



# Town of Chatham

Town Clerk  
549 Main Street  
Chatham, MA 02633



Julie S. Smith, MMC/CMMC  
Town Clerk  
[jsmith@chatham-ma.gov](mailto:jsmith@chatham-ma.gov)

Tel: (508) 945-5101  
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[www.chatham-ma.gov](http://www.chatham-ma.gov)

## **TO WHOM IT MAY CONCERN:**

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Resolution as presented by Selectman Timothy Roper was adopted at the May 12, 2014 Annual Town Meeting:

**Resolved that the Town vote to adopt the following rules of procedure for the Town Meeting of May 12, 2014.**

- A) The Moderator shall have the option of reading each Article in the Warrant verbatim or summarizing the subject matter therein in general terms, at his discretion.**
- B) Upon an Article having been disposed of by vote, the Moderator shall entertain a motion to reconsider said Article or to accept a Resolution pertaining to said Article only during the same session during which said vote was acted upon.**
- C) A motion to move the previous question shall require a two-thirds vote and may not be debated.**
- D) The Moderator shall not accept a motion to move the previous question by any person discussing the Article until after an intervening speaker has discussed the Article.**
- E) A non-voter may request the privilege of addressing the meeting on a motion made under any Article or Resolution offered the request to be granted by the Moderator unless there is an objection by a voter. Upon objection, the Moderator shall poll the meeting by voice or count, at his discretion, and a majority vote in favor shall entitle said non-voter to address the meeting. However, the Moderator may grant the privilege of the floor to any non-resident Town Department Head without necessity of a vote.**
- F) The Moderator shall not entertain the question of the presence of a quorum at any point at which a motion to move the previous question has already been voted.**
- G) Speakers addressing the meeting shall be limited to five (5) minutes within which to present their remarks. The Moderator will not recognize anyone who has previously spoken on the Article until all persons wishing to address the meeting have had an opportunity to speak. The Moderator may exercise reasonable discretion in enforcement of this rule.**

The foregoing rules are not intended to alter or change the traditional conduct of the Town Meetings in Chatham except as specifically stated above.

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 2 – Accept Annual Reports

To hear the reports of various Town Officers and Committees and see what action the Town will take relative to the appointment of officers not chosen by ballot, or take any other action in relation thereto.

(Board of Selectmen)

**Motion:** Selectman Timothy Roper, Chairman moved that the Town Moderator and Board of Selectmen be authorized to appoint the necessary Town officers whose appointments are not otherwise provided for and that the Town hear and accept the reports of various Town officers and committees as they appear in the Town Report.

**Explanation:** *The purpose of this Article is to enable a Town officer or committee member to address the Town Meeting. The Town's Annual Report is available on the Town's website.*

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 3 – Fix Salaries – Elected Officials

To fix the salaries of the elected Town officers for the fiscal year beginning July 1, 2014, or take any other action in relation thereto.

<u>Officer</u>	<u>FY2014 Voted</u>	<u>FY2015 Request</u>
Moderator	\$ 600	\$ 600
Selectmen – Each	2,000	2,000
Chairman – Extra	500	500

(Board of Selectmen)

**Motion:** Selectman Leonard Sussman moved that the Town vote to fix the salaries of the elected Town officers in accordance with the positions and amounts in this Article.

**Explanation:** *In accordance with Massachusetts General Law, Chapter 41, Section 108, salaries and compensation of elected officers must be fixed annually by vote of the Town at an Annual Town Meeting. This Article fixes (sets), but does not appropriate these salaries. Actual appropriation of funds for these salaries occurs under Article 6 – Town Operating Budget. No increase to the prior year is being sought.*

**Board of Selectmen Recommendation:** Approve 5-0-0

**Finance Committee Recommendation:** Approve 7-0-0

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 4 – Consolidated Revolving Funds

To see if the Town will vote pursuant to the authority granted under Massachusetts General Law Chapter 44, Section 53E ½, to establish or reestablish the following Revolving Funds for the purpose of receiving revenues and making disbursements in connection with the following authorized Town activities, or take any other action in relation thereto.

- A) Airport Revolving Fund  
All monies received by the Airport Commission from the operation of the Chatham Municipal Airport shall be credited to this fund. The Airport Commission shall be authorized to expend from this fund, without further appropriation, to defray the operating expenses of the Chatham Municipal Airport operated by the Commission. No more than \$40,000 shall be expended from this fund during fiscal year 2015.
- B) Bassett House Revolving Fund  
All monies received by the Town from the operation of the lease of the Bassett House shall be credited to this fund. The Town Manager shall be authorized to expend from this fund, without further appropriation, to defray the maintenance expenses of the House operated by the Chamber of Commerce. No more than \$8,000 shall be expended from this fund during fiscal year 2015.
- C) Inspectional Services Revolving Fund  
10% of all monies received by the Town from the issuance of all inspection permits shall be credited to this fund. The Community Development Department, with the approval of the Town Manager, shall be authorized to expend from this fund, without further appropriation to defray the expenses associated with the approval of inspectional permits. No more than \$70,000 shall be expended from this fund during fiscal year 2015.
- D) Recycling Revolving Fund  
All monies received by the Department of Health and Environment from the sale of recycling bins, compost bins, rain barrels, kitchen scrap buckets, water saving devices, recycling bags/totes, and other items particular to recycling conservation, shall be

credited to this fund. The Department of Health and Environment, with the approval of the Town Manager, shall be authorized to expend from this fund, without further appropriation, to defray the expense of purchasing additional recycling containers and items particular to recycling and conservation, including advertising the availability of such items. No more than \$5,000 shall be expended from this fund during fiscal year 2015.

E) NEW -Establish Marconi Station Revolving Fund

All monies received by the Town from the operation of the leases at the Marconi Station on Old Comers and Orleans Road shall be credited to this fund. The Town Manager shall be authorized to expend from this fund, without further appropriation, to defray inspection and maintenance expenses outside of the lease requirements of the buildings operated by the lessees at the Marconi Station. No more than \$5,000 shall be expended from this fund during fiscal year 2015.

(Board of Selectmen)

**Motion:** Selectman Jeffrey Dykens moved that the Town authorize and approve the Airport Revolving Fund, Bassett House Revolving Fund, Inspectional Services Revolving Fund, Recycling Revolving Fund, and the new Marconi Station Revolving Fund for the purposes and in the amounts listed in Article 4 of the Warrant.

**Explanation:** The purpose of these revolving funds is to segregate the revenues generated by each of these operations and to restrict the use of those revenues to the purpose for which they are collected. As required by State statute, the following is an accounting of these funds for the last eighteen months:

Airport Revolving Fund

	<u>Balance</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Balance</u>
FY2013	\$29,083.30	\$31,214.30	\$21,966.99	\$38,330.61
FY2014	\$38,330.61	\$12,804.75	\$ 7,667.67	\$43,467.69

(Thru 12/31/2013)

Bassett House Revolving Fund

	<u>Balance</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Balance</u>
FY2013	\$22,498.64	\$3,250	\$ 2.60	\$25,745.04
FY2014	\$25,745.04	\$1,500	\$ -	\$27,246.04

(Thru 12/31/2013)

Inspectional Services Revolving Fund

	<u>Balance</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Balance</u>
FY2013	\$81,182.30	\$47,404.07	\$39,416.16	\$ 89,170.21
FY2014	\$89,170.21	\$24,036.43	\$ 4,976.77	\$108,229.87

(Thru 12/31/2013)

Recycling Revolving Fund

	<u>Balance</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Balance</u>
FY2013	\$1,510.85	\$1,853.23	\$2,234.38	\$1,129.70
FY2014	\$1,129.70	\$1,079.61	\$ 860.00	\$1,349.31

(Thru 12/31/2013)

**Board of Selectmen Recommendation: Approve 5-0-0**  
**Finance Committee Recommendation: Approve 7-0-0**

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 5 – Wood Waste Reclamation Facility Enterprise Fund

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money to operate the Wood Waste Reclamation Facility Enterprise Fund, or take any other action in relation thereto.

Lease Revenue	\$25,000
Operating Expenses	\$25,000

(Board of Selectmen)

**Motion:** Selectman Sean Summers moved that the Town vote to appropriate \$25,000 to operate the Wood Waste Reclamation Facility Enterprise Fund and to meet said appropriation the Town raise \$25,000 through lease revenue.

**Explanation:** *Town Meeting voted to adopt Chapter 44 Section 53F ½ of the Massachusetts General Laws establishing an Enterprise Fund. An enterprise fund establishes a separate accounting and financial reporting system to support a specific business activity, in this case the Wood Waste Reclamation Facility.*

*One of the requirements of an enterprise fund is that a budget has to be adopted at Town Meeting every year. The Wood Waste Facility is leased out with annual revenue at approximately \$25,000 per year. The revenue will be used to support groundwater monitoring and other costs associated with the operation of the facility.*

**Board of Selectmen Recommendation:** Approve 5-0-0  
**Finance Committee Recommendation:** Approve 7-0-0

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 6 – Town Operating Budget

To see if the Town will vote to raise and appropriate and/or transfer from available funds, such sums of money as it determines necessary for Town expenses and charges, including without limitation of the foregoing, debt and interest, wages, salaries and expenses for operation of the Town's departments and offices, all for the fiscal year beginning July 1, 2014 and ending June 30, 2015 inclusive, or take any other action in relation thereto.

