



Town of Chatham

Town Clerk
549 Main Street
Chatham, MA 02633



Julie S. Smith, MMC/CMMC
Town Clerk
jsmith@chatham-ma.gov

Tel: (508) 945-5101
Fax: (508) 945-0752
www.chatham-ma.gov

Resolution: Resolved that the Town vote to adopt the following rules of procedure for the Special Town Meeting of September 18, 2023.

- 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 four (4) 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: YES: 1,122
NO: 55**



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I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the September 18, 2023 Special Town Meeting:

Article 1 - Prior (Fiscal) Year Bills Payment Appropriation

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money needed to be expended for payment of prior year bills or take any other action in relation thereto.

(Select Board)

Motion: Shareen Davis, Select Board, moved that the Town vote to appropriate and transfer from Community Development Encumbered funds the sum of \$194.27 for payment of the following invoices:

To Dept	Date	Vendor	Description	Amount
Finance	June 18, 2023	Verizon	Phone Bill	\$58.95
Finance	June 18, 2023	Verizon	Phone Bill	\$55.32
Finance	April 6, 2023	MA Collectors & Treasurer's Assoc.	Registration	\$40.00
HR	May 2, 2023	CareWell	Employment Physical	\$40.00
			TOTAL	\$194.27

Explanation: *These invoices were received after the close of the fiscal year ending June 30, 2023. The funding source will be presented at the Special Town Meeting; there will be no impact on the tax rate as funding will come from available funds.*

Select Board Recommendation: Approve 5-0-0
Finance Committee Recommendation: Approve 9-0-0
Vote Required: Nine-Tenths Majority

VOTE: Voice. So Voted Unanimously.



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I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the September 18, 2023 Special Town Meeting:

Article 2 – FY2024 Budget Adjustments/Transfers (Current Fiscal Year)

To see if the Town will vote to appropriate and transfer from available funds, \$60,000 to balance the following line items noted below within the fiscal year Budget approved under Article 9 of the 2023 Annual Town Meeting and/or transfer to Special Revenue Funds for the period beginning July 1, 2023 and ending June 30, 2024 inclusive, or take any other action in relation thereto.

(Select Board)

Motion: Mike Schell, Select Board, moved that the Town vote to Transfer \$60,000 from the Public Safety Department- Fire Capital Outlay account (01-220-0520-5800) to Community Services - Recreation & Beaches Capital Outlay account (01-650-0520-5800) to supplement the funding for Volunteer Park Playground (Article 40 ATM2023).

***Explanation:** The Community Preservation Committee (CPC) recommended, and Town Meeting approved, Article 40 – New Playground at Volunteer Park for \$300,000 in May 2023 which also included a Poured-in-Place (PIP) surface be installed. A PIP surface is a two-layer rubber system that is durable and shock absorbent and is compliant with Americans with Disability Act (ADA). Further, the project requires an ADA accessible pathway which exceeded the CPC project funding appropriation, so an additional funding appropriation is sought from available funds.*

Playground equipment and facilities constructed or altered on or after March 15, 2012, must comply with the 2010 ADA Standards for Accessible Design. According to ADA, an accessible playground is one that offers a range of play experiences to children of varying abilities. There must be “An accessible path from the building or parking lot to the edge of the play area. An accessible path from the edge of the play area to the play equipment. Surfacing that complies with ASTM 1951 (Determination of Accessibility of Surface Systems Under and Around Playground Equipment).”

The Town received one bid for the playground in the amount of \$354,522 (base + PIP + ADA pathway).

Review of the FY2024 Budget shows that the Fire Department’s Capital Outlay was budgeted at \$213,300. The full amount of this is not needed as the final lease payment of \$200,000 was satisfied in FY2023. The Fire Chief has confirmed that \$60,000 is available for transfer to the Recreation budget for the Volunteer Park Playground project.

