



**AGENDA  
SELECT BOARD  
MONDAY, MARCH 13, 2023  
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.mashpee.ma.gov/channel-18>\*

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

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MINUTES**

Approval of the Following Minutes:

Monday, February 13, 2023 Regular Session (Tabled 2-27-23 meeting); Monday, February 27, 2023 Regular Session

**APPOINTMENTS & HEARINGS**

- 6:30 p.m. Public Hearing: Discussion and Vote Relative to the Removal of Mohamad Fahd from the Mashpee Community Garden Advisory Committee (Pursuant to Mashpee Charter, Section 7-9)
- Public Comment
- Discussion and Approval of the Following:

**Recreation Department Annual Events:**

**Annual Easter Egg Hunt:** Saturday, April 1, 2023 10 am – 12 pm: Mashpee Community Park; **Annual Fishing Derby:** Saturday, June 3, 2023 9– 11:30 am: John's Pond; **Memorial Day Ceremony:** Monday, May 29, 2023 10 – 11:30 am: Mashpee Community Park Gazebo; **Annual Super Swim:** Saturday, June 10, 2023 9 am – 12 pm: John's Pond; **Mashpee Fireworks Display and Community Picnic:** Friday, June 23, 2023 5 - 9:30 pm: Mashpee High School Athletic Field; **Oktoberfest:** Saturday, September 30, 2023 10 am – 4 pm: Mashpee Commons Green; **Veterans Day Ceremony:** Saturday, November 11, 2023 10 – 11:30 am: Mashpee Community Park Gazebo; **Holiday Tree Lighting:** Saturday, December 2, 2023 5:30 – 6:30 pm: Mashpee Community Park Gazebo

- **Annual Lovin' LIFE 5k Special Event:** Saturday, May 6, 2023 9 – 11:30 am: LIFE, Inc
- **Annual Cape Cod Makers Faire: Temporary Sign Permit:** March 18, 2023 – March 25, 2023: Michael Looney

**COMMUNICATIONS & CORRESPONDENCE**

**OLD BUSINESS**

**NEW BUSINESS**

- Discussion and Approval of the Refinancing of Deed Restricted (Affordable Housing) Property Located at 31 Dixon Drive, Mashpee, MA , Approve Sending an Approval Letter to Homeowner Kimberly Lopes-Costa and Further, Vote to Authorize the Town Manager to Execute any Required Documents on the Select Board's Behalf
- Discussion and Possible Approval of Adding the Following Article to the May 1, 2023 Special and Annual Town Meeting Warrant:
  - *Annual Town Meeting Warrant: \$8,000,000 Borrowing Authorization for Capital Expenditures*
- Discussion and Possible Approval of Draft #2 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles

**ADDITIONAL TOPICS**

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

**LIAISON REPORTS**

**WATER QUALITY UPDATES**

**TOWN MANAGER UPDATES**

**EXECUTIVE SESSION**

**ADJOURNMENT**

**MASHPEE TOWN CLERK  
MAR 9 '23 PM4:03**

**TOWN OF MASHPEE  
SELECT BOARD  
MONDAY, MARCH 13, 2023  
6:30 p.m.**

**Public Comment**

*\*Limited to three minutes per speaker as per Select Board Policy #081\**

(Please sign in below)

KEN DEBROWSKI

Lynne Barber

Greg Mc Kelvey



**AGENDA**  
**SELECT BOARD**  
**MONDAY, FEBRUARY 13, 2023**  
**WAQUOIT MEETING ROOM**  
**MASHPEE TOWN HALL**  
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**6:30 p.m. – Convene Meeting in Open Session**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MINUTES**

Approval of the Following Minutes:

Monday, January 9, 2023 Regular Session (Amended);

Monday, January 23, 2023 Regular Session

**APPOINTMENTS & HEARINGS**

- Public Comment
- 6:35 Public Hearing: New Livery, Vehicle for Hire Service Application, Amy Perry Erickson
- 6:40 Public Hearing: New KENO License Application, Shree Kamakya Devi, Inc dba Mashpee Mini Mart, Subodh Basnet
- Discussion and Possible Approval of Special Event Application:  
Mashpee Half-Marathon, September 23, 2023: *Jeffrey Smith*
- Discussion and Approval of Hazard Mitigation Planning Committee
- Introduction and Discussion with the Town Health Agent: *Health Agent Zachary Seabury*
- Discussion and Approval of Appointment of Shellfish Constable Christopher Avis
- Discussion and Approval of the Following Appointment:  
Economic Development Industrial Corporation *Commercial Rep., (Term Expires June 30, 2023): Rick Cayer*