(Board of Selectmen)

### Town Operating Budget Overview

Description	FY2013 Actual	FY2014 Voted	FY2015 Dept. Req	Proposed Budget FY2015
<b>Operating Budgets (Expenses)</b>				
General Government	\$1,898,390	\$1,926,680	\$1,994,834	\$1,982,884
Public Safety	\$5,544,029	\$5,754,115	\$5,899,288	\$5,807,690
Community Development	\$661,747	\$715,365	\$744,832	\$744,832
Health & Environment	\$805,927	\$835,157	\$861,398	\$859,986
Public Works & Facilities	\$4,252,406	\$4,349,927	\$4,458,063	\$4,458,063
Community & Social Services	\$921,677	\$976,340	\$1,036,268	\$999,260
Employee Benefits	\$4,219,258	\$3,952,910	\$4,142,970	\$4,142,970
Undistributed Ins. & FinCom Reserve Fund	\$342,353	\$501,135	\$537,085	\$537,085
Debt Service	\$7,418,609	\$7,905,583	\$7,658,244	\$7,658,244
<b>Operating Budget Total</b>	<b>\$26,064,396</b>	<b>\$26,917,212</b>	<b>\$27,332,982</b>	<b>\$27,191,014</b>

**Motion:** Selectman Florence Seldin moved that the Town vote to appropriate the sum of \$27,191,014 to fund the Operating Budget for the Town for the fiscal year beginning July 1, 2014 for the purposes and amounts designated in the column titled "Proposed Budget FY2015" of Article 6 of the Warrant and to meet said appropriation, the Town raise \$26,054,983 through taxation; and transfer \$220,000 from the Waterways Improvement Fund, \$902,031 from the Land Bank Fund, \$10,000 from the Wetlands Protection Fund, \$1,000 from Cemetery Perpetual Care Fund and \$3,000 from the Railroad Museum Fund.

**Explanation:** *A full explanation of this funding request and its fiscal context is provided in Appendix B: Town Manager's Budget Summary. The Schools' Operating Budgets are not included in this Article and are presented in Articles 7 and 8.*

*The approval of Articles 6, 7, 8, 10 and 12 provide for an approximate total impact of \$158,510 increase (less than 0.6%) to the FY2015 tax levy.*

*Please visit the Town's website, Budget Central tab, for the Town Manager's FY 2015 Budget message [http://www.chatham-ma.gov/Public\\_Documents/ChathamMA\\_Budget/index](http://www.chatham-ma.gov/Public_Documents/ChathamMA_Budget/index). Town and Schools budget details and financial documents past and present can also be found there.*

**Board of Selectmen Recommendation: Approve 4-1-0**

**Finance Committee Recommendation: Approve 6-0-1**

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 7 – Regional School Operating Budget - Monomoy Regional School District

To see if the Town will vote to raise and appropriate and/or transfer from available funds, such sums of money as it determines necessary for Chatham’s share of the Regional Educational and School expenses and charges, including without limitation of the foregoing, debt and interest, wages, salaries and expenses for operation of the Monomoy Regional School District for the fiscal year beginning July 1, 2014 and ending June 30, 2015 inclusive, or take any other action in relation thereto.

(Board of Selectmen)

### FY2015 MRSD Operating Budget Overview

EDUCATION					PROPOSED BUDGET FY2015
DESCRIPTION	FY2013	VOTED	FY2014 VOTED	FY2015 REQUEST	
Operating Budgets (Expenses)					
Monomoy Regional School District		\$8,119,685	\$7,615,764	\$7,739,788	\$7,739,657
Operating Budget Total					

**Motion:** Nancy Scott, Chairman, Monomoy Regional School Committee, moved that the Town vote to appropriate the sum of \$7,739,657 to fund the Operating Budget for the Monomoy Regional School District for the fiscal year beginning July 1, 2014 for the purposes and amounts designated in the column titled “Proposed Budget FY2015” of Article 7 of the Warrant and to meet said appropriation, the Town raise \$7,793,657 through the tax rate.

**Explanation:** This article requests funding for Chatham’s obligation to the Monomoy Regional School District as a separate “assessment” within the Town’s budget. Compared to FY2014 the FY2015 budget reflects an increase of \$178,024; and includes an adjustment from FY2014 of \$336,245. This article funds the Chatham portion of the Monomoy Regional School District as voted by the Monomoy Regional School Committee on March 12, 2014. Please refer to Appendix D for more detail.

**Board of Selectmen Recommendation: Approve 5-0-0**

**Finance Committee Recommendation: Approve 6-1-0**

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 8 – Regional School Operating Budget- Cape Cod Regional Technical High School**

To see if the Town will vote to raise and appropriate and/or transfer from available funds, such sums of money as it determines necessary for Chatham’s share of the Regional Educational and School expenses and charges, including without limitation of the foregoing, debt and interest, wages, salaries and expenses for operation of the Cape Cod Regional Technical High School for the fiscal year beginning July 1, 2014 and ending June 30, 2015 inclusive, or take any other action in relation thereto.

(Board of Selectmen)

#### **FY2015 CCRTHS School Operating Budget Overview**

EDUCATION					PROPOSED BUDGET FY2015
DESCRIPTION	FY2013	VOTED	FY2014 VOTED	FY2015 REQUEST	
Operating Budgets (Expenses)					
Cape Cod Regional Technical H.S.		\$314,638	\$384,752	\$367,437	\$367,437
Operating Budget Total					

**Motion:** James “Buck” Upson, Cape Cod Regional Technical High School Committee moved that the Town vote to appropriate the sum of \$367,437 to fund the Operating Budget for the Cape Cod Regional Technical High School for the fiscal year beginning July 1, 2014 for the purposes and amounts designated in the column titled “Proposed Budget FY2015” of Article 8 of the Warrant and to meet said appropriation, the Town raise \$367,437 through the tax rate.

**Explanation:** This article requests funding for Chatham’s obligation to the Cape Cod Regional Technical High School as a separate “assessment” within the Town’s budget. Compared to FY2014 the FY2015 budget reflects a decrease of \$17,315 for Cape Tech as voted by the CCRHS School Committee.

**Board of Selectmen Recommendation: Approve 5-0-0**

**Finance Committee Recommendation: Approve 7-0-0**

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 9 – Article Establishing a Stabilization Fund at Cape Cod Regional Technical High School**

To see if the Town will vote pursuant to Chapter 71 Section 16G½ to allow Cape Cod Regional Technical High School to establish a stabilization fund for future facility capital costs.

(Board of Selectmen)

**Motion: James “Buck” Upson, Cape Cod Regional Technical High School Committee moved that the Town vote pursuant to Chapter 71 Section 16G½ to allow Cape Cod Regional Technical High School to establish a stabilization fund for future facility capital costs.**

**Explanation:** *Cape Cod Regional Technical High School has submitted a Statement of Interest (SOI) to the Massachusetts School Building Authority (MSBA) for a major renovation of our facility the last four years. We just received notice that we were not selected for our most recent submittal. However, we feel it is prudent to begin saving funds, when feasible, for anticipated costs for a future major building project. For this reason, we are requesting to establish a stabilization fund at your regular town meeting for this purpose.*

**Board of Selectmen Recommendation: Approve 5-0-0**  
**Finance Committee Recommendation: Approve 7-0-0**

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 10 – Water Department Operating Budget

To see if the Town will vote to raise and appropriate and/or transfer from available funds, such sums of money as it determines necessary for expenses and charges, including without limitation of the foregoing, debt and interest, wages, salaries and expenses for operation of the Town Water Department for the fiscal year beginning July 1, 2014 and ending June 30, 2015 inclusive, or take any other action in relation thereto.

(Board of Selectmen)

### Budget Overview

WATER FUND				Proposed Water Budget	
	Description	FY2013 Actual	FY2014 Voted	FY2015 Dept. Req	FY2015
<b>Water Costs</b>					
Operating					
Salaries	\$122,026	\$177,805	\$184,288	\$184,288	
Expenses	\$1,121,911	\$1,178,600	\$1,178,280	\$1,178,280	
<b>Sub-total Operating</b>	<b>\$1,243,937</b>	<b>\$1,356,405</b>	<b>\$1,362,568</b>	<b>\$1,362,568</b>	
<b>Debt</b>					
Principal	\$751,443	\$689,039	\$599,178	\$599,178	
Interest – Long-term	\$242,353	\$215,380	\$190,292	\$190,292	
Interest – Short-term	0	\$100,000	\$200,000	\$200,000	
<b>Subtotal Debt</b>	<b>\$993,796</b>	<b>\$1,004,419</b>	<b>\$989,469</b>	<b>\$989,469</b>	
<b>Total Water Direct Costs</b>	<b>\$2,237,733</b>	<b>\$2,360,824</b>	<b>\$2,352,037</b>	<b>\$2,352,037</b>	
Overhead – Indirect Costs	\$222,339	\$227,900	\$233,139	\$233,139	
Overhead – Rate payback for Bett	116,950	\$41,633	\$39,760	\$39,760	
<b>Subtotal Overhead</b>	<b>\$339,289</b>	<b>\$269,533</b>	<b>\$272,899</b>	<b>\$272,899</b>	
<b>Water Operating Budget</b>	<b>\$2,887,022</b>	<b>\$2,630,357</b>	<b>\$2,624,936</b>	<b>\$2,624,936</b>	

**Motion:** Selectman Timothy Roper, Chairman, moved that the Town vote to appropriate \$2,352,037 for direct costs, and further that an additional \$272,899 be transferred to the General Fund to be applied to overhead and indirect costs associated with the Water Department Operating Budget of the Town for the fiscal year beginning July 1, 2014, for the purposes and in the amounts designated in the column titles "Proposed Water Budget FY2015" of Article 10 of the Warrant and to meet said appropriation, the Town raise \$2,224,936 through water receipts and raise \$400,000 through the tax rate.

**Explanation:** *The FY2015 Water Department budget is directed towards continuing to improve the quality of water provided, customer relations, and providing a high level of reliability to the water supplies and distribution system to ensure the Town has safe drinking water and the required flows for fire fighting.*

**Board of Selectmen Recommendation: Approve 5-0-0**

**Finance Committee Recommendation: Approve 7-0-0**

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 12 – Five Year Capital Authorization

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum or sums of money, to be expended for capital projects, equipment and expenses, or take any other action in relation thereto.

