\$ 518,600.00	\$ 750,000.00	\$ 1,000,000.00
	Total Value	\$ 68,450,595.00	\$ 47,093,500.00	\$ 47,093,500.00	\$ 27,167,000.00	\$ 13,399,000.00
	Number of	131	56	56	23	8
	Value Subject to Tax		\$ 19,093,500.00	\$ 18,051,900.00	\$ 9,917,000.00	\$ 13,399,000.00
	Tax rate	0.5%	\$ 95,467.50	\$ 90,259.50	\$ 49,585.00	\$ 66,995.00
		1%	\$ 190,935.00	\$ 180,519.00	\$ 99,170.00	\$ 133,990.00
		2%	\$ 381,870.00	\$ 361,038.00	\$ 198,340.00	\$ 267,980.00
	Value of Cc	\$ 7,131,325.00				
	Condos as	10.42%				

*includes com condos

	Median Home Value		Sale Price Over	Sale Price Over	Sale Price Over	Sale Price Over
FY 19	\$524,550		\$ 500,000.00	\$ 524,550.00	\$ 750,000.00	\$ 1,000,000.00
	Total Value	\$ 66,344,545.00	\$ 46,298,880.00	\$ 44,283,880.00	\$ 25,791,312.00	\$ 14,494,562.00
	Number of	119	56	52	22	9
	Value Subject to Tax		\$ 18,298,880.00	\$ 17,007,280.00	\$ 9,291,312.00	\$ 14,494,562.00
	Tax rate	0.5%	\$ 91,494.40	\$ 85,036.40	\$ 46,456.56	\$ 72,472.81
		1%	\$ 182,988.80	\$ 170,072.80	\$ 92,913.12	\$ 144,945.62
		2%	\$ 365,977.60	\$ 340,145.60	\$ 185,826.24	\$ 289,891.24
	Value of Cc	\$ 4,998,950.00				
	Condos as	7.53%				

*includes com condos

	Median Home Value		Sale Price Over	Sale Price Over	Sale Price Over	Sale Price Over
FY 20 YTD	\$539,000		\$ 500,000.00	\$ 539,000.00	\$ 750,000.00	\$ 1,000,000.00
	Total Value	\$ 112,034,163.00	\$ 87,949,512.00	\$ 86,894,012.00	\$ 67,612,233.00	\$ 49,825,100.00
	Number of	119	81	79	48	27
	Value Subject to Tax		\$ 47,449,512.00	\$ 44,313,012.00	\$ 31,612,233.00	\$ 49,825,100.00
	Tax rate	0.5%	\$ 237,247.56	\$ 221,565.06	\$ 158,061.17	\$ 249,125.50
		1%	\$ 474,495.12	\$ 443,130.12	\$ 316,122.33	\$ 498,251.00
		2%	\$ 948,990.24	\$ 886,260.24	\$ 632,244.66	\$ 996,502.00
	Value of Cc	\$ 11,851,149.00				
	Condos as	10.58%				

*includes com condos

ARTICLES PENDING ATTORNEY REVIEW

1. **(%) Real Estate Transfer Fee – A Home Rule Petition**
2. **Agricultural Commission (Right to Farm)**
3. **Expanding Residential Property Exemption – A Home Rule Petition**
4. **A Home Rule Petition Authorizing the Commissioer of Capital Asset Management and Maintenance to Grant an Easement in the Town of Wellfleet**
5. **Animal Control By-Law**
6. **Wastewater Article**
7. **Short Term Rental Tax**

Town of Wellfleet

Town Meeting Warrant – June 5, 2021

PENDING ARTICLES FOR ATTORNEY REVIEW

1. **Article XX: (%) Real Estate Transfer Fee – A Home Rule Petition** To see if the Town will vote to authorize the Selectboard to petition the General Court for special legislation authorizing the Town to impose a (%) real estate transfer fee as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Selectboard approves amendments thereto prior to enactment by the General Court, and provided further that the Selectboard is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING
THE TOWN OF WELLFLEET

TO IMPOSE A (%) REAL ESTATE TRANSFER FEE.

Section 1. There is hereby imposed a real estate transfer fee equal to 0.5% (half percent, ½%) of the purchase price upon the transfer of any real property interest in any real property situated in the Town of Wellfleet. Said fee shall be the liability of the purchaser of such property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the purchaser. (*Attorney suggested language - The fee shall be paid to the Town of Wellfleet. The funds collected in each fiscal year shall be deposited equally in both the Town's Other Post-Employment Benefits (OPEB) Trust and the Provincetown's Affordable Housing Trust.)