**COMMUNICATIONS & CORRESPONDENCE**

**OLD BUSINESS**

- Discussion, Approval and Ratification of Save Popponesett Bay, Inc and Town of Mashpee Easement

**NEW BUSINESS**

- Discussion of Future Election Locations: *Town Clerk Deborah Kaye*
- Discussion of Charter Review Process and Charter Review Committee
- Update on Fiscal Year 2024 Capital Improvement Program Plan: *Town Manager Rodney Collins*
- Discussion of Joint Meetings with Regard to Water Quality

**ADDITIONAL TOPICS**

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

**LIAISON REPORTS**

**WATER QUALITY UPDATES**

**TOWN MANAGER UPDATES**

**EXECUTIVE SESSION**

**ADJOURNMENT**

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

Meeting Called to Order by Chairman Weeden at 6:30 p.m.  
Mashpee Town Hall, Waquoit Meeting Room

## MINUTES

Monday, January 9, 2023 Regular Session (Amended):

**Motion made by Selectman Cotton to approve the Regular Session minutes of Monday; January 9, 2023 as amended.**

**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

Monday, January 23, 2023 Regular Session Joint Meeting with AHT:

**Motion made by Selectman Wyman-Colombo to approve the Joint Meeting with the Affordable Housing Trust minutes and Regular Session minutes of Monday; January 23, 2023 as presented.**

**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

## APPOINTMENTS & HEARINGS

Public Comment:

Ken Dembrowski a resident of Great Field Landing related concern regarding comments made at the last Select Board meeting conveying the Town is in a crisis and would require an override in 2025 once the wastewater treatment center is connected. Mr. Dembroski indicated the Town needs spending control. A recent newspaper article stated the Town is in favor of expending \$200,000 on a disc golf course. Mr. Dembrowski stated he is not opposed, however fiscal irresponsibility is something the Town does not need. In his opinion this is a non-essential luxury item. Mr. Dembrowski indicated he is concerned with the message that is sent to the taxpayers when funds could be used for wastewater treatment.

For clarification purposes it was disclosed the disc golf project has met the criteria for Community Preservation Act funding. This source of funding cannot be used for wastewater initiatives.

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## **APPOINTMENTS & HEARINGS**

### Public Comment: (continued)

Town Manager Rodney C. Collins responded to the comments made by Mr. Dembroski for clarity. It was disclosed that overall, the Town of Mashpee is in very good financial shape. The Town has identified its focus on the priority of wastewater, and is making preparations for clean water. At the last meeting it was stated there is concern with the availability of funds operationally in fiscal year 2025 given the fact the budget is historically rising as a direct result of various cost increases. The Town is not able to make the transfer of one revenue source to another. Community Preservation Act funds cannot be used for wastewater or for operational purposes. Disc golf is therefore not a bigger priority than wastewater.

In closing, Lynne Barbee of Surf Drive made a public service announcement on the Local Comprehensive Plan (LCP) workshops. An issue came to light regarding the shortage of drivers who are much needed to transport seniors and others to various appointments. Further information can be found by calling the Senior Center/Council on Aging. The commitment to transport those in need is flexible.

### Public Hearing: New Livery, Vehicle for Hire Service Application, Amy Perry Erickson:

The Mashpee Select Board acting as the Local Licensing Authority for the Town of Mashpee opened the Public Hearing on the application of Amy Perry Erickson for the operation of (1) vehicle for Livery/Vehicle for Hire Service. The Hearing notice was read aloud into the record for informational purposes.

Ms. Erickson was in attendance to further review this request with the Select Board. Ms. Erickson indicated the main focus of this operation is to transport persons to the Logan and T.F. Green Airports.