(Board of Selectmen)

#### Capital Budget Overview

Description	FY2014 Actual	FY2015 Request	FY2015 Proposed
<b>CAPITAL PROGRAM &amp; BUDGET SUMMARY</b>			
General Government	\$107,500	\$217,500	\$192,500
Public Safety	\$104,582	\$342,250	\$200,000
Community Development	\$12,500	\$95,000	\$50,000
Health & Environment	\$374,000	\$1,761,000	\$224,000
Public Works (without Water)	\$769,360	\$1,363,500	\$923,500
Equipment	\$538,000	\$587,800	\$324,000
<b>Total Town Funded Capital Budget</b>	<b>\$1,905,942</b>	<b>\$4,367,050</b>	<b>\$1,914,000</b>

**Motion:** Selectman Jeffrey Dykens moved that the Town vote to appropriate \$1,914,000 for the purpose of funding the FY2015 Capital Budget in the column titled “FY2015 Proposed” of Article 12 of the Warrant and to meet said appropriation, the Town raise \$829,000 through taxation; and transfer \$1,000,000 from Free Cash, \$55,000 from Waterways Improvement Fund, \$30,000 from the PEG Cable Access Fund.

**Explanation:** Items in the Capital Improvement budget shall fall into the categories of maintenance projects (not ongoing maintenance), equipment, and new projects within the range of \$5,000-\$250,000. The Capital Plan presented is in accordance with the Fiscal Policies; representing 7% of the operating budget. For FY2015 Department identified capital requests totaled \$4,367,050; while funding recommendations in the amount are provided for priority items. To accomplish such, we recommend a capital spending plan that uses a combination of available funds, free cash, and a portion of the tax rate to provide adequate funding. Please refer to Appendix G for details.

**Board of Selectmen Recommendation: Approve 5-0-0**

**Finance Committee Recommendation: Approve 7-0-0**

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 13 – Water Capital - Iron and Manganese Water Treatment Facility**

To see if the Town will vote to appropriate a sum of \$6,533,000.00 for the purpose of paying costs related to the construction of the Iron and Manganese Water Treatment Facility, and for all costs incidental and related thereto, and to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise; or to take any other action in relation thereto.

(Board of Selectmen)

**MOTION:** Selectman Leonard Sussman moved that that \$6,533,000.00 is appropriated for the purpose of financing the construction of the Iron and Manganese Water Treatment Facility, and for all costs incidental and related thereto, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation (i) \$1,000,000 shall be transferred from available funds of the Water Department and (ii) the Treasurer with the approval of the Selectmen is authorized to borrow the sum of \$5,533,000 and issue bonds or notes therefor under and pursuant to Chapter 44, Sections 7 and 8 of the General Laws or pursuant to any other enabling authority; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust (the "Trust") established pursuant to Chapter 29C of the General Laws, and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Chatham Board of Selectmen is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, and to expend all funds available for the project and to take any other action necessary to carry out the project.

**Explanation:** For several years, the levels of Iron and Manganese have been steadily increasing in multiple Town of Chatham wells. Over time, the concentration of iron and manganese has increased in the water pumped from the aquifer by the wells, and this turns the water red or brown in color. In recent years, the volume of citizen complaints about the water quality related to Iron and Manganese has also increased. Iron and Manganese are considered secondary contaminants by the Environmental Protection Agency (EPA). The EPA and MassDEP have set standards for manganese at 0.05 mg/l and for iron at 0.3 mg/l. Both Tirrells and Ebens Way wells routinely exceed these standards. Additionally, MassDEP has indicated that it is not advisable for young children to consume

*water with high levels of manganese. The solution is to remove the iron and manganese from the water by changing the form of the iron and manganese from what is found naturally in the water (dissolved) to a form that can be filtered (particulate). The 2012 Annual Town Meeting approved \$700,000 for design of an Iron and Manganese treatment facility, and the 2013 Annual Town Meeting approved \$100,000 for an Owners Project Manager (OPM). The facility has been designed to treat the water from the Tirrells and Ebens Way wells with the potential to treat other wells in the future. A green sand filtration system has been selected as the most cost effective method of treatment. A site just off Morton Road has been selected as the most efficient location for this facility, as it is conveniently located near a well to be treated and adjacent to a distribution water main. \$5,333,000 of this project is expected to be funded by low interest loans from the State Revolving Fund, with available funds of the Water Department funding the remaining \$1,000,000.*

**Board of Selectmen Recommendation:      Approve 4-1-0**

**Finance Committee Recommendation:      Approve 7-0-0**

**VOTE: Voice. So voted by more than the requisite 2/3rds majority, declared the Moderator.**



# Town of Chatham

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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 14 – Wastewater –Capital Project** **Funding Authorization for Project Continuation; Phase 1C**

To see if the Town will vote to appropriate a sum of money for paying costs of the design, renovation, and construction of various projects involving wastewater collection facilities and systems, including facilities for surface water nutrient management, including all costs incidental and related thereto; to determine whether this appropriation shall be raised by taxation, borrowing or otherwise; or to take any other action relative thereto; provided, however, that the borrowing authorized hereunder is contingent upon passage of a so called debt exclusion referendum vote pursuant to G.L. c.59, §21C (Proposition 2 ½); or to take any other action in relation thereto.

(Board of Selectmen)

**Motion:** Selectman Florence Seldin moved that the sum of \$17,500,000 million is hereby appropriated for the purpose of paying costs of design, renovation, and construction of various projects involving wastewater collection facilities, including facilities for surface water nutrient management, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow said amount under and pursuant to Chapter 44 Section 7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided however, that the borrowing authorized hereunder is contingent upon passage of a so called debt exclusion referendum vote pursuant to Chapter 59, Section 21C of the General Laws (Proposition 2 ½), and further, that the Board of Selectmen is authorized to apply for and accept any grants or contributions that may be available toward the cost of said project from the Federal Government, the Commonwealth of Massachusetts or otherwise.

**Explanation:** *The May 2013 Annual Town Meeting (ATM) appropriated \$15M for Phase 1B, currently under construction, and initial funding for Phase 1C sewer extensions as outlined in the Comprehensive Wastewater Management Plan (CWMP). At that time the remainder of the Phase 1C funding was going to be requested at the 2015 ATM.*

*Phases 1B and 1C are targeted to the Oyster Pond and Little Mill Pond watersheds. The choice of these areas is based on multiple factors including: environmental sensitivity of the receiving waterbody, proximity of existing infrastructure, other planned town projects (roads, water, sidewalks, etc.), consistency with the CWMP and Cape Cod Commission DRI approval, and cost. Consistent with*

*the concept of Adaptive Management, i.e. address priority areas first, these projects will address watersheds at the head of the overall Stage Harbor Complex.*

*The Phase 1C 3-year Program was submitted to MassDEP in August of 2012 and is listed for project funding in the Final CY 2013 Intended Use Plan (IUP). This means that MassDEP has agreed to fund the project under the State Revolving Fund (SRF) low interest loan program. The project package (plans, specifications) for the first sewer extension contract (Phase 1C-1) was submitted to MassDEP in October 2013 with the project going to bid in early 2014. While being reviewed MassDEP raised a question regarding the available town appropriation. Following discussions with MassDEP staff, including the head of the SRF Program, it became apparent that misunderstandings existed between MassDEP and the Town regarding the town's plan to have multiple appropriations for funding Phase 1C and their timing. The outcome of these discussions is that MassDEP is seeking to ensure that the town has the full appropriation for Phase 1C available. Currently the town has only appropriated \$10M out of the estimated \$27.5M for Phase 1C.*

*Phases 1A, 1B, and the first phase of 1C have been approved for 0% SRF loans. This 0% program is of limited duration.*

*The impact on the tax rate would not be affected if the appropriation were made in 2014 versus 2015. Although the funds would be appropriated in May 2014, satisfying MassDEP's requirement, they would not be spent any more quickly than if approved in 2015. The funds would be spent in later years in accordance with the schedule for contracts to be issued based on the implementation plan for Phase 1C. Construction will extend into FY2016 and FY2017 thus delaying the need to borrow until that time.*

**Board of Selectmen Recommendation: Approve 3-2-0**

**Finance Committee Recommendation: Approve 7-0-0**

**VOTE: Voice. So voted by a very substantial majority, certainly more than the 2/3rds. "2/3rds have voted in the affirmative, declared the Moderator."**



**ARTICLE 10**  
**PROPOSED SEWER CONNECTIONS - PHASE 1B AND PHASE 1C**

-  PHASE 1B SEWER EXTENSION
-  RELOCATED/UPGRADED FORCE MAIN
-  PHASE 1C SEWER EXTENSION
-  WATERSHED BOUNDARY
-  PARCELS ON SEWER
-  SEWER PUMP STATION



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 15 – Appropriation to OPEB Trust Fund

To see if the Town will vote to transfer from available funds, a sum of money to the Other Post-Employment Benefits (OPEB) Trust Fund, or take any other action in relation thereto.

(Board of Selectmen)

**Motion:** Selectman Sean Summers moved that the Town vote to transfer \$150,000 from the Overlay Surplus account and said funds to be added to the OPEB Trust fund.

**Explanation:** *The Town established the OPEB trust fund in 2012 in compliance with the General Accounting Standards Board (“GASB”) Statements 43 and 45 and MGL chapter 32B, §20. At that time, no funding was appropriated. Such is the vehicle to fund future financial obligations for health insurance benefits, other than pensions, for eligible former employees of the Town. The proposed funding source, Overlay Surplus, is a fund balance remaining after the payment of property tax abatements, and has been used in the past to fund the Stabilization Fund. Since the balance in the Stabilization fund is at a level in accordance with our fiscal policies, the Overlay Surplus is being transferred to the OPEB trust fund. Such action is viewed positively by the Bond Rating Agencies.*

**Board of Selectmen Recommendation:** Approve 5-0-0

**Finance Committee Recommendation:** Approve 7-0-0

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 16 - Skate Board Park Relocation/Construction CPA Funding; Repurposing of FY2014 Funds**

To see if the Town will vote to repurpose previously approved FY2014 Community Preservation Revenues under Article 27 of the 2013 Annual Town Meeting, said funds to be expended for the same purposes of constructing a Skate Board Park at a new location at Volunteer Park, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion:** Ira Seldin, Community Preservation Committee, moved that the Town vote to repurpose and appropriate the sum of \$110,000 previously appropriated under Article 27 of the May 2013 Annual Town Meeting Warrant (Article 27 – Community Preservation – Skateboard Park Construction) from the FY2014 Community Preservation Revenues for the same purposes at a different Town-own property, namely Volunteer Park.

