



**AGENDA
BOARD OF SELECTMEN
MONDAY, NOVEMBER 21, 2022
WAQUOIT MEETING ROOM
MASHPEE TOWN HALL
16 GREAT NECK ROAD NORTH
MASHPEE, MA 02649**

Broadcast Live on Local Cable Channel 18

Streamed Live on the Town of Mashpee Website: <https://www.mashpeema.gov/channel-18>

6:30 p.m. – Convene Meeting in Open Session

**PLEDGE OF ALLEGIANCE
MOMENT OF SILENCE**

MINUTES

Approval of the Monday, November 7, 2022 Regular and Executive Session Minutes

APPOINTMENTS & HEARINGS

- Public Comment
- 6:35 pm – Tax Classification Hearing: *Assessor Joseph Gibbons*
- Discussion and Approval of Fiscal Year 2023 Tax Rate
- Discussion and Possible Approval of Removal of Mohamed Fahd from the Mashpee Community Garden Advisory Committee (MCGAC) (Term Expires June 30, 2023)
- Discussion and Approval of the Following Resignations and Appointments:
 - Resignations:
 - Board of Health: *Brian Baumgaertel* (Term Expires June 30, 2024)
 - Barnstable County Home Consortium: *Arden Russell* (Term Expires January 31, 2024)
 - Appointments:
 - Board of Health: *Edward Raposa* (Term Expires June 30, 2024)

COMMUNICATIONS & CORRESPONDENCE

NEW BUSINESS

- Discussion and Approval of January through June 2023 Select Board Meeting Schedule

ADDITIONAL TOPICS

(This space is reserved for topics that the Chair did not reasonably anticipate would be discussed)

LIAISON REPORTS

2022-2023 Liaison Assignments until May 2023: *Chair David Weeden*

WATER QUALITY UPDATES

TOWN MANAGER UPDATES

EXECUTIVE SESSION

ADJOURNMENT



AGENDA
BOARD OF SELECTMEN
MONDAY, NOVEMBER 7, 2022
WAQUOIT MEETING ROOM
MASHPEE TOWN HALL
16 GREAT NECK ROAD NORTH
MASHPEE, MA 02649

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6 p.m. – Convene Meeting in Open Session

PRESENTATION OF NEW TOWN SEAL PLAQUE

CONVENE JOINT MEETING WITH THE AFFORDABLE HOUSING TRUST

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

NEW BUSINESS – AFFORDABLE HOUSING TRUST

- ❖ *Discussion and Approval of Submission of an Application to the Community Preservation Act Committee for the May 1, 2023 Town Meeting for Procurement of Funds for Future Affordable Housing Trust Projects*
- ❖ *Discussion and Approval of Issuing a Request for Proposals with Regard to the 209 Old Barnstable Road Affordable Housing Project*
- ❖ *Discussion and Approval of Adoption of a Policy Stating Local Preference shall be a Priority for Every Affordable Housing Project in Mashpee and Further, Staff is Authorized to Fulfill those Requirements Early in the Procurement and Subsequent Permitting Processes*

ADJOURNMENT OF THE AFFORDABLE HOUSING TRUST

MINUTES

Approval of the Monday, October 17, 2022 Regular Session Minutes

APPOINTMENTS & HEARINGS

- Public Comment
- 6:35 pm – Pole and Conduit Hearing: 83 Red Brook Road: *Eversource Petition #8725164*
- Discussion and Approval of 83 Red Brook Road: *Eversource Petition #8725164*
- 6:40 pm – Public Hearing: Proposed Parking Ban on Bowdoin Road
- Discussion and Approval of Parking Ban on Bowdoin Road
- *DPW Director Catherine Laurent: Discussion and Approval of the Following:*
 - Extension of the Intermunicipal Agreement with the Towns of Falmouth, Sandwich and Bourne for the Upper Cape Regional Transfer Station (UCRTS) and Extension of Contract with Cavossa Disposal Corporation for the UCRTS
 - License Agreement for Robert B. Our. Inc. for an Office Trailer at the Transfer Station
- Presentation on Proposed Residential Tax Exemption, Setting of the FY 2023 Tax Rate, Future Budgeting: *Finance Director Dawn Thayer, Treasurer/Tax Collector Craig Mayen, Assessor Joe Gibbons*
- Discussion and Approval of the Following Resignations and Appointments:
 - Appointments:
 - Affordable Housing Committee: Candidates:
Gary Shuman, Arden Russell (Term Expires June 30, 2023)
 - Council on Aging: *Sherry Norman* (Term Expires June 30, 2024)
 - Human Services Committee: *Sam MacDonald* (Term Expires June 30, 2023)
 - Mashpee Community Garden Advisory Committee: *Kirsten Nordstrom* (Term Expires June 30, 2023)
 - Resignations:
 - Council on Aging: *Eugenia "Jean" Nousse* (Term Expires June 30, 2024)
 - Capital Improvement Program (CIP) Committee: *Charles "Chuck" Gasior* (Term Expires June 30, 2023)

BOARD OF SELECTMEN AGENDA NOVEMBER 7, 2022 (CON'T)

COMMUNICATIONS & CORRESPONDENCE

NEW BUSINESS

ADDITIONAL TOPICS

(This space is reserved for topics that the Chair did not reasonably anticipate would be discussed)
Water Quality Issues

LIAISON REPORTS

2022-2023 Liaison Assignments until May 2023: *Chair David Weeden*

TOWN MANAGER UPDATES

EXECUTIVE SESSION

Discuss Strategy Regarding Negotiations with Nonunion Personnel (Personnel Administration Plan) and the Following Collective Bargaining Units, where an Open Meeting May have a Detrimental Effect on the Bargaining Position of the Town:

- Mashpee Permanent Fire Fighters Association, International Association of Fire Fighters (IAFF) Local 2519;
- MASS. C.O.P., Local 324, Unit A – Patrol Officers and Detectives;
- MASS. C.O.P., Local 320, Unit B – Sergeants;
- MASS. C.O.P., Local 477, Unit C – Police Lieutenants
- Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit A – Administrators;
- Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator's Unit B – Administrators;
- Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit A;
- Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit B;
- Service Employees International Union (SEIU), Local 888, Clerical/Library/Dispatchers Chapter

ADJOURNMENT

Mashpee Select Board
Minutes-Affordable Housing Trust
November 7, 2022

Present: Selectman David W. Weeden, Selectman John J. Cotton, Selectman Thomas F. O'Hara,
Selectman Carol A. Sherman, Selectman Michaela A. Wyman-Columbo
EDIC Representative – Glenn Thompson
Finance Committee Representative – Gregory McKelvey
Affordable Housing Committee Representative – Allan Isbitz
Mashpee Housing Authority Representative – Richard Klein
Town Manager Rodney C. Collins
Assistant Town Manager Wayne E. Taylor

Meeting Called to Order by Chairman Weeden at 6:00 p.m.
Mashpee Town Hall, Waquoit Meeting Room

In a brief ceremony, the School Superintendent Patricia DeBoer presented an impressive rendition of the new Town Seal made by two talented high school artists.

NEW BUSINESS – AFFORDABLE HOUSING TRUST – Meeting convened: 6:10 p.m.

Discussion and Approval of Submission of an Application to the Community Preservation Act Committee for the May 1, 2023 Town Meeting for Procurement of Funds for Future Affordable Housing Trust Projects:

Evan Lehrer, the Town Planner brought forth a draft application seeking Community Preservation Act funding in the amount of \$300,000 to engage toward the benefit of affordable housing in the Town of Mashpee. Approximately five years ago the Affordable Housing Trust submitted an application to the Affordable Housing Trust. Funding in the amount of \$300,000 was awarded and allocated to the wastewater treatment system at the 950 Falmouth Road affordable housing site now known as the LeClair Village.

Funds allocated to the Trust would be advantageous and allow for immediate action on affordable housing opportunities in an efficient and timely manner. At a time of need it is crucial to take advantage of affordable housing opportunities as they arise.

Mr. Lehrer indicated he has been keeping an eye on foreclosure properties and potential land acquisitions for non-restricted year round affordable housing.

The deadline for the application submission to the Community Preservation Committee is November 17, 2022 for funding consideration at the May 2023 Special Town Meeting.

A brief discussion followed with regards to the process. It was previously determined CPA funding from the 10% Affordable Housing Reserves would be earmarked to the Affordable Housing Trust to facilitate this need. The Affordable Housing Trust is the authority who may purchase, hold, and make decisions regarding the development of affordable housing. Through an application, the CPC approves funding and makes recommendations to the legislative body, Town Meeting.

Mashpee Select Board
Minutes-Affordable Housing Trust
November 7, 2022

NEW BUSINESS – AFFORDABLE HOUSING TRUST

Discussion and Approval of Submission of an Application to the Community Preservation Act Committee for the May 1, 2023 Town Meeting for Procurement of Funds for Future Affordable Housing Trust Projects:
(continued)

Motion made by Selectman Sherman to move forward with the submission of an application to the Community Preservation Commission in the amount of \$300,000 to the May 2023 Town Meeting for the procurement of funds for future affordable housing projects.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 9-0.

Roll Call Vote:

Selectman Weeden, yes
Selectman Sherman, yes
Mr. Thompson, yes
Mr. Klein, yes

Selectman Cotton, yes
Selectman Wyman-Colombo, yes
Mr. McKelvey, yes
Opposed, none

Selectman O'Hara, yes
Mr. Isbitz, yes

Discussion and Approval of Issuing a Request for Proposals with Regard to the 209 Old Barnstable Road Affordable Housing Project:

The Planning Department has advised the Town must continue to advance forward with affordable housing utilizing its resources and opportunities. The policy direction of the Affordable Housing Trust is to pursue development at the 108 Commercial Street site. However, this project has been stalled due to title issues.

It is the recommendation of the Planning Department for the Affordable Housing Trust to take advantage of affordable housing opportunities at the 209 Old Barnstable Road site. This property is located in close proximity to the elementary schools. It is a 3.8 acre site connected to various resources and amenities. A feasibility study has been conducted and the site has been determined to sustain affordable rental housing.

Evan Lehrer, Town Planner recommended the Trust move forward, and authorize the staff to develop a neighborhood action plan to involve the area neighborhoods. With input an RFP would follow to procure a qualified affordable housing developer. An RFP Review Committee would then be formed with Town officials to include two neighborhood representatives.

The timeline of the engagement would require a public forum to address concerns and recommendations and to build upon solutions and mitigation measures.

The site is also a natural heritage/endangered species area with Eastern Box Turtle habitat. This would require mitigation to achieve the densities proposed in the feasibility study. It is therefore recommended the Conservation Agent be allowed to participate in the review process.

With approval, the proposal would begin within the next few months with anticipation the RFP document would be ready to form for advertisement in the spring.

Mashpee Select Board
Minutes-Affordable Housing Trust
November 7, 2022

NEW BUSINESS – AFFORDABLE HOUSING TRUST

Discussion and Approval of Issuing a Request for Proposals with Regard to the 209 Old Barnstable Road Affordable Housing Project: (continued)

It was noted the Affordable Housing Committee is supportive of the 209 Old Barnstable Road project, and strongly recommended the involvement of the abutting neighborhoods. In the long term, it is believed this project would become an asset to the Mashpee community.

The Trust is supportive of the recommendation to bring neighborhood involvement into this engagement.

Motion made by Selectman Cotton to move forward with the 209 Old Barnstable Road Affordable Housing project with an abduction of policy.

Motion seconded by Mr. McKelvey.

VOTE: Unanimous. 9-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	
Mr. Thompson, yes	Mr. McKelvey, yes	Mr. Isbitz, yes
Mr. Klein, yes	Opposed, none	

Discussion and Approval of Adoption of a Policy Stating Local Preference shall be a Priority for Every Affordable Housing Project in Mashpee and Further. Staff is Authorized to Fulfill those Requirements Early in the Procurement and Subsequent Permitting Processes:

Discussion followed with respect to local preference for the tenant selection of the affordable housing project at 950 Falmouth Road now referred as the LeClair Village. Under the mandates of the Department of Housing and Community Development (DHCD), a town is required to provide documentation that supports and demonstrates the need for local preference in the tenant selection process.

This project will be comprised of 39 units, 100% Area Median Income (AMI) affordable. In the Town of Mashpee there is a demonstrated need and a shortage of rental housing. This includes income levels earning less than 80% of the AMI. There is a substantial waitlist for housing.

Those earning beyond 80% AMI are also having difficulties in sustaining affordable housing. It was noted the State is assisting in the development of new housing. This includes workforce housing defined at 60% of the AMI up to 120% dependent upon the market and each project development, unit mix and unit type. It is essential to balance both local and regional needs in terms of availability and affordability.

The Affordable Housing Trust agreed to prioritize local preference and to justify the extent of the local preference for submission to the Housing Assistance Corporation.

Current residents, school children, Tribal members, Veterans and local employees were highly regarded.

Mashpee Select Board
Minutes-Affordable Housing Trust
November 7, 2022

NEW BUSINESS – AFFORDABLE HOUSING TRUST

Discussion and Approval of Adoption of a Policy Stating Local Preference shall be a Priority for Every Affordable Housing Project in Mashpee and Further, Staff is Authorized to Fulfill those Requirements Early in the Procurement and Subsequent Permitting Processes: (continued)

It was agreed a subcommittee would be formed to consider policy regarding local preference.

Motion made by Selectman Sherman to approve the formation of a working group consisting of the Town Planner and Affordable Housing Trust representatives Allan Isbitz and Gregory McKelvey.
Motion seconded by Selectman Wyman-Colombo.

VOTE: Unanimous. 9-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	
Mr. Thompson, yes	Mr. McKelvey, yes	Mr. Isbitz, yes
Mr. Klein, yes	Opposed, none	

ADJOURNMENT OF THE AFFORDABLE HOUSING TRUST

Motion made by Selectman Cotton to adjourn the AHT Meeting at 6:52 p.m.

Motion seconded by Mr. McKelvey.

VOTE: Unanimous. 9-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	
Mr. Thompson, yes	Mr. McKelvey, yes	Mr. Isbitz, yes
Mr. Klein, yes	Opposed, none	

Respectfully submitted,

Kathleen M. Soares
AHT Secretary

Mashpee Select Board
Minutes
November 7, 2022

Present: Selectman David W. Weeden, Selectman John J. Cotton, Selectman Thomas F. O'Hara,
Selectman Carol A. Sherman, Selectman Michaela A. Wyman-Columbo
Town Manager Rodney C. Collins
Assistant Town Manager Wayne E. Taylor

Meeting Called to Order by Chairman Weeden at 6:53 p.m.
Mashpee Town Hall, Waquoit Meeting Room

MINUTES

Monday, October 17, 2022 Regular Session Minutes:

Motion made by Selectman Sherman to approve the Regular Session minutes of Monday, October 17, 2022 as presented.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

APPOINTMENTS & HEARINGS

Public Comment:

Karen Faulkner of Asher's Path West read into the record the Select Board's Policy regarding the *Appointment Policy for Boards, Commissions, Committees and Councils appointed by the Select Board*. Ms. Faulker made note of the Initial Interview Process and urged the Select Board to judge candidates on a merit-based principle, and recommendations made based on a consistent evaluation method that considers the candidate's qualifications and suitability.

Lynne Barbee a resident of Surf Drive expressed appreciation to the Select Board by following process to correct a recent violation. Ms. Barbee spoke highly of the one she feels as the most qualified candidate for appointment to the Affordable Housing Committee.

Rosa Whiting of Cutlass Lane asked the Select Board to take the concerns and interests of Mashpee into its best interest to select the best candidate for the appointment to the Affordable Housing Committee.

Craig Mayen a resident of Old Colony Drive spoke on the proposed residential exemption and its consequences to renters. It is estimated that 1,200 renters live year round in Mashpee. With increases in utilities and other expenses, the impact of the exemption to those in the rental market would most likely be another hurdle to homeownership.

Marcia Hecht of Hoopole Road voiced support for the most experienced Affordable Housing Committee candidate who has a proven record of success.

Mashpee Select Board
Minutes
November 7, 2022

Pole and Conduit Hearing: 83 Red Brook Road: Eversource Petition #8725164:
Discussion and Approval of 83 Red Brook Road: Eversource Petition #8725164:

The Mashpee Select Board opened the Public Hearing on the Petition received from NSTAR Electric d/b/a Eversource Energy proposing to install approximately 43' of conduit under the public road, Red Brook Road necessary to provide electric service to #83 Red Brook Road, Mashpee.

In accordance with posting procedures, the Public Hearing notice was read aloud into the record. Marissa Jackson, a representative of Eversource Energy was in attendance to discuss Petition # 8725164 with the Select Board and interested public.

Ms. Jackson indicated the work order for underground cable and conduit was requested by the customer.

Catherine Laurent, Director of Public Works requested clarification with respect to the intended connection. The Town of Mashpee has recently repaved Red Brook Road which has created a 3-year moratorium on any trenching.

Ms. Jackson responded by stating Eversource plans to bore under the roadway. There will be no trenching at the subject site location. Ms. Laurent requested the approval be conditioned as such. Being no further comment, the Board motioned as follows;

Motion made by Selectman Sherman to close the Public Hearing.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Selectman Weeden recused himself from voting on this matter as he is connected to the customer.

Motion made by Selectman Sherman to approve Petition #8725164 from NSTAR Electric d/b/a Eversource Energy to install conduit necessary to provide electric service to #83 Red Brook Road with the stipulation there shall be no trenching for the connection of this service.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 4-0-1.