Section 2. The following transfers of real property interests shall be exempt from the real estate transfer fee:

- A. First time homebuyers who live in the home for at least 5 years. A lien shall accompany the deed stating that "There is running with the land a lien equal to the amount of fee exempted, plus accumulated interest and penalties until such time as all conditions of this sub-section are met."
- B. Transfers to the government of the U.S., the Commonwealth, the Town of Wellfleet and any of their instrumentalities, agencies or sub-divisions.
- C. Transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made.
- D. Transfers of convenience with consideration under \$100 which include: name change, into trusts, out of trust, etc.
- E. Transfers to any charitable organization as defined in Clause 3 of Section 5 of Chapter 59 of the General Laws or any religious organization providing that the real property interests so transferred will be held solely for public charitable or religious purposes.
- F. Transfers between family members, marriage partners, parents and children, grandchildren, stepparents and stepchildren, brothers and sisters.

Section 3.

- A. The fee imposed shall be due at the time of the transfer of the real property interest.
- B. The buyer shall pay interest on any unpaid amount of the fee at the rate the Town collects on unpaid real estate taxes.
- C. The Town shall notify a buyer by registered or certified mail of any failure to discharge the amount in full of fee due.
- D. All fees and interest required to be paid under this Act shall constitute a personal debt of the buyer and may be recovered in an action of contract.

Section 4. This Act shall take effect on passage;
or to do or act thereon.

Majority Vote Required

Selectboard:

Summary:

2. **Article XX: Agricultural Commission (Right to Farm)** To see if the Town will vote to establish an Agricultural Commission to address and represent agricultural issues and interests in the Town of Wellfleet. The duties and responsibilities of the Commission shall include, but not be limited to:

- Serving as facilitators for encouraging the pursuit of agriculture and aquaculture in Wellfleet;
- Promoting agriculture and aquaculture-based economic opportunities for the Town;
- Acting as mediators, advocates, educators, and/or negotiators in an advisory capacity on farming issues for established Town Committees and Departments;
- Working for the preservation of agriculture lands owned by the town;
- Pursuing all initiatives appropriate to creating a sustainable agriculture community.

Commission Organization: The Commission shall be comprised of five members, at least three of whom shall be engaged in the business of farming or related agricultural industries. The Selectboard shall appoint two members for a three-year term; two members for a term of two years, and three years thereafter, and one member for a term of one year and three years thereafter. Up to three alternate members will also be appointed by the Selectboard, each for one-year terms. Any vacancy shall be filled by the Selectboard.

Majority Vote Required

Selectboard:

Planning Board:

Shellfish advisory Board:

3. **Article XX: Expanding Residential Property Exemption- A Home Rule Petition** To see if the Town will vote to petition the General Court to enact a special act of the Town of Wellfleet,

the text of which is set forth below, and that the General Court be authorized with the approval of the Selectboard to make constructive changes in the text thereof as may be necessary or advisable in order to accomplish the intent of this legislation to secure its passage, as follows; or to take any other action relative thereto:

AN ACT EXPANDING THE EXEMPTION FOR RESIDENTIAL PROPERTY IN THE TOWN
OF WELLFLEET

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding section 5C of chapter 59 of the General Laws or any other general or special law to the contrary, with respect to each parcel of real property classified as class one residential in the town of Wellfleet as certified by the commissioner of revenue to be assessing all local property at its full and fair cash valuation, and with the approval of the Selectboard, there shall be an exemption equal to not more than 35 per cent of the average assessed value of all class one residential parcels within the town of Wellfleet, or such other maximum percentage as may be established from time to time by the General Court; provided, however, that the exemption shall be applied only to: (i) the principal residence of the taxpayer as used by the taxpayer for income tax purposes; or (ii) a residential parcel occupied by a resident of the town of Wellfleet, other than the taxpayer, occupied on a year-round basis and used as the resident's principal residence for income tax purposes. The town of Wellfleet may adopt and amend criteria to determine who qualifies as a resident under this act. This exemption shall be in addition to any exemptions allowable under section 5 of said chapter 59; provided, however, that the taxable valuation of the property, after all applicable exemptions, shall not be reduced to below 10% of its full and fair cash valuation, except through the applicability of clause eighteenth of said section 5 of said chapter 59. Where, under the provisions of said section 5 of said chapter 59, the exemption is based upon an amount of tax rather than on valuation, the reduction of taxable valuation for the purposes of the preceding sentence shall be computed by dividing the amount of tax by the residential class tax rate of the town of Wellfleet and multiplying the result by \$1,000. For the purposes of this paragraph, "parcel" shall mean a unit of real property as defined by the board of assessors of the town of Wellfleet in accordance with the deed for the property and shall include a condominium unit.

