Agenda
Board of Selectmen
December 6, 2011 4:00 pm
Town Hall Annex Meeting Room

Please Note: This meeting will broadcast live and will be available shortly thereafter for scheduled and on demand viewing. If anyone is recording the meeting, please notify the Chairman.

I. Minutes
November 29, 2011

II. Public Forum

III. New Business

A. Council on Aging Board of Directors and Friends of the Council on Aging Request to Discuss Succession Planning Due to the Retirement of the COA Director

B. Mutual Aid Laws Adoption – MGL c 40, Section 4j; 4k

C. Local Comprehensive Plan Review/Update; BOS Items (Continued from 11/15/11 & 11/22/11)

D. CPRC Update by BOS Liaison as needed (Sel. Sussman)

E. Town Manager's Report

F. Report from David Whitcomb – Regional School Building Committee

G. Executive Session: Collective Bargaining Strategy Session (MGL Ch.30A, §21#3) - CMEA

IV. Other Business

Board of Selectmen Meeting Minutes
November 29, 2011
Town Hall Annex Meeting Room

Members Present: Chairman Florence Seldin, Timothy Roper, Len Sussman, Sean Summers and David Whitcomb also present Jill Goldsmith, Town Manager.

Chairman Florence Seldin called the meeting to order at: 4:01 pm.

I. Minutes

November 22, 2011 – Page 7 sentence regarding the National Science Foundation review should read: *People from several towns requested* a National Science Foundation review of the UMASS models for the determination of the nitrogen TMDLs (total minimum daily load) however, no Town's or the State were willing to provide money.

MOTION by Mr. Whitcomb: to approve the minutes as amended.
Seconded by: Mr. Roper
Vote: 3-0-2 (Mr. Sussman and Mr. Summers abstained)

II. Public Forum

Chief Pawlina announced Chatham PD will be conducting a Citizen's Police Academy – opportunity for citizens to engage and learn about the different areas of policing such as police procedures, patrol procedures, accident investigation and reconstruction, and forensics. This is a great way for the citizens to get to know the why things are done the way they are done. The citizen's academy is also an opportunity for police officers to engage with the public. There are openings for fifteen (15) participants. The Citizen's Police Academy begins Tuesday, January 17, 2012, continuing every Tuesday for eight (8) weeks. Each session will be approximately 3 ½ hours.

Applications are available at the Chatham Police Department. The deadline to return the applications is December 15, 2011.

III. New Business

A. Water Street/Old Village Association – Donation to Remove Invasive Vegetative Species
Mr. John Whalen, Director, Old Village Association (OVA), read a letter Nancy Koerner, President of the Old Village Association, sent to Chairman Seldin. OVA would like to see the area at the eastern end of Water Street restored to its former condition to restore the view to Pleasant Bay, North Beach and beyond. The top of the bank has become overgrown with invasive species that should be removed and the area restored with native plantings. OVA would like to donate funds in the amount of $8,500 for the restoration of this area.

Hope to have this project completed by Spring, 2012

MOTION by Mr. Sussman: to accept this donation.
Seconded by: Mr. Roper
Vote: 5-0-0

B. All Annual Liquor License Renewals

New England Pizza #3 – renewal application has not been recieved. The application must be received by tomorrow. However, the BOS can approve the license contingent upon receipt of the renewal application by November 30, 2011.

Mr. Whitcomb pointed out Del Mar was not on the renewal list received by ABCC.

Kristin Sullivan, Local Licensing Agent, noted a renewal application was not received from ABCC. However, the BOS can approve contingent upon a signed application being received by November 30, 2011.

Ms. Seldin pointed out for further clarification the Red Nun's renewal is specifically for the indoor seating capacity of 28 seats. Must file alteration of premises for the outdoor patio which has not been received as of yet. The BOS is only voting on the 28 inside seats.

William Gray – Marley's Restaurant, stated they submitted the renewal application. The restaurant has been for sale for the past year. They now have purchase and sales agreement and hope to have the closing by the end of 2011. The new owners would like to do extensive renovations. They will seek a closure in order to do the renovations.

Mr. Whitcomb asked if Marley's is currently open and intends to remain open until the sale is completed.

Mr. Gray stated they are open and will likely close a few days prior to the closing in order to take care of the details inside.

MOTION by Mr. Roper: to approve all annual liquor licenses with the exception of New England Pizza #3 and Del Mar (will be voted on separately)
Seconded by: Mr. Whitcomb and Mr. Sussman
Vote: 5-0-0

MOTION by Mr. Sussman: to approve the annual liquor license for New England Pizza #3 and Del Mar contingent upon receipt of a signed renewal application by November 30, 2011.
Seconded by: Mr. Roper
Vote: 5-0-0

C. Annual License Holders; Request for Temporary Closing

Heather Cantin on behalf of The Chatham Cheese Company has requested a temporary closing from January 1, 2012 through April 15, 2012.

Mr. Whitcomb questioned why The Chatham Cheese Company has an annual license versus a seasonal.

Ms. Sullivan explained that the Town did at one time have seasonal retail licenses but over time they were converted to annual licenses and there are no seasonal retail licenses available.

MOTION by Mr. Summers: to allow temporary closure of The Chatham Cheese Company from January 1, 2012 to April 15, 2012.
Seconded by: Mr. Roper
Vote: 5-0-0

The Chatham Wayside Inn has requested a closure from January 4, 2012 through January 26, 2012.
MOTION by Mr. Roper: to approve the temporary closure of the Chatham Wayside Inn.
Seconded by: Mr. Sussman
Vote: 5-0-0

D. Seasonal Alcohol Licenses; Request for Extension

Diane Fogg, on behalf of the Captain's Table requests an extension of the seasonal liquor license through January 1, 2012 to open for select days within the month of December to coincide with special events including but not limited to the Chatham Stroll and First Night.

MOTION by Mr. Roper: to grant the request for an extension of the seasonal liquor license for the Captain's Table.
Seconded by: Mr. Sussman
Vote: 5-0-0

Stephen Vining, on behalf of Vining's Bistro requests an extension of the seasonal liquor license through the weekend of December 3, 2011 and again on December 31, 2011 for First Night.

MOTION by Mr. Roper: to grant the request for an extension of the seasonal liquor license for Vining's Bistro.
Seconded by: Mr. Sussman

Vote: 5-0-0

Bob Gardner, on behalf of Pate's Restaurant requests an extension of the seasonal liquor license from December 1, 2011 to January 15, 2012.

MOTION by Mr. Roper: to grant the request for an extension of the seasonal liquor license for Pate's Restaurant.
Seconded by: Mr. Whitcomb
Vote: 5-0-0

E. Sewer Construction Project; Report on Police Details and Advertising

Chief Pawlina spoke of the significant planning and coordination that went into the traffic plan for the sewer project. This plan changes weekly and sometimes daily based on the work that was accomplished the day before, weather, etc. An example of an adjustment made based on observations, input, and time of year: the officer who was stationed at the George Ryder Rd. intersection has been removed and are now relying on signage only as most people know the detour and the traffic pattern. Chief Pawlina explained there was an amount of concern brought forth by businesses and requests to have the detour moved up to Barn Hill Road. This cannot safely be accomplished however; the police department did adjust the location of the officer and signage to open up a clearer path to Shop Ahoy and other businesses.