Roll Call Vote:

Selectman Weeden, abstained	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Mashpee Select Board
Minutes
November 7, 2022

APPOINTMENTS & HEARINGS

Public Hearing: Proposed Parking Ban on Bowdoin Road: Discussion and Approval of Parking Ban on Bowdoin Road:

The Public Hearing relative to the proposed parking ban on Bowdoin Road in Mashpee was opened by the Select Board and read into the record. It was disclosed that all abutters were notified of this hearing.

At their last meeting the DPW Director brought to the Select Board's attention concerns regarding the road conditions on Bowdoin Road. Adjacent businesses are using the road for parking. This significantly impacts the road surface, the road shoulder and drainage.

Currently, there are no restrictions regarding parking on Bowdoin Road. The Plan Review Committee has recommended that parking on both sides of the road be prohibited until such time the property owners develop a plan for improvements.

The road is impacted by employee parking and delivery vehicles. This restricts ability for the road to drain properly. There are six drains on the road. The town bids for the cost of cleaning the industrial areas as hazardous wastes must be disposed at a hazardous waste landfill. The DPW is agreeable to work with the property owners to address this issue, but not at the sole cost to the Mashpee taxpayers.

Several local business owners were in attendance to further discuss this matter with the Select Board. Comments were received requesting that a reasonable solution be brought forward to resolve this issue on a team basis. It was agreed that environmental factors would be satisfied as part of the solution.

Town Manager Rodney C. Collins recommended the Select Board continue the Public Hearing to allow for adequate staff review including the DPW working with the business owners to bring forth a satisfactory resolution to the parking challenge on Bowdoin Road.

Motion made by Selectman Sherman to continue the Public Hearing on the Proposed Parking Ban on Bowdoin Road to provide opportunities for resolution; a date to be determined.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Mashpee Select Board
Minutes
November 7, 2022

APPOINTMENTS & HEARINGS

DPW Director Catherine Laurent: Discussion and Approval of the Following:

Extension of the Intermunicipal Agreement with the Towns of Falmouth, Sandwich and Bourne for the Upper Cape Regional Transfer Station (UCRTS) and Extension of Contract with Cavossa Disposal Corporation for the UCRTS:

Catherine Laurent, Director of Public Works recommended the Select Board approve the extension of the Intermunicipal Agreement (IMA) with the Towns of Bourne, Falmouth and Sandwich. The current IMA is due to expire on December 31, 2022 with the option to extend the term until June 30, 2026.

The Town of Bourne owns and operates their landfill and has currently not recommended the extension of the IMA. Town Counsel has advised the Select Board maintain its ability to move forward to extend the contract. If Bourne is not interested the three member consortium is able to continue.

Ms. Laurent indicated the three Upper Cape towns are interested in continuing their relationships. If an extension is granted Ms. Laurent would vote to extend the agreement for an additional three years or through December 31, 2025. Revenue is received from the Cavossa Disposal Corp for use of the facility as a transfer station for trash and construction/demolition. Costs are shared equally amongst the members. Currently, there is no debt associated to this facility.

It was noted the four Upper Cape towns have owned and operated the Upper Cape Regional Transfer Station (UCRTS) located at Joint Base Cape Cod since 1987 through an Intermunicipal Agreement. Continued use of the UCRTS would maintain the rail lines viability for possible use when disposal contracts expire.

Motion made by Selectman Sherman to extend the Intermunicipal Agreement for the Upper Cape Regional Transfer Station, and extend the contract with Cavossa Disposal Corporation for the UCRTS for an additional three years through December 31, 2025.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Mashpee Select Board
Minutes
November 7, 2022

APPOINTMENTS & HEARINGS

License Agreement for Robert B. Our, Inc. for an Office Trailer at the Transfer Station:

It was disclosed Robert B. Our Co., Inc. has requested the Town approve the location of a field office at the Mashpee Transfer Station, a site centrally located to the Wastewater Management project. The Robert B. Our firm has secured contracts in Phase 1 of the project scope. Work scheduled over the next two years requires oversight.

The field office would be limited to a trailer and portable toilet in a designated area to not interfere with the operation of the Transfer Station with parking for two vehicles. The Robert B. Our group is expected to reimburse the Town of Mashpee for electrical costs. An area adjacent to an existing office trailer has been selected to accommodate this request.

Discussion followed with respect to setting precedent. Agreeing that locating an office trailer for the construction supervisor is worthy it may be better suited in closer proximity to the wastewater facility when the site is prepared. Although it is typical to have a trailer at a job site a shorter term may be more desirable. Fees for the office trailer were also considered.

Motion made by Selectman Cotton to recommend the use of the Transfer Station for the Robert B. Our Co., Inc. authorizing the Town Manager to review the scope of the intent to include term and rent; final terms as agreed upon for the License for Use of the Transfer Station.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Presentation on Proposed Residential Tax Exemption. Setting of the FY 2023 Tax Rate, Future Budgeting: Finance Director Dawn Thayer, Treasurer/Tax Collector Craig Mayen, Assessor Joe Gibbons:

Dawn Thayer, Finance Director was in attendance with Craig Mayen, Treasurer/Tax Collector and Joe Gibbons Assessor to review matters association to the implementation of the proposed Residential Tax Exemption.

Each year, the Select Board has the option of enacting a residential exemption of up to 35% of the average total residential property value for those property owners who maintain their primary residence in Mashpee.

As the Town moves forward with the process of setting the 2023 tax rate, and scheduling the annual Tax Classification Hearing matters associated to the change were considered for future budgeting purposes.

The Town of Mashpee has received preliminary certification for FY2023 values, an increase of approximately 20%. The average value of a single family home is \$770,395. New growth was approved at \$805,000. Further details will be revealed at the hearing. It is helpful to realize the 2023 tax rate is based on the budget that was created last year. Budgetary decisions made during the next few months are not fully recognized until the following fiscal year.

Mashpee Select Board
Minutes
November 7, 2022

Presentation on Proposed Residential Tax Exemption, Setting of the FY 2023 Tax Rate, Future Budgeting: Finance Director Dawn Thayer, Treasurer/Tax Collector Craig Mayen, Assessor Joe Gibbons: (continued)

Currently 2,109 applications (36%) for a Residential Exemption have been vetted and approved by the Assessors Office. This is relatively lower than the anticipated 5,700 projection. The deadline for the submittal of applications for a Residential Exemption is April 1, 2023.

There is concern with respect to the overlay and the costs associated to re-vet the additional exemption applications that may be received. It was noted the overlay budget has been increased, but not enough to cover applications over 2,109. If additional overlay funds are not sufficient, funds would need to be raised the following year. Raising the overlay decreases the excess levy capacity. The DOR is required to approve the overlay, a process which allows a town to set their tax rate.

If the residential exemption does not move forward, and the Town has increased its overlay reserve, the Town would raise more taxes than necessary in FY2023. It was noted that residents are required to reapply every 5 years for the residential exemption which is labor intensive with inherent costs.

Discussion followed with regards to comparable towns that have supported a residential exemption. It was recommended the Town of Provincetown be consulted regarding this matter.

The Select Board requested the assessing information be provided in advance of the public hearing.

Discussion and Approval of the Following Resignations and Appointments:

Appointments:

Affordable Housing Committee: Candidates:

Gary Shuman, Arden Russell (Term Expires June 30, 2023):

The Mashpee Select Board interviewed candidates for appointment to the Affordable Housing Committee. At their August meeting, the Affordable Housing Committee interviewed and ranked the candidates. By a vote of 3-0, Gary Shuman was strongly recommended for appointment.

The Select Board interviewed Arden Russell, a highly qualified candidate for the position. Ms. Russell has worked as a Housing Coordinator for a large municipality, and has guided two housing needs assessments including housing production plans.

Affordable Housing is an area Ms. Russell has the most expertise. Her knowledge of information at the state and county levels, an area of great interest can readily support the Town of Mashpee in making a difference in attempting to improve and address the housing crisis.

Ms. Russell also serves on the Community Preservation Committee. This appointment does not constitute a perceived conflict of interest.

Mashpee Select Board
Minutes
November 7, 2022

APPOINTMENTS & HEARINGS

Discussion and Approval of the Following Resignations and Appointments:

Appointments: (continued)

Affordable Housing Committee: Candidates:

Gary Shuman, Arden Russell (Term Expires June 30, 2023):

If appointed Ms. Russell indicated she would investigate and implement more ideas and options. This includes tax incentives to create market housing for developers and implementing a buy down program to fulfill immediate housing needs. In addition, Ms. Russell would work on incentives for affordable dwelling units.

The Select Board then interviewed Gary Shuman whose career focus has been involved with new/start-up organizations in building solutions to solve complex challenges. Mr. Shuman does not have a background in affordable housing. His career path considers new solutions to address problems similar to the housing shortfall.

After recently attending the well-received affordable housing conference Mr. Shuman indicated he can help to make a difference in Mashpee. He is a good communicator, collaborator and a good listener. Mr. Shuman also noted he is a team player and would work to find a median point in a team effort.

The Select Board in considering the two well-qualified candidates for appointment requested the individual who does not get appointed fulfill other committees in need.

Based on merit, qualifications and suitability, the Select Board took the following action;

Motion made by Selectman Wyman-Colombo to appoint Arden Russell to the Affordable Housing Committee.

There was no second.

Motion made by Selectman Sherman to appoint Gary Shuman to the Affordable Housing Committee.

Motion seconded by Selectman O'Hara.

VOTE: 3-2. Motion carries.

Roll Call Vote:

Selectman Weeden, no
Selectman Sherman, yes

Selectman Cotton, yes
Selectman Wyman-Colombo, no

Selectman O'Hara, yes
Opposed, (2)

Mashpee Select Board
Minutes
November 7, 2022

APPOINTMENTS & HEARINGS

Discussion and Approval of the Following Resignations and Appointments:

Appointments: (continued)

Council on Aging: Sherry Norman (Term Expires June 30, 2024):

Correspondence was received from David Egel, Chair of the Mashpee Council on Aging dated October 12, 2022 recommending the appointment of Sherry Norman.

Motion made by Selectman Sherman to appoint Sherry Norman to the Council on Aging as recommended with a term to expire; June 30, 2024.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Human Services Committee: Sam MacDonald (Term Expires June 30, 2023):

At their meeting of September 16, 2022, the Human Services Committee voted to recommend the appointment of Sam MacDonald.

Motion made by Selectman Sherman to appoint Sam MacDonald to the Human Services Committee as recommended with a term to expire; June 30, 2023.

Motion seconded by Selectman Wyman-Colombo.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Mashpee Community Garden Advisory Committee: Kirsten Nordstrom (Term Expires June 30, 2023):

The Select Board was in receipt of correspondence from Virginia Scharfenberg, President of the Mashpee Community Garden Advisory Committee recommending the appointment of Kirsten Nordstrom.

Motion made by Selectman Sherman to appoint Kirsten Nordstrom to the Mashpee Community Garden Advisory Committee as recommended with a term to expire; June 30, 2023.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Mashpee Select Board
Minutes
November 7, 2022

APPOINTMENTS & HEARINGS

Discussion and Approval of the Following Resignations and Appointments: (continued)

Resignations:

Council on Aging: Eugenia “Jean” Nousse (Term Expires June 30, 2024):

A letter of resignation dated October 10, 2022 was received from Eugenia Nousse from the Council on Aging.

Motion made by Selectman Sherman to accept the letter of resignation from Eugenia Nousse from the Council on Aging with regret.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O’Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Capital Improvement Program (CIP) Committee: Charles “Chuck” Gasior (Term Expires June 30, 2023):

An additional letter of resignation was received from Chuck Gasior dated October 25, 2022 as the resident/At Large appointment to the Capital Improvement Program Committee (CIP). Mr. Gasior has been a part of Mashpee’s governance since 2002.

Motion made by Selectman Sherman to accept the letter of resignation from Chuck Gasior from the Capital Improvement Program Committee with a long letter of appreciation for his commitment to the Town of Mashpee.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O’Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

COMMUNICATIONS & CORRESPONDENCE

Superintendent of Schools: Patricia DeBoer, Superintendent of Schools has invited the Select Board to attend a tour of the Mashpee Middle/High School on November 28, 2022 from 9:30 a.m. to 11:00 a.m.

Mashpee Select Board
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November 7, 2022

ADDITIONAL TOPICS

It was recommended that Water Quality Issues be Added to each agenda of the Select Board.

Motion made by Selectman Wyman-Colombo to place the above topic on the Select Board's agenda.
Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Water Quality Issues:

It was requested the Select Board place the topic: *Water Quality Issues* as a standard agenda topic of the Mashpee Select Board. A brief discussion followed. This is a method to gather and present information on the water quality topic. It was recommended the Town Manager be advised by the respective Chair if representation is required at particular meetings to allow for scheduling.

Motion made by Selectman Wyman-Colombo to add Water Quality Issues to the Select Board agenda as a regular topic of discussion.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

LIAISON REPORTS

Mashpee Chamber of Commerce:

In the past two weeks there has been four ribbon cutting ceremonies. This includes the support for three new businesses and the opening of the new Mashpee Middle/High School track & field.

The 2022 Christmas Parade is scheduled on December 10, 2022 with a rain date of December 11, 2022. Select Board members and the Town Managers are invited to participate.

Thanksgiving Meals will be delivered through the Chamber. Roche Bros. was recognized for their annual contribution to this event. Additional information can be found by calling the Chamber Office.

2022-2023 Liaison Assignments until May 2023: Chair David Weeden:

The Liaison Assignment list was deferred to the next meeting.

Mashpee Select Board
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November 7, 2022

TOWN MANAGER UPDATES

The Veterans Day ceremony will be held on November 11, 2022 at 10:00 a.m. at the Veterans Park.

The Board of Assessors has received preliminary certification of FY2023 valuations.

Board of Health vacancies are being duly advertised. There is a strong need for membership.

Election Day will be held on November 8, 2022 at the Quashnet School from 7:00 a.m. to 8:00 p.m.

EXECUTIVE SESSION

Discuss Strategy Regarding Negotiations with Nonunion Personnel (Personnel Administration Plan) and the Following Collective Bargaining Units, where an Open Meeting May have a Detrimental Effect on the Bargaining Position of the Town:

Mashpee Permanent Fire Fighters Association, International Association of Fire Fighters (IAFF) Local 2519;

MASS. C.O.P., Local 324, Unit A – Patrol Officers and Detectives;

MASS. C.O.P., Local 320, Unit B – Sergeants;

MASS. C.O.P., Local 477, Unit C – Police Lieutenants

Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator;
Unit A – Administrators;

Laborer's International Union of North America (LIUNA), MASS Public Employee's Local 1249, Administrator;
Unit B – Administrators;

Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit A;

Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit B;

Service Employees International Union (SEIU), Local 888, Clerical/Library/Dispatchers Chapter

Mashpee Select Board
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EXECUTIVE SESSION

Motion made by Selectman Sherman to move that the Board convene in Executive Session at 9:14 p.m. for the purpose of discussing strategy regarding negotiations with nonunion personnel relative to the Personnel Administration Plan and with the following collective bargaining units, where an Open Meeting may have a detrimental effect on the bargaining position of the Town:

**Mashpee Permanent Fire Fighters Association, International Association of Fire Fighters (IAFF) Local 25
MASS. C.O.P., Local 324, Unit A – Patrol Officers and Detectives;
MASS. C.O.P., Local 320, Unit B – Sergeants;
MASS. C.O.P., Local 477, Administrator’s Unit C – Police Lieutenants
Laborer’s International Union of North America (LIUNA), MASS Public Employee’s Local 1249,
Administrator’s Unit A – Administrators;
Laborer’s International Union of North America (LIUNA), MASS Public Employee’s Local 1249,
Administrator’s Unit B – Administrators;
Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit A;
Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit B;
Service Employees International Union (SEIU), Local 888, Clerical/Library/Dispatchers Chapter**

from which the Board may reconvene in Open Session.

Motion seconded by Selectman O’Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O’Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

Respectfully submitted,

**Kathleen M. Soares
Secretary to the Select Board**

Mashpee Select Board
Minutes
November 7, 2022

Meeting reconvened: 9:44 p.m.

NEW BUSINESS

Discuss Strategy Regarding Negotiations with Nonunion Personnel (Personnel Administration Plan) and the Following Collective Bargaining Units, where an Open Meeting May have a Detrimental Effect on the Bargaining Position of the Town:

MASS. C.O.P., Local 324, Unit A – Patrol Officers and Detectives:

Motion made by Selectman Sherman to ratify the contract between the Town of Mashpee and MASS C.O.P. Local 324, Unit A (Patrol Officers and Detectives) terms and conditions for the purpose of a successor agreement from July 1, 2023 through June 30, 2026, authorizing the Town Manager to execute said Agreement on behalf of the Select Board.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, none

ADJOURNMENT

Motion made by Selectman Cotton to adjourn at 9:45 p.m.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	

Respectfully submitted,

Kathleen M. Soares
Secretary to the Select Board



**TOWN OF MASHPEE
BOARD OF SELECTMEN
TAX CLASSIFICATION PUBLIC HEARING NOTICE**

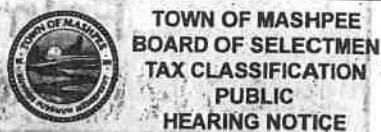
Under Chapter 40, Section 56, as amended by Chapter 369 of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Mashpee Board of Selectmen will conduct a Public Hearing on whether the Town of Mashpee should implement the Classification Act. At said hearing, the Mashpee Board of Selectmen will hear testimony as to what will be the Fiscal Year 2023 residential factor which will determine the share of taxes each classification of property will pay, what will be open space factor, and whether there will be a residential exemption and/or a small business exemption.