**Explanation:** *The Community Preservation Committee recommended, and Town Meeting approved the funds for the relocation the skateboard park at the May 2013 Annual Town Meeting. This article requests a ‘repurposing’ or reorganizing of FY2014 Community Preservation funds approved at the 2013 Annual Town Meeting which voted by floor amendment for such funding specific to the construction of the Skateboard Park located on town-owned land adjacent to the VFW on George Ryder Road. The BOS has since been requested by the Parks and Recreation Commission to reconsider the location. This article would instead specify the funding for the project on town-owned land at a different location, Volunteer Park. Should this article fail, funds will remain tied to the project as previously voted at the 2013 Annual Town Meeting – town-owned land adjacent to the VFW on George Ryder Road. No new or additional funding appropriation is requested for this article.*

**Community Preservation Committee Recommendation: Approve 6-0-0**  
**Board of Selectmen Recommendation: Approve 3-2-0**  
**Finance Committee Recommendation: Approve 0-6-0**

**VOTE:** Voice. Moderator requested a show of cards – he was convinced the ayes had it, but the Voters requested a count.

**HAND COUNT:**

**Yes: 295**

**No: 122**

**Article 16 is carried, declared the Moderator.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 17 – FY2015 Community Preservation Committee Administrative Budget**

To see if the Town will vote to raise and appropriate and/or transfer from Community Preservation Fund revenues a sum of money it determines necessary for the purpose of funding administrative costs associated with the Community Preservation Act, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion: John Kaar, Community Preservation Committee, moved that the Town vote to appropriate the sum of \$15,000 from FY2015 Community Preservation Fund Revenues for the purpose of funding administrative costs associated with the Community Preservation Act.**

***Explanation:** The Community Preservation Act allows Town Meeting to appropriate up to 5% of estimated revenues for the Community Preservation Committee to carry out its statutory duties. This year \$15,000 (less than 5%) is being requested for clerical expenses, appraisals, consulting and legal services.*

**Community Preservation Committee Recommendation: Approve 7-0-0**  
**Board of Selectmen Recommendation: Approve 5-0-0**  
**Finance Committee Recommendation: Approve 6-0-0**

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 18 - FY2015 Community Preservation Reserve Fund Appropriations**

To see if the Town will vote to appropriate from the Community Preservation Fund to reserve for future appropriation a sum of money from the Community Preservation Fund estimated annual revenues for open space, historic resources, and community housing purposes, as well as a sum of money to be placed in the 2015 Budgeted Reserve for general Community Preservation Act purposes, or take any other action relative thereto.

(Community Preservation Committee)

**Motion: John Kaar, Community Preservation Committee, moved that the Town appropriate and reserve from FY2015 Community Preservation Fund estimated annual revenue amounts as follows:**

<b><u>Reserve:</u></b>	
<b>Open Space</b>	<b>\$100,000</b>
<b>Historic Resources</b>	<b>\$100,000</b>
<b>Community Housing</b>	<b><u>\$100,000</u></b>
<b>Total Reserves</b>	<b>\$300,000</b>

***Explanation:*** The Community Preservation Act requires that each year 10% of estimated revenue being reserved or expended for each of the following categories; Open Space, Community Housing and Historic Resources. This article fulfills that requirement. In the subsequent articles, the motions presented transfer these funds out of the reserves to fund the projects. If one or more of the articles does not receive town meeting approval, the reserve remains thus meeting the statutory requirement.

<b>Community Preservation Committee Recommendation:</b>	<b>Approve 7-0-0</b>
<b>Board of Selectmen Recommendation:</b>	<b>Approve 5-0-0</b>
<b>Finance Committee Recommendation:</b>	<b>Approve 6-0-0</b>

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 19 – Community Preservation – Eldredge Public Library**

To see if the Town will vote to raise and appropriate and/or transfer from available Community Preservation funds a sum of money as it determines necessary to provide funds to restore and preserve the Windows at the Eldredge Public Library, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion:** Peter Coccolis, Community Preservation Committee, moved that the Town vote to appropriate \$186,830 with \$100,000 from Historic Reserves and \$86,830 from FY2015 Community Preservation Fund revenues in order to fund the restoration and preservation of the Historic Windows at the Eldredge Public Library described in more detail in the Explanation below.

**Explanation:** *The building is listed on the National Register of Historic Places, and all work must conform to the standards set forth by the Dept. of the Interior. The restoration of the windows on the historic portion of the building will include the sashes, frames and glazing. Historic rehabilitation of the windows will not only maintain the appearance of the building, but will directly extend the Library's life cycle, preserving its historic character and physical integrity into the future. Preservation of the library is consistent with its ongoing listing on the National and State Registers of Historic Places. Protection of the iconic building is one of the cornerstones of preserving downtown Chatham's historic fabric and benefits the citizens of the town, state and country.*

**Community Preservation Committee Recommendation:** Approve 7-0-0  
**Board of Selectmen Recommendation:** Approve 5-0-0  
**Finance Committee Recommendation:** Approve 6-0-0

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 20 – Community Preservation – Historic Property Survey

To see if the Town will vote to raise and appropriate and/or transfer from available Community Preservation funds a sum of money it determines necessary to fund the Historic Property Survey; or take any other action in relation thereto.

(Community Preservation Committee)

**Motion: Victor DiCristina, Community Preservation Committee, moved that the Town vote to appropriate \$45,000, with \$45,000 from 2015 estimated revenues in order to fund continuance of the Historic Property Survey.**

*Explanation: This article seeks funds to continue the program of the Chatham Historical Commission to professionally document in narrative and photographs the historic properties in Town. This program began in 2003 and received funding through the CPA in 2008 and 2013. More than 700 properties have been inventoried, including most of the historical homes in the Old Village and Historic Business Districts. Continuation and completion of the surveying work is of significant importance to the Chatham Historical Commission; and this article received their unanimous support.*

**Community Preservation Committee Recommendation: Approve 7-0-0**  
**Board of Selectmen Recommendation: Approve 4-1-0**  
**Finance Committee Recommendation: Approve 6-0-0**

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 21 – Community Preservation – Affordable Housing Trust Fund

To see if the Town will vote to raise and appropriate and/or transfer from available Community Preservation funds a sum of money it determines necessary to fund the Affordable Housing Trust Fund, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion:** John Kaar, Community Preservation Committee, move that the Town vote to appropriate the sum of \$300,000 with \$100,000 from Community Housing Reserves and \$200,000 from FY2015 Community Preservation Fund Revenues to transfer to the Affordable Housing Trust Fund.

**Explanation:** *The Affordable Housing Trust Fund (AHTF) was created by Town meeting in 2006. The AHTF is administered by the Board of Selectmen and two other appointed trustees, and is governed by the "Guidelines for the Disbursement of Funds in the AHTF". This request would replenish the AHTF with a balance that allows the Town to respond to opportunities in the housing market in a time-sensitive and efficient manner, not having to wait for a future Town Meeting for approval. The current balance in the AHTF is \$95,000; approval of this article would raise the balance to \$395,000 (a more realistic figure if a property were to become available for purchase).*

**Community Preservation Committee Recommendation:** Approve 7-0-0

**Board of Selectmen Recommendation:** Approve 4-1-0

**Finance Committee Recommendation:** Approve 6-0-0

**VOTE:** Voice. So voted by a very substantial majority, declared the Moderator.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 22 - Community Preservation – Golf Tee Access**

To see if the Town will vote to raise and appropriate and/or transfer from available Preservation funds a sum of money it determines necessary to complete a new access/egress from the 7<sup>th</sup> and 9<sup>th</sup> tees at the Town owned Chatham Seaside Links Golf Course, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion: Bob Lear, Community Preservation Committee, moved that the Town vote to appropriate the sum of \$36,000 from FY2015 Community Preservation Fund Revenues in order to complete a new access/egress from the 7<sup>th</sup> and 9<sup>th</sup> tees at the Chatham Seaside Links Golf Course.**

***Explanation:** The current access and egress from the 7<sup>th</sup> and 9<sup>th</sup> tees is over a very rutted surface that requires constant maintenance and can be unsafe at times due to erosion. The funds will be used to slightly expand the tee and create a more stable and permanent access to the tees for pedestrians, golf carts, and handicapped individuals. This will also correct the erosion situation that runs into the adjacent pond at the course. This project was previously approved (May 2006) but not completed due to restrictions in the Community Preservation Act. The 2012 revised CPA legislation/language allows for completion of this project.*

**Community Preservation Committee Recommendation: Approve 7-0-0**

**Board of Selectmen Recommendation: Approve 5-0-0**

**Finance Committee Recommendation: Approve 4-2-0**

**VOTE: Voice. So voted by a very substantial majority, declared the Moderator.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 23– Community Preservation – So. Chatham Village Hall

To see if the Town will vote to raise and appropriate and/or transfer from available Community Preservation funds a sum of money it determines necessary to fund completion of the restoration of the South Chatham Village Hall by installation of underground electric/utility service, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion: John Kaar, Community Preservation Committee, moved that the Town vote to appropriate the sum of \$7,000 from FY2015 Community Preservation Fund revenues to fund completion of the restoration of the South Chatham Village Hall by installation of underground electric/utility service.**

**Explanation:** *The Village Hall Family Circle is requesting funds for installation of underground electric service that would restore the Hall to its historic appearance. Last year funds were awarded to restore other historic aspects of the building, but the electric restoration was not included as the CPC did not deem this work was historic preservation. Since that time, photographs dated 1947 were located showing the building unfettered by overhead wires. To further support the historic nature of the underground wires, old electric conduits were discovered during the construction of the ADA accessible ramp. This funding would bring the building back to its 1947 appearance.*

**Community Preservation Committee Recommendation: Approve 5-2-0**

**Board of Selectmen Recommendation: Approve 3-2-0**

**Finance Committee Recommendation: Approve 6-0-0**

**VOTE: Voice. So voted by a very substantial majority, declared the Moderator.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 24– Community Preservation – Marconi Trail Signs

To see if the Town will vote to raise and appropriate and/or transfer from available Community Preservation funds a sum of money it determines necessary to fund signs for the Marconi Walking Trail, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion:** Ira Seldin, Community Preservation Committee, moved that the Town vote to appropriate \$3,600 from FY2015 Community Preservation Fund Revenues for the Chatham Marconi Center Walking Trail signs.