Currently there are six officers assigned to the traffic detail for the sewer project. Chief Pawlina pointed out some individuals were confusing gas company work because it was close in proximity to sewer project. Utility work is completely separate and the detail officers are hired privately by the utility companies.

Chief Pawlina addressed a clause in the police union contract that has been there for many years regarding paid details: Section 1 indicates "paid details shall be offered to bargaining unit members prior to being offered to special officer, reserve officer, or any other person in accordance with the procedures of Section 2". In essence, a paid detail must first be offered to Chatham Police Officers.

He added the issue of using flaggers in has come up. Flaggers for public projects receive a prevailing wage so there is no cost savings. The Chief provided examples of rates for flaggers recently used in other communities $52 per hour in Harwich and $49 per hour in Sandwich. Flaggers have limitations as to what traffic functions they can perform. Intersections are particularly a problem. If work is being done at an intersection such as Old Queen Anne Road, Main Street and Lime Hill Road, flaggers are not allowed to perform as a control device at an intersection. They can stop traffic and move traffic along on a single lane but they cannot stop traffic at one intersection street to allow

traffic through from another intersecting street unless you put a flagger on each street but you still have to hire a police officer. This intersection would require three flaggers and one police officer to coordinate this intersection. Flaggers also do not have radio capability or emergency response capabilities. Police officers know Chatham where flaggers from other communities do not know this community. For roughly the same amount of money it would cost for a flagger, police officers provide safety, effectiveness, efficiency (including cost) and accountability. Chief Pawlina stated he has full accountability over police officers – does not have that with flaggers.

The Chief added that although there have been complaints there have also been many positive comments. He read from one letter that was sent commending Officer Michael Murphy for his helpfulness, kindness and pleasant manner while working the detail at George Ryder Road and Rt. 28.

Mr. Summers asked if all assignments are paid at prevailing wages such as gas work.

Mr. Pawlina stated he believes all flaggers have to be paid prevailing wages.

Dr. Duncanson clarified the prevailing wage rate for flaggers only apply to public projects.

Mr. Summers asked in CPD officers are there on overtime.

Chief Pawlina replied they are on overtime.

Ms. Seldin asked if there is a limit to the number of detail hours an officer can work?

Chief Pawlina stated an officer can work a maximum of 16 hours per day (8 hour regular shift, 8 hour detail) but given the hours of road work it is more likely officers will work details on their days off. Explained the origins of details being in the contract is Chatham Police officers did not want the Town hiring officers from other communities if they received a cheaper rate.

Chief Pawlina stated as challenging as this project has been Lt. Anderson and Sgt. Glover have done an outstanding job working with the contractor and businesses.

Advertising (Discussion for this topic followed the Mitchell River Bridge agenda item)

Dr. Duncanson announced the Town has spent or have committed to: $158,696.85 including Fall 2010, Spring 2011 and Fall 2011 in the business advertising program. This represents 3% of project cost. Where the money was spent was agreed to through the

work group process, business owners and a couple of representatives from the Chamber.

Ms. Seldin asked if there will be a need to continue advertising in future years.

Dr. Duncanson said that as the project moves forward there will be more construction on Rt. 28 and businesses will be affected. He suspects the business community will raise similar concerns and request some level of mitigation of some manner.

Ms. Seldin - Why advertise in Chronicle when it's read mostly by locals.

Dr. Duncanson stated it was decided upon with business owners. There are people outside of Chatham who read it and it also supports a local business.

Mr. Roper – thinks radio ads have been helpful, reaches a broader audience and especially helpful to people while they are driving in their cars.

Dr. Duncanson said there will be some level in of advertising in the Spring. Paving will impact stretch between Barn Hill and Old Queen Anne. Not just a simple overlay. There will be some impact. This was a policy decision for BOS.

Mr. Summers would like to come back prior to the Spring to discuss this issue. BOS needs to periodically review expenditure.

Dr. Duncanson stated advertising is scheduled to continue next week with construction hopefully being finished by Dec. 9th.

Lisa Franz, Chatham Chamber of Commerce, stated the advertising was necessary and appreciated by the business community. It has changed over the different construction phased because they have gone with what has worked. Radio has proven to be very effective.

Mr. Summers raised concerns of the way the money was allocated specifically running an All Roads lead to Chatham ad in Chatham newspapers.

Ms. Franz pointed out that construction is Monday through Friday when businesses are affected. The local market that is here at that time are local residents - the Monday – Friday people who are here.

Ms. Seldin would like to address mitigation for businesses in February when the BOS discusses the Spring schedule.

F. Mitchell River Bridge MOA and Update (MDOT Joseph Pavao)
Joseph Pavao, Mass DOT Highway Division, Project Manager assigned to the MRB project
Jeff Shrimpton, MASS DOT Cultural Resource Division, author of the Adverse Effect Finding

Mr. Pavao provided a recap of the project and meetings that were held over the past year with the Sec. 106 consulting parties. A Repair Rehabilitation Report and Alternative Analysis Report were prepared. The first report was complete in March and the second in April. The Alternative Analysis Report looked at five alternatives for replacement of the Mitchell River Bridge (MRB). Two alternatives were added as an addendum to that report.
MASS Dot has consistently supported Alternative 5 an all modern bridge (steel and concrete) with some architectural elements to keep look of the bridge. After looking at the reports and listening to some of the comments of the consulting parties and the general public Mr. Pavao stated they were leaning towards Alternative 3 (modern sub-structure of steel and concrete in the water with a fully wooden super structure).

Since meeting in August Mass DOT has continued to move forward and has developed an adverse effect finding for this project and MOA. The Adverse Effect is the same regardless of what alternative is chosen. The MOA stipulates how Mass DOT and Federal Highway intend to mitigate the removal of the bridge. Those documents have been sent out by Federal Highway in early November for review which is typically a 30 day review.

Mr. Roper questioned how much time was spent looking into Alternative 1B especially with the concerns raised by the consulting parties and historic preservation groups.

Mr. Pavao stated they started looking at the alternatives in January when the Alternative Analysis Report was prepared. The Adverse Effect Finding is acknowledging that the entire structure is being removed from this location and replaced with a new structure. The Adverse Effect will be is the same for all the alternatives. Determined Alt. 5 from an engineering point of view is the best alternative but did not address the context sensitivity of removing this bridge. Mass DOT moved to Alt. 3 as it provides a good balance between uses of bridge, addresses context sensitivity (similar to what is there and 1B) but provides for a very reliable structure.

Mr. Roper asked what happens to the NEPA process if the advisory council and/or MA SHPO don't sign the MOA.

Mr. Shrimpton explained the MOA is part of the Sec. 106 process which has to be resolved before NEPA process. He continued to explain the signatory process. The three signatories on the MOA are the advisory council on historic preservation, MA State

Historic Preservation Officer (SHPO) and the Federal Highway Administration (FHA). Two invited signatories are the Chatham BOS and Mass DOT. All of the other consulting parties as recognized by the FHA have been asked to sign as concurring parties.

