

**SPECIAL TOWN MEETING
WARRANT**

TOWN OF WELLFLEET



MONDAY, OCTOBER 6, 2014

Wellfleet Elementary School
7:30 PM

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PROPOSITION 2½ TERMS

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

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

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

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

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

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

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

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

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

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

TOWN MEETING PROCEDURES

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

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

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

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

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

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

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

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

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

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

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

SPECIAL TOWN MEETING WARRANT

Monday, October 6, 2014

The Commonwealth of Massachusetts

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

GREETING:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wellfleet qualified to vote in town affairs, to meet in the **WELLFLEET ELEMENTARY SCHOOL, 100 LAWRENCE ROAD in Wellfleet on the 6th day of October, 2014, at seven thirty o'clock in the evening**, then and there to vote upon the following Articles:

ARTICLE 1: To see if the Town will vote to amend the action taken under Article 17 of the 2014 Annual Town Meeting to transfer the sum of \$200,000 from free cash to the Other Post Employment Benefits Liability Trust Fund in place of raising and appropriating said funds, or do or act anything thereon.

Board of Selectmen recommends 5-0

Finance Committee recommends 7-0

SUMMARY: Article 17 of the 2014 Annual Town Meeting funded the transfer of \$200,000 to the Other Post Employment Benefits Liability Trust Fund by raising and appropriating the funds when the funds should have been transferred from the Town's free cash. This Fund will help fund the Town's share of health insurance for future retirees. This article proposes correcting the source of funding for that transfer. Approval of Articles 1 and 2 is necessary to allow the Town to set the fiscal 2015 tax rate.

ARTICLE 2: To see if the Town will vote to amend the action taken under Article 18 of the 2014 Annual Town Meeting to transfer the sum of \$50,000 from free cash to the Stabilization Fund in place of raising and appropriating said funds, or do or act anything thereon.

Board of Selectmen recommends 5-0

Finance Committee recommends 7-0

SUMMARY: With a two-thirds vote, the Town may appropriate into the stabilization fund in any year an amount not to exceed 10 percent of the prior year's tax levy. Article 18 of the 2014 Annual Town Meeting funded the transfer of \$50,000 to the Stabilization Fund by raising and appropriating the funds when the funds should have been transferred from the Town's free cash. This article proposes correcting the source of funding for that transfer.

ARTICLE 3: To see if the Town will vote to accept the provisions of General Laws, Chapter 41, section 19K which provides for an annual stipend to the Town Clerk and to transfer \$885 from free cash to Clerk Fringe Benefits S/W Stipend for the purposes of the article.

Board of Selectmen recommends 5-0
Finance Committee recommends 7-0

SUMMARY: This statute if accepted by the Town requires payment of an annual stipend to town clerks who have been certified after training by the Mass. Association of Town Clerks. This stipend is 10% of the clerk's annual salary up to a maximum of \$1,000. The calculation for Wellfleet would result in an annual stipend of \$1,000. The stipend for fiscal 2015 is prorated and would be \$884.62.

ARTICLE 4: To see if the Town will vote to amend the action taken under Article 3 of the 2014 Annual Town Meeting by amending the Fiscal Year 2015 Capital Budget to reduce the appropriation for long term debt service interest from \$421,046 to \$254,980 and to reduce the amount to be raised and appropriated under said article from \$1,724,133 to \$1,558,067, or do or act anything thereon.

Board of Selectmen recommends 5-0
Finance Committee recommends 7-0

SUMMARY: Wellfleet was able to refinance its long term debt after the 2014 Annual Town Meeting resulting in a reduction in interest payments on that debt for the current fiscal year by \$166,066. This article reduces the capital budget long term debt interest line item to reflect the savings.

ARTICLE 5: To hear reports of the Selectmen, Town Officers, and all other Committees and to act thereon, or do or act anything thereon.

Board of Selectmen recommends

ARTICLE 6: To act on any other business that may legally come before the meeting.

Board of Selectmen recommends

SPECIAL TOWN MEETING WARRANT
October 6, 2014

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

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

Given under our hands this 16th day of September, 2014.

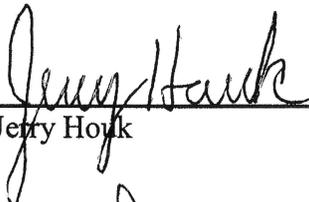
Wellfleet Board of Selectmen



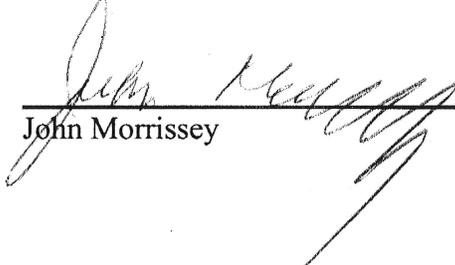
Paul Pilcher, Chair



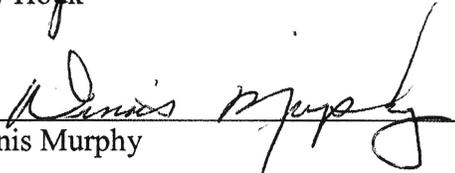
Berta Bruinooge



Jerry Hoyk



John Morrissey



Dennis Murphy

I have served the foregoing Warrant by posting attested copies thereof in the Post Office in Wellfleet and the Post Office in South Wellfleet and by delivering to the Town Administrator printed copies of the Warrant of a number not less than the number of registered voters in the Town on 9/18/14, which is at least fourteen (14) days before the date of said meeting, as within directed.

Date: 9/18/14

Constable: 