SECTION 2. A taxpayer aggrieved by the failure to receive the residential exemption authorized under this act may apply for the residential exemption to the board of assessors of the town of Wellfleet in writing on a form approved by the board of assessors, on or before the deadline for an application for exemption under section 59 of said chapter 59. For the purposes of this act, a timely application filed under this section shall be treated as a timely filed application pursuant to section 59 of chapter 59 of the General Laws.

SECTION 3. This act shall take effect on the first day of the fiscal year following passage of this act and shall apply to taxes levied for fiscal years beginning that fiscal year and thereafter.

Majority Vote Required

Selectboard: Recommends 5-0

Summary: In the interest of creating and retaining year-round rental housing for residents of Wellfleet this article would allow the Selectboard to petition the General Court to expand the residential tax exemption (RTE) to property owners who rent their property on a year-round basis. In order to qualify, the property would need to rent on a year-round basis to a resident of Wellfleet who declares the property to be their principal residence for income tax purposes.

4. Article XX: A Home Rule Petition Authorizing the Commissioner of Capital Asset Management and Maintenance to Grant an Easement in the Town of Wellfleet To see if the Town will vote to petition the General Court to enact a special act of the Town of Wellfleet, the text of which is set forth below, and that the General Court be authorized with the approval of the Selectboard to make constructive changes in the text thereof as may be necessary or advisable in order to accomplish the intent of this legislation to secure its passage, as follows; or to do or act anything thereof.

AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO GRANT AN EASEMENT IN THE TOWN OF WELLFLEET.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the Commissioner of Capital Asset Management and Maintenance, in consultation with the Commissioner of conservation and recreation, may convey, for no monetary consideration, a permanent nonexclusive easement to Judith Blakeley Life Estate, Richard Blakeley Remainderman, and Blackfish Creek Shellfish Company in a portion of a certain parcel of land located within the town of Wellfleet, under the care and control of the Department of Conservation and Recreation and held for conservation and recreation purposes, described in a deed recorded with the Barnstable County Registry of Deeds in book 3377, page 069. The easement may be granted solely for purposes of a curb cut for vehicular access, the benefitted land being described in a deed recorded with the Barnstable County registry of deeds in book 15500, page 50, and shall be subject to the further requirements of this act and subject to such additional terms and conditions consistent with this act as the Commissioner of Capital Asset Management and Maintenance may prescribe in consultation with the Department of Conservation and Recreation.

The easement described in this section shall be comprised of XX square feet of land, more or less, identified as “_____” as shown on the plan of land entitled “_____” dated _____, prepared by _____. The plan shall be filed with the Department of Conservation and Recreation and to be recorded with the Barnstable County registry of deeds along with the easement.

Modifications to the easement description set forth in the plan and the plan may be made by the division of capital asset management and maintenance for conformance with this act. The easement shall be granted without warranties or representations by the Commonwealth.

SECTION 2. Notwithstanding any general or special law to the contrary, the Commissioner of conservation and recreation may grant a license or permit for nominal consideration to Judith Blakeley Life Estate to provide Judith Blakeley Life Estate with use and occupation of the above referenced parcel, and liability and responsibility for such use and occupation, and, for the purposes of this act, such licenses or permits shall govern until the grant of easement authorized in this act takes effect.

SECTION 3. No easement instrument conveying, by or on behalf of the Commonwealth, the easement described in section 1 shall be valid unless such easement instrument provides that the easement shall be used solely for the purposes described in said section 1. The easement instrument shall include a clause that shall state that if the easement ceases to be used by the grantees, or their successors or assigns, for the purposes described in section 1 at any time, the easement shall terminate and all rights shall revert to the Commonwealth under the care and control of the Department of Conservation and Recreation, upon such terms and conditions as the Commissioner may determine.