The three signatories must sign MOA in order for it to go into effect. If one does not sign then it is covered under the regulations under Sec. 800.7 Failure to Resolve the Adverse Effect - there no MOA. The three signatories must then determine if it would be productive to carry on further consultation. If one of the 3 determines further consultation would not be productive than that signatory can terminate consultation. If the Secretary of Transportation decides to terminate consultation the Secretary must notify the advisory council and all of the consulting parties and give each a chance to comment (45 day comment period). The Secretary must take those comments into consideration before making determination on how to proceed with the project. If the Council terminates, the Council must notify the Secretary and the Federal Preservation Officer of the agency as well as all consulting parties. The Council will then provide comments and also provide all consulting parties with 45 days to comment. The Secretary must take those comments into consideration. If the SHPO terminates, the Council and the Agency can create a new MOA that omits SHPO.

Ms. Seldin asked when Mass DOT will know if the three parties have signed the MOA.

Mr. Shrimpton spoke with his contact at the FHA and no comments have been received from the Advisory Council.

Mr. Whitcomb asked if the Nov. 9th letter kicked off the timeline.

Mr. Pavao explained they expect comments from the SHPO and Advisory Council by the second week of December. Once the comments are in FHA will consult with Mass DOT and they will address comments, if there are any. They are hoping to have the MOA signed by end of year.

Mr. Summers asked what formal action of the BOS would be helpful to move this process along.

Mr. Pavao responded any comments on MOA and the Adverse Effect Finding would be welcomed.

Ms. Seldin invited public comments and asked that remarks not be personalized nor should remarks reflect recriminations or accusations.

Mr. Pacon, Friends of Mitchell River Bridge (FOMRB), addressed three major points: why the FOMRB feel the 106 Process has failed to comply with requirements and regulations

of the process, why the FOMRB feel Alt. 3 has been chosen and what they and other consulting parties intend to do.

Bill Horrocks, 26 Ivy Lane, stated it is important, especially on the eve of 300th celebration, to retain a true historical gem which can be done.

Michael Pease, Pease Boat Works and Marine Railway, stated his support for Alt. 3.

Maryann Gray, Stage Harbor Rd., voiced concerns of safety involved with change of design that the level surface will encourage and increase speed of approaching cars.

Gloria Freeman, Kendrick Road, stated according to the FOMRB engineer Alt. 1B will allow 25 ft. channel. She spoke in support of Alt. 1b or another option that would truly minimize, mitigate or avoid harm to the MRB.

Spencer Grey, Lienau Drive, feels Alt. 1B wasn't given the attention it should have been given. He is also concerned about vehicles speeding if the span is leveled off.

Phil Richardson, 49 Shattuck, spoke in favor of Alt 1b.

Mr. Pavao responded the concern over speeding is an enforcement issue. The bridge has to be designed for a 30 mph design speed to ensure the bridge is safe for travel. There is some grade similar to what is there today. Width is currently 24' curb to curb with the new design increasing the width by 2' - 11' lanes with a 1' offset.

Mike Bastoni – environmental Group – Sec. 4F "avoidance" no build, build on new location, rehabilitate without – 4f document will be included in the EA.

No further action by the BOS

G. Report from David Whitcomb – Regional School Building Committee

The RSBC met Nov. 22 at Harwich HS library. The Owner's Project Manager Sub-committee has recently established a timetable to hire an OPM. On November 23 advertisements for an OPM were placed in the National Register and Cape Cod Chronicle. The deadline to apply is 4:00 pm on Dec. 7th. The OPM subcommittee will review those responses at its meeting on Dec. 7th and 8th at 4:30 pm. From the RFS they will select 3-5 finalists who will be interviewed on Dec. 14th. Once they choose a candidate for OPM the selection will be sent to MSBA for approval. They expect to execute contract on 1/13/2012. Once OPM is on board they will look at model schools.

They have an aggressive schedule and have been sticking to it. They are hoping to get this to the May Town Meeting. The group toured Ashland HS yesterday which is a phenomenal facility. The facade of the Monomoy Regional High School would indicate local flavor. Architectural Sub-committee will look at aesthetics.

Ms. Goldsmith announced she received an informal email from Mass DOT regarding Chatham's Project Initiation Request for the Rt. 28 road improvement project. The request has been approved to be forwarded to Metropolitan Planning Organization who does an annual review of TIP listing. They will then send to joint transportation committee to be reviewed for its merits. The application has been deemed complete. The formal letter is expected any day.

The BOS decided not to meet on 12/27. Town offices will be closed on 12/26.

The BOS extended condolences to family of Tottie Everett.

IV. Other Business

MOTION by David: to adjourn.
Seconded by: Len
Vote 5-0-0

Meeting adjourned at 6:23 pm.

Respectfully submitted

Kristin M. Sullivan

A

Jill Goldsmith

From: Gerry Panuczak
Sent: Wednesday, November 30, 2011 2:55 PM
To: Jill Goldsmith; Alix Heilala
Subject: FW:
Attachments: 20111130144945016.pdf

Jill/Alix,
Attached is the letter from the COA BOD requesting a meeting with the BOS. They mention in the letter that they are a "regulatory agency". I have reviewed the original Town Meeting adoption language as well as spoken to Town Counsel on this, and they are not a regulatory board. Regulatory boards develop rules and regulations that will be adopted and enforced by the Town of Chatham. The COA BOD has a "purpose of coordinating or carrying out programs designed to meet the problems of the aging in cooperation with programs of the Commission on Aging" as defined in the 1974 Town Meeting document.
Gerry

-----Original Message-----
From: RICOH6000@chatham-ma.gov [mailto:RICOH6000@chatham-ma.gov]
Sent: Wednesday, November 30, 2011 2:50 PM
To: Gerry Panuczak
Subject:

This E-mail was sent from "RNPE6CEC7" (Aficio MP 6000).

Scan Date: 11.30.2011 14:49:44 (-0500)
Queries to: RICOH6000@chatham-ma.gov

cc: GP
BOS & future agenda file

RECEIVED
NOV 23 2011
TOWN MANAGER
TOWN OF CHATHAM

November 22, 2011

To: The Chatham Board of Selectmen

From: The Board of Directors of the Chatham Council on Aging

Recently, our current COA Director, Ellen Ford, announced her retirement to take effect in December, 2011. We have been informed that consideration is being given to not replacing her with a full time Director.

Our role as defined by legislation passed by the Town in a Town Meeting in 1974 , pursuant to Chapter 40: Section B of the General Laws of Massachusetts, indicates we are a regulatory agency that reports to the Chatham Selectmen and the Massachusetts Office of Elder Affairs.

We have met with our associates the Friends of the Chatham Council on Aging and determined that the COA needs a full time qualified Director with experience in elder affairs. At the same time, we are seeking to develop a more comprehensive plan to provide a more active role for the COA Board that will enhance the mission of the COA in Chatham.

To move on these plans we are requesting a meeting with the Board of Selectmen and the Town Manager. We are looking forward to this meeting and the development of our plans for a more effective COA for Chatham.