It was disclosed no person shall engage in the business of transporting persons for hire in a vehicle, whether a taxi cab or livery, without having obtained a permit from the Select Board to include the designation of the number of vehicles to be used under such permit. The applicant is also required to submit a copy of the vehicle registration and a certificate of liability insurance to the Town of Mashpee.

The vehicle to be used by the applicant is also required to be inspected by the local Police Department. It was agreed the applicant would contact the Town Manager's Office to review the process to ensure all procedures are in place.

Being no public comment, the Select 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**

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## **APPOINTMENTS & HEARINGS**

Public Hearing: New Livery, Vehicle for Hire Service Application, Amy Perry Erickson: (continued)

**Motion made by Selectman Cotton Acting as the Local Licensing Authority of the Town of Mashpee approve the application of Amy Perry Erickson for the operation of (1) vehicle for Livery/Vehicle for Hire Service conditional on the endorsement of the Mashpee Police Department. 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

Public Hearing: New KENO License Application, Shree Kamakya Devi, Inc dba Mashpee Mini Mart, Subodh Basnet:

The Select Board opened the Public Hearing on the application of Shree Kamakya Devi, Inc. d/b/a Mashpee Mini Mart, 401 Nathan Ellis Highway for a new KENO License.

There was no representation present to discuss the KENO License application.

Correspondence received from the Massachusetts State Lottery Commission dated January 30, 2023 indicated that an application for a KENO license has been received from Mashpee Mini Mart, 401 Nathan Ellis Highway, Mashpee.

Without representation it was agreed this matter would be deferred to the next meeting. At this meeting, the Select Board will further discuss compliance as it pertains to existing bylaws related to signage that must be adhered to.

**Motion made by Selectman Cotton to continue the Public Hearing on the New KENO License Application pf Shree Kamakya Devi, Inc. d/b/a Mashpee Mini Mart to Monday; February 27, 2023 at a time to be determined.**

**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

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Discussion and Possible Approval of Special Event Application: Mashpee Half-Marathon, September 23, 2023: Jeffrey Smith:

The Select Board was in receipt of a Special Event Application from Outsider Endurance a multi-sport company to hold the 5<sup>th</sup> Annual Mashpee Half-Marathon on Sunday, September 23, 2023 from 7:00 a.m. to 10:30 a.m. beginning and ending on Great Oak Road, Mashpee.

It is estimated that 500 persons would attend the race with a majority of participants finishing by 9:00 a.m. Parking for the event is proposed at South Cape State Park, utilizing the paved side of McGregor's Road, the Bay Lot and Town Landing Road. The route of the 12.97 distance was presented to the Select Board for review.

Approvals from applicable regulatory departments include the following; Board of Health no comment, Building requirement to provide accessible parking and portable toilets and Police, requiring (15) detail officers for the event. Incomplete application requirements include the following; comment and a review of approval by the DPW and Fire Departments. The applicant is also required to provide a Certificate of Insurance Liability, naming the Town of Mashpee as an additional insured.

Discussion followed with respect to the need to fulfill the requirements in writing to be attached to the Special Event Application. The applicant was requested to coordinate the necessary requirements with the Office of the Town Manager. The matter was placed on HOLD at this time.

Discussion and Approval of Hazard Mitigation Planning Committee:

Acting on the recommendation of Jamie Caplan Consulting, LLC the Select Board took action to appoint representation to the Hazard Mitigation Planning Committee amending the representation of the Town Manager to include; or his designee.

**Motion made by Selectman Cotton to appoint the following to the Hazard Mitigation Planning Committee as recommended and amended;**

<b>Rodney Collins</b>	<b>Town Manager or his designee</b>
<b>Wayne Taylor</b>	<b>Assistant Town Manager</b>
<b>Chief Jack Phelan</b>	<b>Fire Department/Emergency Management</b>
<b>Chief Scott Carline</b>	<b>Police Department</b>
<b>Evan Lehrer</b>	<b>Town Planner</b>
<b>Catherine Laurent</b>	<b>Public Works Director</b>
<b>Ashley Fisher</b>	<b>Natural Resources Director</b>
<b>Andrew McManus</b>	<b>Conservation Agent</b>
<b>Zachary Seabury</b>	<b>Health Agent</b>