SECTION 4. The fair market value of the easement described in section 1, or the value in use as proposed, shall be based on independent professional appraisals, as commissioned by the Commissioner of Capital Asset Management and Maintenance. Judith Blakeley Life Estate shall compensate the Commonwealth in an amount greater than or equal to the full and fair market value, or the value in use of the easement as proposed, whichever is greater, as determined by the independent appraisals, plus the reasonable cost of such appraisal. All money paid to the Commonwealth by Judith Blakeley Life Estate as a result of the conveyances authorized by this section shall be deposited in the General Fund. The Commissioner of Capital Asset Management and Maintenance shall submit the appraisals and a report thereon to the inspector general for review and comment. The inspector general shall review and approve the appraisals and the review shall include an examination of the methodology utilized for the appraisals. The inspector general shall prepare a report of the review and file the report with the Commissioner of Capital Asset Management and Maintenance for submission by the Commissioner to the house and senate committees on ways and means and the senate and house chairs of the joint committee on state administration and regulatory oversight. The Commissioner shall submit copies of the appraisals, the report thereon and the inspector general's review and approval, and comments, if any, to the house and senate committees on ways and means and the senate and house chairs of the joint committee on state administration and regulatory oversight prior to the execution of the conveyance authorized by this act.

SECTION 5. As a condition of the conveyance authorized in section 1, Judith Blakeley Life Estate shall, in addition to any compensation from Judith Blakeley Life Estate to the Commonwealth required pursuant to section 3, compensate the Commonwealth for the easement described in this act through the transfer to the Department of Conservation and Recreation of land or an interest therein or funding for the acquisition of land or an interest therein equal to or greater than the appraised value of the easement as determined pursuant to this act. The fair market value of any land or interest in land proposed to be conveyed by Edge to the department pursuant to this section shall be included within the appraisal required by section 3. The land or

interest therein or funding shall be acceptable to the Department of Conservation and Recreation and any land or interest therein, whether conveyed by Judith Blakeley Life Estate or acquired by the department, shall be permanently held and managed for conservation and recreation purposes by the department. All payments made to the Commonwealth pursuant to this section shall be deposited in the Conservation Trust established in section 1 of chapter 132A of the General Laws.

Majority Vote Required

Selectboard: Recommends 5-0

Summary:

5. Article X: Animal Control By-Law

ARTICLE XV ANIMAL CONTROL

15.1 Purpose

The purpose of these by-laws is the control of animals to prevent injury to property, persons and animals.

15.2 Administration

The Board of Selectmen shall appoint an Animal Control Officer who, in addition to any other authorized enforcement officers, shall be responsible for the enforcement of these by-laws.

15.3 Definitions

For the purposes of this bylaw, the following terms shall have the following definitions:

Adequate shelter - Means a structure that is large enough for the animal to stand naturally, turn around and lie down inside of the structure without being exposed to the elements of weather. The roof and walls of the structure are waterproof and windproof. Bedding must be kept dry and changed regularly to preserve insulating qualities. Insulation and an inner wall must be included in shelter for dogs with short fur (example: Pointers, Staffordshire Terriers, Boxers, Labrador Retrievers) to provide adequate protection from cold. During cold weather a moveable flap must be placed over the entrance to a shelter to preserve the animal's body heat. Adequate shelter from sun may be provided by a tarp placed in a manner to provide deep shade and allow air to pass through for ventilation.

Beach – The zone above the water line at a shore of a body of water, marked by an accumulation of sand, stone, or gravel that has been deposited by the tide or waves.

Domesticated Animal – Any of various animals that have been tamed and made fit for a human environment.

Keeper – Any person, other than the owner, possessing, harboring, keeping, or having control or custody of a dog either permanently or on a temporary basis. If a person under the age of 18 owns or keeps a dog, that person's custodial parent(s) or legal guardian(s) shall be responsible for complying with the requirements of these by-laws.

Kennel, commercial – A kennel maintained as a business where four (4) or more dogs three (3) months of age or older are kept for the breeding, boarding, sale, in-residence training, grooming

or other business purposes, and including any shop where dogs are on sale or a kennel of ten (10) or more dogs regardless of the purpose for which the kennel is maintained.

Kennel, residential - Means a collection of four (4) up to and including nine (9) dogs, three (3) months of age or older, owned or kept on a single premises, maintained for any non-commercial purpose except for the sale of one litter per year; provided, however, that a veterinary hospital shall not be considered a kennel unless it contains an area for the selling or boarding of dogs for other than medical purposes.

Vicious Dog - Any dog that attacks, bites or injures any human or domesticated animal without provocation or which, because of its temperament, conditioning or training, has a propensity to attack, bite or injure humans or domesticated animals.