Said Public Hearing will be conducted on Monday, November 21, 2022, at 6:35 p.m. in the Waquoit Meeting Room, at Mashpee Town Hall 16 Great Neck Road North, Mashpee, MA.

You can submit comments and questions via email to bos@mashpeema.gov prior to the meeting date and time.

Per order of
The Mashpee Board of Selectmen

David W. Weeden, *Chair*
John J. Cotton, *Vice-Chair*
Thomas F. O'Hara, *Clerk*
Carol A. Sherman
Michaela Wyman-Colombo



**TOWN OF MASHPEE
BOARD OF SELECTMEN
TAX CLASSIFICATION
PUBLIC
HEARING NOTICE**

Under Chapter 40, Section 56, as amended by Chapter 369 of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Mashpee Board of Selectmen will conduct a Public Hearing on whether the Town of Mashpee should implement the Classification Act. At said hearing, the Mashpee Board of Selectmen will hear testimony as to what will be the Fiscal Year 2023 residential factor which will determine the share of taxes each classification of property will pay, what will be open space factor, and whether there will be a residential exemption and/or a small business exemption.

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Per order of
The Mashpee Board of Selectmen
David W. Weeden, *Chair*
John J. Cotton, *Vice-Chair*
Thomas F. O'Hara, *Clerk*
Carol A. Sherman
Michaela Wyman-Colombo

November 11, 18 2022



TOWN OF MASHPEE

ASSESSING DEPARTMENT

16 Great Neck Rd North, Mashpee MA 02649

Joseph Gibbons, MAA
Director of Assessing

MEMORANDUM

DATE: November 17, 2022

TO: Honorable Select Board

CC: Rodney Collins, Town Manager

FROM: Office of Joseph Gibbons, MAA
Director of Assessing

RE: Assessors Recommendation – Classification Hearing

In order to facilitate the Classification Hearing on November 21, 2022, please see the accompanying information and recommendations. Under Chapter 40, Section 56 of the Massachusetts General Laws, and subsequently amended by the Chapter 369 of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Mashpee Select Board must vote on the following sections of the Classification Act:

1. Whether to continue with a factor of "1" which would not shift the tax burden between classes. Mashpee has never shifted the tax rate to raise the CIP tax rate. The maximum shift for Mashpee would be 150%.
2. The second issue is Open Space discount. This option would have very little effect in Mashpee as these parcels are already greatly discounted.
3. The third issue is whether Mashpee should adopt a Small Commercial Exemption of up to 10% for owner-occupied properties assessed under 1 million dollars (\$1,000,000.00).
4. The final issue is whether to adopt a Residential Exemption of up to 35% of the average assessed single-family property. The option shifts the resident's burden from the domiciliary parcels onto higher valued domiciles and ALL non-domiciliary properties.

Moreover, this option increases the OVERALL residential tax burden, necessitates additional yearly staffing and requires state mandated review of applications every five (5) years.



TOWN OF MASHPEE

ASSESSING DEPARTMENT

16 Great Neck Rd North, Mashpee MA 02649

Joseph Gibbons, MAA
Director of Assessing

(Cont'd)

At its November 16, 2022 meeting, the Town of Mashpee Board of Assessors voted unanimously to recommend the following:

1. To adopt a Residential Factor of "1," meaning no shifting of residential burden to commercial (CIP).
2. To not adopt an Open Space discount
3. To not adopt a Small Commercial Exemption
4. To recommend a Residential Exemption percentage of "No higher than 10%" if the Residential Exemption is adopted by the Select Board. This is due to the potential overlay deficits, which could drastically effect the FY2024 budget.

Sample **MOTION**:

I move that the Town of Mashpee adopt a factor of "1" for all Classes of property with NO discount for Open Space, No Small Commercial Exemption and No Residential Exemption.

CLASSIFICATION HEARING PRIMER:

- **SPLIT TAX RATE**
- **OPEN SPACE DISCOUNT**
- **RESIDENTIAL EXEMPTION**
- **SMALL COMMERCIAL EXEMPTION**

Classification of Property

Assessors must classify all real property according to its use as of each January 1st into one of four classes: Residential, Open Space, Commercial or Industrial.

Tax Levy Allocation

Municipalities decide annually within limits established by statute and the Department of Revenue (DOR) the percentage of the tax levy that will be paid by each class of real property owners and personal property owners. The decision is made after a public hearing.

THE CLASSIFICATION HEARING

Annual Hearing

Before the tax rate can be set, the selectmen must hold a public hearing each year to consider the tax rate options available to the municipality under property tax classification. The hearing is held after the assessors have determined final values and classified all properties and reported this information to the DOR. These values set the parameters for the options that the municipality may adopt.

Hearing Notice

Notice of the hearing must comply with the Open Meeting Law and any local charter, by-law or ordinance provisions. In addition, taxpayers must be notified of the hearing by a comprehensive public information release in a newspaper of general circulation in the community.

Role of the Selectmen

The selectmen conduct the classification hearing and vote on the available tax rate options. The vote may be taken at the hearing or a later meeting.

TAX POLICY DECISIONS

Tax Policy Options

Municipalities have several options in distributing the tax levy among taxpayers under property tax classification. Use of these options results in multiple tax rates for different property classes because they change the components used to calculate the rate, *i.e.*, the amount of the tax levy being paid by, or the assessed valuation of, the class. The total tax levy remains the same.

Single or Split Tax Rate?

Municipalities must decide whether (1) to tax all classes of property at their full and fair cash valuation share of the tax levy, which results in a single tax rate, or (2) to reduce the share of the tax levy paid by residential and open space property owners and shift those taxes to commercial, industrial and personal property taxpayers or vice versa, which results in a split tax rate.

Classification Exemption Options

Municipalities may also consider whether to allow (1) an open space discount, (2) a residential exemption, and (3) a small commercial exemption.

Levy Allocation

The selectmen must decide the percentages of the tax levy that each class of real property and personal property will bear. To do so, a residential factor is adopted.

The residential factor governs the percentage of the tax levy to be paid by Class One, Residential and Class Two, Open Space properties. The difference is shifted to Class Three, Commercial and Class Four, Industrial and Personal properties (CIP).

The adopted factor cannot be less than the **Minimum Residential Factor (MRF)** calculated by the DOR. The MRF represents the maximum shift allowed in the tax levy for the year and establishes the parameters for local decision-making.

Single Tax Rate

A residential factor of "1" results in the taxation of all property at the same rate. Each property class pays its full and fair cash valuation share of the tax levy. Example: If the value of all residential properties makeup 80 percent of the total assessed taxable valuation, residential taxpayers will pay 80 percent of the tax levy.

Split Tax Rate

A residential factor of less than '1' reduces the share of the tax levy paid by the Residential & Open Space classes and increases the share paid by the Commercial, Industrial & Personal Property classes. The result is two tax rates: one for Residential & Open Space properties and a second, higher rate for CIP properties. A factor greater than '1' may be adopted, which would have the opposite effect.

Basic Minimum Residential Factor Parameters:

1. Commercial, Industrial & Personal Property taxpayers cannot pay more than 150% of their **Full and Fair Cash Value (FFCV)** share of the tax levy (single rate share).
2. Residential & Open Space taxpayers must pay at least 65% of their Full and Fair Cash Value share of the levy.

'Residential Exemption

The selectmen may grant a residential exemption to all Class One, Residential properties that are the principal residence of the taxpayer on January 1. The only validation for proof of residence provided by law is a copy of the resident's tax return.

Amount

The exemption may not exceed 35 percent of the average assessed value of all Class One, Residential properties. To calculate the exemption, the assessors first determine the average assessed value of all residential parcels. The adopted percentage is applied to this amount. The assessors must then determine which properties qualify for the exemption. *(This step can take upwards of six months and is critical to avoid violating Prop 2 ½.)* The assessed valuation of each residential parcel that is the primary residence of the taxpayer is then reduced by the same amount.

Impact on the Tax Rate

Adopting a residential exemption increases the residential tax rate. The amount of the tax levy paid by the class remains the same, but because of the exempted valuation, it is distributed over less assessed value. This higher rate creates a shift *within* the class that reduces the taxes paid by homeowners with moderately valued properties. The exempted taxes are paid for by the owners of rental properties, second homes and full time residents with higher valued homes.

Small Commercial Exemption

The selectmen may grant a small commercial exemption to all Class Three, Commercial properties that are occupied by businesses with an average annual employment of no more than 10 people and an assessed valuation of less than \$1,000,000.

Amount

The exemption may not exceed 10 percent of the assessed value of each eligible Class Three, Commercial property.

Eligible Businesses

For a business to qualify, the Director of the Department of Workforce Development must certify that the business had an average annual employment of 10 or fewer people at all locations during the preceding calendar year. By July 1 of each year, the Director provides assessors with a list of businesses that met that employment criterion. If a sole proprietorship or partnership does not appear on the certified list, the assessors may separately determine whether it met the employment criterion for the preceding calendar year.

Impact on the Tax Rate

Adopting a small commercial exemption increases either the commercial and industrial tax rates (if a split rate is adopted) or the overall tax rate if there is no split rate. The amount of the tax levy paid by those two classes remains the same, but because of the exempted valuation, it is distributed over less assessed value.

This higher rate creates a shift that reduces the taxes paid by owners of properties occupied by small businesses and shifts them to larger commercial and industrial taxpayers. This exemption tends to benefit property owners (landlords) and not the small business owners themselves who often don't own the real estate.

Pre-Qualified Residential Exemption Applicants

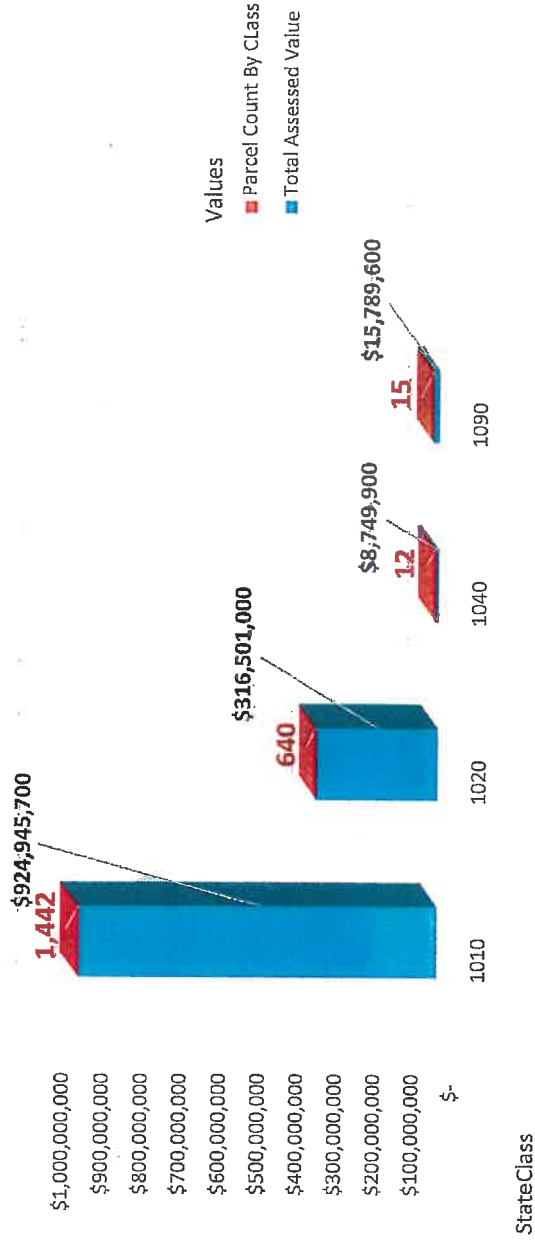
State Class	Total Assessed Value	Parcel Count By Class
1010	\$ 924,945,700	1,442
1020	\$ 316,501,000	640
1040	\$ 8,749,900	12
1090	\$ 15,789,600	15
Grand Total	\$ 1,265,986,200	2,109

State Class Code:

101 : Single Family Residential
102 : Residential Condominium
104 : Two Family Residential
109 : Multiple Home Residential

Total Assessed Value Parcel Count By Class

Total Assessed Value by State Class



Town of Mashpee Single Family Home Values
State Class 101

Fiscal Year	Parcel Count	Average Value	% Change
2023	7,204	\$ 770,395	20.10%
2022	7,127	\$ 641,465	13.94%
2021	7,064	\$ 562,989	3.88%
2020	7,036	\$ 541,976	3.25%
2019	6,986	\$ 524,902	3.12%
2018	6,961	\$ 509,020	4.75%
2017	6,929	\$ 485,960	3.80%
2016	6,887	\$ 468,148	1.56%
2015	6,867	\$ 460,974	3.53%
2014	6,847	\$ 445,257	N/A

FY2023 Residential Exemption Info at 5%, 10%, 20%

	<u>at 5%</u>	<u>at 10%</u>	<u>at 20%</u>
Total Value of All Residential Properties	\$7,355,506,020	\$7,355,506,020	\$7,355,506,020
Total Count of All Residential Properties	11,055	11,055	11,055
Average Value of All Residential Properties	\$665,356	\$665,356	\$665,356
Residential Exemption	\$33,268	\$66,536	\$133,071
# of Properties Qualified (Estimate)	2,109	2,109	2,109
Total Residential Value Exempted from Taxation	\$70,161,746.70	\$140,323,493.41	\$280,646,986.81
Taxable Value of Residential Properties	\$7,285,344,273	\$7,215,182,527	\$7,074,859,033
Total Residential Tax Levy	\$51,047,212	\$51,047,212	\$51,047,212
Tax Rate without Residential Exemption	\$6.94	\$6.94	\$6.94
Tax Rate with Residential Exemption	\$7.01	\$7.07	\$7.22
Amount of Tax Exempted per Parcel	\$233.10	\$470.74	\$960.15

Estimated Residential Exemption Analysis Assuming a 5% Exemption

**Residency calculated by zip code.

(for actual amounts - must request taxpayer applications)

**All amounts change with value and residency fluctuations.

FY23 Tax Rate with Exemption in Place: \$7.01 5% Exemption
 FY23 Tax Rate with no Exemption in Place: \$6.94

Property Value Ranges	# of Owner Occupied Properties	Median Valuation	Tax w/o Exempt	Taxes with a 5% Exemption Amt.	Reduction / Increase in Taxes	# of Part-Time Residents or Rentals	Median Valuation	Tax w/o Exempt	Taxes with higher tax rate	Increase in Taxes
Avg. value of residential properties =	1,944	\$665,356	11,055	9,213	\$24,215	0	\$4,437,364	\$30,795	\$31,106	\$311
Amount of Exempted Valuation at 5% =		\$33,267.80								

FULL TIME RESIDENT TAXPAYERS										
Property Value Ranges	# of Owner Occupied Properties	Median Valuation	Tax w/o Exempt	Taxes with a 5% Exemption Amt.	Reduction / Increase in Taxes	# of Part-Time Residents or Rentals	Median Valuation	Tax w/o Exempt	Taxes with higher tax rate	Increase in Taxes
Below \$208,000	16	Will pay at least min 10% tax but less than \$X,XXX				807	\$90,363	\$627	\$633	\$6
\$208,000 - \$300,999	75	\$275,605	\$1,913	\$1,699	\$214	516	\$267,534	\$1,857	\$1,875	\$19
\$301,000 - \$400,999	337	\$360,224	\$2,500	\$2,292	\$208	1,387	\$358,894	\$2,491	\$2,516	\$25
\$401,000 - \$500,999	603	\$449,976	\$3,123	\$2,921	\$202	1,673	\$447,843	\$3,108	\$3,139	\$31
\$501,000 - \$600,999	413	\$544,703	\$3,780	\$3,585	\$195	1,226	\$547,635	\$3,801	\$3,839	\$38
\$601,000 - \$700,999	218	\$643,654	\$4,467	\$4,279	\$188	885	\$646,098	\$4,484	\$4,529	\$45
\$701,001 - \$800,999	125	\$748,922	\$5,198	\$5,017	\$181	455	\$745,236	\$5,172	\$5,224	\$52
\$801,000 - \$900,999	94	\$848,935	\$5,892	\$5,718	\$174	384	\$852,528	\$5,917	\$5,976	\$60
\$901,000 - \$1,000,999	63	\$948,979	\$6,586	\$6,419	\$167	296	\$944,801	\$6,557	\$6,623	\$66
\$1,001,000 - \$2,000,999	145	\$1,343,651	\$9,325	\$9,186	\$139	1,052	\$1,362,190	\$9,454	\$9,549	\$95
\$2,001,000 - \$3,000,999	13	\$2,339,192	\$16,234	\$16,165	\$69	223	\$2,408,939	\$16,718	\$16,887	\$169
\$3,001,000 and up	7	\$3,694,500	\$25,640	\$25,665	-\$25	144	\$4,437,364	\$30,795	\$31,106	\$311
Break Even Point	98	\$3,487,675	\$24,204	\$24,215	-\$11	0	n/a	n/a	n/a	n/a
2,109 Est. Total Qualified						9,048 Est. Total Unqualified				

PART-TIME RESIDENT TAXPAYERS, RENTALS & VACANT LAND

Estimated Residential Exemption Analysis Assuming a 10% Exemption

**Residency calculated by zip code.

(for actual figures - must request taxpayer applications)

**All figures change with value and residency fluctuations.

FY23 Tax Rate with Exemption in Place: \$7.07 10% Exemption
 FY23 Tax Rate with no Exemption in Place: \$6.94

Number of Properties that will pay less	Number of Properties that will pay more	Total of Taxable Residential Properties	Total Est.# of Exempt Residential Properties	% of Exempt Residential Properties	Total Est.# of non-exempt properties.	Percent of non-exempt properties
1,944	9,213	11,055	2,109	19%	9,048	81%
Avg. value of residential properties =		\$665,356				
Amount of Exempted Valuation at 10% =		\$66,536				