**And, the following representatives to be determined;**  
**Tribe representative**  
**Planning/Community Development member**  
**Resident (recommend 2-3 members at large)**

**Motion seconded by Selectman Wyman-Colombo.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

<b>Selectman Weeden, yes</b>	<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>
<b>Selectman Sherman, yes</b>	<b>Selectman Wyman-Colombo, yes</b>	<b>Opposed, none</b>

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## **APPOINTMENTS & HEARINGS**

### Introduction and Discussion with the Town Health Agent: Health Agent Zachary Seabury:

The Select Board met with the newly appointed Health Agent Zachary Seabury as an introductory meeting to further review regulations governing septic systems and cesspools including counts, enforcement authority and strategies.

The Select Board in previous round table discussions regarding wastewater management identified with the assistance of the Board of Health properties within close proximity to Santuit Pond as priority areas of focus due to the severe degradation of the pond. Compliance Orders were issued. Of the 121 properties close to this shoreline many have satisfied pumping requirements and others have automatically failed as the homes are using cesspools. At the workshop meeting, research was ordered to be conducted on all waterbodies within 300' of the shoreline.

Board of Health Agent indicated his department has been moving forward with new scanning equipment to tally the results of the impacted homes within the Mashpee shorelines and regarding the use of cesspools. However, there has been a glitch and it is necessary to make corrections before actual numbers are presented to the Select Board.

In concern to the lapse in time to conduct this review the Select Board directed the Board of Health Agent to prioritize the identification all cesspools in the Town of Mashpee.

To expedite the process, it was highly recommended the cesspools when detected be recorded and with notice to immediately advise the homeowner of this violation.

Discussion followed with regards to Title V and the requirement of septic haulers to provide within 14 days of pumping, the address where the pumping occurred and how much was removed. To maintain compliance, the Select Board requested a quarterly update to cross reference Board of Health data.

Additional information is requested on the number of Title V systems in the Town of Mashpee including dates of installations/upgrades as well as home construction dates for collation.

The Select Board in moving forward with corrective measures is receptive to providing ways to assist the homeowner with betterments, low interest loans and other funding opportunities.

Cesspools are a noted public safety hazard, and are not allowed in the Town of Mashpee. The Board of Health Agent was directed to draft a letter to be submitted to property owners in violation for the Select Board's review and approval.



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## **APPOINTMENTS & HEARINGS**

### Introduction and Discussion with the Town Health Agent: Health Agent Zachary Seabury: (continued)

With regards to the ban of cesspools, Mr. Seabury indicated the DEP is required to approve any regulations to be imposed. This includes the banning of cesspools and upgrades to Innovative Alternative (I/A) systems. Cesspools can be banned, but regulations need to be created and approved. Additional support in the Office of the Board of Health would advance the identification of cesspools and the older Title V systems.

The Select Board indicated the most critical areas highly prioritized include the proposed Phase III sewerage areas. The sooner the reaction, the more effective the result. The overall focus shall include all watershed corridors. This includes the river corridor to the 300' buffer mark.

Comments for the Board of Health Agent to incorporate into the proposed regulations include but are not limited to;

A ban on cesspools. If a cesspool is present in Phase I or II of the Watershed Plan, mandatory pumping shall be required;

All Title V systems proposed outside of Phase I and II including Title V systems must be approved by the Board of Health;

All Title V systems, as of a particular date will not be approved without a new I/A system; and to make note of the Barnstable County Septic Loan Program offering low interest rates to 0% financing. The applications are officially available on March 1, 2023.

In closing, Susan Dangel of Cotuit Road indicated that freshwater is impacted solely by phosphorus. The Innovative Alternative (I/A) systems do not remove phosphorus. There are composting systems and other alternative septic removal systems that could be combined with Title V systems to remediate this concern.

### Discussion and Approval of Appointment of Shellfish Constable Christopher Avis:

To conform to Massachusetts General Law Ch.130 §98, the Select Board is required to appoint Christopher Avis as Shellfish Constable for a period of three years. Mr. Avis was appointed by the Town Manager on December 21, 2022, and has completed all necessary course requirement under this general law.

