

MEETING NOTICE TOWN OF BREWSTER

GOLF COMMISSION

Golfcommission@Brewster-ma.gov

Location: 2198 Main Street

Date: June 27, 2023

Time: 4:00 PM



This meeting will be conducted in person at the time and location noted above. This means that at least a quorum of the members of the public body will attend the meeting in person and members of the public are welcome to attend in person as well. **As a courtesy only, access to the meeting is also being provided via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or affect remote attendance or participation, unless otherwise required by law.** Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly.

Members of the public who wish to access the meeting remotely may do so in the manner shown on our posted agenda.

Meetings may be joined by:

1. **Phone:** +1 312 626 6799 or +1 929 436 2866

Webinar ID: 881 4407 8985

Passcode: 049087

To request to speak: Press *9 and wait to be recognized.

2. **Zoom Webinar:**

<https://us02web.zoom.us/j/88144078985?pwd=M05KQnNsRlRlQTlFZlZEpksSFZDWUVOZz09>

Passcode: 049087

To request to speak: Tap Zoom "Raise Hand" button, then wait to be recognized.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting may do so by attending the meeting in person or by accessing the meeting remotely.

Additionally, the meeting will be broadcast live, in real time, via **Live broadcast** (Brewster Government TV Channel 18), **Livestream** (livestream.brewster-ma.gov), or **Video recording** (tv.brewster-ma.gov).

Jay Packett
Director of Operations
Colin Walsh
Course Superintendent

Golf Commission

Anne O'Connell
Chair

Andrea Johnson
Vice Chair

Rob David

John Kissida

Wyn Morton

David Valcourt

The Captains Golf Course
1000 Freemans Way
Brewster, MA 02631
(508) 896-1716

www.CaptainsGolfCourse.com

AGENDA

- Call to Order
- Declaration of a Quorum
- Meeting Participation Statement
 - *As required by the Open Meeting Law, we are informing you that the Town will be video and audio taping as well as broadcasting this public meeting. In addition, if anyone else intends to either video or audio tape this meeting they are required to inform the chair.*
- Public Comment
- Update Course Signage (Rob David)
- Discussion and possible vote on proposed revisions to Town Bylaw; Chapter 6; Article V; Sub-Sections 6.5-6.10
- Questions and Comments from Associations and Liaisons
- Future Agenda Items and Meetings (7/11)
- Matters not anticipated by the Chair
- Adjourn

Date Posted:

Date Revised:

Received by Town Clerk:

Proposed Revisions to Town ByLaw

Background Discussion and Context for the proposed Golf Commission ByLaw Revision

The revision of the Town Bylaw is one of three actions to be recommended to the golf commission for discussion and possible future vote. Bylaw revision discussion is scheduled for the upcoming 27 June golf commission meeting. The other two potential actions for discussion and vote include recommended Town website modifications/amplifications concerning the golf commission and re-generation and distribution of the "Brewster Golf Commission Handbook of Policies, Operational Regulations, and Procedures", last printed in October 2010. The 27 June commission session will focus discussions on the potential bylaw revisions with the remaining actions to be discussed at a future commission meeting, followed by discussion with Select Board, if required.

The Town Bylaw provisions to be considered are those currently found in paragraphs 6-5 through 6-10 on the Brewster-MA.gov website as of 6/19/2023. It is understood that our discussions and any recommendations for bylaw revision must be approved by Town counsel prior to review and approval by the Select Board. Ultimately, any change must be approved at Town Meeting.

Para 6-5 Appointment Terms. There are no proposed revisions to this paragraph as currently written, however, comment regarding the filling of vacancies is warranted. As written the Select Board has unilateral authority to fill vacancies on the golf commission with no selection participation or input from the golf commission. Strongly recommend that the golf commission have representation in the process to fill golf commission vacancies as well as other key golf personnel (Director of Golf; Superintendent, etc.).

Para 6-6 Purpose.

A. (1) The golf course shall be operated and maintained so as to pay its expenses and return a reasonable profit to the Town. **Recommend delete red verbiage and add :** "As the Captains golf course became an Enterprise fund on 1 July 2022...the golf course shall be operated and maintained as authorized by its approved FY budget and in compliance with Mass State Law MGL44:53F1/2.

(2) The golf course shall be operated and maintained as a facility available to the residents of the Town. **Recommend delete the red verbiage and add:** available to ...the public with priority to the residents of Brewster.

B. There are no recommended revisions to the narrative in paragraph, however, the interpretation of the responsibilities given to the golf commission could be better defined. As written, it would seem that as long as the itemized actions contained in paragraph “B” taken by the golf commission remain in compliance with the two guiding principles prescribed in paragraph “A” then these actions are within the commission’s authorities. Our future discussion of “Handbook of Policies, Operational Regulations, and Procedures” will afford an opportunity to revisit the functions of the golf department and golf commission.