Select Board Recommendation: Approve 5-0-0

Finance Committee Recommendation: Approve 9-0-0

Vote Required: Simple Majority

VOTE: Voice. So Voted Unanimously.



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I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the September 18, 2023 Special Town Meeting:

Article 3 – Borrowing Rescissions

To see if the Town will vote to rescind the remainder of the borrowing authorization as listed below:

Date of Town Meeting Vote	Art #	Purpose / Description	Amount Authorized	Total Borrowed	Amount to Rescind
5/11/2009	24	Road Takings–Ell St & Sky Way	\$220,000	\$195,000	\$25,000
10/7/2013	1	Fire Station Construction	\$10,341,635	\$10,325,000	\$16,635

Or take any other action in relation thereto.

(Select Board)

Motion: Jeffrey Dykens, Select Board, moved that the Town vote to rescind the following borrowing authorization:

\$25,000 under Article 24 for Road Takings – Ell St & Skyway approved at ATM 5/11/2009; and \$16,635 under Article 1 for the Fire Station Design & Construction Project approved at STM 10/4/2013.

***Explanation:** This is a 'housekeeping' article required so we can remove the borrowing authorization from our books. The amounts authorized under these articles are no longer needed as the two projects have been completed and cost less than budgeted/authorized.*

Select Board Recommendation: Approve 5-0-0
Finance Committee Recommendation: Approve 9-0-0
Vote Required: Simple Majority

VOTE: Voice. So Voted Unanimously.



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I, Julie Smith, duly appointed Town Clerk of the Town of Chatham, hereby certify the following Article was adopted at the September 18, 2023 Special Town Meeting:

Article 4 – Transfer from Wastewater Capital Stabilization Fund to Belt Filter Press Project

To see if the Town will vote to transfer and appropriate \$1,300,000 from the Wastewater Capital Stabilization fund to the Capital Projects Fund Account #30-443-0875-8075 to augment the borrowing authorization and funding approved for the Belt Filter Press Project at the Wastewater Pollution Control Facility under Article 28 at the May 6, 2023 Annual Town Meeting and Ballot Question 3 at the May 11, 2023 Annual Town Election, or take any other action in relation thereto.

(Select Board)

Motion: Shareen Davis, Select Board, moved that the Town vote to transfer and appropriate from the Wastewater Capital Stabilization Fund the sum of \$1,300,000 to the Capital Projects Fund for the Belt Filter Project at the Wastewater Pollution Control Facility.

Explanation: At the Annual Town Meeting in May 2023, voters approved the establishment of a Wastewater Capital Stabilization Fund (Article 38) and transfer of \$2,265,000 from Free Cash as received from the Town of Harwich via our Wastewater Inter-Municipal Agreement. Voters also approved Article 28 and Ballot Question 3 as a borrowing authorization to replace the Belt Filter Press at the Wastewater Pollution Control Facility in the amount of \$4,500,000.

This project is listed for state funding, low or no interest loan, on the 2023 Intended Use Plan (IUP) for the Clean Water State Revolving Fund for up to \$5,000,000 in eligible costs. However, total project cost is estimated at \$5,800,000 which includes design, engineering, and construction costs. Using the \$1,300,000 from Wastewater Capitalization funds to supplement the previously approved borrowing authorization for \$4,500,000 will save taxpayers money on interest, as this appropriation will cover costs not eligible under the Clean Water Trust program (zero percent loans). The Select Board reviewed and approved this project at the \$5,800,000 total cost at its meeting on February 28, 2023.

The Wastewater Capital Stabilization Fund received subsequent inflow of milestone payments from Harwich and has a balance of \$6,136,000 as of June 30, 2023. The Town will receive additional milestone payments of \$1.5m each in June 2024 and June 2026.

Select Board Recommendation: Approve 5-0-0
Finance Committee Recommendation: Approve 9-0-0
Vote Required: Two-Thirds Majority

VOTE: Voice. So Voted Unanimously.