FULL TIME RESIDENT TAXPAYERS				PART-TIME RESIDENT TAXPAYERS, RENTALS & VACANT LAND			
Property Value Ranges	# of Owner Occupied Properties	Median Valuation	Tax w/o Exempt	Taxes with a 10% Exemption Amt.	Reduction / Increase in Taxes	# of Part-Time Residents or Rentals	Taxes with higher tax rate
Below \$208,000	16	Will pay at least min 10% tax but less than \$X,XXX				807	\$639
\$208,000 - \$300,999	75	\$275,605	\$1,913	\$1,478	\$435	516	\$1,891
\$301,000 - \$400,999	337	\$360,224	\$2,500	\$2,076	\$424	1,387	\$2,537
\$401,000 - \$500,999	603	\$449,976	\$3,123	\$2,711	\$412	1,673	\$3,166
\$501,000 - \$600,999	413	\$544,703	\$3,780	\$3,381	\$400	1,226	\$3,872
\$601,000 - \$700,999	218	\$643,654	\$4,467	\$4,080	\$387	885	\$4,568
\$701,001 - \$800,999	125	\$748,922	\$5,198	\$4,824	\$373	455	\$5,269
\$801,000 - \$900,999	94	\$848,935	\$5,892	\$5,532	\$360	384	\$6,027
\$901,000 - \$1,000,999	63	\$948,979	\$6,586	\$6,239	\$347	296	\$6,680
\$1,001,000 - \$2,000,999	145	\$1,343,651	\$9,325	\$9,029	-\$296	1,052	\$9,631
\$2,001,000 - \$3,000,999	13	\$2,339,192	\$16,234	\$16,068	-\$166	223	\$17,031
\$3,001,000 and up	7	\$3,694,500	\$25,640	\$25,650	\$10	144	\$31,372
Break Even Point	76	\$3,487,675	\$24,658	\$24,204	\$453	0	n/a
2,109 Est. Total Qualified.				9,048 Est. Total Unqualified			

Estimated Residential Exemption Analysis Assuming a 20% Exemption

**Residency calculated by zip code.

(for actual figures - must request taxpayer applications)

**All figures change with value and residency fluctuations.

FY23 Tax Rate with Exemption in Place: \$7.22 20% Exemption

FY23 Tax Rate with no Exemption in Place: \$6.94

	Number of Properties that will pay less	Number of Properties that will pay more	Total of Taxable Residential Properties	Total Est. # of Exempt Residential Properties	% of Exempt Residential Properties	Total Est. # of non-exempt properties	Percent of non-exempt properties
Avg. value of residential properties =	1,944	9,213	11,055	2,109	19%	9,048	81%
Amount of Exempted Valuation at 20% =	\$665,356						
	\$133,071.20						

FULL TIME RESIDENT TAXPAYERS

PART-TIME RESIDENT TAXPAYERS, RENTALS & VACANT LAND

Property Value Ranges	# of Owner Occupied Properties	Median Valuation	Tax w/o Exempt	Taxes with a 20% Exemption Amt.	Reduction / Increase in Taxes	# of Part-Time Residents or Rentals	Median Valuation	Tax w/o Exempt	Taxes with higher tax rate	Increase in Taxes
Below \$208,000	16	Will pay at least min 10% tax but less than \$X,XXX				807	\$90,363	\$627	\$652	\$25
\$208,000 - \$300,999	75	\$275,605	\$1,913	\$1,029	\$884	516	\$267,534	\$1,857	\$1,932	\$75
\$301,000 - \$400,999	337	\$360,224	\$2,500	\$1,640	\$860	1,387	\$358,894	\$2,491	\$2,591	\$100
\$401,000 - \$500,999	603	\$449,976	\$3,123	\$2,288	\$835	1,673	\$447,843	\$3,108	\$3,233	\$125
\$501,000 - \$600,999	413	\$544,703	\$3,780	\$2,972	\$808	1,226	\$547,635	\$3,801	\$3,954	\$153
\$601,000 - \$700,999	218	\$643,654	\$4,467	\$3,686	\$781	885	\$646,098	\$4,484	\$4,665	\$181
\$701,001 - \$800,999	125	\$748,922	\$5,198	\$4,446	\$751	455	\$745,236	\$5,172	\$5,381	\$209
\$801,000 - \$900,999	94	\$848,935	\$5,892	\$5,169	\$723	384	\$852,528	\$5,917	\$6,155	\$239
\$901,000 - \$1,000,999	63	\$948,979	\$6,586	\$5,891	\$695	296	\$944,801	\$6,557	\$6,821	\$265
\$1,001,000 - \$2,000,999	145	\$1,343,651	\$9,325	\$8,740	-\$585	1,052	\$1,362,190	\$9,454	\$9,835	\$381
\$2,001,000 - \$3,000,999	13	\$2,339,192	\$16,234	\$15,928	-\$306	223	\$2,408,939	\$16,718	\$17,393	\$675
\$3,001,000 and up	7	\$3,694,500	\$25,640	\$25,714	\$74	144	\$4,437,364	\$30,795	\$32,038	\$1,242
Break Even Point	88	\$3,487,675	\$24,204	\$24,220	-\$16	0	n/a	n/a	n/a	n/a
	2,109 Est. Total Qualified					9,048 Est. Total Unqualified				

POTENTIAL OVERLAY SHORTFALL SCENARIOS

20%

1,000	\$ 960,150
2,000	\$ 1,920,300
3,000	\$ 2,880,450

10%

1,000	\$ 470,740
2,000	\$ 941,480
3,000	\$ 1,410,420

5%

1,000	\$ 233,100
2,000	\$ 466,200
3,000	\$ 699,300

Due to the low percentage (19%) of Residential Exemption Applicants/Approvals, The chart above represents potential overlay shortfalls.

An overlay shortfall would create a deficit situation, which would reduce available funds for The Fiscal Year 2024 budget.

Any deficit must be addressed on The Fiscal Year 2024 recapitulation worksheet prior to the setting of next year's tax rate.

Mary Waygan

Mashpee, MA 02649

November 15, 2022

David Weeden, Chairman
Select Board
Town of Mashpee
16 Great Neck Road North
Mashpee, MA 02649

Re: Tax Classification Public Hearing for Fiscal Year 2023

Dear Chairman Weeden and the Honorable Select Board:

I am writing to urge the Select Board to approve the Residential Exemption for FY2023.

What is a Residential Exemption? Per the Mass. Division of Local Services:

Enacted 1979, the residential exemption is an option under property tax classification MGL c. 59, sec. 5C that shifts the tax burden within the residential class from owners of moderately valued residential properties to the owners of vacation homes, higher valued homes and residential properties not occupied by the owner, including apartments and vacant lands. (Mass Division of Local Services, City & Town, Aug 1, 2019)

Why is this important to Mashpee? The Residential Exemption is an important tool to provide affordable living in Mashpee as it eases the following housing cost burdens:

1. **Market Pressure from Seasonal Housing:** Over 30% of Mashpee's housing stock is used only seasonally. This is one factor which increases real estate prices and creates housing cost burdens on low- and moderate-income residents, including those on fixed incomes. Shifting taxes away from moderately priced housing to seasonal housing helps mitigate this market pressure.
2. **Increasing Property Taxes:** The Town's Affordable Housing and Planned Production Plan (2015) identifies property taxes as a barrier to Affordable Housing: *"Rising property taxes can be a burden to those families at the low to moderate income levels, and also to those on fixed incomes."* Shifting taxes away from low- and moderate- income households helps to ease housing cost burdens.

My family is one of over 2,100 households earmarked to benefit from this exemption. Help us realize more affordable living in Mashpee by adopting the residential exemption. Thank you!

Yours sincerely,

Mary Waygan

Exhibits:

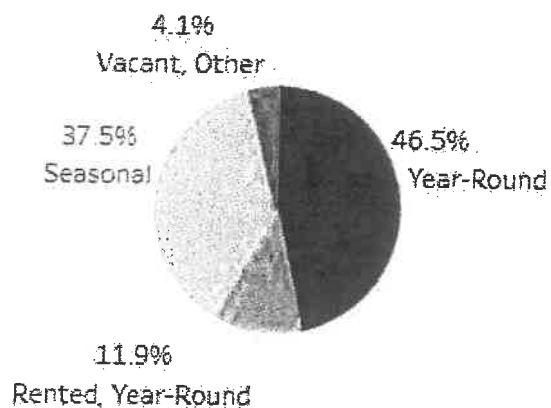
- Barriers to Affordable Housing in Mashpee
- Housing Seasonality in Mashpee

Barriers to Affordable Housing, Town of Mashpee Affordable Housing & Planned Production Plan (2015)

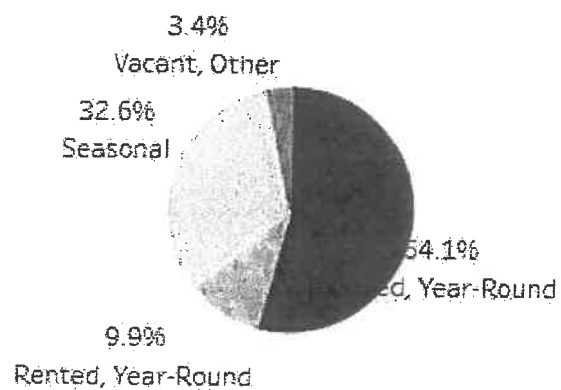
- *Land Availability*
- *Infrastructure*
- *Property Taxes*
- *Zoning Restrictions*
- *Use of Community Preservation Funds*
- *Dedicated Senior Housing*
- *Community Resistance*

Housing Seasonality, Data Cape Cod (<https://datacapecod.org/pf/housing-characteristics/>)

BARNSTABLE COUNTY HOUSING SEASONALITY



TOWN OF MASHPEE HOUSING SEASONALITY



ARDEN RUSSELL
., Mashpee, MA. 02649

November 14, 2022

Dear Select Board:

It is evident that Cape Cod has an affordable housing crisis. There is not enough housing supply, of any type, at moderate price levels, to adequately provide housing for our residents - for our workforce. In addition, the cost of living for those who are fortunate to already own a home here is rapidly increasing. We must tackle both of these problems simultaneously.

One strategy the Select Board can adopt to soften the blow of ever increasing cost of living for low and moderate income homeowners in Mashpee is to adopt the Residential Exemption that is up for a vote on November 21st. A residential exemption is designed to provide a proportionately greater benefit to lower valued homes. Now is an especially critical time to adopt this measure, as shortly we will feel the costs associated with wastewater implementation in our tax bills.

Concerns have been raised by the Finance team about uncertainties and that effect on the budget however, it seems clear based on that discussion, that this uncertainty is in the first year of the exemption, growing pains, as is often the case with significant change. Once established, the number of properties participating will level out and become more clear and dependable.

There is another tool the Town can implement to reduce the potential additional tax burden on landlords of year round rental units. As mentioned but the Assessor and as is already implemented in Provincetown, the Town can petition to implement a tax exempt for year round rental units.

Mashpee's leaders cannot continue to talk about the affordable housing problem yet ignore the solutions. I urge the Select Board to vote in favor of the Residential Exemption.

Sincerely,

Arden Russell

Arden Russell

TOWN MANAGERS OFFICE
NOV 14 '22 PM 1:36

Mr. Joseph Gibbons
Director of Assessing
Town of Mashpee
16 Great Neck Rd North
Mashpee, MA 02649

Mashpee, MA 02649
August 5, 2022

Dear Mr. Gibbons,

I am writing to you after having read an article in the Mashpee Enterprise related to a proposed residential tax exemption for year-round residents and a tax increase for those of us who do not live here all year. After reading this article I could not help but feel that we are no longer welcome in Mashpee and that, because we have no voice in the community, we are going to be taken advantage of. We have always felt like we were part of the community and this proposal seems to present a different picture. From a cynical perspective I could assume that is not of concern to the commission as we are powerless.

Twenty-one years ago my wife and I were fortunate to be able to purchase a condominium at Deer Crossing. To the best of my knowledge we have never knowingly utilized any of the services that our tax dollars supported over these years. Our tax payments have increased the same as all others in town. Over these years we have continually supported the local economy not only by shopping at the local retail establishments but also by employing carpenters, plumbers, electricians, HVAC technicians, and a local handy man.

In reading the Massachusetts General Law c.59 paragraph 5C, which you cited in your letter to the full time residents, it cites an exemption percentage based on the average assessed value of all Class One, residential parcels.

In an attempt to understand what this could mean to us, I noted in the 17 July edition of the Cape Cod Times that there were 22 real estate closings in Mashpee which totaled \$22,052,736, in the 24 July issue there was an additional 10 sales which totaled \$6,173,000, and in the 31 July issue there was another 10 closings amounting to \$6,924,525. Combined these 42 sales amounted to \$35,150,261 with an average value of \$836,911, which would become the basis for the 20% tax exemption for year round residents. (I realize these sales won't affect the 2023 taxes, but it is all I have for my attempt to understand the magnitude of the potential tax increase for us.)

Based on the \$836,911 average property value the reduction would be an average of \$167,382, and at the current tax rate of \$8.49 per \$1,000, the annual property tax that would be assessed to make up for the exemption would be \$1,421. Not knowing the ratio of non-domiciliary property owners to domiciliary owners I feel I must believe we would be required to, at a minimum, make up this difference.

Currently our assessed value is \$268,000 and our 2022 share of the taxes is \$2,275. If we are required to make up the average tax exemption our taxes would rise to \$3,696 which is an astounding 63%. It could be greater based on the ratio of non-domiciliary property owners to domiciliary owners. This would sadly confirm that we are being told to leave Mashpee. I know my numbers are not exact, but I believe they do paint a picture of what could be in store for us. We are not millionaires. We are living on our IRAs and Social Security.

We implore you not to go forward with this proposal as we desire to continue being part of the Mashpee community.

Thank you for your consideration of our appeal.


Gerald Mattingly


Ella Mattingly

Cc: Paul Andrews	Chairman
John Bartos	Vice-Chairman
Gregg Fraser	Clerk
David Weeden	Selectman Liaison

Mr. Joseph Gibbons
Director of Assessing
Town of Mashpee
16 Great Neck Rd North
Mashpee, MA 02649

RECEIVED

NOV 14 2022

BOARD OF ASSESSORS
OF MASHPEE

Oxford, CT 06478
November 8, 2022

TOWN MANAGERS OFFICE
NOV 14 '22 PM 1:36

Dear Mr. Gibbons,

On August 5, 2022, I sent you a letter regarding the proposed residential tax exemption. I viewed the Board of Selectmen meeting last night and noted that you will be presenting the proposal to the Board on 21 November. I am taking this opportunity to re-submit my appeal to you, with the hope that it can become part of the public comment, even though I will not be able to attend.

When I wrote the referenced letter, no one was aware of the 22 percent increase in property values. By factoring that in to the calculation I presented, our annual property tax could increase up to 76 percent. Based on the sales I cited in my letter, the average property value would increase to \$1,021,031. Last night you came close to stating the average value but got interrupted before finishing your sentence.

Not knowing the ratio of non-domiciliary owners to domiciliary owners (? To 5,700) we, the minority, will be required to fund the town budget bearing the burden of the 20 percent reduction of the 5,700. We are not wealthy, (living on our IRAs and Social Security) and in my non-domiciliary mind, the added tax burden is an unfair, undeserved punishment on the powerless.

Thank you for any consideration you give to our appeal to not go forward with the proposed tax exemption.


Gerald Mattingly

enclosure

Concerned Resident Regarding Classification Act

Ian Karp

Wed 11/9/2022 4:49 PM

To: Terrie Cook <tmcook@mashpeema.gov>

WARNING! EXTERNAL EMAIL: This message originated outside the Town of Mashpee mail system and could be harmful. PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are absolutely certain the content is safe.

Dear Board of Selectmen-

My name is Ian Karp and I live at Mashpee.

I am writing you today because I will be unable to attend the Tax Classification meeting on November 21st but I would like to convey my strong opposition to the town of Mashpee enacting a Residential Exemption as part of the Classification Act.

I purchased my home in Mashpee in June 2021 and split my time between Mashpee and my residence in Newton, MA. In terms of my federal tax filing, my main residence is considered in Newton.

However, like a growing number of residents, I split my time between Mashpee and Newton based on my personal and work schedule as the distance is less than a 1.5 hour drive between the two locations. This was one of the appeals of Mashpee when my family and I were looking for a home on the Cape. When my two children who are currently in high school go off to college, I plan to spend even more of my time here in Mashpee. I believe it would be unfair to shift additional property taxes to residents like myself who split their time between two locations.

In addition, it seems to make absolutely no sense at all to me to tax non-full-time residents like myself more than full-time residents. After all, my family uses much less of Mashpee's resources. For example, my two children do not attend Mashpee schools which is the largest cost for the township. Additionally, since we are only in Mashpee for part of the year, we are far less likely to use other town resources such as police and fire department resources which are likely the second largest line-item in Mashpee's annual budget. In addition, the Town of Mashpee does not even plow our streets of snow in the winter as we are required in New Seabury to pay for private snow plowing.

Finally, if you enact this new tax provision, I would expect the Town of Mashpee to be far less desirable for future buyers of homes here when they could buy homes in surrounding towns that do not financially discriminate against "vacation" homes. This in-turn would have a negative effect on the overall real estate market in Mashpee and thus all residents would be penalized.

Thank you for your time and consideration.