Respectfully yours,

Alvin L Stern

Alvin Stern
Board Chairman
Chatham Council on Aging

cc: Chatham Town Manager
Massachusetts Office of Elder Affairs

Article 34. Voted that the sum of $9,927.00 be transferred from funds in the Federal Revenue Sharing Bank Account for the purpose set forth in this Article and that the Selectmen and the Police Chief be authorized to trade in the vehicles now in use as described in this Article. Scattered Nays

Article 35. Voted that the sum of $1,987.00 be transferred from funds in the Federal Revenue Sharing Bank Account for the purpose set forth in this Article and that the Selectmen and the Shellfish Constable be authorized to trade in the vehicle now in use as described in this Article. Scattered Nays.

Article 36. Voted that the sum of $3,623.00 be transferred from funds in the Federal Revenue Sharing Bank Account for the purpose set forth in this Article and that the Selectmen be authorized to carry out its provisions. Scattered Nays

Article 37. Voted that the Town authorize and instruct the Moderator to appoint a Committee as set forth in this Article and raise and appropriate the sum of $500.00 for the expenses of said Committee. Scattered Nays

Article 38. Voted to raise and appropriate the sum of $300.00 for the purpose set forth in this Article. Scattered Nays.

The meeting was recessed at 9:00 p.m. and reconvened at 9:25 p.m.

Article 39. Voted that the Town amend the Protective By-Law as printed in the Article in the Warrant, except that in the third paragraph, third line, remove the word "motor" and insert the words "dune buggy type", so the line shall read: "Private Club, non-profit, operating dune buggy type vehicle races". 392 in favor, 18 opposed.

Articles 39 & 40 were adopted May 14, 1974. Approved June 18, 1974.

Article 40. Voted to change the present R-10 Zone to General Business, the land of which the Southwest corner is located about 1200 feet northerly from the intersection at George Ryder Rd. with Route 28 on the easterly sideline of said George Ryder Rd. and being all the land bounded on the West by the Town road known as George Ryder Rd. and on the North, East and South by land of the Town of Chatham known as Chatham Municipal Airport.
349 in favor, 96 opposed.

A motion was made to reconsider Article 40 and the Meeting voted to change the present R-10 Zone to General Business III, the land of which the Southwest corner is located about 1200 feet northerly from the intersection at George Ryder Road with Route 28 on the easterly sideline of said George Ryder Road and being all the land bounded on the West by the town road known as George Ryder Road and on the north, east and south by land of the Town of Chatham known as Chatham Municipal Airport.
360 in favor, 79 opposed.

Article 41. Voted to name the Town Building located at 22 Cross Street, now known as the Berry House, after the name of the original owner, the John Perry House.

Article 42. Voted to create a Council on Aging and adopt the By-Law as printed in this Article in the Warrant in accordance with the provisions of Chapter 40, Section 8B of the General Laws. 486 in favor, 7 opposed

Article 42 was adopted May 14, 1974. Approved A.G. July 2, 1974

Article 43. Voted to raise and appropriate the sum of $300.00 for the purpose set forth in this Article, said money to be spent under the direction of the Selectmen. Scattered Nays.

Article 44. Voted that the sum of $350.00 be raised and appropriated for the purpose set forth in this Article and that the Selectmen be authorized to carry out its provisions. Scattered Nays.

Article 45. Voted to instruct the Selectmen to appoint a Shellfish Advisory Committee as set forth in this Article and that the sum of $200.00 be raised and appropriated for the purposes of said Committee. Scattered Nays.

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PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE VII. CITIES, TOWNS AND DISTRICTS

CHAPTER 40. POWERS AND DUTIES OF CITIES AND TOWNS

PURPOSES FOR WHICH TOWNS MAY APPROPRIATE MONEY

Chapter 40: Section 8B. Council on aging; establishment; annual reports; recommendations by department; clerks and employees

Section 8B. A city by ordinance or a town by by-line may establish a council on aging for the purpose of coordinating or carrying out programs designed to meet the problems of the aging in coordination with programs of the department of elder affairs. The council shall submit an annual report to the city or town and shall send a copy thereof to the department of elder affairs. Said department shall from time to time review and evaluate such reports and make recommendations as to any required or needed changes in said local programs. The council may appoint such clerks and other employees as it may require. The names, addresses, telephone numbers, or other identifying information about elderly persons in the possession of the council shall not be public records, but the use of these records shall comply with sections 14 to 24, inclusive, of chapter 19A as a condition of receiving a government contract, program grant or other benefit, or as otherwise required by law.

Date:	Subject:	Type:	Article:	Page:
5/13/1974	To Create a Council on Aging	ATM	42	59
12/17/1974	Sums for the Use of the Council on Aging	STM	10	75
5/9/1977	$750 to Purchase Office Equipment to Improve Newsletter Service at Council on Aging	ATM	20	119
11/19/1979	Employing an Architect to Develop and Draw Plans for a Building to Be Used by the Council on Aging	STM	8	
6/26/1990	Council on Aging	Special To	7	42
5/10/1993	Full Time Clerk at the Council on Aging	ATM	14	190
5/11/1993	Council on Aging	ATM	31	196

in use.
Shellfish Constable)

e Town will vote to raise and appropriate
ble funds the sum of Three Thousand Six
: Dollars ($3623.00) to purchase a 1974 ¾-
se by the Harbor Master and authorize the
he provisions of this Article.
Harbor Master)

e Town will vote to authorize and instruct
appoint a committee consisting of five (5)
the Town to study the make-up and
Departments and Boards; said committee
nicipal Operations Study Committee", to
vith recommendations to the next Annual
raise and appropriate the sum of Five
.00) for the necessary expenses of said

Board of Selectmen)

e Town will vote to raise and appropriate
red Dollars ($300.00) to defray the cost of
he Town By-Law Study Committee.

e Town will vote to amend the Protective
ows:
By-Law, Section 2.1, after "Residence
sert "Residence District R-10B".

Schedule of Use Regulations) in first
R-10A" insert column headed "R-10B".
ode letters are the same as currently

, in Appendix I, under "Institutional",
ential" insert the following paragraph:
-profit, operating motor vehicle races"
letters (Reading across):

R-10	R-10A	R-10B	LB	GB	I
O	O	A	O	O	O

On Protective By-Law Map of Chatham, Massachusetts, March 10, 1969 Amendments to map dated Feb. 1, 1957, change R-10 District bounded by Sam Ryder Road on East, R-20 District on North, "C" and "M" Districts on West and Middle Road on South, to "R-10B".

or take any other action relative thereto.
(By Petition)

Article 40. To see if the Town will extend the General Business Zone now located at the junction of State Highway Route 28 at its intersection of George Ryder's Road known as the Stop and Shop property easterly on the southerly side of George Ryder's Road from the said Stop and Shop property to the land of Chatham Municipal Airport a distance of approximately 1800 feet more or less and with a depth of 300 feet southerly from the public way known as George Ryder's Road i.e. to the northerly bound of Brown James Buck Post VFW common to George Ryder's Road and Town of Chatham property (Airport).
(By Petition)

Article 41. To see if the Town will vote to name the Town Building located at 22 Cross Street, Chatham, (now known as the Berry House) after the name of the original owner and builder the John Perry House.
(By Petition)

Article 42. To see if the Town will vote to create a Council on Aging and to adopt the following By-Law in accordance with the provisions of Chapter 40, Section 8B, of the General Laws:

Section 1. The Board of Selectmen shall appoint a Council on Aging for the purpose of coordinating or carrying out programs designed to meet the problems of the aging in cooperation with programs of the Commission on Aging established under Chapter 6, Section 73 of the General Laws.