Licensing Period – The licensing period means the time between January 1st and the following December 31st of each year, both dates inclusive.

[Formerly Article III – “General”

Section 25 “Dog Leash Bylaw”]

Section 15.4 Dogs Must Be Leashed ~~No person shall permit a dog to enter within the boundaries of any cemetery in the Town of Wellfleet.~~ All dogs within the territorial limits of the Town of Wellfleet shall be restrained by a leash unless confined to property of their owners. Any dog found running at large will be removed and impounded. The owner of any dog so removed is also liable for boarding expenses at the pound at the established rate. The Town of Wellfleet Police Department (including special officers), the Animal Control Officer, and any other officials whom the Board of Selectmen may from time to time designate shall have the authority to enforce this Section.

Section 15.5 Dog Waste Removal

All dog owners, keepers or persons having control of a dog are responsible for immediately removing and disposing of all solid wastes produced by said dog on any property, other than the property of the dog owner in a sanitary manner and where it will not cause pollution either directly or indirectly.

No written warning shall be given.

Penalties shall be imposed as per Section 15.10.2.(b)

Section 15.6. Barking and Other Noise Caused by Dogs

No person owning, keeping or otherwise responsible for a dog shall allow or permit said animal to annoy another person’s reasonable right to peace or privacy by making loud or other continuing noise, where such noise is plainly audible at a distance of 100 feet from the

building, premises, vehicle, or other means of conveyance or housing of said dog, or where such noise is continuing for thirty (30) 15-minutes. The fact that such noise is plainly audible at said distance or continuing in excess of thirty (30) 15 minutes, or on a daily basis, or, off and on, for more than a week, shall be prima facie evidence of a violation.

15.7 No dog may be left unattended in a parked vehicle, between May 1st and October 1st.

15.8 Licensing and Regulation of Vicious Dogs

15.8.1 Determination of Viciousness

The Animal Control Officer shall investigate all complaints made to the Animal Control Officer, the Town of Wellfleet Police Department, the Board of Selectmen, or the Town Administrator that any dog owned or kept within the Town of Wellfleet has attacked, bitten, or injured any person or domesticated animal, or which by its temperament, conditioning or training has a propensity to attack, bite or injure persons or domesticated animals.

15.8.2. The Animal Control Officer is authorized to make whatever inquiry is deemed necessary to determine the accuracy of said complaint, and if the Animal Control Officer determines that the complaint is accurate, the Officer may find that the dog is vicious and may make such orders as he or she deems necessary to ensure compliance with the provisions of these by-laws and to promote public safety.

15.8.3 Upon determination by the Animal Control Officer that a dog is vicious, the Animal Control Officer shall issue a written order to the owner or keeper of said dog concerning the restraint, **removal** or disposal of such dog as they may deem necessary. At a minimum, said order shall state that the dog has been determined to be vicious and shall require the owner or keeper of such dog to comply with the requirements of **this Bylaw**. ~~Section 15.4, Subsection B of these by laws.~~

15.8.4. Without limiting the generality of the foregoing, the Animal Control Officer may order that said dog be permanently removed from the Town of Wellfleet, that said dog be humanely euthanized in accordance with the provisions of Massachusetts General Laws, Chapter 140, Section 151A, or that said dog be confined in accordance with such limitations as the Animal Control Officer deems appropriate. If an order to euthanize is issued, a certificate must be provided to the Animal Control Officer confirming the action was carried out. If the Animal Control Officer determines that the dog is to be permanently removed, the owner or keeper shall provide the Animal Control Officer with the name, address, and telephone number of the new owner or keeper of the vicious dog.

15.8.5 The owner or keeper of any dog determined to be vicious by the Animal Control Officer may request a hearing before the **Selectboard**. Said request shall be in writing and received by the **Selectboard** within five (5) business days of the owner's or keeper's receipt of the Animal Control Officer's order. A copy of the hearing request shall also be delivered to the Animal Control Officer. The hearing request shall include an explanation of the measures that the owner or keeper intends to take to protect public safety pending disposition of the matter by the **Selectboard**. If the **Selectboard** determines that the measures described are inadequate, it may order that said dog be impounded, at the owner's or keeper's expense, until such time as the **Selectboard** rules otherwise.