***Explanation:** A trail at the Marconi Wireless/RCA Receiving Station begins behind the operations building and extends up the hill approximately 640 feet and rises about 55 feet. The majority of the expense and effort for the construction of this trail were contributed as part of Elijah Eldredge’s Eagle Scout project, who completed the trail with assistance from other scouts. To complete, compliment and encourage the use of this trail, the CMMC would like to install signs that provide information about the Marconi site, including the Antenna locations to which the trail leads. This is presented as a recreation project; however, there is an historical aspect of providing signage along the trail. The signs will be similar to the historic signs located around town installed as part of the 300<sup>th</sup> anniversary.*

**Community Preservation Committee Recommendation:** Approve 6-0-1  
**Board of Selectmen Recommendation:** Approve 4-1-0  
**Finance Committee Recommendation:** Approve 5-0-1

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 25 – Community Preservation – Railroad Caboose**

To see if the Town will vote to raise and appropriate and/or transfer from available Community Preservation funds a sum of money it determines necessary to fund rehabilitation of a certain 20<sup>th</sup> century Railroad Caboose maintained by the Chatham Railroad Museum Group, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion: Victor DiCristina, Community Preservation Committee, moved that the Town vote to appropriate \$128,870 from FY2015 Community Preservation Fund Revenues for rehabilitation and preservation of the Railroad Caboose.**

**Explanation:** *The Chatham Railroad Museum Group (“Group”) routinely monitors the condition of all elements of the museum, including its exhibits and appurtenances. The Group has successfully restored the museum building, and has identified the next major critical project as the preservation of the early 20<sup>th</sup> Century Caboose railroad car. The Railroad museum building and the caboose are listed on the National Register of Historic Places. The Caboose was set on the site in 1963, and while the Group has been able to maintain the wooden superstructure of the caboose, the 103 year-old undercarriage is in need of restoration and preservation measures to maintain its structural integrity and historical relationship with the museum.*

**Community Preservation Committee Recommendation: Approve 4-3-0**  
**Board of Selectmen Recommendation: Disapprove 2-3-0**  
**Finance Committee Recommendation: Approve 5-1-0**

**VOTE: Voice. So voted by a very substantial majority, declared the Moderator.**



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[www.chatham-ma.gov](http://www.chatham-ma.gov)

## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 26 – Community Preservation – Veteran’s Field Lights

To see if the Town will vote to raise and appropriate and/or transfer from available Community Preservation funds a sum of money it determines necessary to fund the replacement/installation of new lights at Veteran’s Field, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion:** Ira Seldin, Community Preservation Committee, moved that the Town vote to appropriate \$334,000 from FY2015 Community Preservation Fund Balance for replacement/installation of new lights at Veteran’s Field.

***Explanation:** The replacement of the poles and lights will vastly improve safety on the field and spectator enjoyment. The new lights will meet the illumination requirements of the Cape Cod Baseball League. They are highly efficient and provide for less ‘light pollution’ as they are better directed at the area necessary to light providing for lower operating and maintenance costs. Veteran’s Field is used extensively in the summer by the Cape Cod Baseball League, Senior and Junior Babe Ruth Teams, Adult Baseball League, as well as the Monomoy Regional School District (soccer and baseball teams). The Chatham Athletic Association, Inc. (CAA) has requested CPC funds to supplement the \$111,000 that the CAA will contribute to the project.*

**Community Preservation Committee Recommendation:** Approve 7-0-0  
**Board of Selectmen Recommendation:** Approve 5-0-0  
**Finance Committee Recommendation:** Approve 5-0-1

**VOTE:** Voice. So voted by a very substantial majority, declared the Moderator.



# Town of Chatham

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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 27 – Community Preservation – Oyster Propagation Program

To see if the Town will vote to raise and appropriate and/or transfer from available Community Preservation funds a sum of money it determines necessary to fund Oyster Propagation Program so as to promote recreational oystering, or take any other action in relation thereto.

(Community Preservation Committee)

**Motion:** Bob Dubis, Community Preservation Committee, moved that the Town vote to appropriate the sum of \$65,000 from FY2015 Community Preservation Fund revenues to fund the Oyster Propagation program.

**Explanation:** *The recreational opportunity provided to approximately 3,000 resident and non-resident shellfish permit holders alike to experience Chatham's unique coastal beauty is the most tangible and visible benefit for funding this program. Recreational shell fishing provides a healthy outdoor activity both young and old can enjoy with the added benefit of taking home a healthy food source. The funds requested under this article will provide for oyster seed, gear to grow oysters and the purchase of 'remote sets'. While this request is strictly recreational in scope, historically much of Chatham's estuaries were extensive oyster beds, overharvested over 100 years ago. The propagation of oysters may not be capable of restoring oyster beds to historic levels, but may add balance to our local ecosystems.*

**Community Preservation Committee Recommendation:** Approve 7-0-0  
**Board of Selectmen Recommendation:** Approve 5-0-0  
**Finance Committee Recommendation:** Approve 6-0-0

**VOTE:** Voice. So voted unanimously.



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 29 – Town of Chatham Rules and Regulations of the Sewer Department; Grease Traps**

To see if the Town will vote to amend the “Town of Chatham Rules and Regulations of the Sewer Department” adopted under Article 57 of the March 15, 1972 Annual Town Meeting and revised under Article 33 of the May 11, 2004, Annual Town Meeting, Article 21 of the May 9, 2005, Annual Town Meeting, Article 35 of the May 12, 2008, Annual Town Meeting, Article 9 of the August 27, 2012 Special Town Meeting, and Article 3 of the October 7, 2013 Special town Meeting.

(A line through words indicates deletion “~~word~~”. Words in **underlined, bold, italics** indicate additions.)

Note – only those Articles/Sections of the Regulations being revised are shown.

## ARTICLE VI USE OF THE PUBLIC SEWER

Section 7. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; Except such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of the type and capacity approved by the Director, and shall be located as to be readily and easily accessible for cleaning and inspection. MDC Grease Interceptors shall be installed in the building sewer serving restaurants or hotels, boarding houses that prepare and serve food or business of a similar nature. Maintenance, operation, and repair of all installed interceptors shall be at the expense of the owner and subject to the inspection by the Director or his authorized representative.

- 1. Grease traps shall be inspected monthly, for the months in use, by a duly appointed representative of the Town and shall be cleaned by a licensed septage hauler whenever the level of grease is 25% of the effective depth of the trap or at least every three months whichever is sooner. Facility owners/operators shall be responsible for notifying the Water & Sewer Department of extended periods of time (one (1) month or more) when the**

**grease trap is not in use (i.e. the facility will be closed) to avoid being inspected and billed for those months.**

**2. Following pumping of a grease trap the grease trap shall be filled with treated water from the WPCF to a point above the discharge pipe.**

(Remainder of Section 7. remains as previously adopted)

Or take any other action in relation thereof.

(Board of Selectmen as Water and Sewer Commissioners)

**Motion:** Selectman Florence Seldin moved that the Town vote to amend the “Town of Chatham Rules and Regulations of the Sewer Department” adopted under Article 57 of the March 15, 1972 Annual Town Meeting and subsequently amended in 2004, 2005, 2008, 2012, and 2013 as printed in the Warrant.

**Explanation:** *This article is intended to update Section 7 of the Town of Chatham Rules and Regulations of the Sewer Department.*

*The Rules and Regulations of the Sewer Department (Article VI, Use of Public Sewers, Section 7.) requires the following: “MDC Grease Interceptors shall be installed in the building sewer serving restaurants or hotels, boarding houses that prepare and serve food or business of a similar nature.” For many years the town has inspected grease traps connected to the sewer following requirements found in the State Sanitary Code for grease traps connected to septic systems (Title 5 (310 CMR 15.351(2)) as an unwritten policy for the purpose of protecting the sewer collection system. Given that the town has been undertaking this practice for many years and it has served to minimize the impact of grease on the collection system it should be included in the Sewer Regulations as expansion of the collection system occurs.*

*For a long time we have asked haulers to refill recently pumped grease traps with treated water as a best management practice. This helps to ensure that any newly discharged grease has time to cool and separate adequately. If this practice is followed routinely we would see less grease escaping through the interceptors and finding its way into the sewer lines.*

**Board of Selectmen Recommendation: Approve 4-0-0**

**Finance Committee Recommendation: Approve 7-0-0**

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 31 – Town Road Acceptance/Taking – Old Queen Anne Road**

To see if the Town will vote to accept Old Queen Anne Road as a Town way laid out by the Board of Selectman according to plans and descriptions now on file in the Town Clerk's office, and to authorize the Board of Selectmen to accept deeds or take, by eminent domain, all necessary interests in real estate as shown on said plans, with no purchase price or land damages to be paid by the Town in accordance with Chapters 80 and 83 of the Massachusetts General Laws and Chapter 240 of the Town of Chatham General Bylaws, or to take any other action relation thereto.

(Board of Selectman)

**Motion:** Selectman Leonard Sussman moved that the Town vote to accept Old Queen Anne Road as a Town way as laid out by the Board of Selectman according to plans and descriptions now on file in the Town Clerk's office, and to authorize the Board of Selectmen to accept deeds or take, by eminent domain, all necessary interests in real estate as shown on said plans, with no purchase price or land damages to be paid by the Town in accordance with Chapters 80 and 83 of the Massachusetts General Laws and Chapter 240 of the Town of Chatham General Bylaws, or to take any other action relation thereto.