Warm Regards-

Ian Karp

Re: Form submission from: Ask the Select Board

Terrie Cook <tmcook@mashpeema.gov>

Tue 11/8/2022 4:07 PM

To: Town of Mashpee MA <

Cc: Michaela Wyman-Colombo <mwyman-colombo@mashpeema.gov>

Your comments have been received by this office and have been printed for all Board members.

Terrie M. Cook, MCPPO | Administrative Assistant to the Town Manager
Office of the Town Manager
16 Great Neck Road North, Mashpee, MA 02649
Office: 508.539.1401 | Fax: 508.539.1142
Email: tmcook@mashpeema.gov



"Preserving public trust and providing professional services."

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From: Town of Mashpee MA via Town of Mashpee MA <cmsmailer@civicplus.com>
Sent: Tuesday, November 8, 2022 3:49 PM
To: Terrie Cook <tmcook@mashpeema.gov>
Subject: Form submission from: Ask the Select Board

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Submitted on Tuesday, November 8, 2022 - 3:49pm

Submitted values are:

To Whom would you like to direct your comments & questions? All Select Board Members

Please include any questions or comments:

Terri - Michaela is not listed on the "All Select Board Members" page, I will assume this will get to her.

Thanks.

Also, can I get a copy of the residential exemption handout - it was not included in the online document. We funded \$25,000 for analysis of this issue, I'm trying to figure out what we got for \$25,000.

Some reactions to the meeting last night.

Talk about "burying the lead"! Following is from memo included in "the packet"

"In preparation of the FY2024 Budget, the preliminary numbers of the operating budget have an increase of \$3.3 million and with prop 2 1/2 and new growth the taxing ability increase is roughly \$2

million. This type of structural deficit is not going to be sustainable in the near future. Going forward the Town is looking at funding wastewater department HVAC, sewer capital projects, and the potential projects."

This wasn't talked about much (if at all), probably because it was included in a document that was supposed to be focused on the residential exemption. It should not be a surprise, the town has been using growth to keep property tax increases in check. Now that we are essentially "built out" you aren't going to see substantial ratable increases just at the time wastewater expenditures are kicking in. If you think we have a tax rate affordability problem now, the above suggests that is going to be exacerbated in the future, making the decision around the residential exemption more impactful. Residential exemption impact on full year rentals is a concern that was articulated by Mr Mayen (speaking in opposition to the residential exemption as a private individual during the public comment section). But as indicated by Mr Gibbons a bit later during his residential exemption presentation Provincetown has a solution that addresses the concern. I was surprised there were no follow up questions as we are potentially facing the same issue. Specifically, while they are the only town that has this deal, how do we do the same thing? If they did it, why can't we? Seems like a "no brainer". Are we looking into this? If not, why not?

Likewise I was surprised there were no follow up questions on the low response to the assessor's data request as the response rate directly impacts the overlay account estimate which appears to be a significant implementation item. Was there any follow up with the non-responders, which if I recall was a population of about 3,500? While I'm not suggesting we needed to canvass the entire 3,500, following up via mail or possibly a phone call on a sample of 50 or so would provide some insight into this group. The critical questions I would ask are: (1) why didn't you respond to the mailing (this would give us a sense of where we went wrong) and (2) more importantly "while you didn't respond to the initial information request, if we adopt the residential exemption will you be filing an application" (this would provide some important information with the respect to the overlay calculation). I have a neighbor, a full time resident who received the request and didn't respond. I don't recall the document but he indicated he didn't feel a response was required and worth his time and effort; that he would go through the document collection process and submit an "official" application if and when we decided to implement the residential credit. My sense, requesting a full document submission when a final decision had not been made was probably an overreach. Knowing how many "official" applications we could expect out of the non-respondent population would be helpful in performing the overlay calculations. Seems like this is something worth doing.

I thought a response to an overlay related question was a bit misleading. The residential exemption is revenue neutral - full stop. My understanding - and I admit this may be wrong - is if you blow the overlay calculation - it is a year to year impact. That is, if you come up short in the implementation year you need to make it up the following year. So while clearly you would strive to get it right, if you view the implementation process through a two year lens you are in the same spot. I believe 16 towns have done this which a decent size group. I assume we have talked to them. I would think we could leverage their experience to get this right.

There was substantial discussion on several operational issues. What I heard was that this may require an additional person on a part time basis. There was discussion around title transfers etc. The residential exemption is but one item that gets contemplated in these processes. I can't see how this is going to be a burden.

Bottom line, there are 16 towns that have the residential exemption, six on The Cape and Islands ranging from larger than us (Barnstable) to smaller than us (Provincetown). Are we really going to say we can't do something these other towns have been able to do? My point, if you want to oppose the residential exemption that's fine, but it's disingenuous to point to administration as a reason.

Finally I would like to remind you of your articulated support and interest in property tax affordability in your Article 26 vote (May 2022 town meeting) and on the re-election campaign trail. Right now the

residential exemption is the only proposal on the table and unless I'm missing something we are not working on anything else. Said another way, if you are really concerned about property tax affordability and you don't want to support the residential exemption, what's your proposal to address this issue and what are you doing to advance it?

I look forward to hearing from you.

Best regards,

Ken Debrowski

Name: Ken Debrowski

E-mail Address:

1

Address:

City: Mashpee

State: Massachusetts

Zip: 02649

Phone:

Organization: Me

The results of this submission may be viewed at:

<https://www.mashpeema.gov/node/6129/submission/5556>

residential exemption

Karen Fairbank <

Tue 11/8/2022 3:32 PM

To: Terrie Cook <tmcook@mashpeema.gov>

**TOWN MANAGER
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What is the residential exemption to which you refer? And the tax classifications?

Karen Fairbank

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Mashpee Tax Classification Hearing**Mark Galante <**

Tue 11/8/2022 3:16 PM

To: Terrie Cook <tmcook@mashpeema.gov>

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Members,

First, thank you for taking the time out of your lives to serve. Especially in these times.

For this hearing, please ask the Assessors to specifically detail how they determine and place valuations on the land value of waterfront homes.

How do they determine the value of oceanfront as compared to riverfront compared to lakefront. Specifically, how do they determine the value along the rivers, in this instance, Mashpee River where it once was pristine and deep and one could swim, dig steamers and boat at will, to now where the lack of dredging has degraded it terribly, made it not good for swimming and highly important for boaters, extremely limited tide dependent for access as boats sit in the mud of the river bed for many, many hours per day.

It does not seem logical that properties in these areas could have the same valuation as properties that have constant deep water access. As someone who has witnessed the negative changes in the river for almost 40 years, I have been asked to obtain this information.

Thank You for your time and attention.

Mark

--

Graciously Serving Others For 43 Years

Mark Galante, ABR, ASR, CDPE, GRI, LMC, SRES
Mark Galante, Inc.

MAR - Past Director

GBAR - Life Member & Past Director

MAR & GBREB - Member Professional Standards Committee

We will never ask you to wire funds. Please be aware of scammers.

Tax Rate "Classification Act"

Nick Rucky

Fri 11/4/2022 11:42 AM

To: Terrie Cook <tmcook@mashpeema.gov>

Cc: N. R. Rucky Jr.

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Dear Members of the Town of Mashpee Board of Selectmen,

My name is Nicholas (Nick) R. Rucky Jr. My primary residence is in Braintree Ma. at 40 Rosewood Drive and I have a second home in Mashpee at . I'm writing you to express my displeasure in learning that the Town of Mashpee Board of Selectmen is to present, discuss and possibly implement the tax rate "Classification Act" on Monday, November 21, 2022 at 6:35p.m. I think it is discriminatory to charge a Mashpee seasonal resident **tax-payer** at a higher rate than that of a Mashpee full-time resident **tax-payer**.

As a long time Summer resident **tax-payer** in Mashpee I have seen the town develop into what it is today, one of Cape Cod's more sought-after Summer communities, offering commerce, industry, recreational facilities and the on-going development of future commerce, industry and homes for both fulltime and seasonal Mashpee residents. It is a fact that more than 50% of the CURRENT tax rate supports education, yet few if any seasonal resident **tax-payers** have their children in Mashpee schools and yet you may choose to increase their (seasonal resident) tax rate of which more than 50% is used for services they don't use and reduce the full-time resident tax rate.

I am aware of "changes" to the tax base in Mashpee due to properties that are currently part of or in the future may become part of The Sovern Nation of the Mashpee Wampanoag Tribe. I am also aware of some of the significant environmental and very expensive issues the town is facing, the installation of sewers and the sewerage wastewater treatment facility, the "cleaning up" of bays, rivers and ponds/lakes, all of which will require huge amounts of **tax-payers** money.

Yes, the town will need to increase tax revenue to meet current and future financial needs and responsibilities, but not solely on the shoulders of "seasonal residents". Therefore, I ask you to not differentiate the Residential Tax Rate but "adjust as necessary" the tax rates for Open Space, Commercial and Industrial properties.

I plan to attend the meeting and if should you have any questions or comments I'll be glad to address them at that time.

Sincerely,

Nick Rucky

Tax rate proposal

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Robert Capone <

Wed 10/26/2022 8:46 AM

To: Terrie Cook <tmcook@mashpeema.gov>

Attention!: : Links contained herein may not be what they appear to be. Please verify the link before clicking! Ask IT if you're not sure.

I am hearing that there is a classification meeting to the Board of Selectman on November 21st where there is a proposal to raise the tax rate for all residential property values in the town.

In conjunction with this proposal is another proposal to exempt year round residents from this increase leaving the seasonal residents to bear the additional tax burden.

If this latter proposal is actually true, then I am stunned that it would even be considered and would also urge that it be dismissed outright.

What purpose would this serve except to cause unequal and discriminatory tax practices for the town?

Has it not always been the case that the tax rate remains the SAME for everyone and the higher property value residents then pay more?

This nonsensical approach would double dip the seasonal residents (given that the majority of seasonal residents have higher property values - New Seabury and Popponesset) - higher values and a higher tax rate for them versus year round residents.

This will set off a firestorm of public outcry and negativity for the town - a town whose economics depend mightily on its seasonal residents.

While no one likes to pay more taxes, you should strongly consider maintaining a logical and rational approach to the process rather than

creating a process that will result in heavy backlash and potential legal action.

Thank you.

Robert and Ruth Capone

Proposed residential exemption - BOS meeting on Nov 21st**Michael Cahill <**

Tue 10/25/2022 3:07 PM

To: Terrie Cook <tmcook@mashpeema.gov>

Attention!: : Links contained herein may not be what they appear to be. Please verify the link before clicking! Ask IT if you're not sure.

Hello,

I'm writing because I am deeply concerned about the proposed changes to the tax rate with which homes in Mashpee are taxed, particularly with respect to the residential exemption which will in effect create a two tiered tax system. I am vehemently opposed to this. Please keep the tax rates as they currently stand. It is only fair that we do a 1:1 system where property values determine how much a person pays in taxes to the town. This in effect would amount to taxation without representation and a discriminatory practice. If passed, it will be challenged in court. Thank you

Michael Cahill

Sent from my iPhone

Tax Increase**Michael Wilson <**

Tue 10/25/2022 3:02 PM

To: Terrie Cook <tmcook@mashpeema.gov>

Cc: Joann Wilson

Attention!: : Links contained herein may not be what they appear to be. Please verify the link before clicking! Ask IT if you're not sure.

To whom it may concern

We have just found out about the plan to increase taxes for seasonal homeowners in Mashpee. I can not tell you how disgusting this is to us. My wife and I live in Popponesset and have been living there (and New Seabury) for over 16 years. In that time, by my estimation, my wife and I have paid over \$250,000 and have yet to access a single Mashpee public service. No garbage collection, no schools, no senior services, no street plowing, no police or fire, nothing. Further, if there are 4,000 or so homes in that area, assuming they already pay on average of \$12k a year in property taxes, that means Mashpee already is receiving close to \$50 million a year from this group alone. Again, not using any town resources. What could be better than that for a town?

If anything, you should be rebating us and all the other seasonal owners as we have been supplementing the residents for years. Have you learned nothing from the exodus to Florida and other non-tax states? You will kill the town's property values and force people to sell either because they can't afford the taxes or like us, they will leave in protest. Not to mention, there will no doubt be a class action lawsuit that comes along.

On November 21st, please reconsider this classification. We are not asking for special treatment because we live in Mashpee part time (and supplement the residents), we are asking that everyone simply pay the same rate. After all, the tax is progressive already as our home values typically are higher as it is.

Sincerely

Michael and Joann Wilson

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Resident vs Non-Resident Residential Property Tax Assessments

JM John Morcos
To: Trish Keliinui

👍 ⏪ ⏩ ⏴ ⏵ ...

Tue 10/25/2022 2:20 PM

Attention!: Links contained herein may not be what they appear to be. Please verify the link before clicking! Ask IT if you're not sure.

We own a home at 15 Polaris Dr. in Mashpee and we understand that the Town of Mashpee is considering differentiating the tax rates on residences for Primary versus Non-primary residents.

Our personal status is that we live in this home for approximately 5 months of the year and at our primary California residence for the remaining 7 months. We do not rent out the property to anyone at any time during the year.

Regardless of our residency status and the financial consequence of this proposed regulation, we would like to strongly object to this idea because it is primarily very divisive – in essence, pitting one neighbor against another.

This happens to be a big issue in California; and we have many times considered changing our California residency to get away from this divisive approach of US versus THEM in the California political system. It would be very sad if Massachusetts and, our town in particular, were to go down this road of legislating.

Should you have any questions, please contact me to discuss.

Thanks,
John Morcos

Mashpee, MA 02649

SELECT BOARD
COPIED

TOWN MANAGER
COPIED

⏪ Reply ⏴ Forward

Mr. Joseph Gibbons
Director of Assessing
Town of Mashpee
16 Great Neck Rd North
Mashpee, MA 02649

Mashpee, MA 02649
August 5, 2022

Dear Mr. Gibbons,

I am writing to you after having read an article in the Mashpee Enterprise related to a proposed residential tax exemption for year-round residents and a tax increase for those of us who do not live here all year. After reading this article I could not help but feel that we are no longer welcome in Mashpee and that, because we have no voice in the community, we are going to be taken advantage of. We have always felt like we were part of the community and this proposal seems to present a different picture. From a cynical perspective I could assume that is not of concern to the commission as we are powerless.

Twenty-one years ago my wife and I were fortunate to be able to purchase a condominium at Deer Crossing. To the best of my knowledge we have never knowingly utilized any of the services that our tax dollars supported over these years. Our tax payments have increased the same as all others in town. Over these years we have continually supported the local economy not only by shopping at the local retail establishments but also by employing carpenters, plumbers, electricians, HVAC technicians, and a local handy man.

In reading the Massachusetts General Law c.59 paragraph 5C, which you cited in your letter to the full time residents, it cites an exemption percentage based on the average assessed value of all Class One, residential parcels.

In an attempt to understand what this could mean to us, I noted in the 17 July edition of the Cape Cod Times that there were 22 real estate closings in Mashpee which totaled \$22,052,736, in the 24 July issue there was an additional 10 sales which totaled \$6,173,000, and in the 31 July issue there was another 10 closings amounting to \$6,924,525. Combined these 42 sales amounted to \$35,150,261 with an average value of \$836,911, which would become the basis for the 20% tax exemption for year round residents. (I realize these sales won't affect the 2023 taxes, but it is all I have for my attempt to understand the magnitude of the potential tax increase for us.)

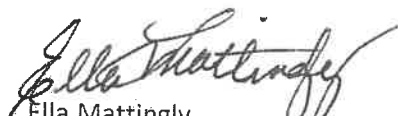
Based on the \$836,911 average property value the reduction would be an average of \$167,382, and at the current tax rate of \$8.49 per \$1,000, the annual property tax that would be assessed to make up for the exemption would be \$1,421. Not knowing the ratio of non-domiciliary property owners to domiciliary owners I feel I must believe we would be required to, at a minimum, make up this difference.

Currently our assessed value is \$268,000 and our 2022 share of the taxes is \$2,275. If we are required to make up the average tax exemption our taxes would rise to \$3,696 which is an astounding 63%. It could be greater based on the ratio of non-domiciliary property owners to domiciliary owners. This would sadly confirm that we are being told to leave Mashpee. I know my numbers are not exact, but I believe they do paint a picture of what could be in store for us. We are not millionaires. We are living on our IRAs and Social Security.

We implore you not to go forward with this proposal as we desire to continue being part of the Mashpee community.

Thank you for your consideration of our appeal.


Gerald Mattingly


Ella Mattingly

Cc: Paul Andrews	Chairman
John Bartos	Vice-Chairman
Gregg Fraser	Clerk
David Weeden	Selectman Liaison

MARGARET (AKA ANN) LAWSON

MASHPEE MA 02649

AUGUST 1, 2022

8/1/2022 AM 10:03

TOWN of MASHPEE

ASSESSING DEPARTMENT

16 GREAT NECK ROAD, NORTH

MASHPEE MA 02649

ATTN: JOSEPH GIBBONS, MAA
DIRECTOR of ASSESSING

GENTLEMEN:

I WANT TO EXPRESS MY STRONG OPPOSITION TO
THE PROPOSED TAX INCREASES OUTLINED IN YOUR
CORRESPONDENCE OF JUNE 6, 2022.

AS A LONG-TIME, YEAR-ROUND RESIDENT (22 YEARS),
I HAVE PAID ALL REAL ESTATE TAXES, UTILITY BILLS,
AND SUPPORT ALL LOCAL BUSINESSES, I.E., SUPERMARKETS,
RESTAURANTS, MOVIE THEATERS, ETC.

