

April 2017 Annual Town Meeting

Consent Agenda Items – Articles 35 - 49

Consent Agenda: *The consent agenda is a meeting practice which groups together routine and non-controversial articles that normally don't require discussion or independent vote as separate articles. Using a consent agenda can save precious time by allowing Town Meeting to approve this 'package' of articles together in one motion. Articles under the consent agenda can only be grouped together if the Town Meeting body agrees. If a voter selects a specific article for discussion, it must be removed and placed on the regular agenda for discussion and separate vote by the Town Meeting body. Set out below is a description of each article.*

Article 35. Reaffirmation of the Room Occupancy Tax: A Home Rule Petition.

This article seeks to reaffirm prior town meeting vote in support of the Home Rule Petition currently pending at the State Legislature to extend the room occupancy tax on all short term vacation rentals not currently subject to the tax. Short term rentals are defined as any rental less than 90 days. Under current regulations only licensed inns, guesthouses, hotels and motels are required to collect the room occupancy tax from their guests. This article requests that we close the loophole that exists and apply the room occupancy tax uniformly to all short-term rentals. State Representative Sarah Peake has recommended that Home Rule Petitions be voted on each year by Town Meeting to reinforce its intent as it makes its way up the legislative channels of the State House. This article is an exact repeat of last year's petitioned article which was approved by Town voters.

Article 36. Reaffirmation of the 0.5% Real Estate Transfer Fee: A Home Rule Petition. This article seeks an annual reaffirming vote in support of the Home Rule Petition currently pending at the State Legislature to impose a 0.5% Real Estate Transfer Fee. This article is an exact repeat of last year's petitioned article which was approved by Town voters.

Article 37. Reaffirmation of the Expanding Residential Property Exemption – A Home Rule Petition.

This article seeks to reaffirm prior town meeting vote in support of extending the Residential Exemption to property owners that rent out their units year-round, it does not increase the percentage of the exemption over that which was approved by the Selectmen last year. This article is an exact repeat of last year's petitioned article which was approved by Town voters.

Article 38. Cape Cod Greenhead Fly Control District Assessment. A Town Meeting vote is required each year to fund the Cape Cod Greenhead Fly Control District assessment of \$1,438.75.

Article 39. Fireworks. This article requests funding in the amount of \$32,000 for all Town expenses for the 4th of July and New Year's fireworks celebrations. The expenses for the barge and the fireworks are paid out of the Tourism Fund. The amount requested includes the costs associated with additional emergency service personnel and related expenses and for the cost of DPW expenses relating to public toilet rentals. This is the same amount as last year.

Article 40. Local Option Tax on Sale of Recreational Marijuana. The law, approved by voters in November 2016, allows the State to assess a 3.75% excise tax on recreational pot sales on top of the state's regular 6.25% sales tax. Cities and towns could assess an additional 2% local option tax on sales within their own communities. Town meeting approval is required in order to apply the 2% local option.

Article 41. Amendments to Personnel Bylaw/Classification and Compensation Plan. Schedule A is for full and part-time non-union positions who are included in the compensation plan. This year's plan does not include a cost of living wage increase. Schedule A does not set a salary or the rate of pay for Town employees, but rather sets the salary range for each job classification. Schedule B is for Fire Department positions and increases are requested by the Board of Fire Engineers. Schedule C is for non-union seasonal and part-time staff and provides for a 2% increase at all levels.

Article 42. FY 2018 Expenditures from the Tourism Fund. This article transfers \$700,000 from the Tourism Fund to cover the cost associated with the Tourism Office pursuant to the Five-Year Financial Plan for Tourism Fund Expenditures proposed by the Visitor Services Board and approved by the Board of Selectmen each year. Funds in the tourism fund are generated by 35% of the room occupancy tax.

Article 43. FY 2018 Human Services Grant Program. In this article, the Human Services Committee recommends funding totaling \$84,725, an increase of \$4,950 or 6% over the amount approved for Fiscal Year 2017. This increase is due primarily to new funding this year for South Coastal Counties Legal Services. These grants support 14 agencies that are actively providing services to Town residents of all ages, particularly those most in need.

Article 48. FY 2018 Revolving Accounts. This article authorizes the continuation of seven existing revolving funds. Under Massachusetts General Law the town's residents must renew their authorization of revolving accounts each year. Under the Municipal Modernization Act, Revolving funds will be established and authorized by bylaw, which is the purpose of Article 49. In subsequent years, town meeting will just need to approve the spending limits.

Massachusetts Municipal Modernization Act Consent Agenda: In August 2016, Governor Baker signed a wide-ranging "municipal modernization" bill that had been a centerpiece of his legislative agenda for 2016. The Legislature passed the final compromise bill, often referred to by the governor as the "weed-whacker special," on July 31, which includes numerous reforms to state laws related to municipal finance, human resources practices, administration, and procurement. The following articles are items from the Municipal Modernization Act that require Town Meeting vote to implement:

Article 44. Veterans Exemption. Inserts a new local acceptance clause to render the spouse of a veteran or a deceased veteran with title to the veteran's domicile, eligible for an exemption.

Article 45. Other Post-Employment Benefits Fund. The statute was revised to create a local acceptance OPEB Fund that complies with requirements established by the Governmental Accounting Standards Board and the IRS. Towns that have already accepted the statute must re-accept in order for the revised version to be applicable. The Town adopted in the General Law in April 2011, so we are now just required to readopt the updated statute.

Article 46. Use of Bond Proceeds. Amends current law by providing communities with a choice regarding how to treat bond premiums (net of issuance costs). Communities will be able to either apply it to the issuance, thereby reducing the amount needed to borrow, or place it in a separate fund and appropriate it for a capital project. It also amends current law by increasing the amount of surplus bond proceeds that can be applied to debt service from \$1,000 to \$50,000.

Article 47. General Bylaw Amendment: Chapter 8, Section 5 - Licenses and Permits of Delinquent Taxpayers. The Act amends the statute to provide municipalities more flexibility in denying licenses or permits where a tax or fee delinquency exists. A bylaw or ordinance change will be required to take advantage of these recent amendments. This section permits municipalities to deny local licenses and permits to any taxpayer who has neglected or refused to pay local taxes and who has not filed a good faith application for an abatement. Current law permits this collection method, but only if the taxpayer has been delinquent for at least one year. This change is intended to allow municipalities to mirror a "good standing" requirement for licensure under their implementation by-law or ordinance.

Article 49. General Bylaw Amendment: Revolving Fund Bylaw (G.L. c.44, §53E ½). Revolving funds must now be established by bylaw or ordinance, and the expenditure limits must be established annually and prior to July 1. The Act eliminates the per board and total limitations on the size of such funds.