**Motion made by Selectman Cotton to endorse and appoint Christopher Avis as Shellfish Constable for a 3-year term as per M.G.L. Ch. 130 §98.**

**Motion seconded by Selectman Wyman-Colombo.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Weeden, yes  
Selectman Sherman, yes

Selectman Cotton, yes  
Selectman Wyman-Colombo, yes

Selectman O'Hara, yes  
Opposed, none

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## **APPOINTMENTS & HEARINGS**

### Discussion and Approval of the Following Appointment:

Economic Development Industrial Corporation Commercial Rep., (Term Expires June 30, 2023): Rick Cayer:

Correspondence was received from the Economic Development Industrial Corporation dated February 9, 2023 recommending the appointment of Rick Cayer as a Commercial Representative with a term to expire; June 30, 2023. Mr. Cayer is a real estate investor with financial services experience.

In reviewing the composition of the EDIC it was recommended the Select Board consider adding more diversity to this board such as representation from the small business community, technology and/or accounting to bring a different perspective to economic development. In considering this recommendation it was noted that it is often difficult to fulfill quorum requirements in various boards and committees. Although advertisement is made regularly seeking candidates for appointment, there are a lot of vacancies. In this instance Mr. Cayer is well qualified for the position. The EDIC is represented in categories that include a member of the Select Board, a person in banking, real estate, commercial, as well as At Large membership.

**Motion made by Selectman Sherman to appoint Rick Cayer to the EDIC as the Commercial Representative.**

**Motion seconded by Selectman Cotton.**

**VOTE: Motion carries. 4-1.**

**Roll Call Vote:**

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, yes
Selectman Sherman, yes	Selectman Wyman-Colombo, no	Opposed, (1)

## **OLD BUSINESS**

### Discussion, Approval and Ratification of Save Popponesett Bay, Inc and Town of Mashpee Easement:

Assistant Town Manager Wayne E. Taylor recommended the Select Board move forward to approve and ratify the Agreement with Save Popponesett Bay, Inc. a non-profit corporation with ownership of beachfront property in Mashpee and the Town of Mashpee through its Select Board, an Easement located at the Popponesett Spit. This allows the Town of Mashpee on foot, the right of passage by members of the public over a portion of the property as described in Certificate of Title #182784.

**Motion made by Selectman Cotton to approve and ratify the agreement between Save Popponesett Bay, Inc. and the Town of Mashpee an Easement Agreement as presented.**

**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

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## **NEW BUSINESS**

### Discussion of Future Election Locations: Town Clerk Deborah Kaye:

Deborah Kaye, Town Clerk met with the Select Board to discuss and recommend approval of the relocation of precincts to the following locations;

Precincts 1 and 2: Council on Aging, 26 Frank E. Hicks Drive  
Precincts 3 and 4: Town Hall, (Waquoit & Ockway Meeting Rooms, 16 Great Neck Road North  
Precinct 5: Mashpee Public Library, (Event Room), 64 Steeple Street

Mrs. Kaye indicated the elections have been held at the Quashnet School (formerly the Mashpee Middle School) for the past 32 years. It is apparent there are safety concerns regarding the use of the schools, and there are concerns regarding the elderly traversing to and from this location.

All proposed locations are handicap accessible without impediments and have sufficient parking.

Early Voting By-Mail will continue and with the Select Board's approval voters would have the opportunity to Early Vote In-Person at the Mashpee Town Hall for all precincts. For the May 6, 2023 election, the Early Vote In-Person would begin on April 19, 2023 through April 26, 2023, ending two days prior to Election Day. Ample notification and signage are planned.

**Motion made by Selectman Sherman to accept the recommendation of the Town Clerk to move the Town of Mashpee precincts as identified.**

**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

**Motion made by Selectman Sherman to approve the Early Vote In-Person as presented.**

**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

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## **NEW BUSINESS**

### Discussion of Charter Review Process and Charter Review Committee:

In accordance with the Town Charter, periodic review of the Charter and its By-Laws shall occur at least once every (10) years, and thereafter in each year ending in a (3). A special committee to consist of (9) members shall be established for the purpose of reviewing the Charter and to make a report to Town Meeting.