Para6-7 Removal. No change

Para 6-8 Required Reports. The golf commission shall, within 30 days after the end of the fiscal year, make a report to the citizens of the Town. Comment... the timing of this report was questioned at our 13 June 2023 commission meeting. Should there be two separate reports each year? A fiscal end of FY report on financials and then an end of Calendar Year report of accomplishments/noteworthy points from the past year to the membership and Town’s citizens.

Para 6-9 Audit No changes as written.

Para 6-10 Appointment Paragraph 6-10 needs to be deleted. The Golf Director no longer has a contract. This position is subject to the Personnel Bylaw.

§ 6-5. Appointment; terms. [Amended 11-13-2006 FYTM, Art. 15; 11-13-2017 FYTM, Art. 13]

The Select Board shall appoint a Golf Commission of seven members to serve as the policy-making board of the Captains Golf Course. Each member shall be appointed for a staggered term of three years. Reappointment at the end of a term shall be determined by the Selectmen. All vacancies shall be filled by the Select Board. The Select Board may appoint a member to serve the unexpired term of a former member.

§ 6-6. Purpose. [Amended 11-13-2017 FYTM, Art. 13]

- A. In fulfilling its responsibility to the Town of Brewster, the Select Board, the Town Administrator and the Golf Commission shall be guided by two basic principles, as follows:
- (1) The golf course shall be operated and maintained so as to pay its expenses and return a reasonable profit to the Town.
 - (2) The golf course shall be operated and maintained as a facility available to the residents of the Town.
- B. The Golf Commission shall be responsible for the preparation of near and long-term plans, policies and strategies, including, but not limited to, eligibility for use, fees, hours of operation, block-time approval and liaison with various golf associations and other golf course users. Any changes in policies, regulations, procedures or operations that would alter these principles or change their stated priority shall be approved by the Select Board.

§ 6-7. Removal. [Amended 11-13-2017 FYTM, Art. 13]

Members of the Golf Commission may be removed by the Select Board for reasonable and good cause.

§ 6-8. Required reports.

The Golf Commission shall, within 30 days after the end of the fiscal year, make a report to the citizens of the Town.

§ 6-9. Audit.

The Golf Department will be subject to an audit in the same manner as other boards, committees, commissions and departments and shall respond appropriately to its recommendations.

§ 6-10. Appointment. [Amended 11-13-2017 FYTM, Art. 13]

The Director of Operations of the golf course, appointed by the Select Board pursuant to the provisions of Chapter 5, Art. I, § 5-3C of the Brewster Town Code, may enter into an employment contract for a period of up to three years.

Town of
BREWSTER
MASSACHUSETTS

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Golf Commission & Department

Mission and Responsibilities

The Golf Commission aims to provide an enjoyable golfing experience on well-maintained Town courses at reasonable prices. The Commission formulates policies for the Captains Golf Courses, Brewster's municipal courses, including fees and other matters related to golf operations. The Commission makes recommendations to the Select Board concerning golf operations, including the hiring of the golf director, and promotes the game of golf for all ages.

Golf Commission

Members are appointed by the Select Board. The Golf Commission meets every second and fourth Tuesday of each month at 4:00pm. See the [Golf Commission Website](#) for complete list of Golf Commissioners, biographies, years of services, and current term of appointment.

Board/Committee Members

Name	Position	Term End
Rob David	Member	6/30/2024
Andrea Johnson	Member	6/30/2023
John Kissada	Member	6/30/2025
Wyn Morton	Member	6/30/2023
Anne O'Connell	Chair	6/30/2023
David Valcourt	Member	6/30/2024

Department

Brewster's Golf Department operates the Captains Golf Courses, two 18-hole public courses. Membership options are available to town residents and non-residents. Services available include a clubhouse, pro shop, lessons, driving range, putting greens, cart rentals, golf leagues, tournament play, and a restaurant. Members and non-members may reserve tee times.

Please visit the [Golf Department Website](#) for more information.

ADDITIONAL NOTES REGARDING DRAFT PROPOSED REVISIONS DOCUMENT

- The “Brewster Golf Commission Handbook of Policies, Operational Regulations, and Procedures” referenced in the draft was revised in 2015 and unanimously approved at the 10/13/15 meeting of the Brewster Golf Commission
- The following is from an Informational Guideline Release issued by the MA Department of Revenue and dated April 2021.

Can an enterprise fund operate independently or under its own procedures?

- No. An enterprise fund is an accounting/budgeting method. It does not grant additional powers to the department or board providing the service, nor does it create a separate legal entity. An enterprise is still a municipal department that is subject to ordinary municipal finance procedures. As stated in FAQ #4, the rate setting process is established by statute, special act, local charter or by-law. Any enterprise fund property/asset is owned by the municipality (not the department operating the enterprise) and may only be acquired, leased or disposed of by vote of the legislative body. At no time can these conditions be altered through the adoption of an enterprise fund.