**Explanation:** *Old Queen Anne Road is a main roadway that connects several areas of Chatham. Old Queen Anne Road has been maintained as a Town Road for a number of years. The portion of Old Queen Anne Road from Main Street to Stepping Stones Road has not been properly accepted by Town Meeting, as other sections of Old Queen Anne Road have been. This article would properly accept the portion of Old Queen Anne Road from Main Street to Stepping Stones Road as a Town way. Accepting this road as a Town way will also allow the Town to include this roadway on the Massachusetts Department of Transportation Chapter 90 (state aid) funding list. This will allow the Town to receive additional state Chapter 90 funds in the future.*

**Board of Selectman Recommendation: Approve 4-0-0**

**Finance Committee Recommendation: Approve 7-1-0**

**VOTE: Voice. So voted unanimously, declared the Moderator.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 32 - Conveyance of Parcel; Honeysuckle Lane

To see if the Town will vote to authorize the Board of Selectmen to convey and transfer interests in Lot H-5A located at 0 Honeysuckle Lane, identified as Assessors' 13B-16-H5A, and as more particularly described as Lot 5A on a certain plan of land entitled Plan Showing Subdivision of Land in Chatham, Mass. Made For Parker E. Harris and Winifred C. Harris, Scale 1" = 60' December 4, 1968 Nickerson & Berger Engineers, Eastham & Chatham, Mass., a copy of which is on file with the Town Clerk's office, the use of said property to be restricted for Conservation purposes, and to authorize the Selectmen and Town Manager to negotiate and execute any and all documents to effectuate this conveyance.

(Board of Selectmen)

**Motion:** Selectman Jeffrey Dykens moved that the Town authorize the Board of Selectmen to convey and transfer interests in Lot H-5A located at 0 Honeysuckle Lane, identified as Assessors' 13B-16-H5A, and as more particularly described as Lot 5A on a certain plan of land entitled Plan Showing Subdivision of Land in Chatham, Mass. Made For Parker E. Harris and Winifred C. Harris, Scale 1" = 60' December 4, 1968 Nickerson & Berger Engineers, Eastham & Chatham, Mass., a copy of which is on file with the Town Clerk's office, the use of said property to be restricted for Conservation purposes, and authorize the Selectmen and Town Manager to negotiate and execute any and all documents to effectuate this conveyance.

**Explanation:** Phase 1A of the town's Comprehensive Wastewater Management Plan (CWMP), begun in early 2010, includes the upgrade and expansion of the wastewater treatment facility and the expansion of the collection system (sewers). This first phase of implementation of the CWMP was completed in spring 2012.

As part of the collection system expansion the town designed and constructed 5 wastewater pump stations. The siting of wastewater pump stations is a complex process that takes into account wastewater engineering, topography, ability to serve the maximum number of users, and land ownership/availability. In general, pump stations are located on public property, within publically-owned road rights-of-way, on land purchased for the purpose, or within easements obtained from private property owners. The pump stations necessary for Phase 1A tended to be larger in size as they will ultimately serve multiple, large residential neighborhoods, this made their siting more

*complicated. In Phase 1A, the town was able to locate one pump station on town owned property; one on private land for which an easement was gifted; and two on private land for which payment was made for easements.*

*The fifth, Huckleberry Lane Pump Station, is located between Route 28 and the bike path just south of the wastewater treatment facility. This pump station is the largest of the five and will ultimately serve the West Chatham, South Chatham, and a portion of the Route 137 area. Huckleberry Lane is a “paper road” with the Town owning the road layout and the parcel to the west and the Chatham Conservation Foundation (a private land trust) owning the parcel to the east. The properties had been purchased by the respective owners for conservation purposes.*

*The town purchased the parcel to the west, and the road layout, with Land Bank funds which prevents the future installation of any “structures” on the property. So while the town was able to install underground utilities (sewer infrastructure, water, gas, electric, and an access drive) on town-owned property it was not able to construct the above-ground pump station building.*

*In 2009, during the Phase 1A design process, the town approached the Conservation Foundation about the possibility of siting the pump station building on their easterly parcel .The Foundation, having worked cooperatively with the town on previous land purchases, agreed to negotiate an easement for the pump station.*

*In recognition of the assistance of the Conservation Foundation, it has been determined that a similarly situated parcel of land would conveyed for conservation purposes. This is in keeping with the Foundation’s mission. Following review of potential parcels, lot 5A on Honeysuckle Lane was identified. Lot 5A was taken by the town in 2000 for tax purposes, is adjacent to or contiguous with existing Foundation land holdings to the north, south, east and west, and had been determined to be unbuildable. It would therefore serve several goals if it were conveyed for conservation purposes. There would be no tax impacts as the property is town-owned and thus not taxed.*

*For a variety of reasons the conveyance of the Honeysuckle Lane property has not occurred to date. This article is intended to effectuate the conveyance.*

**Board of Selectmen Recommendation:      Approve 4-0-0**

**Finance Committee Recommendation:      Approve 7-0-1**

**VOTE: Voice. So voted unanimously, declared the Moderator.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 33 – Fish Pier Parking Lot/Easement Acquisition

To see if the Town will vote to authorize the Board of Selectmen to acquire through donation, purchase or eminent domain, or otherwise acquire, permanent easements in portions of lots located at 390 and 400 Shore Road, identified as Assessors' parcels 16F-21-E9 and 16F-20-E10, and as more particularly described as "LOT A" containing an area of 10,566 square feet, on a certain plan of land entitled "Chatham Bars Inn", dated January 6, 2011, a copy of which is on file with the Town Clerk's office, said property to be used for parking and other purposes related to the so-called Fish Pier, and further to appropriate, by borrowing, transfer or otherwise, a sufficient sum of funds to accomplish the same, and to authorize the Selectmen and Town Manager to negotiate and execute any and all documents to effectuate this donation, purchase and/or taking, or to take any other action relation thereto.

(Board of Selectmen)

**Motion:** Selectman Sean Summers moved that the Town vote to authorize the Board of Selectmen to acquire through donation, purchase or eminent domain, or otherwise acquire, permanent easements in portions of lots located at 390 and 400 Shore Road, identified as Assessors' parcels 16F-21-E9 and 16F-20-E10, and as more particularly described as "LOT A" containing an area of 10,566 square feet, on a certain plan of land entitled "Chatham Bars Inn", dated January 6, 2011, a copy of which is on file with the Town Clerk's Office, said property to be used for parking and other purposes related to the so-called Fish Pier, and further to appropriate, by transfer from Free Cash, a sum of \$100,000 to accomplish the same, and to authorize the Selectmen and Town Manager to negotiate and execute any and all documents to effectuate this donation, purchase and/or taking.

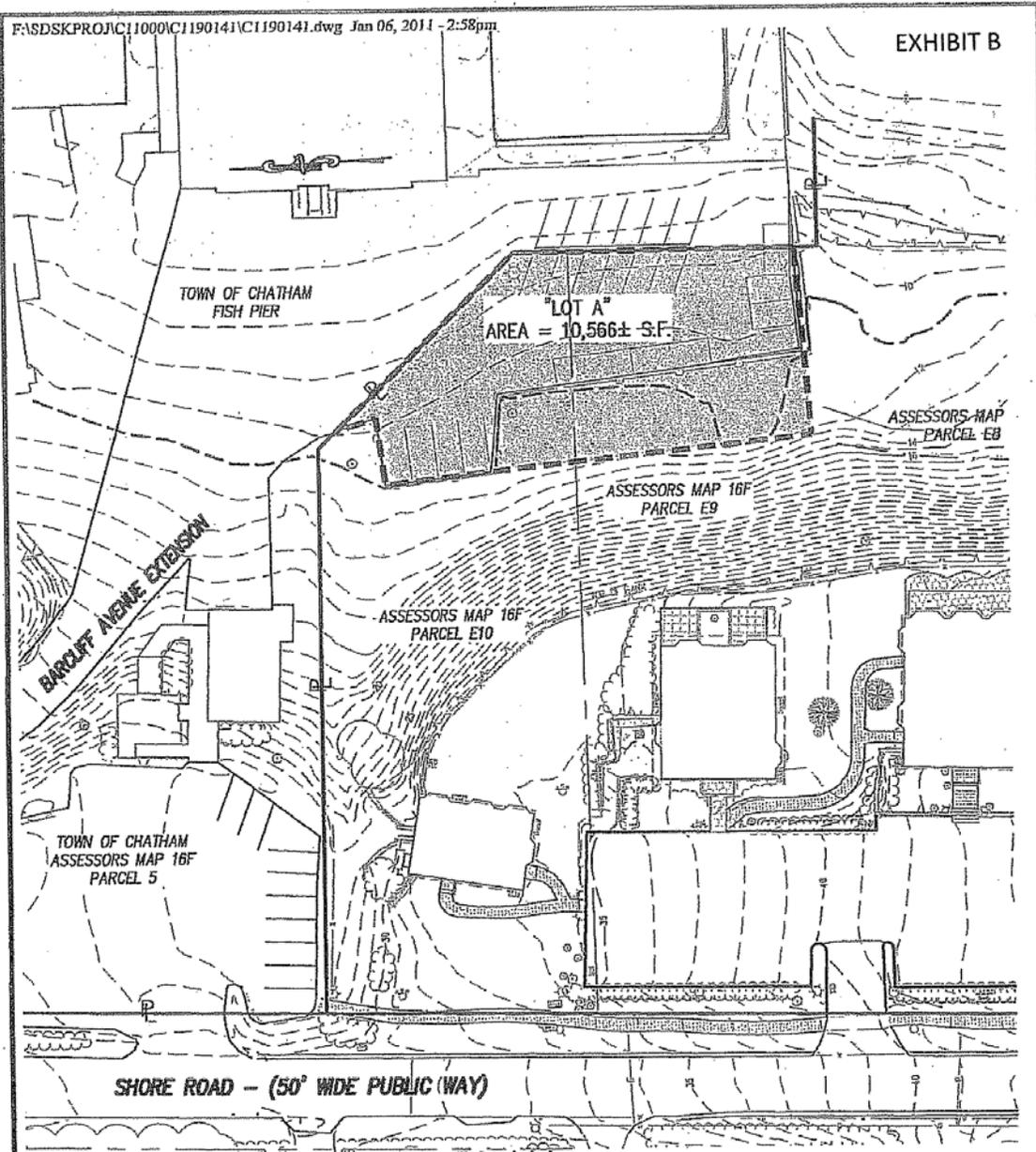
**Explanation:** *The Fish pier parking lot serves a vital purpose for the Town's fishing industry. Since 1999, the Town and CBI have been parties to a series of memorandums of understandings (MOU) for the Town's use of CBI's portion of land that comprises the Fish Pier parking lot. The most recent MOU expires on June 1, 2014. While the parties have worked cooperatively under the MOU, the Town would like to attain more permanence for the use of the parking lot. Furthermore, the Town would like to secure a mild expansion of the parking lot to serve increased demand. The Town can accomplish this by obtaining rights to the portion of the parking lot presently owned by CBI. Therefore, by this article, the Town will obtain an easement over the slightly larger parcel (parking area plus expansion) that is*