In an effort to begin due diligence, the Select Board initiated the process. The makeup of the special committee includes; 2 members from the Select Board, 2 members from the Finance Committee, 2 members from the School Committee, 1 designee from the Planning Board and 2 persons to be appointed by the Town Moderator.

**Motion made by Selectman Cotton to recommend the Town move forward with the Charter Review process and form a Charter Review Committee nominating Selectman Carol A. Sherman as a Select Board representative.**

**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

**Motion made by Selectman Sherman to nominate Selectman David R. Weeden to serve on the Charter Review Committee as a Select Board representative.**

**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

### Update on Fiscal Year 2024 Capital Improvement Program Plan: Town Manager Rodney Collins:

The Capital Improvement Program (CIP) has begun its initial review process. The update on deliberations will be discussed with the Select Board at their next meeting to ensure accuracy in the financial projections for capital improvements prioritized in Fiscal Year 2024.

### Discussion of Joint Meetings with Regard to Water Quality:

As future roundtable meetings were reviewed it was agreed the Board of Health and the Board of Health Agent would attend the next workshop planned to cycle in between the Select Board's regular meeting schedule.

It is anticipated that strategies both long and short term would be developed in a smaller session prior to a larger scale meeting.

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## **WATER QUALITY UPDATES**

In considering the next round table discussion on wastewater it was agreed the Select Board would invite the former Board of Health Chair Brian Baumgaertel, Senior Environmental Specialist and Director of the MA Alternative Septic System Test Center on JBCC to the next meeting.

It is hopeful Mr. Baumgaertel would be able to attend this meeting to discuss the latest technologies that would include reductions in phosphorus as well as nitrogen. The Board of Health and the Board of Health Agent would also be invited to attend discussions, a date to be determined.

## **TOWN MANAGER UPDATES**

Town Auction: Receipts from the recent Town Auction of surplus items amounted to approximately \$100,000.

Town Meeting Warrant Articles: The deadline for the submission of articles for the May Special and Annual Town Meeting warrants is February 13, 2023. The warrant is comprised of articles submitted by Town Departments as well as Petition Articles.

## **ADJOURNMENT**

**Motion made by Selectman Sherman to adjourn at 8:27 p.m.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Weeden, yes  
Selectman Sherman, yes**

**Selectman Cotton, yes  
Selectman Wyman-Colombo, yes**

**Selectman O'Hara, yes  
Opposed, none**

Respectfully submitted,

Kathleen M. Soares  
Secretary to the Select Board



**AGENDA**  
**SELECT BOARD**  
**MONDAY, FEBRUARY 27, 2023**  
**WAQUOIT MEETING ROOM**  
**MASHPEE TOWN HALL**  
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**6:30 p.m. – Convene Meeting in Open Session**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MINUTES**

Approval of the Following Minutes: Monday, February 13, 2023 Regular Session

**APPOINTMENTS & HEARINGS**

- Public Comment
- 6:35 p.m. Public Hearing (Continued from February 13, 2023): New KENO License Application of Shree Kamakya Devi, Inc dba Mashpee Mini Mart, *Subodh Basnet*
- 6:40 p.m. Underground Cable and Conduit Hearing: NStar Electric Company d/b/a Eversource Energy (WO #11694812) *29 Echo Road*
- Discussion and Approval of Eversource Easement: (WO #2396598101) *Red Brook Road*
- 6:45 p.m. Public Hearing Transfer of Liquor License: Quashnet D&W LLC dba Valley Grille for a Transfer of Alcoholic Beverages License #004-RS-0670, 309 Old Barnstable Road, Mashpee, MA 02649: *Dawn Tormey*
- Update from the Cape Cod Commission: *Executive Director Kristy Senatori*
- Update on the Wastewater Project: *Ray Jack*
- Discussion and Approval of the Following Resignations and Appointments:  
Resignation: Mashpee Inclusion and Diversity Committee (Term Expires June 30, 2023): *Rachael Hicks*  
Reappointment: Community Preservation Committee (Term Expires June 30, 2023): *Dawn Thayer*
- Discussion and Approval of the Following Temporary Sign Permits:  
Mashpee Boosters Club Psychic Fair: March 4, 2023 – March 12, 2023  
Master Gardeners Plant Sale: May 16, 2023 – May 20, 2023