15.8.6 After hearing, at which those testifying shall be sworn under oath, the **Selectboard** may affirm the order, reverse or nullify the order, or issue any such order as it deems necessary to ensure compliance with the provisions of these by-laws and the protection of public safety. The determination of the **Selectboard** after a hearing shall be final.

15.8.7. Nothing in this by-law is intended to limit or restrict the authority of the **Selectboard** to act in accordance with Massachusetts General Laws, Chapter 140, Sect.157.

15.9 Control of Vicious Dogs

15.9.1. The Animal Control Officer shall notify the Town Clerk of all dogs determined to be vicious pursuant to the terms of these by-laws.

15.9.2. The owner or keeper of any dog determined to be vicious in accordance with Subsection A of Section 15.4 of these by-laws, which has not been ordered euthanized or permanently removed from Town, shall re-license said dog as “vicious” within thirty days of such determination. A unique licensing number shall be assigned to a vicious dog by the Town Clerk. That number shall be noted on the town licensing files.

15.9.3. No vicious dog shall be licensed by the Town of Wellfleet for any licensing period unless the owner or keeper of such vicious dog displays a sign not to exceed one square foot on his or her premises warning that there is a vicious dog on the premises. The sign shall be visible and capable of being read from the public or private roadway.

15.9.4.All vicious dogs shall be confined in an enclosure approved in writing by the Animal Control Officer. It shall be unlawful for any owner or keeper to maintain a vicious dog upon any premises which does not have a locked enclosure or for any owner or keeper to allow any vicious dog to be outside of the dwelling of the owner or outside of the enclosure, unless it is necessary for the owner or keeper to obtain veterinary care for the vicious dog, or to sell or give away the vicious dog or to comply with the orders or directions of the Animal Control Officer and/or Board of Selectmen with respect to the vicious dog, or to comply with the provisions of these by-laws. In such event, the vicious dog shall be securely muzzled and restrained with a chain having a minimum tensile strength of three hundred (300) pounds and not exceeding three (3) feet in length, and shall be under the direct control and supervision of the owner or keeper of the vicious dog. Vicious dogs shall not be permitted to run loose on any public or private way or any area within the Town of Wellfleet that is open to the

15.9.5 License Revocation – If the Animal Control Officer determines that a vicious dog is being kept in the Town in violation of these by-laws or any order issued by the Animal Control Officer, of **the Selectboard**, or of any Court, the Animal Control Officer shall so notify the **Selectboard**. After giving notice to the owner or keeper of the hearing, the **Selectboard** shall hold a public hearing on whether to revoke the license of said dog or to take further action including banning the dog from the Town or euthanizing the dog. If the **Selectboard** revokes the license of said dog and do not order it to be euthanized, they shall notify the owner or keeper of the dog and the Town Clerk within ten (10) days that said dog will be impounded and euthanized if it is found within the Town after the succeeding seven days. The Animal Control Officer or any Town of Wellfleet police officer shall seize and impound any vicious dog found outside of its enclosure in violation of these by-laws or any order issued by the Animal Control Officer, **Selectboard** or any Court.

15.10 Kennel Licenses, Inspection, and Regulation.

15.10.1 Requirement for Kennel License Any owner or keeper of four (4) up to and including nine (9) dogs, three (3) months of age or older, being maintained at a premises, shall secure a Residential Kennel License. The Town Clerk shall not issue a Residential Kennel License unless the owner or keeper provides the Town Clerk with a veterinarian's certificate verifying that each dog three (3) months of age or older is currently vaccinated against rabies. Any owner or keeper of ten (10) or more dogs, three (3) months of age or older, or of a premises maintained as a commercial kennel, shall obtain a Commercial Kennel License.

15.10.2 Application and Issuance of Kennel License and Fees: A Residential or Commercial Kennel License shall be issued annually by the Town Clerk upon written application by an owner or keeper of dogs and after inspection of the kennel and a determination, made by the Animal Control Officer, that the basic standards of cleanliness, proper care, confinement and adequate shelter of said dogs exist on the premises. The name and address of the owner or keeper of each dog kept in any kennel, if other than the person maintaining the kennel, and a veterinarian's certificate verifying that each dog, three (3) months of age or older, is currently vaccinated against rabies and kennel cough, shall be kept on file on the premises and available for inspection by the Animal Control Officer or any authorized persons. Such license shall be in the form prescribed by the Town Clerk.

