

**CAPE COD AND THE ISLANDS SELECTMEN AND
COUNCILORS ASSOCIATION**

REPRESENTING 106 ELECTED OFFICIALS AND 22 MUNICIPALITIES

Meeting Minutes, February 8, 2019
Dan'l Webster Inn, Sandwich MA

President Paul Hebert called the meeting to order and asked for the roll call.

Roll Call. Towns present: Barnstable, Bourne, Brewster, Dennis, Falmouth, Harwich, Mashpee, Nantucket (well done!), Orleans, Truro, Tisbury, Yarmouth. The Clerk declared a quorum.

With ten Towns represented the Clerk declared a quorum.

The minutes of the January meeting were presented. A motion to approve was made by Ed Lewis and Seconded by Ed Atwood. Passed unanimously.

With Towns represented the Clerk declared a quorum.

Treasurer's Report. Treasurer Don Picard presented the finance report showing a balance of \$6,262.84 after revenues and expenses. Motion to approve was made and seconded; motion was passed unanimously.

Minutes. Minutes for the December 2018 meeting will be presented at the March meeting, with the January 2019 minutes.

Cape Cod and Islands Water Protection Fund (CCIWPF) Discussion
by Kristy Senatori, Executive Director of the Cape Cod Commission

208 Plan Compliance Reports are due to the EPA in April.

The Cape Cod Commission is providing Administration and Technical Support for the CCIWPF.

The CCIWPF was created to capture \$1 billion in state revenue to help Cape Cod towns pay for upgrading their wastewater plans. By assessing a 2.75% excise tax on traditional lodging and short-term rentals, visitors to the region would help contribute toward the steep price of wastewater upgrades needed to accommodate the population surge during the summer season.

The CCIWPF will help cover the cost of implementing Cape Cod's comprehensive 208 Plan as well as offer Martha's Vineyard and Nantucket a financial tool to help with their wastewater abatement plans.

The fund is administered by the existing Clean Water Trust and overseen by a management board comprised of representation from every member town from the region. Each participating town appoints one member to the Cape Cod and Islands Water Protection Fund Management Board. Currently, all 15 Cape Cod towns are members of the CCIWPF Board due to the legal mandate to have an updated 208 Plan.

The law states that CCIWPF Board members are appointed by Board of Selectmen or Town Council and that an appointee can either be a town manager, town administrator or other municipally employed professional staff, or a member of that respective appointing authority, the first meeting is anticipated to be in April or May.

The New Short-Term Rental Law, What it means to your Community and How to Prepare for It

Presented by Attorney John W. Giorgio jgiorgio@k-plaw.com.

Mr. Giorgio announced that a program will be held to cover what cities and towns need to know about the new short-term rental law, Chapter 337 of the Acts of 2018, "An Act Regulating and Insuring Short-Term Rentals".

The program will be held at the Hogan Center at Holy Cross College, Worcester on February 28, 2019 from 3:30 PM to 8 PM.

Topics to be covered include taxes and fees municipalities may impose, local representation of the short-term rental industry, what communities need to do now to benefit from this law and pending industry challenges to regulations adopted by other jurisdictions that are similar to those required or permitted under the new law.

This is a course geared to bring members of the community, including Administrators, Elected Officials, Finance personnel, Planning staff and Code Enforcement staff.

3:30–3:45	Arrival and Registration
3:45–4:00	Welcome and Introductions
4:00–6:00	Speakers
6:00–7:30	Reception and Dinner
7:30–8:00	Program Wrap-up

Cost is \$50 for MMLA members, %60 for non-members and includes the seminar, electronic materials and full buffet dinner.

Electronic Registration is

<https://www.surveymonkey.com/r/2-28-2019Registration>

or, mail to Massachusetts Municipal Lawyers Association, 115 North Street, Suite 3, Hingham, MA 02043. Make checks payable to "MMLA, Inc."

Questions: Call (781) 749-9922

A full outline is posted on the Cape Cod Selectmen and Councilors Association website under "documents", <http://capecodsca.org/>

Also presented by Attorney John W. Giorgio jgiorgio@k-plaw.com.

Forms of Town Meeting Votes for Local Option Room Excise Tax Including Short-Term Rental Revenue, February 8, 2019.

Attorney Giorgio presented general forms of Town Meeting votes that individual towns could use in their implementation of the Local Option Room Excise Tax Including Short-Term Rental Revenue, including the following:

1. Local Rooms Occupancy Excise Tax
2. Local Community Impact Fee on Professionally-Managed Units
3. Local Community impact fee on Short-term Rentals

Options to Dedicate All or a Portion of the Local Option Rooms Excise Tax for a Particular Purpose where also included:

First Option: Dedication of Local Option Rooms Excise Tax by Special Legislation:

The town of Provincetown has special legislation relating to the dedication of the local option rooms excise tax, and this may be accomplished by a town meeting vote authorizing the filing of a Home Rule Petition.

Second Option: Deduction of a Percentage of the Local Option Rooms Excise Tax to a Stabilization Fund:

The option has been available since the enactment of the Municipal Modernization Act of 2016, it may be of particular relevance with the passage of the Short-Term Rental Legislation.

Warrant Articles for the legislation for the purposes above are presented.

A full outline including the Town Meeting /Warrant Articles has been posted on the Cape Cod Selectmen and Councilors Association website under "documents", <http://capecod-sca.org/>

Also posted to the Cape Cod Selectmen and Councilors Association website under “documents”, <http://capecodsca.org/> is:

Cape Cod and Islands Water Protection Fund FAQ covering the Cape Cod and Islands Water Protection Fund (CCIWPF) was signed into law as part of the short term rentals bill by the Governor on December 28th 2018. A link to the full legislation is available:

<https://malegislature.gov/Laws/SessionLaws/Acts/2018/Chapter337>

For information on the short-term rental legislation implementation here is a link to the Department of Revenue’s FAQs:

<https://www.mass.gov/info-details/short-term-rentals-frequently-asked-questions>

Next Meeting of the Cape Cod Selectmen and Councilors Association will be on March 9, 2019 at 8:30 AM at the Sea Crest Resort in Falmouth. This is the Annual Legislative Breakfast. All Cape and Islands Selectmen and Councilors are invited to attend. For additional information and directions, please see Cape Cod Selectmen and Councilors Association website, <http://capecodsca.org/>

Minutes approved as submitted March 8, 2019, unanimous vote.

Submitted,
Stephen Mealy, Acting Clerk