**COMMUNICATIONS & CORRESPONDENCE**

**OLD BUSINESS**

**NEW BUSINESS**

Discussion and Possible Approval of Draft #1 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles

**ADDITIONAL TOPICS**

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

**LIAISON REPORTS**

**WATER QUALITY UPDATES**

**TOWN MANAGER UPDATES**

**EXECUTIVE SESSION**

**ADJOURNMENT**

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

Meeting Called to Order by Chairman Weeden at 6:30 p.m.  
Mashpee Town Hall, Waquoit Meeting Room

## MINUTES

### Monday, February 13, 2023 Regular Session:

The minutes were requested to be amended on page 7, third paragraph by removing the wording: All cesspools proposed outside of Phase I and II including Title V systems must be approved by the Board of Health. To read: All Title V systems proposed outside of Phase I and II must be approved by the Board of Health. It was agreed the minutes would be held for review of accuracy.

**Motion made by Selectman Sherman to table the acceptance of the referenced minutes to a future Select Board meeting.**

**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

## APPOINTMENTS & HEARINGS

### Public Comment:

Ken Dembroski a resident of Great Field Landing offered comment on the wastewater plan stating the 800-pound gorilla is still in the room. Mr. Dembroski indicated the original \$54 million for phase I will only sewer 5% or approximately 450 homes. An additional \$12 million is further requested to fund the completion of Phase I. Mr. Dembroski asked how the Town intends to fund the project without additional revenue sources. It was recommended the Town consider reducing the CPA surcharge to 1% to support an increase to the WIIF from 2% to 3%. Comments regarding this concern were outlined. (enclosure)

John Cotton of Nobska Road indicated he recently attended a Zoning Board of Appeals meeting. The public comment portion of the meeting seemed unfair and disrespectful giving the impression the ZBA was not working above the board. It is hopeful the intent was to bring heightened awareness to the discussion. Mr. Cotton expressed appreciation to all the citizens who volunteer their time to serve on the various Town boards and committees.

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## **APPOINTMENTS & HEARINGS**

Public Hearing (Continued from February 13, 2023): New KENO License Application of Shree Kamakya Devi, Inc dba Mashpee Mini Mart, Subodh Basnet:

The Public Hearing continued from February 13, 2023 reconvened on the application of Shree Kamakya Devi, Inc., d/b/a Mashpee Mini Mart, 401 Nathan Ellis Highway, for a KENO license.

The Select Board received notice from the MA State Lottery Commission for informational purposes that an application was received from this establishment for a KENO license. The matter was held by the Select Board to ensure the applicant has complied with Town regulations regarding signage.

Mr. Kamakya Devi was in attendance to review the application request with the Select Board stating he would like to place a KENO monitoring screen inside the store to allow patrons to view the results of the game. Mr. Kamakya Devi indicated he holds a KENO license and has requested approval to install the monitoring screen.

In considering this proposal and in concern for safety, the Select Board requested affirmation that all bylaws and regulations relative to this type of establishment are adhered to. Of importance is clear visibility for safety within and outside the convenience store. It was noted this establishment has a previous violation regarding signage. Mr. Kamakya Devi indicated to his knowledge this has been corrected.

It was agreed that an onsite visit would be conducted to review matters of compliance. Being no further comment, the Select 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

**Motion made by Selectman Sherman to approve the application of Shree Kamakya Devi, Inc. d/b/a Mashpee Mini Mart, 401 Nathan Ellis Highway, Mashpee for a KENO license with a monitor conditioned upon the signage and conformance to the Town's regulations and bylaws.**

**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



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## **APPOINTMENTS & HEARINGS**

Underground Cable and Conduit Hearing: NStar Electric Company d/b/a Eversource Energy (WO #11694812) 29 Echo Road:

The Select Board opened the Public Hearing by reading aloud the notice of a pole hearing on Petition #11694812 dated February 10, 2023 from NSTAR Electric d/b/a Eversource Energy proposing to install approximately 60' of conduit necessary to provide electric service to #29 Echo Road, Mashpee. All necessary paperwork was in order for the Select Board's approval. Notice to abutters has been issued. Being no public 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