Section 2. The Board of Selectmen shall appoint the Council on Aging consisting of seven (7) members. Upon acceptance of this By-Law, the Board shall appoint three (3) members for three (3) years, two (2) members for two (2) years,

and two (2) members for one (1) year. Thereafter each member shall be appointed for a three (3) year term. Members can be re-appointed for concurrent terms. The members of the Council shall serve without pay.

Section 3. Whenever a vacancy shall occur in the membership of the Council, by reason of death, resignation, inability to act or for any other reason the vacancy shall be filled by appointment by the Selectmen for the remainder of the term.

Section 4. The Council on Aging at its first annual meeting and thereafter, annually in April of each year, shall elect from its membership a Chairman, Vice Chairman, Secretary and Treasurer. Each officer shall hold office until the next annual election. In the event a vacancy occurs in any of the offices above, the Council shall hold a special meeting for the purpose of electing one of its members to fill such vacancy.

Section 5. The Council shall prepare and submit an annual report of its activities to the Town and shall send a copy thereof to the Executive Office of Elder Affairs.

Section 6. The Council may appoint such clerks and other employees as it may require.

(By Petition)

Article 43. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Three Hundred Dollars ($300.00) for the use of the Council on Aging, or do or act anything thereon.

(By Petition)

Article 44. To see if the Town will vote to raise and appropriate the sum of Three Hundred Fifty Dollars ($350.00) to purchase and install on the Town-owned property at 127 Old Harbor Road a suitable memorial with a plaque identifying said property as the "Augustus and Marion Ellis Playground", accepted as a gift from the Marion N. Ellis estate at the Special Town Meeting held November 2, 1971.

Article 45. To see if the Town will vote to instruct the Selectmen to appoint a Shellfish Advisory Committee to include the Shellfish Constable for the purpose of evaluating the shellfish

B

TOWN OF CHATHAM

OFFICE OF THE SELECTMEN
TOWN MANAGER
549 Main Street, Chatham, Massachusetts, 02633
(508)945-5100
www.chatham-ma/gov

TO: Honorable Board of Selectman

FROM: Jill R. Goldsmith, Town Manager

DATE: December 1, 2011

SUBJECT: Mutual Aid Laws Adoption - MGL c. 40 Sec. 4J 4K Statewide Public Safety Mutual Aid and MGL c. 40 Sec. 4k Public Works Mutual Aid

The two above referenced mutual aid laws, effective in the Fall of 2010, have been recommended by MEMA for adoption by local municipalities. Since January 1, 2011, nearly 100 cities and towns have "opted-in" to the Public Safety Mutual Aid Law.

MEMA also is asking each city and town to affirmatively "opt-in" to the separate Public Works mutual aid law that facilitates public works mutual aid in day-to-day non-emergency operations, and in response to disasters and other emergencies.

Both mutual aid laws will provide a substantial amount of additional resources to respond to disasters and public safety incidents – Health Agents, Building Officials, DPW and Parks workers and equipment - but only if cities and towns affirmatively opt-in to participate. In an emergency, cities and towns now would have a mechanism to ask for and receive assistance from other cities and towns without liability risk. This is in addition to the current police and fire mutual aid.

The mutual aid laws allow municipalities to opt in, but there is no requirement to provide aid to other municipalities.

Recommendation

That the Board vote to adopt:

1. The Statewide Public Safety Mutual Aid Law, MGL Chapter 40, Section 4J;
2. The Statewide Public Works Municipal Mutual Aid Law, MGL Chapter. 40 Section 4K; and
3. Authorize the Town Manager to join and execute mutual aid agreements.

Thank you.

Attachments

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY
400 Worcester Road, Framingham, MA 01702-5399
Tel: 508-820-2000 Fax: 508-820-2030
Website: www.mass.gov/mema

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Mary Elizabeth Heffernan
Secretary

Kurt N. Schwartz
Director

August 17, 2011

TO: Elected Municipal Officials
Town/City Managers and Administrators
Police Chiefs
Fire Chiefs
Emergency Management Directors
Public Works Directors

Dear Municipal Official:

In a letter to you in January of 2011, I encouraged your city/town to formally adopt the Statewide Public Safety Mutual Aid Law (GL C. 40, §4J) that was enacted earlier in 2010. The Public Safety Mutual Aid Law provides a comprehensive multi-discipline mutual aid system for cities and towns which are impacted and overwhelmed by a public safety incident or disaster to ask for, and receive assistance from municipalities that may have resources to share. The Commonwealth is not immune to disasters: in the past 16 months we have received Presidential Disaster or Emergency Declarations for flooding (March 2010), a massive potable water shortage resulting from a failure in the MWRA system (May 2010), a threatened hurricane (September 2010), a record breaking snowstorm (January 2011), and tornadoes (June 2011). The Statewide Public Safety Mutual Aid Law enables cities and towns to request and receive mutual aid from other municipalities during these types of disasters and other public safety incidents, *but only if the city/town has formally opted-in as required by the law.*

Since I wrote to you in December of 2010, almost 100 cities and towns across the Commonwealth have opted-in to the Statewide Public Safety Mutual Aid Law. (See the current list attached to this letter.) Today, these cities and towns are able to request help from municipalities across the Commonwealth: in an emergency, municipal resources including emergency management; emergency medical services; building inspectors; engineers; health agents and inspectors; water and sewer officials; transportation officials and resources; communications capabilities; highway, parks and cemetery workers and equipment. Medical Reserve Corps and Community Emergency Response Teams, and police and fire are available to help respond to, and recover from disasters and other public safety incidents.

If your municipality has not opted-in to the Statewide Public Safety Mutual Aid Law, I urge you to do so: our comprehensive mutual aid system needs the participation of all 351 cities and towns in the Commonwealth.

I also would like to introduce you to another mutual aid law: the Public Works Municipal Mutual Aid Law (GL C. 40, §4K). This mutual aid law, which also was enacted in 2010, differs from the Statewide Public Safety Mutual Aid Law in that it allows municipal officials to share public works resources in support of every day, non-emergency operations. Participants in the Public Works Mutual Aid Law may be able to realize efficiencies and savings by sharing public works resources across municipal boundaries.

Like the Comprehensive Statewide Mutual Aid Law, the Public Works Mutual Aid Law requires a city, town or other governmental unit to affirmatively "opt-in" in order to participate in and enjoy the benefits of the law: a municipality may not ask for, or receive assistance under the law until it affirmatively acts.

The Public Works Mutual Aid Law established a statewide Advisory Committee consisting of the secretary of public safety, who serves as chair of the committee and representatives of each of the following public works professional associations: the Massachusetts Highway Association; the New England Chapter of the American Public Works Association, who is a resident of the commonwealth; the New England Water Environment Association, who is a resident of the commonwealth; the Massachusetts Tree Wardens' and Foresters' Association; the Massachusetts Water Works Association; and the Massachusetts Municipal Association. The Advisory Committee is responsible for the administration and coordination of the statewide mutual aid agreement. The advisory committee will be developing and making available to parties forms to facilitate requests for aid, including a form to track the movement of public works equipment and personnel.