I FEEL THE PROPOSED TAX INCREASE IS
VERY UNFAIR AND I AND OTHERS SHOULD NOT BE
PENALIZED BECAUSE OUR PROPERTIES WERE PUT IN

TOWN of MASHPEE

-2-

AUGUST 1, 2022

TRUSTS ON THE ADVICE OF A FINANCIAL
CONSULTANT. I UNDERSTOOD THIS WAS THE
SMART THING TO DO AT MY AGE (83).

I HOPE YOU WILL SERIOUSLY CONSIDER MY
COMMENTS AND I THANK YOU IN ADVANCE FOR
DOING SO.

Sincerely

Margaret (aka Ann) Lawson
MARGARET ANN LAWSON

ATTACHMENTS:

- ① FISCAL YEAR 2023 / APPLICATION FOR RESIDENTIAL
EXEMPTION
- ② PAGE ONE OF FORM 1040-BR, US TAX
RETURN FOR SAVERS FOR 2021
- ③ MASHPEE WATER DISTRICT BILL
- ④ DRIVER'S LICENSE, EXPIRES 9-6-24
- ⑤ CERTIFICATE OF REGISTRATION EXPIRES 2-24
- ⑥ GAS BILL

John P. McMorrow
Mashpee, MA 02649

Cell: _____

July 14, 2022

Board of Selectmen
c/o Andrew R. Gottlieb, Chair
Mashpee Town Hall
16 Great Neck Road North
Mashpee, Ma, 02649-2528

Re: Residential Tax Exemption for Qualified Domiciliary Property Owners (the "RTE")

Members of the Select Board,

I am a full-time resident of Mashpee and a registered voter in Precinct 5. I urge the Board to refrain from implementing the RTE for Fiscal Year 2023.

The Town's real estate tax system should be fair and equitable to all of its residents. The principal objection to the RTE is that it raises troubling questions of fairness and equity. If implemented, the RTE would divide our community at the risk of pitting neighbor against neighbor. Admittedly, other towns on the Cape have implemented such a tax exemption. However, this fact does not make the RTE right for our Town, nor does it justify needlessly increasing in the real estate taxes paid by a significant number of our residents (the RTE is revenue neutral and does not increase our Town's real estate tax collections).

The RTE disproportionately shifts the burden of our Town's real estate tax to a the newly created class of residents, those who are non-domiciliary homeowners and domiciliary homeowners whose assessed property value is above the so-called "break-even point". The supposed purpose of this invidious classification is to give tax relief to domiciliary homeowners whose assessed property value is below the "break-even point". The problem with this rationale for the RTE is that it fails to distinguish between a homeowner who needs a tax break and one who could afford to pay his or her real estate taxes.

The RTE is not "means" tested. It unfairly awards a tax benefit to the class of domiciliary homeowners with the lowest property values ...whether or not this benefit is needed or wished for by any such resident of Mashpee. This suggests "free" handout for some members of our community at the expense of others.

The majority of the residents who would suffer a tax penalty under the RTE are those who benefit the least from our Town's municipal services. For example, their children are not enrolled in our school system, the cost of which represents approximately 50% of our Town's real estate tax levy. Further, residents are not represented and have no say in our Town government or its tax policies.¹ Yet they contribute to our local economy. They also volunteer their services and contribute to our Town's faith-based institutions and the charitable not-for-profit organizations operating in our community.

¹ "Taxation without representation is tyranny," James Otis 1761.

July 5, 2022

Selectboard
16 Great Neck Rd North
Mashpee, MA 02649

To Whom it may concern,

I am a fulltime resident of Mashpee and I strongly disagree with the residential exemption , as this is not financially in the best interest for the whole Town of Mashpee.

This will increase our tax rate , cause non residential taxpayers to pay higher taxes where their children do not attend school in Mashpee with so many other reasons . This is considered a shell game and hope the selectboard **votes NO** on this as this is the best interest for the whole town.

A handwritten signature in black ink, appearing to read 'Beverly Ormston', with a large, stylized circular flourish at the end.

Mashpee, MA 02649

RECEIVED

JUL 29 2022

By: Stephanie A. Coleman
Time: 2:53 PM

June 28, 2022

65-82-0

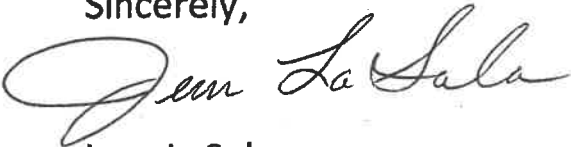
101

Dear Select Board and Board of Assessors,

I realize you are simply asking for information to determine which Mashpee homeowners would be eligible for the real estate tax break if implemented. I would like to add my opinion although I realize it will not make a difference in the final determination.

It seems odd to me that a town would implement a tax break to full-time residents only. Especially since these are the families who are actually utilizing the school systems, community services etc. Currently in society, there are so many instances where various groups are being pitted against each other. By implementing this, the town runs the risk of alienating part time residents (some of whom average about a month or two a year at best) in town. These residents also support local businesses and tourist industries in the area. Maybe the town should look at ways to reduce the tax burden for all homeowners.

Sincerely,



Jean LaSala

AVE.

FISCAL YEAR
2023RESIDENTIAL EXEMPTION
THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF MASHPEE

NAME OF CITY OR TOWN

Do not write in this space.
Date application received:

APPLICATION FOR RESIDENTIAL EXEMPTION

MUST BE FILED NO LATER THAN 3 MONTHS AFTER THE DATE THE ACTUAL TAX BILL IS ISSUED.ALL TAXPAYER INFORMATION ON THIS FORM MUST BE COMPLETED IN FULL
AND REQUIRED DOCUMENTATION ATTACHED TO BE CONSIDERED FOR THE RESIDENTIAL EXEMPTION.
APPLICATIONS ARE FOR THE 2023 FISCAL YEAR BEGINNING JULY 1, 2022.

PARCEL ID# _____

The undersigned being aggrieved by the failure to receive a residential exemption on real estate situated at _____
for fiscal year 2023 hereby applies for such an exemption.

Number # _____ Street _____

STATEMENT OF FACTS

1) Name(s) of record owner(s) _____

2) Name of Applicant(s) _____

3) Social Security Number (optional) _____

Date Property Acquired: _____

4) Was this real estate owned and occupied by you as your principal residence (domicile) on January 1, 2022? YES: _____ NO: _____5) Please attach a copy of the Front Page of your 2021 Federal Income Tax Return Showing the Above Real Estate Address (required). Attach the copy skip _____ go to line 7. If return shows a P.O. Box, attach a copy & 1 other piece of evidence listed in line 6. If you are not required to file a tax return due to low income, submit a short written explanation and at least 2 pieces of other evidence in line 6.6) Other Evidence: Copy of Driver's License (both sides) ☐; Copy of 2021 Federal Tax Return (front page) ☐; Copy of Motor Vehicle Registration ☐; Copy of Gun Permit ☐; Copy of Other 2021 Federal Form showing address ☐7) List the location and type of ALL other residential real estate owned by you: _____8) Have you received or applied for a residential exemption in any other state, city or town for this fiscal year? YES: _____
NO: _____ If yes, where? _____

Signing this form under the penalties of perjury has the legal effect of swearing under oath to the truthfulness of the information contained herein. All items on this form must be completed as indicated. In addition to other sanctions provided by law, intentional misrepresentation of facts in this application may result in cancellation of this exemption and the subsequent issuance of an omitted bill for the exempted value involved for the current fiscal year.

SUBSCRIBED THIS _____ DAY OF _____ 20____ UNDER THE PENALTIES OF PERJURY

9) Signature of Applicant: _____

10) Mailing Address (if different than property location): _____

Email Address: _____

Phone Number: _____

Do not write below this line

GRANTED: _____ DENIED: _____ NO ACTION: _____

DATE: _____ CERTIFICATE #: _____ AMOUNT ABATED: _____

Residential Real Estate exemption - potential

Laura Decker <

Mon 6/27/2022 12:49 PM

To: Terrie Cook <tmcook@mashpeeema.gov>

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system and could be harmful ☠. PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are absolutely certain the content is safe.

To whom it may concern,

This email concerns a letter we received from the Town of Mashpee - Assessing Department. It is very difficult to understand why the Town of Mashpee would consider lowering taxes for residents and shifting the Real Estate Tax burden to non-domiciliary property owners and domiciliary owners whose assessment value is above the break-even point. From our point of logic, it does not make sense that the tax burden would be less for a resident who is more likely to be utilizing the services provided by Mashpee from the taxes collected. I would think that Mashpee would be grateful to those property owners who are paying taxes to help support all the services more heavily utilized by residents than those who do not meet the resident requirements. The logic around this potential change is not understood and we are asking that before any steps are seriously considered for making this type of change that a logical explanation be provided.

Thank you,

Laura and Glenn Decker

Mashpee, MA

Tax Rate

Joseph Crowe

Thu 6/23/2022 12:15 PM

To: Terrie Cook <tmcook@mashpeeema.gov>

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system and could be **harmful**. PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are absolutely certain the content is safe.

My wife and I recently received a mailing from the Board of Assessors containing an application for residential exemption. The letter with this mailing said that every year the Select Board has the option of enacting a residential exemption of up to 35% of the average total residential property value for those property owners who maintain their primary residence in Mashpee. That was a surprise to me. I know that this option has had much discussion lately, but it was my understanding that any change such as this would have to be approved at a town meeting. I am a year resident and am opposed to taxing non year round residents at a higher rate than year round residents. I believe that the costs of our schools make up the largest part of our town budget. Non year round residents have no children in schools. If there is any strong possibility of enacting a higher tax rate for non year round residents I recommend that a public meeting be held to discuss this before a final decision is made.

Joe Crowe

Residential Real Estate Exemption - Bad Idea!

Todd Pavone

Thu 6/23/2022 11:00 AM

To: Rodney C. Collins <rccollins@mashpeema.gov>; Terrie Cook <tmcook@mashpeema.gov>

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system and could be harmful. PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are absolutely certain the content is safe.

To the Town Manager and Board of Selectmen of Mashpee,

My family has owned a vacation house in New Seabury since 2008. We absolutely love New Seabury and Mashpee. Since moving to New Seabury, both of my sisters and my father have moved to Mashpee. It is a place that we love and want to live for the rest of our lives - with the dream of passing our home to our children so they too could enjoy everything about the area.

In addition, I can not say enough good things about how you lead and operate the town. Our experience with those limited services that we leverage has been of the highest level. In addition, every employee that I have ever spoken with in the Town Hall has been tremendous. Incredibly helpful, courteous and passionate about the Town of Mashpee.

With that said, the idea of implementing Massachusetts General Law c.59 5C is a horrible idea.

My family has lived this type of "out of towners" tax for many years in VT. It is a devastating tax for a few key reasons:

- My father and mother built a winter vacation home in VT for \$30K in 1970. They borrowed money from their life insurance policy and they actually built the house themselves. We enjoyed many great years at that house - very similar to the years we currently enjoy in Mashpee. After my father retired, my parents could no longer afford the heavy tax burden on the vacation house. Their many friends also could no longer afford their homes and they too had to let them go. The ability to pass a house down to the next generation just stopped. Younger families could not afford the high tax burden placed on the winter vacation owners.
- Over time, house values stopped increasing and started to decrease. Owners could no longer afford the high real estate taxes so they had to sell and people no longer wanted to buy houses due to the high "out of towners" taxes. In simple terms, supply increased and demand decreased.
- The VT "out of towners" tax was statewide. The idea of implementing a Mashpee only tax burden placed on part time owners makes even less sense. You would be incenting vacationers to buy houses in other towns on the cape but not in Mashpee. Why would you do this?
- There is currently a great relationship between those that live in Mashpee year round and those that vacation there during the summer. We all appreciate each other and support each other. This type of tax change will divide both groups. We lived this in VT. Even though we had been going there for almost 50 years - we never felt at home because there was a divide created by this "out of towners" tax. Those with vacation homes were not happy because they were being asked to over fund services they never used (schools, etc.). Those that lived year round expected others to over fund their services. A divide was created and still exists today.

Lastly, there are 25K+ thousand people who call Mashpee their summer only residence. That number far exceeds the yearly population of Mashpee of 14K. All of us have no formal voice to share our concerns. We can't vote for

Town Selectmen and we can't easily share our concerns. It would be a shame for a decision that impacts so many people for them to not be heard. These 25K people fund many services that they do not use year round (schools, police, fire, etc.) in addition the revenue generated by this group during their summer vacation is staggering (restaurants, employees, shopping, etc.). Please reconsider implementing this horrible tax and find a way to listen to those that call mashpee home for the summer...

Thank you for listening to my concerns.

Sincerely,

Todd Pavone

JG 2 2022 PM3:14

SELECT BOARD
COPIED

June 22, 2022

6/24/22
Received
By
Assessor

TO: Mashpee Board of Selectman
FROM: James Hatherley
RE: Mashpee Real Estate Tax Exemption

I just received your announcement regarding the proposed property tax exemption for Mashpee property owners with primary residence. Even though I spend time at my Mashpee property every month of the year, I do not qualify for this proposed exemption since my primary residence is 18 Crownridge Road, Westborough, MA 01581. Nevertheless, I would like to register a few points for your consideration before the BOS decides to redistribute the tax burden to thousands of New Seabury property owners.

- Most of the homes in New Seabury (and other locations) are secondary homes, many, if not a majority, owned by seniors.
- School buses in New Seabury are rarely seen, suggesting that only a small percentage of the Mashpee School District consists of NS students.
- The same can be said about usage of Police and Fire service.
- As a member of a "village", we must pay annual fees (\$750) to those New Seabury village committees to maintain our own roads.
- New Seabury property assessments are significantly higher than the average of non NS properties.
- In other words, all of those "dark/unlit houses" that populate the New Seabury streets and villages represent "profit centers" to the town. Owners already pay higher property taxes for the "privilege" of having invested in the Mashpee community.
- Another way of looking at it is that New Seabury property owners already subsidize permanent residents with their higher revenue "contributions" to the town budget.
- As a result, it is easy to conclude that the Mashpee BOS is asking for the people who are already receiving subsidized service costs to receive even higher subsidies with a 35% surcharge levied on non full time residents.
- This seems a bit backwards to me. Should not the people who utilize the schools, fire, police and DPW pay for those services? Does it not follow that those who do not utilize those services should actually receive a discount?
- I might repeat that many of the New Seabury property owners are seniors and on fixed incomes. By extending subsidies to some people, you will doubtless be creating financial burdens for others, many of whom have been property owners for a significant number of years. The announcement makes it clear that that is of small consequence for the BOS.
- And, keep in mind that there is no additional benefit accruing to the property owners receiving the higher taxes - just a higher tax bill. Is this what Mashpee wants to do?
- Finally, by creating a two-tiered "haves vs have not" society, it is not hard to believe that New Seabury assessments will be increased at a faster/higher rate in the future just to add revenue. Is this the plan of the BOS?



**LEE S. CLARK
JACQUELINE R. CLARK**

MASHPEE, MASSACHUSETTS 02649-4316
Telephone

e-mail

23 June 2022

Mr. Joseph Gibbons, Director of Assessing
Board of Assessors
Town of Mashpee
16 Great Neck Road North
Mashpee MA 02649-2500

Dear Mr. Gibbons and Mashpee Board of Assessors Members,

We, the undersigned, are unalterably opposed to the implementation of a residential real estate tax exemption in Mashpee.

Therefore we will not complete the enclosed form nor cooperate with collecting data for this scheme.

We have owned the property at 248 Wheeler Road since 2003. It was in rental until 2009 when we took up full time residence, the property's status at all times since.

The idea of a residential tax exemption is repugnant. On our section of road in the Briarwood-Mashpee area near Ashumet Pond there are 24 single family residences. Six are seasonal (25%), one is part-year. The same is true on other streets in this area. We who are year-round residents expect the same level of town services as those who are here for a lesser amount of time. It could be argued we use more of those services. We should not pay less.

If equality and fairness mean anything among the values we may claim to hold, then we who are able to vote on tax matters should consider and represent the interests of those who share in the benefits of living in Mashpee but who are precluded from participating in taxation decisions. It is incomprehensible that a five member board can easily abridge the rights of those who must pay and cannot be heard as to the discrimination of the scheme.

The reported unanimous opinion of the Select Board members and the majority opinion of the Finance Committee notwithstanding, inequitably distributing the property tax burden based on the amount of time a property owner spends in the town is not the way to proceed. We voted "no" on Article 8 of the Special Town Meeting Warrant on 02 May 2022.

We request that the members of the Select Board not implement the residential real estate tax exemption in Fiscal Year 2023, nor at any time in the future.



Lee S. Clark, CDR, CHC, USN (ret)



Mrs. Jacqueline R. Clark

Encl: Application for Residential Exemption, Town of Mashpee, blank

Cc: Mr. Andrew Gottlieb, Chair, and members of the Mashpee Select Board, less encl.

"Preserving public trust and providing professional services"



Rodney C. Collins
Town Manager
508-539-1401
rccollins@mashpeema.gov

Office of the Town Manager
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA 02649

August 2, 2022

James Hatherley

Westborough, MA 01581

Dear Mr. Hatherley:

I appreciate your correspondence dated July 27, 2022 concerning your property located at Mashpee.

You raise valid concerns and points relative to the subject of the real estate exemption. For your information, the primary advocate of the plan was Selectman Andrew Gottlieb. He resigned approximately one week ago. There will be a special election on October 4, 2022 in order to fill the vacant seat on the 5-member Select Board. I invite you to research the candidates and learn their position on the subject matter.

I would point out that the Town does plow the streets within New Seabury despite the fact that they are private roads. However, I generally agree with the other points raised in your letter. In my view, the area requires less services than compared to the tax revenue generated by the assessed value.