*depicted on the plan that is described in the article. CBI will retain the actual ownership of the parcel, but the Town, by obtaining a permanent easement, will have permanent use of the lower parking lot.*

**Board of Selectmen Recommendation: Approve 4-0-0**

**Finance Committee Recommendation: Approve 7-0-0**

**VOTE: Voice.** The Moderator stated, "So voted by a virtually unanimous vote, I declare it to be a 2/3rds vote."



**PLAN**

SCALE: 1" = 50'

DRAWN BY: TLM  
C1190141.dwg

Coastal Engineering Co., Inc. © 2011

**COASTAL ENGINEERING COMPANY, INC.**  
260 Cranberry Hwy. Orleans, MA 02653  
508.255.6511 Fax: 508.255.6700

**CHATHAM BARS INN**  
PROJECT CHATHAM, MA

SHEET NO. **SK-1B**

PROJECT NO.	C11901.41
SCALE	AS NOTED
DATE	1/6/11



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 34 – Waterfront Land Acquisition

To see if the Town will vote to authorize the Board of Selectmen to acquire through donation, purchase or eminent domain, or otherwise acquire, fee simple interests in a parcel of land located at 90 Bridge Street, identified by Assessors' map 14A/2/11, encompassing the entire parcel conveyed to and owned by the J.R. Fennell Realty Trust as more particularly described in a deed recorded with the Land Court of the Barnstable County Registry of Deeds in Book 1049, page 93 and as further described on a certain plan of land entitled *Waterfront Parcel Acquisition, 90 Bridge Street*, a copy of which is on file with the Town Clerk's office, said property to be used for general municipal and public uses, water dependent uses and other purposes, and further to appropriate, by borrowing, transfer or otherwise, a sufficient sum of funds to accomplish the same, and to authorize the Selectmen and Town Manager to negotiate and execute any and all documents to effectuate this donation, purchase and/or taking, or to take any other action relation thereto.

(Board of Selectmen)

**Motion:** Selectman Jeffrey Dykens moved that the Town vote to transfer and appropriate \$815,000 from Free Cash for the acquisition by purchase, a parcel of land located at 90 Bridge Street, Chatham, Massachusetts as identified as Assessors' parcel 14A-2-11, encompassing the entire parcel conveyed to and owned by the J.R. Fennell Realty Trust, as more fully described in a recorded deed with the Land Court of the Barnstable County Registry of Deeds in Book 1049, page 93 and as further described on a certain plan of land entitled *Waterfront Parcel Acquisition, 90 Bridge Street*, a copy of which is on file with the Town Clerk's Office, said property to be used for municipal and public, water dependent uses and other purposes, and to authorize the Selectmen and Town Manager to negotiate and execute any and all documents to effectuate this.

**Explanation:** *Opportunities for the Town to acquire waterfront property are extremely limited. The property in question is located at the southwestern end of the Mitchell River Bridge (see attached map). The property contains usable upland and approximately 200 feet of licensed waterfront on Stage Harbor/Mitchell River.*

*Public uses of the site will be investigated to possibly include, among other uses, public parking, shore/water access, a handicapped accessible fishing/viewing platform, and as a possible site to relocate/reconstruct the town's shellfish upwelling facility. The US Coast Guard (USCG) has discussed*

*with the Town the possibility of identifying a location for a long-term lease for berthing of search and rescue vessels stationed in Stage Harbor. A suitable berthing float for the USCG could be incorporated into future site development.*

*It is anticipated this location would qualify for various grant opportunities to substantially fund the construction and site development phases.*

*The Town has had an appraisal for the property. The property is currently under a purchase and sale agreement contingent on Town Meeting action on this article. Due to final preparations for this transaction, as of April 8, 2014, BOS and FinCom recommendations are not included in the Warrant.*

**Board of Selectmen Recommendation: Approve 3-1-0**

**Finance Committee Recommendation: Approve 5-3-0**

**VOTE: Voice. In my opinion it is a 2/3rds vote in favor. With no request for a show of cards or hand count, the Moderator declared a 2/3rds vote.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 35 - Zoning: Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) Changes**

~~Strikethrough~~ indicates language proposed for deletion

Underline indicates language proposed for inclusion

***Bold Italicized Words*** are defined in the existing Bylaw

To see if the Town will vote to amend its Protective (Zoning) Bylaw, **Section II., Definitions, Subsection B.**, as follows:

45. **"FLOOD HAZARD AREA"** means the land in the flood plain subject to a one percent (1%) or greater chance of flooding in any given year. It includes those areas shown on the ~~Flood Insurance Rate maps (dated January 1998) prepared by the Federal Emergency Management Agency as Zones A, AO, AH, A1-A30, A99, V and V1-V30. Barnstable County Flood Insurance Rate Maps, prepared by the Federal Emergency Management Agency for the Town of Chatham dated July 16, 2014. (5/11/98 ATM)-(ATM 5/12/14)~~

Also amend, **Section IV., Subsection A. Conservancy Districts, Paragraph 5. Location, sub-paragraph a.1.** as follows:

- a. The Coastal Conservancy Districts shall consist of all the ***submerged lands*** along the coast of Town, and areas subject to flooding including:
1. Areas delineated as the 100-year flood plain (Zones A, AO, AH, A1-30, A99, V and V1-30 on the Flood Insurance Rate Maps, prepared by the National Flood Insurance Program for the Town of Chatham dated June 20, 1998 ~~(or as most recently amended.) (12/2/91 STM)-(ATM 5/12/14)~~

Also amend, **Section IV., Subsection B. Flood Plain District, Paragraph 3. District Location** as follows:

### **3. District Location**

The Flood Plain District is herein established as an overlay district. The District includes all special flood hazard areas ~~designated on the Flood Insurance Rate Maps (FIRM) for the Town of Chatham dated June 20, 1998 (or as most recently amended) as Zones A, AE, AH, AO, A1-30, A99, V and V1-30. These maps, as well as the accompanying Town of Chatham Flood Insurance Study are incorporated herein by reference and are on file with the Planning Board, Town Clerk and the Building Inspector.~~ within the Town of Chatham designated as Zone AE or VE on the Barnstable County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Barnstable County FIRM that are wholly or partially within the Town of Chatham are panel numbers 25001C0609J, 25001C0616J, 25001C0617J, 25001C0626J, 25001C0627J, 25001C0628J, 25001C0629J, 25001C0631J, 25001C0633J, 25001C0636J, 25001C0637J, 25001C0638J, 25001C0639J, 25001C0641J, 25001C0850J, and 25001C0875J dated July 16, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, and Building Inspector

Also amend, **Section IV., Subsection B. Flood Plain District, Paragraph 4. Development Regulations, sub-paragraph d.** and **sub-paragraph g** and **insert sub-paragraph k.** as follows:

#### 4. Development Regulations

- d. In unnumbered A zones, in the absence of ~~Federal Insurance Administration~~ Federal Emergency Management Agency base flood elevation data, the **base flood** elevations shall be determined by obtaining, reviewing and reasonably utilizing any existing **base flood** elevation data from federal, state or other sources.
- g. In all **new construction** and **substantial improvements** within Zones ~~V1-30, VE and V~~ the space below the **lowest floor** must either be free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the **building** or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:
- k. In Zone AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

This amendment shall not take effect until July 16, 2014 and shall not apply to a building permit or special use permit issued before July 16, 2014.

Or take any other action in relation thereto

(Planning Board)

**Motion: Peter Cocolis, Chairman, Planning Board, moved that the Town vote to amend its Zoning Bylaw as printed in the Warrant for Article #35.**

**Explanation:** *The Planning Board's sole objective with this article is to have the Town adopt the new flood maps into the local zoning bylaw as required by FEMA.*

*As a condition of continued eligibility in the National Flood Insurance Program (NFIP), FEMA requires that communities adopt the new Flood Insurance Rate Maps (FIRMs). This article satisfies FEMA's basic requirement for compliance with the NFIP by amending those portions of the zoning bylaw that are required to be consistent with the new flood maps.*

*This article also establishes an effective date of July 16, 2014 for this zoning amendment, consistent with the effective date of the new maps. This avoids the creation of a retro-active effective date of February 19<sup>th</sup>, which is the date of the first publication of the notice of the Planning Board's required public hearing.*

*Since the Board decided to limit its recommendation for a bylaw amendment to only what is required by FEMA, the Planning Board is not proposing – at this time - an amendment to the boundary of the Conservancy District. Rather, this article retains the current level of regulatory protection within the existing Conservancy District. As a result, this article will create two different regulatory boundaries related to the floodplain within the zoning bylaw:*

- *Flood Plain District Boundary – Delineated by 2014 Flood maps*
- *Conservancy District Boundary – Delineated by 1992/1998 flood maps*

*In summary, if passed, this article fulfills the Town's obligation to FEMA and ensures continued eligibility in the federal flood insurance program. In addition, adoption of this article ensures that the Town remains eligible for certain hazard mitigation grant funding and insurance.*

<b>Board of Selectman Recommendation:</b>	<b>Recommendation from Town Meeting Floor</b>
<b>Finance Committee Recommendation:</b>	<b>Approve 8-0-0</b>
<b>Planning Board Recommendation:</b>	<b>Approve 6-0-0</b>

**VOTE: Voice. The Moderator declared, in my opinion 2/3rds have it, but after a request for a hand count:**

**Yes: 274**

**No: 52**

**Article 35 is passed, declared the Moderator.**



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[www.chatham-ma.gov](http://www.chatham-ma.gov)

## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 42 – CITIZEN PETITION - Amendments to Sewer Regulations**

Underline indicates language proposed for inclusion.