The Advisory Committee has reviewed the Public Works Mutual Aid Law and unanimously recommends that all cities and towns in the Commonwealth participate by affirmatively opting-in. Ultimately, my hope is that your jurisdiction will opt-in to the Public Works Mutual Aid Law by taking the required vote.

With the enactment of the Public Safety and Public Works mutual aid laws, the Commonwealth has comprehensive multi-discipline mutual aid statutes that provide a mechanism, or system for cities and towns which are impacted and overwhelmed by a public safety incident or disaster to ask for, and receive assistance from municipalities that may have resources to share. In addition, the new Public Works mutual aid law allows communities to share public works resources in support of every day, non-emergency work.

Each of these mutual aid laws require a city, town or other governmental unit to affirmatively "opt-in" in order to participate in and enjoy the benefits of these mutual aid agreements. Each statute spells out the vote that a jurisdiction must take to opt-in to these mutual aid statutes. In order to maintain a central registry of cities and towns that have opted in to the mutual aid agreements, we ask that each jurisdiction notify MEMA, in writing, using the enclosed form, once it takes the required votes to opt-in to one or all of the mutual aid agreements.

Opting in to either of these agreements does not require a jurisdiction to provide mutual aid if doing so is not reasonable and practicable. A jurisdiction is permitted to withhold requested resources to the extent necessary to provide reasonable protection and coverage for its own jurisdiction or if it does not wish to bear the expense of providing mutual aid. Opting in to the Public Safety or Public Works mutual aid agreements **does not** affect, supersede or invalidate any other statutory or contractual mutual aid or assistance agreements. Additionally, a party may enter into supplementary mutual aid agreements with other parties or jurisdictions. A jurisdiction may also opt out of the Public Safety and Public Works agreements at any time by providing 10 days written notice to MEMA.

In closing, I urge your jurisdiction to opt-in to these three mutual aid statutes by taking the required votes. I have enclosed the following documents to facilitate your jurisdiction's review of the three mutual aid statutes:

- Summaries of the two mutual aid statutes (Attachment A);
- Instructions on the steps/actions your jurisdiction must take to opt-in to the mutual aid agreements (Attachment B);
- Notification Form to complete and return to MEMA after your jurisdiction opts-in to one or more of the mutual aid agreements (Attachment C);

Should you have any questions, please contact MEMA's statewide mutual aid coordinator Allen Phillips at 508-820-1426 or at allen.phillips@state.ma.us.

Very truly yours,

Kurt N. Schwartz

Kurt N. Schwartz
Undersecretary for Homeland Security & Emergency Management
Director, Massachusetts Emergency Management Agency
Executive Office of Public Safety & Security

ATTACHMENT A
Summaries of Mutual Aid Laws

Chapter 40, Section 4J: Statewide Public Safety Mutual Aid

Creates a statewide public safety mutual aid agreement. Assistance provided under the agreement includes, but is not limited to, fire service, law enforcement, emergency medical services, transportation, communications, public works, engineering, building inspection, planning and information assistance, resource support, public health, health and medical services, search and rescue assistance and any other resource, equipment or personnel that a party to the agreement may request or provide in anticipation of, or in response to, a public safety incident.

Opt-in mutual aid agreement – If a city/town/governmental unit wishes to join the Agreement they must notify MEMA in writing. The city/town/governmental unit shall become a party to the agreement 30 days after MEMA's receipt of the written notification.

A city/town/governmental unit that has joined the agreement may opt out of the agreement by notifying MEMA in writing of its intention to opt out. A city/town/governmental unit's removal from the agreement takes effect 10 days after MEMA's receipt of the written notification.

A request by a party to receive mutual aid under this agreement shall be made, either orally or in writing, by an authorized representative of the requesting party to an authorized representative of the sending party or to MEMA. All oral requests shall be reduced to writing by the requesting party and delivered to the sending party at the earliest possible date, but not later than 72 hours after making the oral request.

The requesting party shall be responsible for the overall operation, assignment and deployment of resources and personnel provided by the sending party consistent with the incident command system. Unless otherwise agreed to, the sending party shall retain direct supervision, command and control of personnel, equipment and resources provided by the sending party. Unless the requesting and sending parties agree otherwise, the sending party shall be responsible for the operation of its equipment and for any damage thereto.

Unless the requesting and sending parties agree otherwise, the sending party shall pay all expenses, including salary and overtime, incurred by the sending party. A sending party shall document its costs of providing mutual aid assistance under the agreement. Except as otherwise agreed to by the parties, the requesting party shall seek reimbursement under any applicable federal and state disaster assistance programs for the cost of responding to the public safety incident. The requesting party and each sending party shall receive,

based on the documented costs of providing mutual aid assistance, its pro rata share of the disaster assistance reimbursement provided to the requesting party.

While providing mutual aid assistance under the agreement, employees of the sending party shall be afforded the same powers and duties, rights and privileges as they are afforded in the sending party's geographical jurisdiction or location.

While in transit to, returning from and providing mutual aid assistance under the agreement, employees of a sending party shall have the same rights of defense, immunity and indemnification that they would otherwise have under the law if they were acting within the scope of their employment under the direction of their employer. A sending party shall provide to, and maintain for, each of its employees who provide mutual aid assistance under the agreement the same indemnification, defense, right to immunity, employee benefits, death benefits, workers' compensation or similar protection and insurance coverage that would be provided to those employees if they were performing similar services in the sending party's jurisdiction.

Each party to the agreement shall waive all claims and causes of action against each other party to the agreement that may arise out of their activities while rendering or receiving mutual aid under the agreement.

Each requesting party shall defend, indemnify and hold harmless each sending party from all claims by third parties for property damage and personal injury which may arise out of the activities of the sending party or its employees, including travel, while providing mutual aid assistance under the agreement.

This section shall not affect, supersede or invalidate any other statutory or contractual mutual aid or assistance agreements. A party may enter into supplementary mutual aid agreements with other parties or jurisdictions.

Chapter 40, Section 4K: Statewide Public Works Municipal Mutual Aid

Creates a statewide public works municipal mutual aid agreement. Assistance provided under the agreement includes, but is not limited to, services related to public works, personnel, equipment, supplies and facilities to prepare for, prevent, mitigate, respond to and recover from public works incidents. Participation in the agreement is also available to governmental units in states contiguous to the Commonwealth. Creates a statewide public works municipal mutual aid advisory committee to be chaired by the secretary of public safety and security or his designee.

Opt-in mutual aid agreement – If a city/town/governmental unit wishes to join the Agreement they must notify the mutual aid advisory committee in writing. The city/town/governmental unit shall become a party to the agreement 30 days after the advisory committee's receipt of the written notification.

A city/town/governmental unit that has joined the agreement may opt out of the agreement by notifying the advisory committee in writing of its intention to opt out. A city/town/governmental unit's removal from the agreement takes effect 10 days after the advisory committee's receipt of the written notification.