I cannot speak for the Select Board but my reasonable presumption right now is that a majority of members do not support the residential exemption. If you wish to contact me direct, please don't hesitate to do so. I hope you enjoy the qualities of life that Mashpee has to offer and you are happy being part of this community.

Sincerely,

RODNEY C. COLLINS
Town Manager

Re: Residential Exemption documents

Dawn M Thayer <dthayer@mashpeeema.gov>

Thu 3/3/2022 4:09 PM

To: Tim Martin

1>

Cc: Rodney C. Collins <rccollins@mashpeeema.gov>; Wayne E. Taylor <wtaylor@mashpeeema.gov>; Terrie Cook <tmcook@mashpeeema.gov>

Good afternoon,

No worries; property taxes can be complicated!

Here is a few bullet points that hopefully will be helpful:

The exemption amount is the percentage that your **valuation** is reduced.

If my property is valued at the average of residential properties in Mashpee, which is is \$542,314 (noted on the spreadsheets), a 20% exemption would reduce my value to \$433,851. (The 20% exemption is what the Board of Assessors recommend if the Selectmen choose to implement the Residential Exemption.)

The total amount of taxes to be raised does not change when an exemption is enacted. By reducing the values of some properties, the tax rate will increase-that does not necessarily mean the tax bill will increase, only the rate. When values rise, the tax rate decreases and when values decline, the tax rate increases. We still have to raise the same amount in taxes either way. For example, in Mashpee, the amount of taxes we needed to raise in FY 2022 was roughly \$1.1 million higher than FY 2021. The tax rate however, declined because we saw such a significant increase in values.

Using the average value noted above, implementing the 20% Residential Exemption would decrease my value to \$433,851. The tax rate, however, would have to increase to \$9.45 to make up for that "lost" value. Using the lower value at the higher rate, my tax bill would be roughly \$4,099 (value/1,000 x tax rate). Without the exemption, my value would be \$542,314 but the tax rate would be \$8.49 resulting in a tax bill of roughly \$4,604. The savings in my tax bill with a 20% exemption would be roughly \$505.

With the 20% exemption, a non-resident taxpayer with the same average value, would pay the higher tax rate on that full value. ($542,314/1,000 \times 10.46 = \$5,672$) This would be an increase in their tax bill of \$1,068.

I hope this makes sense...it is a bit confusing. As I noted previously, per the Assessor, there is a point in value where there is no savings in the tax bill and with the 20% exemption, that "break even point" is an average value of \$1,068,000. Properties with a higher average value than that point would potentially pay more taxes than they would without the exemption.

I have also attached a copy of a bulletin from the Commonwealth's "Division of Local Services" which includes a more in-depth explanation as well. I hope this has been somewhat helpful. I did include the Town Manager and Assistant Town Manager in this email so they are kept in the loop. Have a good afternoon.

Dawn Thayer, Finance Director
Town of Mashpee
16 Great Neck Rd North, Mashpee, MA 02649
phone: 508-539-1400 ext. 8533

From: Tim Martin
Sent: Thursday, March 3, 2022 2:42 PM
To: Dawn M Thayer <dthayer@mashpeema.gov>
Subject: Re: Residential Exemption documents

WARNING! EXTERNAL EMAIL: : This message originated outside the Town of Mashpee mail system and could be **harmful** ~~to~~. PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are absolutely certain the content is safe.

Thank You Dawn. I have looked at the various spreadsheets for various exemption percentages and can nicely see the effect on various classes of property owners. But please tell me for a particular exemption rate, say 20%, what does the 20% pertain to? 20% of what? I don't normally consider tax policy in my normal life!

Thank You. Tim Martin

On 3/3/2022 11:31 AM, Dawn M Thayer wrote:

Good afternoon Mr. Martin,

At the request of the Town Manager, I am providing you with the attached documents relative to the Residential Exemption. The first is a memo from the now retired Director of Assessing and the other is an Excel workbook reflecting various Residential Exemption percentage scenarios. Each page in the workbook reflects a different exemption percentage and lists, by property value, how a tax bill would either increase or decrease if the exemption was put into place. You can see for each percentage, there is a "break even point" in values where there is no reduction in taxes and values higher than that, actually see an increase in their taxes.

As I mentioned, implementation of this Residential Exemption is solely the decision of the Board of Selectmen and no town meeting vote is required. Also to note; per the former Director of Assessing, properties in Trust often do not qualify for the exemption.

Please feel free to reach out to the Town Manager if you have further questions. I have copied both him and the Assistant Town Manager on this email. Thank you and have a nice day.

Dawn Thayer, Finance Director
Town of Mashpee
16 Great Neck Rd North, Mashpee, MA 02649
phone: 508-539-1400 ext. 8533

--

Tim Martin
mobile/text. .



Town of Mashpee

*Mashpee Community Garden Advisory
Committee*

*16 Great Neck Road North
Mashpee, MA 02649*

September 13, 2022

Rodney Collins, Town Manager
Town of Mashpee
16 Great Neck Road North
Mashpee, MA 02649

RE: Request for Select Board Dismissal of MCGAC Board Member Mohamad Fahd

Dear Mr. Collins:

At your request, on August 30, 2022 Mashpee Community Garden Advisory Committee (MCGAC) Board Member Mohamad Fahd and I, as Chair of the MCGAC Board, met with you at Town Hall. Your purpose was to listen to what each of us had to say about the lead up to, and the Board's ultimate vote, to request the Select Board to dismiss Mr. Fahd from the Board of Directors.

A satisfactory compromise was not reached during the meeting. Mr. Fahd, having been given the option to resign rather than contest the dismissal, stated that he would not do so and wanted to state his case before the Select Board.

All three of us concluded that the MCGAC Board request for dismissal will need to be scheduled. Mr. Fahd requested that this not be considered until after the October 4th election of a replacement Select Board member. Per your review of the Town calendar, the first possible meeting date after the election is November 21, 2022.

You asked each of us to submit a summary letter and documentation to you no later than September 15, 2022 in preparation for the meeting. Enclosed is the MCGAC Board's package documenting Mr. Fahd's intentional disregard of Board decisions, garden protocol and MCGAC Rules and Regulations over the course of the course of the last year. His actions have consistently undermined the purpose and charge of MCGAC as described on the website.

The charge of the Mashpee Community Garden Advisory Committee (MCGAC) is to:
CREATE a community greenspace and an opportunity for individuals, children, families,
and community organizations to cultivate gardens for food and flowers and to learn about growing fresh vegetables.

Virginia Scharfenberg | Chair
Mashpee Community Garden Advisory Committee (MCGAC)
<https://www.mashpee.ma.gov/mashpee-community-garden-advisory-committee>

Terrie Cook

From: Virginia Scharfenberg
Sent: Tuesday, November 15, 2022 11:29 AM
Subject: FW: October 1, 2022 garden exit date
Attachments: MCGAC Minutes 9.21.22.docx

From: Virginia Scharfenberg <virginia.s@talbotecolandcare.com>
Sent: Sunday, September 25, 2022 3:41 PM
To: Mohamad Fahd
Cc: Richard & Lynn Harris >; John Carter < >; Frank Gallelo
Sheryl Carberry Virginia Scharfenberg

Subject: October 1, 2022 garden exit date

Mohamad – This email is an official reminder of the October 1, 2022 deadline for your closing down and clearing out your community garden plot #13.

See Bullet #2 under “Other Business” in the attached 9/21/22 Board Minutes regarding your dismissal from the community garden by the MCGAC Board of Directors.

Virginia Scharfenberg | President
Mashpee Community Garden Advisory Committee (MCGAC)
<https://www.mashpee.ma.gov/mashpee-community-garden-advisory-committee>
508-889-7172

**MASHPEE COMMUNITY GARDEN ADVISORY COMMITTEE (MCGAC)
MEETING MINUTES**

**September 21, 2022 7:00 P.M.
Popponessett Meeting Room**

PRESENT: Virginia Scharfenberg, Sheryl Carberry, Frank Gallelo, John Carter, Lynn Harris, Mohamad Fahd

CALL TO ORDER Chairwoman Scharfenberg called the meeting to order at 7:08 pm.

Meeting Minutes for August 17, 2022 – Approved unanimously

COMMUNICATIONS and CORRESPONDENCE – none to report

REPORTS:

- Lynn Harris reported that workday on August 19th to spread wood chips in garden pathways was well attended and productive. The volunteer hours of participants were added to the Excel spreadsheet developed by gardener Polly Minugh.
- Virginia Scharfenberg reported that there has not yet been assignment of a new Recording Secretary by the Town.
- Virginia Scharfenberg reported that the Select Board vote to add gardener Kirsten Nordstrom to MCGAC Board (replacing former member Michael Talbot) will not take place October 3rd as expected because Select Board Chair wants to wait until there is a full Board. The election to fill vacant seat is October 4th. Virginia will advise Kirsten and Board of the new date once determined.
- Virginia Scharfenberg reported that she had spoken to Assistant Town Manager Wayne Taylor, who confirmed that the Board's Vote of No Confidence in Board member Mohamad Fahd and its vote for his removal from the Board will need to be submitted to the Select Board with request for dismissal action at their next meeting.
- Virginia Scharfenberg reported that 17 of the 34 gardeners have accumulated volunteer hours in 2022. Further Board discussion detailed below under New Business.

OLD BUSINESS:

- Virginia Scharfenberg said that she had spoken with Terrie Cook in Town Manager's office about protocol for requesting changes/additions to MCGAC's *Rules & Responsibilities*, given that the current ones were promulgated by the Select Board in 2019. The first step is for Virginia to submit the current 2-page document of 24 items with the more detailed explanatory narrative for Town Manager Rodney Collins' consideration, with cc to Asst. Town Manager Wayne Taylor and Administrative Assistant Terrie Cook. The assumption is that the 5-page explanatory narrative accompanying the 24 numbered items in the current *Rules & Responsibilities* will be identified as the "Amended and Approved _____, 2022 – Select Board". Any and all provisos in the narrative that clarify the numbered *Rules & Responsibilities* will be applicable to all members.
- Virginia Scharfenberg noted that the Select Board hearing on the MCGAC Boards request for dismissal of Mohamad Fahd was rescheduled for November 7th. Since Mohamad will be out of the country that week it will most likely have to be rescheduled for November 21st. (The

next scheduled Select Board meetings are October 3rd (not viable), November 7th, and November 21st.)

NEW BUSINESS:

- The Board selected Saturday October 22nd (rain date Oct. 23rd) for a Harvest gathering and celebration of the community garden. Virginia will send out an email informing members of the date and saying an RSVP invitation will follow in early October.
- Virginia will also send out a reminder to gardeners regarding *Rules & Responsibilities* Rule 3. It specifies that each plot must be completely cleaned out and returned to its original condition at the end of the season – no later than November 1st. It also specifies that written approval by the Advisory Committee for all winter crops is required prior to November 1st.
- Mohamad Fahd suggested that the draft revised *Rules & Responsibilities* be sent out to all gardeners for their review and comment, thus fostering member communication and engagement. The Board agreed that made sense. Virginia will do so within the next few days and will include a deadline by which responses will be sent. Following that, the above referenced request to the Town Manager will be made.

OTHER BUSINESS:

- The Board discussed ideas for further gardener engagement and volunteer time, including asking members for their own ideas. We could have a questionnaire at fall gathering, and send via email, about preferable day of week for workdays. We could also ask them about their skills and see how those might be best utilized. Idea for community garden recipe book/exchanges. Suggestion made that Board send thank you note to each of this season's volunteers.
- Discussion related to Mohamad request to address the Board about "movement" to remove him from the Board and the garden. Virginia stated that it is not a "movement"; the decision has been made to request the Select Board to dismiss him from the Board and it will be on their agenda as soon as possible. His dismissal from the garden was voted on and passed at the last Board meeting.

Frank Gallelo moved that Mohamad's dismissal as a gardener become effective as of October 1, 2022. The motion was seconded by John Carter and passed by a vote of 5-1. Further discussion ensued, during which Mohamad declared that he would not leave the garden and that he would take it to the Select Board and Town. Virginia reiterated what had been said in the previous meeting as well as this one; i.e., that it is the Board's sole discretion to dismiss a gardener as stated in Rule 24.

ADJOURNMENT

Mohamad Fahd moved to adjourn the meeting; seconded by Lynn Harris. Unanimous vote to adjourn at 8:30 PM.

NEXT MEETING DATE: Wednesday, October 19, 2022 at Town Hall unless Zoom deemed necessary

Respectfully submitted ,

Virginia Scharfenberg, President (in the absence of Town-appointed a Board Secretary) 09/22/2022

MASHPEE COMMUNITY GARDEN ADVISORY COMMITTEE (MCGAC)
MEETING MINUTES
August 17, 2022 7:00 P.M.
Popponessett Meeting Room

PRESENT: Virginia Scharfenberg, Sheryl Carberry, Frank Gallelo, John Carter, Lynn Harris, Mohamad Fahd

CALL TO ORDER Chairwoman Scharfenberg called the meeting to order at 7:04 pm.

Meeting Minutes for July 20, 2022 – Approved unanimously

COMMUNICATIONS and CORRESPONDENCE – none to report

REPORTS:

- Lynn Harris reported that workdays on August 5th/6th and August 12th/13th were well attended, productive, and enjoyed by all participants. An Excel spreadsheet to document volunteer hours is being developed by gardener Polly Minugh.
- Virginia Scharfenberg reported that there has not yet been assignment of a new Recording Secretary by the Town.
- Virginia Scharfenberg reported that gardener Kirsten Nordstrom is still interested in filling the empty 7th Board member seat and will submit her letter of interest to Virginia, who will send it to the Select Board.
- Virginia Scharfenberg reported that she had spoken to Assistant Town Manager Wayne Taylor, who confirmed that the Board's Vote of No Confidence in Board member Mohamad Fahd and its vote for his removal from the Board will need to be submitted to the Select Board with request for dismissal action at their next meeting.
- Virginia Scharfenberg shared DPW Director Catherine Laurent's updated MCGAC garden budget. A balance of \$6,244.43 remains as of August 17, 2022.

OLD BUSINESS:

- Virginia Scharfenberg referred discussion of Town protocol for use of Town owned/community garden property to New Business below.

NEW BUSINESS:

Board member Mohamad Fahd:

- Mohamad Fahd requested time to address the Board about its above-referenced July 20th action. He had not submitted a promised written response to utilize in the discussion. He referenced Virginia Scharfenberg's letter of August 8, 2022, saying that:
 1. In response to request to desist from dumping the diseased plants barrel into the compost bins that he thought it was good the barrel was now inside the garden gate. In that context, he reiterated his opposition to the planned concrete slab disposal space DPW plans to install for garden refuse.
 2. He could not attend gatherings/workdays because he is a busy person. The Board stated that it is nice he is volunteering at the adjacent pollinator gardens, but they have nothing to do with community garden gatherings or workdays.

3. Regarding the Board's request that he immediately remove his unauthorized exterior garden bed after having been requested multiple times to do so, he again refused saying he had not heard back from the Town Manager about his request to use the space. Relevant to this is the Town's Policy 8 regarding use of property ultimately being the Town Manager's decision. In response to question if he had got permission before he did the planting, he said No.
 4. Regarding leaving the July 20th Board meeting before the relevant Agenda item came up to discuss his non-compliance (which had been moved from the June 15th Agenda because he could not attend), he said he had company.
- Following Mohamad Fahd's comments and additional discussion, Lynn Harris moved that the Board's July 20, 2022 Vote of No Confidence, back-up documentation, and request for the Select Board's dismissal of Mr. Fahd be submitted by the MCGAC Board Chair to the Select Board the next day, August 18, 2022. The motion was seconded by John Carter and passed unanimously. Mr. Fahd explained that he joined the unanimous vote for his dismissal from the Board so that he could present his case to the Select Board.
 - Lynn Harris read Rule 24 of the community garden Rules & Regulations (enclosed with Minutes), citing the portion stating that the Committee has *"...the duty of enforcing rules and making decisions regarding the Garden each year. They have the authority to resolve conflicts, refuse a plot to a gardener or dismiss a current gardener..."*. She moved that based on Mr. Fahd's lack of cooperation and collaboration with the MCGAC Board as well as with the garden rules and responsibilities, he be dismissed from the garden and the use of his Plot #13. The motion was seconded by Frank Gallelo and passed 4-2. Sheryl Carberry stated that she was not comfortable voting in favor without confirmation from the Select Board that such a decision is the sole responsibility of the MCGAC Board, but that if that were the case she would have voted to dismiss. Mr. Fahd voted No.

Additional New Business:

- Lynn Harris suggested that plant labels be made for plants in the Native Garden this fall. She noted that gardener Sandy DeRosa, a retired science teacher, might be able to work with high school students to have them research the plants and create the educational labels. Included in this project would be a site visit to the Native Garden and the Community Garden.
- The Board reviewed and commented favorably on Lynn Harris's draft revision to the existing Rules & Regulations. The revision is based on some questions/issues raised by new gardeners that make sense to incorporate for clarity. Lynn will incorporate suggested edits and bring back to the September 21, 2022 Board meeting for consideration and potential approval for forwarding to the Select Board for their review and approval. It was thought that if the Select Board wanted to maintain current Rules & Regulations wording, this document could become an appendix and/or part of a welcoming packet.
Lynn suggested that the Rules & Regulations be at the top of MCGAC website so that members readily understand their responsibilities to the community garden.
Lynn also suggested that we leave a packet of Rules & Regs in the shed, and/or place in cubicles.
- The Board of Directors listing on the website needs to be corrected and updated.
- We will notify gardeners that official communication will be sent via email, not by mail or by text message. This may be information included in the Application if we choose to update it.