To see if the Town will vote to amend the “Town of Chatham Rules and Regulations of the Sewer Department”, as heretofore adopted at the May 11, 2004 Annual Town Meeting, and thereafter amended by action of the May 9, 2005 Annual Town Meeting, August 27, 2012 Special Town Meeting, and October 7, 2013 Special Town Meeting (the “Previous Amendments”), as follows:

After the paragraph preceding Article I which presently reads as follows:

“Modification, additions to or rescinding of these rules and regulations may take place from time to time as authorized by a Town Meeting as required by Massachusetts General Laws, Chapter 83, Section 10.”

Insert the following:

“The aforesaid Rules and Regulations and all of the Previous Amendments shall be deemed to be valid and in full force and effect; and

Notwithstanding anything to the contrary which may be contained therein, all further amendments, changes, modifications, revisions, additions, or rescissions of the aforesaid Rules and Regulations and Previous Amendments shall not be valid without the approval and authorization of a majority vote of Town Meeting.

Or take any other action in relation thereto.”

**Motion: Gloria Freeman, Petitioner, moved that the Town vote to amend the “Town of Chatham Rules and Regulations of the Sewer Department”, as heretofore adopted at the May 11, 2004 Annual Town Meeting, and thereafter amended by action of the May 9, 2005 Annual Town Meeting and subsequent Town Meetings, as set forth in the Warrant.**

**Explanation (as provided by Petitioner):** *The purpose of this Article is to ensure that Town Meeting continues its historical authority to review and approve the content of the Town of Chatham Rules and Regulations of the Sewer Department, just as it has done for the past 42 years. In 2005, this body voted to amend the Regulations by adding Article II, the important “growth neutral” provisions, which were designed to prevent unlimited development which might be caused by our decision to sewer the Town. This was followed by three other amendments, all of which were similarly approved by a majority vote at individual Town Meetings. This has been our practice historically and is provided for in the body of the Regulations. It should not be changed now because the Water & Sewer Commissioners – who are the Board of Selectmen – may want to change that practice unilaterally. This Article provides simply that amendments to the Sewer Department Rules and Regulations shall not be valid without the approval and authorization of a majority vote of Town Meeting. This is exactly what we have been doing since 1972 when the Rules were first passed, and it allows Chatham citizens to continue to have full participation in regulations that will affect public health, safety and welfare, the environment and our quality of life.*

**Board of Selectmen Recommendation:**      **Disapprove 2-2-0**

**Finance Committee Recommendation:**      **Approve 6-1-0**

**VOTE: Voice. So voted by a very large majority, declared the Moderator.**



# Town of Chatham

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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### Article 43 – CITIZEN PETITION - Resolution on Public Participation

To see if the Town will vote to adopt the following resolution:

“Resolved that the Town of Chatham recognizes the fundamental role of informed and engaged citizens in their Town's governance and so, therefore, adopts a policy for practices that are consistent with the following "Core Values for the Practice of Public Participation":

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision”

Or to take any action related thereto.

(By Citizen Petition)

**Motion: Petitioner Stephen Buckley moved that the town vote to adopt the Resolution on Public Participation as printed in the warrant.**

***Explanation (as provided by Petitioner):*** The "Core Values for the Practice of Public Participation" were first adopted in 1996 by the International Association for Public Participation (IAP2) and then

*refined in 2006 with broad input from hundreds of international experts to identify those aspects of public participation which cross national, cultural and religious boundaries.*

*As the preeminent international leader in public participation, the IAP2 developed the "Core Values" to guide the development and use of public participation practices for better decisions which reflect the interests and concerns of potentially affected people. Additional background and information can be found at the IAP2 website: <http://www.iap2.org>*

*We, the undersigned registered voters of Chatham, do hereby petition the Board of Selectmen to include the above Article (and Explanation) regarding Public Participation in the Warrant of the next Town Meeting.*

**Board of Selectmen Recommendation:      Approve 4-0-0**

**Finance Committee Recommendation:      Approve 5-2-0**

**VOTE: Voice. So voted by a very substantial majority, declared the Moderator.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Annual Town Meeting:

### **Article 46 – CITIZEN PETITION - Conservation: Chapter 272: Wetlands Protection**

~~Strikethrough~~ indicates language proposed for deletion  
Underline indicates language proposed for inclusion

To see if the Town will vote to amend its Conservation Bylaw, **Section 272-2. Definitions. [Amended 5-10-2004 ATM by Art. 15]** as follows:

The following words, for the purpose of this chapter of these bylaws, shall, unless another meaning is clearly apparent for the way in which the word is used, have the following meanings:

ADJACENT UPLAND RESOURCE AREA – Means the land within 100 feet of any freshwater wetland, coastal wetland, marsh, wet meadow, bog, vernal pool or swamp, bank, beach, dune or flat, any lake, river pond, stream, estuary watercourse or the ocean, and subject to flooding or inundation by groundwater, surface water, tidal action ~~or land subject to coastal storm flowage~~ as articulated in § 272-3 of the bylaw. It shall also mean the land within 200 feet of a perennial stream or river.  
(5/12/14 ATM)

Also amend, **Section 272-3. Jurisdiction. [Amended 5-10-2004 ATM by Art. 15]** as follows:

Except as permitted by the Commission or as provided in this chapter, no person shall remove, fill, dredge, build upon, or alter the following resource areas:

- A. Upon or within 100 feet of any freshwater wetland, coastal wetland, marsh, wet meadow, vernal pool, bog or swamp;
- B. Upon or within 100 feet of any bank, beach, dune or flat;
- C. Any lake, river, pond, stream, estuary, watercourse, or the ocean;
- D. Within 100 feet of any lake, pond, stream, estuary, watercourse, or the ocean;
- E. Within 200 feet of any river;
- F. Any land under said waters;
- G. Upon or within 100 feet of any land subject to flooding by inundation by groundwater, surface water or tidal action;
- ~~H. Upon or within 100 feet of a~~ Any land subject to coastal storm flowage;

I. Within the boundaries of any area of critical environmental concern. (5/12/14 ATM)

Or take any other action in relation thereto.

(By Citizen Petition)

**Motion: Petitioner Sara Whiteley moved that the town vote to amend the Wetlands Protection Bylaw as written in the Warrant for Article 46.**

**Board of Selectmen Recommendation: Approve 5-0-0**

**Finance Committee Recommendation: Approve 6-1-1**

**VOTE: Voice. In my opinion, there is a majority in favor, declared the Moderator; Article 46 has passed.**



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## **TO WHOM IT MAY CONCERN:**

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Resolution was adopted at the May 12, 2014 Special Town Meeting:

**Resolved that the Town vote to adopt the following rules of procedure for the Special Town Meeting of May 12, 2014.**

- A) The Moderator shall have the option of reading each Article in the Warrant verbatim or summarizing the subject matter therein in general terms, at his discretion.**
- B) Upon an Article having been disposed of by vote, the Moderator shall entertain a motion to reconsider said Article or to accept a Resolution pertaining to said Article only during the same session during which said vote was acted upon.**
- C) A motion to move the previous question shall require a two-thirds vote and may not be debated.**
- D) The Moderator shall not accept a motion to move the previous question by any person discussing the Article until after an intervening speaker has discussed the Article.**
- E) A non-voter may request the privilege of addressing the meeting on a motion made under any Article or Resolution offered the request to be granted by the Moderator unless there is an objection by a voter. Upon objection, the Moderator shall poll the meeting by voice or count, at his discretion, and a majority vote in favor shall entitle said non-voter to address the meeting. However, the Moderator may grant the privilege of the floor to any non-resident Town Department Head without necessity of a vote.**
- F) The Moderator shall not entertain the question of the presence of a quorum at any point at which a motion to move the previous question has already been voted.**
- G) Speakers addressing the meeting shall be limited to five (5) minutes within which to present their remarks. The Moderator will not recognize anyone who has previously spoken on the Article until all persons wishing to address the meeting have had an opportunity to speak. The Moderator may exercise reasonable discretion in enforcement of this rule.**

The foregoing rules are not intended to alter or change the traditional conduct of the Town Meetings in Chatham except as specifically stated above.

**VOTE: Voice. So voted unanimously.**



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## TO WHOM IT MAY CONCERN:

I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the May 12, 2014 Special Town Meeting:

### **ARTICLE 1. RESOLUTION ON MONOMOY NATIONAL WILDLIFE REFUGE DRAFT COMPREHENSIVE CONSERVATION PLAN/ENVIRONMENTAL IMPACT STATEMENT**

To see if the Town will vote to adopt the following Resolution:

WHEREAS, Native Americans, Residents and Visitors of Chatham have a multi-generational history of shellfishing, fin fishing, and recreation on the upland, intertidal, submerged lands, and open water areas on and around South Beach and Monomoy; and

WHEREAS, Residents and Visitors of Chatham have been using South Beach and the submerged lands and open water areas within the Monomoy Refuge boundary for decades since its designation as a Refuge for shellfishing, fin fishing, and recreation; and

WHEREAS, the Town of Chatham has actively managed South Beach and the submerged lands and open water areas within the Refuge boundary for all users;

NOW THEREFORE,

BE IT RESOLVED, that the Residents of Chatham, in an effort to preserve the historic and traditional activities of shellfishing, fin fishing, and recreation on South Beach and on or in the submerged lands and open water areas of the Monomoy Refuge, OPPOSE the Federal annexation of 717± acres of South Beach and expansion of U.S. Fish and Wildlife Service management oversight to submerged lands and open water areas, and activities taking place in those areas, within the Refuge boundary.

Or take any other action in relation thereto.

(Board of Selectmen)

**Board of Selectmen Recommendation: From Town Meeting Floor**  
**Finance Committee Recommendation: From Town Meeting Floor**

**VOTE: Voice. Clearly a very substantial majority, declared the Moderator. After a request for a hand count:**

**VOTE:**

**Yes: 401**  
**No: 16**

**The motion carries, declared the Moderator.**