A request by a party to receive mutual aid under this agreement shall be made, either orally or in writing, by the chief executive officer of the requesting party or one of its designated points of contact to the chief executive officer or a designated point of contact of the sending party. All oral requests shall be reduced to writing by the requesting party and delivered to the sending party at the earliest possible date, but not later than 72 hours after making the oral request.

A party that receives a request for mutual aid assistance shall provide and make available, to the extent reasonable and practicable under the circumstances, the resources requested by the requesting party; provided, however, that a sending party may withhold requested resources to the extent necessary to provide reasonable protection and coverage for its own jurisdiction.

The requesting party shall be responsible for the overall operation, assignment and deployment of resources and personnel provided by the sending party. Unless otherwise agreed to, the sending party shall retain direct supervision, command and control of personnel, equipment and resources provided by the sending party. Unless the requesting and sending parties agree otherwise, the sending party shall be responsible for the operation of its equipment and for any damage thereto.

Unless the requesting and sending parties agree otherwise, the sending party shall pay all expenses, including salary and overtime, incurred by the sending party. A sending party shall document its costs of providing mutual aid assistance under the agreement. Except as otherwise agreed to by the parties, the requesting party shall seek reimbursement under any applicable federal and state disaster assistance programs for the cost of responding to the public works incident. The requesting party and each sending party shall receive, based on the documented costs of providing mutual aid assistance, its pro rata share of the disaster assistance reimbursement provided to the requesting party.

While providing mutual aid assistance under the agreement, employees of the sending party shall be afforded the same powers and duties, rights and privileges as they are afforded in the sending party's geographical jurisdiction or location. While providing mutual aid assistance under the agreement, employees of the sending party shall be considered similarly licensed, certified or permitted in the requesting party's jurisdiction if the employee holds a valid license, certificate or permit issued by the employee's governmental unit.

While in transit to, returning from and providing mutual aid assistance under the agreement, employees of a sending party shall have the same rights of defense, immunity and indemnification that they would otherwise have under the law if they were acting within the scope of their employment under the direction of their employer. A sending

party shall provide to, and maintain for, each of its employees who provide mutual aid assistance under the agreement the same indemnification, defense, right to immunity, employee benefits, death benefits, workers' compensation or similar protection and insurance coverage that would be provided to those employees if they were performing similar services in the sending party's jurisdiction.

Each party to the agreement shall waive all claims and causes of action against each other party to the agreement that may arise out of their activities while rendering or receiving mutual aid under the agreement.

Each requesting party shall defend, indemnify and hold harmless each sending party from all claims by third parties for property damage and personal injury which may arise out of the activities of the sending party or its employees, including travel, while providing mutual aid assistance under the agreement.

All equipment requested and deployed pursuant to this agreement shall be insured by the sending party.

This section shall not affect, supersede or invalidate any other statutory or contractual mutual aid or assistance agreements. A party may enter into supplementary mutual aid agreements with other parties or jurisdictions.

ATTACHMENT B
MUTUAL AID "OPT-IN" INSTRUCTIONS

The statutory requirements for jurisdictions to opt-in to the mutual aid agreement(s) are set forth below.

MGL c. 40, §§ 4J & 4K – Public Works & Public Safety Mutual Aid Agreements

If a city or town wishes to join the Public Safety or Public Works agreement(s), the mayor in the case of a city, the city manager in the case of a Plan D or Plan E city, or the town manager, town administrator or chairman of the board of selectmen with the approval by a majority of the board of selectmen, may act on behalf of the city or town to join the agreement by notifying the director of MEMA in writing.

If a governmental unit that is not a city or town wishes to join the agreement(s), the chief executive officer of the governmental unit may act on its behalf to join the agreement by notifying the director of MEMA in writing.

Once a jurisdiction has properly authorized joining any or all of the above listed mutual aid agreements please complete each applicable section of the attached form. Upon completion, please return the form to:

Massachusetts Emergency Management Agency
400 Worcester Road
Framingham, MA 01702-5399
Attn: Allen Phillips

ATTACHMENT C
MUTUAL AID "OPT-IN" FORM

CITY/TOWN/ DISTRICT OF _____

Hereby certify by my signature(s) below that the city/town/district or other governmental unit has authorized, in accordance with each of the applicable statutes, its participation in each of the mutual aid agreements indicated below (each individual section below must be completed for each agreement authorized).

MGL c. 40, §4J – Statewide Public Safety Mutual Aid Agreement

Signature _____ Date of Vote/Execution _____

Title _____

MGL c. 40, §4K – Statewide Public Works Municipal Mutual Aid Agreement

Signature _____ Date of Vote/Execution _____

Title _____

When each applicable section of this form is completed please return the form to:

Massachusetts Emergency Management Agency
[illegible] Worcester Road
[illegible]ngham, MA 01702-5399
Attn: Allen Phillips

CITIES AND TOWNS THAT HAVE OPTED-IN TO THE PUBLIC SAFETY MUTUAL AID AGREEMENT AS OF AUGUST 17, 2011

Abington
Agawam
Amesbury
Ashburnham
Ashland
Auburn
Belmont
Berlin
Blackstone
Boxborough
Boylston
Brewster
Brookfield
Carver
Charlemont
Charlton
Chelmsford
Chester
Chesterfield
Conway
Cummington
Dartmouth
Egremont
Essex
Franklin
Gill
Gloucester
Goshen
Grafton
Granville
Halifax
Hardwick
Hardwick
Holliston
Hudson
Huntington
Kingston
Lancaster
Lawrence
Leicester
Leyden
Lowell
Ludlow
Lynnfield
Marlborough
Melrose
Merrimac
Middleborough
Milford
Millbury
Millville
Montgomery
Mount Washington
Nahant
NEMLEC (NE Law Enforcement)
New Bedford
New Braintree
Orange
Peabody
Pelham
Petersham
Plymouth
Reading
Rehoboth
Revere
Rochester
Rockland
Russell
Sandisfield
Savoy
Seekonk
Sheffield
Southbridge
Spencer
Springfield Water & Sewer
Sterling
Stow
Sutton
Tolland
Townsend
Truro
Uxbridge
Walpole
Ware
Wayland
Wellesley
West Boylston
West Newbury
Westhampton
Whately
Wilbraham
Williamsburg
Yarmouth

C

EE2 Support provisions of this plan proposed to protect coastal water quality.

Responsible Entity(ies): BOH, BOS

2009 Status: Ongoing

2009 Notes: MEPA approval of CWMP granted in July 09. Town Meeting in 2009 approved Article 14 authorizing funding to move wastewater project into implementation phase.

EE11 Continue to provide and operate mooring areas and facilities at Aunt Lydia's Cove for the fishing fleet and ensure that the channel is maintained to the Fish Pier at Aunt Lydia's Cove.

Responsible Entity(ies): DCR, HM, BOS

2009 Status: Ongoing

2009 Notes: Channel conditions and dredging needs evaluated constantly. Permits and licenses for both locally and federally sponsored dredging are kept up to date. A dredging account is maintained and budgeted annually to ensure funding is in place to respond.

EE12 Continue to maintain safe mooring areas and support facilities in Ryder's Cove and Stage Harbor for fishing vessels.