The Residential Kennel License fee shall be fifty dollars (\$50.00). The Commercial Kennel License fee shall be one hundred fifty dollars (\$150.00). The Town Clerk shall, upon application, issue without charge a Commercial Kennel License to any domestic charitable corporation, incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse, and for the relief of suffering among animals. The holder of a license for a kennel shall cause each dog kept therein to wear, while it is at large, a collar or harness of leather or other suitable material, to which shall be securely attached a tag upon which shall appear the current dog license information of the town of where the dog resides. A veterinary hospital shall not be considered a kennel unless it contains an area for the selling or boarding of dogs for other than medical purposes, in which case it shall apply for a Commercial Kennel License. The license period for a kennel license shall be from January 1 to December 31, inclusive. Kennel licenses are non-transferrable.

15.10.3 Inspection The Animal Control Officer, Animal Health Inspector, or any agent authorized by the Town may at any reasonable time inspect any kennel or premises for which a Residential or Commercial Kennel License has been issued.

15.10.4 Loss of Kennel License If the Animal Control Officer, Animal Health Inspector, or other authorized agent, after inspection, determines that the kennel or premises that are the subject of a kennel license are not kept in a sanitary or humane condition, or if records are not kept as required by law, the inspecting officer shall notify the **Selectboard** of that determination and the facts upon which it is based. The **Selectboard** may, by order after a hearing, revoke or suspend such license. If a license has been revoked or suspended, the license may be reinstated after inspection and a reinstatement order by the **Selectboard** after a new hearing.

15.10.5 Procedure for Complaint to the Selectboard Upon written petition of any person or persons, filed with the **Selectboard**, setting forth that they are aggrieved or annoyed to an unreasonable extent by one or more dogs at a kennel because of excessive barking or vicious disposition of said dogs, or other conditions connected with such kennel constituting a public nuisance, said **Selectboard**, within seven (7) days after the filing of such a petition, shall give notice to the owner or keeper of the kennel, the petitioner(s), and any other person the

Selectboard determine should be given notice, of a public hearing to be held within fourteen (14) days after the date of such notice. Said notice shall also be posted on a Town bulletin board. Within seven (7) days after such public hearing, said **Selectboard** shall make an order either revoking or suspending such kennel license, or otherwise regulating said kennel or premises, or dismissing said petition.

15.10.6 Petition for Relief to Court The holder of a kennel license or other person who is the subject of an order under Section 15.5E may petition the district court for relief in accordance with Massachusetts General Laws, Chapter 140, Section 137C.

~~See Section 15.10 Fines and Penalties. 1. Fines—Any person maintaining a residential or commercial kennel after the license has been so revoked, or while such license is so suspended, or who has failed to obtain a license for the kennel in violation of this By-law, Section 15.5, may be punished by a fine of fifty dollars (\$50.00) for each day in violation of this By-law.~~

15.11. Fines and Penalties

15.11.1 Criminal Disposition - In addition to any other legal remedies that may be available, the Animal Control Officer or other designated enforcing person, may enforce this By-law by Non-Criminal Disposition. If a Non-Criminal Disposition process, as provided in Massachusetts General Laws, Chapter 40, Section 21D and the Town’s Non-Criminal disposition By-law is elected, then any person who violates the provisions of **ARTICLE XV, Section §15. of the Town’s General By-laws** shall be subject to **the following enforcement fines and penalties.**

The enforcing officer may give a written Warning for the first offense or shall impose the following fines:

First Offense	\$50.00
Second Offense	\$100.00
Third Offense	\$300.00
Fourth and subsequent offenses	\$500.00

Each day or portion thereof shall constitute a separate offense. If more than one, each provision violated shall constitute a separate offense.

15.11.2 These penalties shall apply to all violation of Wellfleet’s General Bylaws, ARTICLE XV ANIMAL CONTROL, Section 15 except that:

(a.) Section 15.5 Dog Waste Removal which shall be fined immediately as a First Offense and subsequently, as listed for the Third, Forth and subsequent offenses, with no written warning;

(b.) Section 15.9 Kennel Licenses, Inspection and Regulation shall be subject to a penalty in the amount of fifty dollars (\$50.00) per day for each day of violation. Each day or portion thereof shall constitute a separate offense. If more than one, each provision violated shall constitute a separate offense.

*Attorney will provide full review of language supplied on 04/15/2021.