- The Board requested the Chair to contact DPW again about no weed wacking adjacent to the outside of the garden fence since every week we are finding holes at the base of the fence. They also asked he to confer with DPW about whether they want leftover 2 x 12's or if gardeners could take them for personal use.

ADJOURNMENT

Mohamad Fahd moved to adjourn the meeting; seconded by Lynn Harris. Unanimous vote to adjourn at 8:43 PM.

NEXT MEETING DATE: Wednesday, September 21, 2022 at Town Hall unless Zoom deemed necessary

Respectfully submitted

Virginia Scharfenberg, President (in the absence of Town-appointed a Board Secretary)

August 24, 2022



Town of Mashpee

*Mashpee Community Garden Advisory
Committee*

*16 Great Neck Road North
Mashpee, MA 02649*

August 8, 2022

Mohamad Fahd

Mashpee, MA 02649

Dear Mohamad:

This letter covers several unresolved items and MCGAC Board of Directors decisions:

- You need to immediately desist from dumping the Diseased Plants barrel upside down into the compost bins. This counters the effort for responsible management of garden debris and diseased plant disposal and is disruptive to community gardeners' understanding of policies and procedures.
- You have not attended community garden gatherings and workdays planned by the Board; the intention of such events is to show Board collaboration and enthusiasm for the garden.
- You have refused to remove your exterior garden bed outside of community garden fencing as requested by the Board and itemized in detail in my email of June 10, 2022 to you. This is in violation of our Board decision. It is also in violation of Town of Mashpee Policy 8, attached, as confirmed by me with Assistant Town Manager Wayne Taylor. Please remove exterior bed now.
- At your request since your work was going to prevent you from attending the June 15, 2022 Board meeting, we had moved the agenda to the July 20, 2022 agenda. See attachments. You came to the meeting but chose to work at your computer throughout the meeting rather than participate, and also chose to leave just prior to discussion of the agenda item of concern to you.
- For a variety of reasons, including this action, the Board discussed your lack of cooperation and meaningful participation as a Board member. The result of the discussion was a motion for a vote of no confidence, which was passed unanimously by the remaining five Board members present at the July 20th meeting.
- This is an unfortunate situation but one for which there are consequences, including your removal from the MCGAC Board of Directors.

Virginia Scharfenberg | President

Mashpee Community Garden Advisory Committee (MCGAC)

<https://www.mashpee.ma.gov/mashpee-community-garden-advisory-committee>


508-889-7172

6/10/22 Board request to Mohamad Fahd

Virginia Scharfenberg

Sun 9/11/2022 1:57 PM

To: Virginia Scharfenberg

 1 attachments (28 KB)

Mashpee Community Garden Rules -updated 2021.docx;

From: Virginia Scharfenberg

Sent: Friday, June 10, 2022 3:08 PM

To: Mohamad Fahd

Cc: Virginia Scharfenberg

Subject: tomato plants and planting issue to discuss

Hi, Mohamad – I trust you are fully recovered & ...hope so! I have been remiss in getting to the garden, and am wondering if we might hook up there sometime this weekend or if you could just leave tomatoes within my plot. I appreciate that.

I have wanted to talk with you about your planting outside of the garden fencing and have not been as timely as I should have been. This expansion of your garden area outside the community garden limits has been an issue for the Board for some time, primarily because it sets a precedent for any of the 34 gardeners to expand beyond the defined parameters in any way they might choose. That would not be in compliance with the community garden intention and organization.

We are asking you to transplant your rhubarb and any other plants located in your outside bed into your assigned garden plot or somewhere other than our community garden property by the time of our gardener gathering the weekend of June 25th.

As you know, our CPA funding provides for demonstration beds of native plantings related to the garden as a whole, as specified in our funding package, but not for individuals gardening wherever they want on this Town property

In addition, as communicated in correspondence to this season's current and new gardeners, the area behind the compost bins will be used for gardeners' disposal of plant debris; it looks like DPW will be constructing a concrete slab behind a small bordering fence and will pick up the debris each fall to recycle at the Transfer Station. As the Board has indicated before, that area is also not to be used for individual experimentation or planting projects.

I'm sure you appreciate our concerns and decision as a Board to ask you to comply with this request. Thank you.

Ginny

Virginia Scharfenberg | President

Mashpee Community Garden Advisory Committee (MCGAC)

<https://www.mashpeema.gov/mashpee-community-garden-advisory-committee>

508-889-7172

**MASHPEE COMMUNITY GARDEN
RULES AND RESPONSIBILITIES
(Amended & Approved January 28, 2019 - Board of Selectmen)**

Ensuring an enjoyable gardening experience for all the gardening community is our primary goal. For that reason, please observe the rules of the garden and be a good neighbor. Rules for "good standing" status and general information are outlined below:

1. Mashpee residents and returning gardeners (i.e. plot holders) in good standing who submit applications, indemnity forms, and checks by March 1st will be given first preference to plots each year on a first come, first served basis. After March 1st, vacant plots will be assigned in the order that complete applications are received.
2. Gardeners must apply, complete an Indemnity Form, and pay the required fee each year. Returning gardeners who apply by March 1st may keep the same plot.
3. Each plot must be completely cleaned out and returned to its original condition at the end of the season – no later than November 1st. Written approval by the Advisory Committee for all winter crops is required prior to November 1st. Eighteen plots are approximately 8' x 12' and two accessible raised beds are 4' x 8'.
4. No item may be brought into the garden that will compromise the safety of the site or its users.
5. Children must be supervised at all times. Children and other visitors are not permitted in the garden unless accompanied by an authorized gardener, who assumes full responsibility for their behavior.
6. Pets are not permitted in the garden.
7. Gardeners will be asked to volunteer up to 2 hours per month to assist with the upkeep of the entire garden during the growing season.
8. Gardeners are encouraged to visit their plots at least once a week; and their plot and its surrounding pathways must be kept free from weeds and trash. All trash, weeds and diseased plants must be promptly removed from the garden area and taken with you for disposal.
9. If a plot becomes neglected or overgrown with weeds, the gardener will receive a written warning. If no action is taken after a 2nd warning, the plot will be cleared and reassigned. There are no refunds on fees paid.
10. Gardeners who may be briefly unable to care for their plots due to illness or vacation should ask a fellow gardener or alternate for assistance; and keep the Advisory Committee informed.
11. Gardeners who decide not to use their plot should contact the Advisory Committee, so it may be reassigned to someone on the waiting list. If there is no evidence of activity at a plot by June 1st, it may be reassigned. There are no refunds on fees paid.
12. Biodegradable mulch such as compost, leaves, and straw are encouraged for water conservation and minimization of weeds. Non-organic or chemically treated mulch and wood chips are not permitted. Black plastic is allowed, but it must be removed at the end of the season.

**MASHPEE COMMUNITY GARDEN
RULES AND RESPONSIBILITIES
(Amended & Approved January 28, 2019 - Board of Selectmen)**

13. Only organic fertilizers, insecticides, and weed repellents may be used that are OMRI listed (Organic Materials Review Institute) or CDFA Registered (California Dept of Food and Agriculture) products.
14. Tall plants such as corn or sunflowers may only be planted if they do not shade your neighbor's plants. The growing of marijuana is prohibited at the Community Garden.
15. Invasive plants must be avoided such as mint, catnip, raspberries or anything else which might grow or re-seed beyond your plot and intrude into adjacent pathways or plots. For questions, please contact the Mashpee Community Garden Advisory Committee.
16. Fencing of any kind is prohibited without prior written approval of the Advisory Committee.
17. Business signage or advertising in your plot is not permitted.
18. Picking from your neighbor's garden is prohibited even if it appears to be abandoned.
19. Water is available at the garden. However, each gardener must ensure water use is not excessive and the spigot is turned off when not in use. Hoses will be available for use between April 1 and October 31 each year. Timers, sprinklers and irrigation hoses are not permitted.
20. Gardeners may store small personal items in the on-site shed such as gloves and simple gardening tools in the cubby with the corresponding number as their plot. This shed is also used to house shared equipment that the Town provides (wheelbarrow, hose, etc.). Gardeners will be given the combination for accessing the shed. It is extremely important that you always lock it upon leaving the garden, and that shared items are returned immediately after use.
21. All gardeners will receive a key or lock code to the Community Garden upon assignment of a plot.
22. No vehicles are permitted in the garden. The small parking area on site can accommodate up to six (6) vehicles at a time. Please use extreme caution when entering/exiting the lot and, under no circumstances, should vehicles back-out onto Route 130. Alternate parking is available at the Mashpee Community Park across from Town Hall.
23. The Mashpee Conservation Department has planted two pollinator gardens on the property and has also installed butterfly boxes throughout. Please enjoy these features but do not disturb them. Anyone interested in volunteering to assist the Conservation Department with maintenance of the pollinator gardens, should contact them at 508-539-1400.
24. The Mashpee Community Garden Advisory Committee has the duty of enforcing rules and making decisions regarding the Community Garden each year. They have the authority to resolve conflicts, refuse a plot to a gardener or dismiss a current gardener. Violation of these rules could affect the health and welfare of the entire garden – and should be reported to the Advisory Committee. For questions, suggestions, or issues, please contact the Mashpee Community Garden Advisory Committee through the Town Manager's Office, Mashpee Town Hall, 16 Great Neck Road North, Mashpee, MA 02649.

We hope everyone has a fun, relaxing, and rewarding Gardening Season
Mashpee Community Gardens Advisory Committee





TOWN OF MASHPEE

OFFICE OF THE SELECT BOARD

16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone – (508) 539-1401
bos@mashpeema.gov

MEMORANDUM

Date: November 15, 2022

To: Rodney C. Collins, Town Manager and
Honorable Members of the Board of Selectmen

From: Stephanie A. Coleman, Administrative Secretary 

Re: Resignations from the Board of Health and Barnstable County Home Consortium

Description

Discussion and acceptance of the resignation of the following:

- Board of Health: *Brian Baumgaertel*, Member At-Large (Term Expires June 30, 2024)
- Barnstable County Home Consortium: *Arden Russell* (Term Expires January 31, 2024)

Attached are the letters of resignation.

TOWN MANAGERS OFFICE
NOV 3 '22 PM 12:58

RECEIVED

OCT 21 2022

Brian Baumgaertel

Human Resources Department

Mashpee, MA 02649

October 20, 2022

Recipient Name

Chairman David Weeden

Mashpee Select Board

Dear Mr. Chair:

It is with regret that I tender my resignation from the Mashpee Board of Health, effective November 18th, 2022.

Serving on the board these past six years, and as chair for the past five has been a great honor. We have accomplished much through unforgiving times, but there is still much more to do to meet the challenges facing our community. The Board of Health plays an often overlooked but critical role in addressing these challenges. I strongly encourage the members of the Select Board move with urgency but not with haste in filling the present Board of Health vacancies.

The end of my service on the Board of Health does not mean the end of my service to the town. I stand by to assist in solving the town's water quality issues in my professional capacity with Barnstable County. I will also be working with Mashpee's Cub Scout Pack 36 to develop quality programming and experiences to help Mashpee's youth grow and learn to be model citizens and contributors to our community.

Best,



Brian Baumgaertel

Chair, Mashpee Board of Health

TOWN MANAGERS OFFICE
NOV 10 '22 AM 8:43

Arden Russell
, Mashpee, MA. 02649

November 8, 2022

Mashpee Select Board
Mashpee Town Hall
16 Great Neck Road North
Mashpee, MA. 02649

Dear Select Board:

I am writing to resign my position as Mashpee's representative to the Barnstable County HOME Consortium, effective immediately.

Absent the support of the leadership of this Town, I can no longer be effective in this role.

Sincerely,

Arden Russell

Arden Russell



TOWN OF MASHPEE

OFFICE OF THE SELECTMEN

16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone – (508) 539-1401
bos@marshpeema.gov

MEMORANDUM

Date: November 15, 2022

To: Rodney C. Collins, Town Manager and
Honorable Members of the Select Board

From: Stephanie A. Coleman, Administrative Secretary

Re: Appointment to the Board of Health

Description

Discussion and approval of the following appointment:

- Board of Health: *Edward Raposa*, Member At-Large (Term Expires June 30, 2024)

Recommendation

Attached is the letter of recommendation from the Board of Health and Mr. Raposa's letter of interest.



Town of Mashpee
BOARD OF HEALTH
16 GREAT NECK ROAD NORTH
MASHPEE, MASSACHUSETTS 02649
(508) 539-1426 * Fax (508) 477-0496
boh@mashpeema.gov



Public Health
Prevent. Promote. Protect.

MEMORANDUM

TO: Select Board

CC: Rodney C. Collins, Town Manager
Wayne Taylor, Assistant Town Manager

FROM: Zackary Seabury, Health Agent

DATE: November 4th, 2022

SUBJ: Candidate Recommendations for Open Position on the Board of Health

Mr. Town Manager,

On Thursday, November 3rd, 2022, an interview, for recommendation, was conducted with Edward Raposa, a Mashpee resident looking to join the Board of Health.

During the interview at the Board of Health, regularly scheduled meeting, Mr. Raposa showed a great interest on being on the Board. He expressed how for many years he worked construction and understands the needs for title 5 and for different aspects with other departments.

The Board of Health Unanimously voted to recommend Edward Raposa to become the next member of the Board of Health for the Town of Mashpee.

Thank you

Zackary Seabury RS
Mashpee Health Agent

August 26, 2022

To the Mashpee Select Board

Re: Board of Health Vacancy

Good Morning. My name is Edward Raposa and I have lived in Mashpee for the last two years. I feel that it is time for me to offer my expertise to the Town.

Before my retirement, I was a contractor for over 56 years. At this time I would like the Mashpee Select Board to appoint me to the Mashpee Board of Health.

I can be contacted at

Thank you for your consideration,

Ed Raposa

Mashpee

A handwritten signature in cursive script that reads "Edward Raposa". The ink is dark and the signature is fluid, with a large initial 'E' and a long, sweeping tail on the 'a'.

TOWN MANAGERS OFFICE
AUG 26 '22 AM 9:41



TOWN OF MASHPEE

OFFICE OF THE SELECT BOARD

16 Great Neck Road North
Mashpee, Massachusetts 02649
Telephone – (508) 539-1401
bos@marshpeema.gov

MEMORANDUM

TO: Town Manager Rodney C. Collins;
Chair David W. Weeden and the Honorable Members of the Select Board

FROM: Terrie Cook, Administrative Assistant

DATE: October 31, 2022

SUBJ: Proposed Select Board Meeting Schedule, January – June, 2023 ***SUBJECT TO CHANGE***

Listed below are the proposed dates for the upcoming Select Board meetings, scheduled from *January through June, 2023*. Unless otherwise noted, meetings will take place at Mashpee Town Hall in the Waquoit Meeting Room and will be televised.

Monday	January 9, 2023	6:30 p.m.
Monday	January 23, 2023	6:30 p.m.
Monday	February 13, 2023	6:30 p.m.
Monday	February 27, 2023	6:30 p.m.
Monday	March 13, 2023	6:30 p.m.
Monday	March 20, 2023 (Execute Town Meeting Warrant)	6:30 p.m.
Monday	April 3, 2023	6:30 p.m.
Monday	April 24, 2023	6:30 p.m.
Monday	May 1, 2023 Town Meeting, Mashpee High School	6:00 p.m.
Monday	May 15, 2023	6:30 p.m.
Monday	June 5, 2023	6:30 p.m.
Monday	June 26, 2023	6:30 p.m.

MASHPEE SELECT BOARD

2022 - 2023 LIAISON ASSIGNMENTS UPDATED NOVEMBER, 2022

<div> <div>David W. Weedon dweedon@mashpeeema.gov</div> <div>John J. Cotton jcotton@mashpeeema.gov</div> <div>Thomas F. O'Hara tohara@mashpeeema.gov</div> </div>		
<div> <div>Board of Assessors (BOA)</div> <div>Board of Health (BOH)</div> <div>Clerk/Treasurer/Accounting</div> <div>Community Preservation Act (CPC)</div> <div>Council on Aging (COA)</div> <div>Finance Committee (Fin-Com)</div> <div>Human Services</div> <div>South Cape Beach Advisory</div> </div>	<div> <div>Affirmative Action</div> <div>Americans w/Disabilities (ADA)</div> <div>Capital Improvement Program (CIP)</div> <div>Historical</div> <div>Information Technology (IT)</div> <div>Library</div> <div>Military Civilian Advisory Council (CAC)</div> <div>Native American Affairs</div> <div>School</div> </div>	<div> <div>Affordable Housing</div> <div>Building & Inspections</div> <div>Fire</div> <div>Police</div> <div>Planning & Construction Committee</div> <div>Zoning Board of Appeals (ZBA)</div> </div>
<div> <div>To be assigned:</div> <div>Conservation</div> <div>Environmental Oversight (EOC)</div> <div>Mashpee-Wakeby Lake Management</div> <div>Native American Affairs</div> <div>Natural Resources (DNR)</div> <div>Planning</div> <div>Wastewater Management</div> <div>Waterways</div> <div>Water District</div> </div>	<div> <div>Carol A. Sherman csherman@mashpeeema.gov</div> <div> <div>Chamber of Commerce</div> <div>Economic Development (EDIC)</div> <div>Human Resources</div> <div>Public Works (DPW)</div> <div>Recreation</div> <div>Special Events Committee</div> </div> </div>	<div> <div>Michaela Wyman-Colombo mwyman-colombo@mashpeeema.gov</div> <div>Harbor Management Committee</div> </div>