Responsible Entity(ies): BOS, DCR, HM

2009 Status: Ongoing

2009 Notes: DCR provides support as necessary.

EE13 Support efforts of local fishermen to shape regulation of the fishing industry.

Responsible Entity(ies): BOS, DCR

2009 Status: Ongoing

2009 Notes: DCR will continue to provide support and coordination with local fishing interests as appropriate and able.

EE14 Implement provisions of this plan proposed to protect the water quality of the town's harbors and embayments.

Responsible Entity(ies): BOS, BOH

2009 Status: Ongoing

2009 Notes: MEPA approval of CWMP granted in July 09. Town Meeting in 2009 approved Article 14 authorizing funding to move wastewater project into implementation phase.

EE15 Continue to support regional efforts to improve the marketing of local fish by participating in the programs and sponsoring or supporting grant applications and other program funding efforts.

Responsible Entity(ies): BOS, EDC.

2009 Status: Ongoing

2009 Notes:

EE16 Continue and expand the town's shellfish seeding and propagation programs to sustain resources.

Responsible Entity(ies): BOS, SW

2009 Status: Ongoing

2009 Notes: Efforts to continually enhance Town's seeding and propagation program area priority of the SW.

EE18 Explore the appropriateness and economic viability of aquaculture in support of the fishing industry.

Responsible Entity(ies): BOS, EDC

2009 Status: Ongoing **2009 Notes:** BOS Long-Term Goal FY08

EE19 Support the Chamber of Commerce's efforts to manage rather than promote tourism.

Responsible Entity(ies): BOS, EDC

2009 Status: Under Review **2009 Notes:**

EE20 Support the provisions of this plan to improve parking facilities, institute shuttles to landings and beaches, and construct toilet facilities.

Responsible Entity(ies): BOS, PRC

2009 Status: In Progress **2009 Notes:** Town is coordinating with the National Seashore and Monomoy NWR on an alternative transportation study exploring parking and shuttle opportunities.

EE21 Provide town financial assistance to activities performed by the Chamber of Commerce that benefit the town as a whole.

Responsible Entity(ies): BOS, EDC

2009 Status: Ongoing **2009 Notes:** BOS appropriates funding to Chamber

EE22 Ensure that rental units, including summer rentals, are kept in safe and decent condition by establishing a mandatory rental inspection program.

Responsible Entity(ies): BOS, BOH

2009 Status: Under Review **2009 Notes:** BOH currently reviewing potential rental bylaws; BOH actively responds to complaints regarding sanitary code regulations.

EE24 Implement the proposals in this plan for increasing affordable housing in order to assist in improving economic conditions and job opportunities.

Responsible Entity(ies): AHC, BOS, EDC

2009 Status: Ongoing **2009 Notes:** AHC continues to work towards implementing affordable housing action items identified in the Plan

EE28 Support the provisions of this plan for zoning changes and programs to meet the community's need for affordable housing.

Responsible Entity(ies): PB, CDD, BOS

2009 Status: Under Review **2009 Notes:** The Planning Board brought three affordable housing zoning articles to Town Meeting in 2009 that were defeated.

EE31 Establish Economic Development Committee to coordinate activities addressing the Town's economic issues.

Responsible Entity(ies): BOS

2009 Status: Not Started **2009 Notes:** EDC not yet established

AH1 Establish an affordable housing program specifically addressing Chatham's affordable housing needs. Recommend funding methods, including Community Preservation Trust Fund monies, as well as grants and town appropriations necessary to carry out an effective affordable housing program.

Responsible Entity(ies): AHC, BOS

2009 Status: Completed **2009 Notes:** Affordable Housing Trust Fund established.

AH2 Develop cooperative arrangements and projects to benefit Chatham's low and moderate income households with local and regional housing agencies, as well as private entities.

Responsible Entity(ies): BOS, AHC

2009 Status: Ongoing **2009 Notes:** Committee coordinates with Chatham Housing Authority, Community Development Partnership, Barnstable County Home Consortium and private developers. CHA added as a Responsible Entity

AH5 Administer matters related to the designation or contribution of affordable housing units, funds, and lots by developers or other donors.

Responsible Entity(ies): AHC, BOS

2009 Status: Ongoing **2009 Notes:** On an as needed basis; CHA added as a Responsible Entity; Requirements are being fully met

AH16 Provide tax incentives to those who already provide apartments that are affordably priced and to those who bring new affordably priced apartments on the market to maintain them at affordable rates.

Responsible Entity(ies): BOS, BOA

2009 Status: Under Review **2009 Notes:** A potential mechanism being discussed as part of affordable housing plan update

AH21 Through the housing organization designated by the Town, work with local inns and other seasonal employers to address the housing needs of summer workers.

Responsible Entity(ies): BOS, AHC

2009 Status: Discussion **2009 Notes:** Affordable housing community continues to lack resources to attack this area, so the Chamber of Commerce and private business owners are still responsible (AHC)

AH23 Encourage the use of existing buildings (rather than new construction) for affordable housing unit creation. Ensure that rental units, including summer rentals, are kept in safe and decent condition. Establish a mandatory rental inspection program.

Responsible Entity(ies): BOS, BOH

2009 Status: Ongoing

2009 Notes: Primary goal of the Affordable Housing Plan (Rental Bylaw Duplication with AH15); BOH currently reviewing potential rental bylaws; BOH actively responds to complaints regarding sanitary code regulations.

AH24 Ensure that all affordable rental units created by the town have a workable management program.

Responsible Entity(ies): BOS

2009 Status: Ongoing

2009 Notes: CHA has primary responsibility.

HR7 Enforce federal and state laws, as well as encouraging voluntary cooperation, to provide access to public buildings, shops, churches, recreational areas, and transportation facilities, including provisions for those with hearing or vision disabilities.

Responsible Entity(ies): BOS

2009 Status: Ongoing

2009 Notes: Enforcement is through the Building Commissioner with planning/oversight activities conducted by the Committee for the Disabled

HR8 Use microphones at all large public meetings and provide assisted listening systems.

Responsible Entity(ies): BOS

2009 Status: Ongoing

2009 Notes: Large public and regulatory meetings televised, use of transcription monitor at Town Meeting instituted

HR16 Support the Affordable Housing section recommendations, particularly as they address the needs of young families, the disabled and elderly people with low incomes.

Responsible Entity(ies): HSC, BOS

2009 Status: Ongoing

2009 Notes: HSC planning activities

HR17 Maximize the use of funds available from state and federal sources for increasing public transportation services on Cape Cod as well as to off-Cape destinations in cooperation with regional bodies such as the Lower/Outer Cape Coalition and the Regional Transit Authority.

Responsible Entity(ies): BOS

2009 Status: Ongoing

2009 Notes: Participation at RTA meetings

HR19 Support feasible in-town shuttle service from remote parking to frequently used locations.

Responsible Entity(ies): BOS

2009 Status: In Progress

2009 Notes: Town is coordinating with the National Seashore and Monomoy NWR on an alternative transportation study exploring parking and shuttle opportunities.

HR26 Promote town/agency participation in programs that develop and coordinate resources.

Responsible Entity(ies): BOS, HR/HS

2009 Status: Ongoing **2009 Notes:** HR/HS coordinates with Town and agencies