Article XX Short Term Rental Tax

To see if the Town of Wellfleet accepts the provisions of G.L. c. 64G, § 3A for the purpose of imposing a local excise upon the transfer of occupancy of a room in a bed and breakfast establishment, hotel, lodging house, short-term rental, or motel located within that city or town by an operator at a rate of 6 percent of the total amount of rent for each such occupancy. This section shall take effect on the first day of the calendar quarter following 30 days after its acceptance or on the first day of a later calendar quarter as the city or town may designate. The city or town, in accepting this section, shall not revoke or otherwise amend the applicable local tax rate more often than once in a 12-month period.

Explanation: This would raise Wellfleet's short-term rental tax from 4% to 6%, doing so will yield an estimated \$375,000 in additional tax revenue per year and will help limit the increase in property taxes. Due to the cycle of short term rental bookings the town will not receive the full benefit of this increase until FY 2023.

Majority vote required

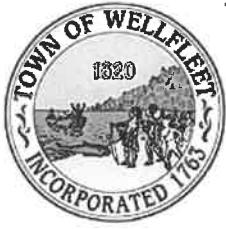
ARTICLE xx: Wastewater Budget Authorization. To see if the Town will vote to appropriate a sum of money, not to exceed \$432,746 for the purpose of managing and monitoring elements of a comprehensive wastewater management plan so called "208 plan". This includes the cost of a subcontract to inspect and monitor "enhanced" IA septic systems as required by DEP, operations and maintenance costs associated with the Town's share of wastewater treatment facilities at 95 Lawrence Road, additional support for the shellfish department's propagation program, a Water and Wastewater Director, grant writing support, monitoring and reporting associated with the initial wastewater projects 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 allocate funds that were created and authorized for that purpose.

SUMMARY: The Town does not currently have any capacity to implement a State and Federally required wastewater plan and is required to do so under the State and EPA approved "208 Plan". This authorization would enable the Town to operate and manage a department that would oversee water and wastewater operations and facilities.

ARTICLE xx: Wastewater Capital Authorization. To see if the Town will vote to appropriate a sum of money, not to exceed \$6,431,886 for the purpose of planning, designing and undertaking elements of a comprehensive wastewater management plan so called "208 plan". This includes the design and permitting of wastewater facilities in conjunction with an Affordable

Housing Development at 95 Lawrence Road that will also initially connect Town Buildings, cost share for installation of “enhanced” I&A septic systems, design and installation of tidal control facilities at Hawes Pond and Mayo Creek for Salt Marsh Restoration and installation of a pilot permeable reactive barrier project on Commercial Street 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 8 of the General Laws, or pursuant to any other enabling authority including the Massachusetts Water Pollution Abatement Trust, 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 Massachusetts General Laws (Proposition 2 ½) or take any other action in relation thereto.

SUMMARY: The Town does not currently have any capacity to implement a State and Federally required wastewater plan and is required to do so under the State and EPA approved “208 Plan”. This authorization would enable to Town to seek grant sources, SRF financing, Cape Cod Water Protection Funds, Section 319 Federal grants, Massworks, USDA, EPA, DEP and other sources of support which cannot be applied for without a Town commitment. This authorization covers an expected 5 year period to undertake a variety of efforts to meet nutrient reduction targets established by the Massachusetts Estuary Project in Town watersheds. Funds will not be expended without the approval of the Board of Selectmen and Town Administration.



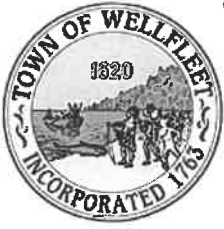
SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: April 20, 2021

IV

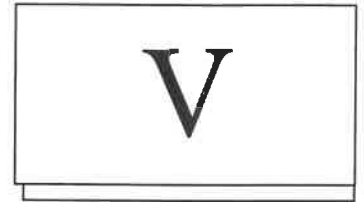
SELECTBOARD REPORTS:

Reported by:	Topic:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: April 20, 2021



TOPICS FOR FUTURE AGENDAS

Requested by:	Topic:	Requested to be on:



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: April 20, 2021

VI

CORRESPONDENCE AND VACANCY REPORTS



SELECTBOARD

AGENDA ACTION REQUEST
Meeting Date: April 20, 2021

VII

ADJOURNMENT

REQUESTED BY:	Selectboard Chair Michael DeVasto
DESIRED ACTION:	To Adjourn
PROPOSED MOTION:	I move to Adjourn
ACTION TAKEN:	Moved By: _____ Seconded By: _____ Condition(s):
VOTED:	Yea _____ Nay _____ Abstain _____