**Motion made by Selectman Sherman to approve Petition #11694812 from NSTAR Electric d/b/a Eversource Energy to install conduit under the public way of Echo Road necessary to provide electric service to #29 Echo Road, Mashpee.**

**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

Discussion and Approval of Eversource Easement: (WO #2396598101) Red Brook Road:

The Select Board reviewed the Eversource Easement Agreement between the Town of Mashpee and NSTAR Electric Company d/b/a Eversource Energy for underground lines for the distribution of electricity at the site; 101 Red Brook Road, Mashpee. The document has been reviewed to form by Town Counsel Patrick J. Costello.

**Motion made by Selectman O'Hara to approve the Eversource Easement WO#2396598 10240/010, 020, 030 & 040PD relative to 101 Red Brook Road, Mashpee 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

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## **APPOINTMENTS & HEARINGS**

Public Hearing Transfer of Liquor License: Quashnet D&W LLC dba Valley Grille for a Transfer of Alcoholic Beverages License #004-RS-0670, 309 Old Barnstable Road, Mashpee, MA 02649: Dawn Tormey:

The Select Board acting as the Licensing Authority for the Town of Mashpee opened the Public Hearing on the application of Quashnet D&W, LLC d/b/a Valley Grille for a Transfer of Alcoholic Beverages License #004-RS-0670 at the subject premise; 309 Old Barnstable Road, Mashpee. In accordance with posting requirements, the Hearing notice was read aloud into the record.

Dawn Tormey, Manager was in attendance with representing counsel to discuss the intent of the Transfer of License. Ms. Tormey would retain 100% of ownership and is well qualified to hold the alcoholic beverages license at the subject establishment. There are no changes planned. With the Select Board's approval the license would be forwarded to the ABCC for final approval.

Being no comment, the Board motioned as follows;

**Motion made by Selectman O'Hara to close the Public Hearing.**

**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	Opposed, none

**Motion made by Selectman Cotton to approve the application of Quashnet D&W, LLC d/b/a Valley Grille for a Transfer of Alcoholic Beverages License; #004-RS-0670, 309 Old Barnstable Road, Mashpee as presented.**

**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

Update from the Cape Cod Commission: Executive Director Kristy Senatori:

The Select Board met with Kristy Senatori, Executive Director of the Cape Cod Commission to review the highlights of recent activities. Ms. Senatori recognized Mashpee's representatives to the CCC; Ernest Virgilio giving 25 years of dedicated service as well as the commitment offered by Select Board member; David W. Weeden.

The CCC has been working diligently to address the Cape's most critical challenges. This includes housing, freshwater and coastal water quality, climate change and coastal resiliency as well as economic stability and infrastructure in 2022.

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## **APPOINTMENTS & HEARINGS**

### Update from the Cape Cod Commission: Executive Director Kristy Senatori: (CONTINUED)

Regional housing strategies are underway to address supply, affordability and attainable housing. The Commission has begun identifying appropriate areas for housing development. Efforts include structuring a robust stakeholder process, data collection and review of housing plans, profiles and typologies. Baseline data is being compiled for the Cape as a whole and for individual communities with specific challenges.

The OneCape Summit held this past August focused on ways to improve housing affordability and accessibility including managing the Cape's aging infrastructure, and addressing marine and freshwater quality, mitigating and adapting to climate changes.

Chairman Weeden indicated he also attended the OneCape Summit. Water quality is an issue and it is hopeful the Town of Mashpee would receive the designation as an Environmental Justice community. The Environmental Justice designation lists communities most impacted and overburdened by environmental injustice. Although the Cape Cod Commission does not make this determination, the CCC is expected to incorporate equity considerations into their planning. This would impact their regulatory program, and comments would be made with officials who determine the mapping decisions.

The CCC is working on a municipal electric vehicle bylaw designed to serve as a resource for communities seeking to incorporate EV charging infrastructure in their local bylaws. It was recommended the CCC take a firm stance to mandate solar and other forms of renewables when considering Developments of Regional Impact. The action for roof top solar and solar canopies would help to cease the clearing of habitat for wildlife and other natural variables. Ms. Senatori indicated there are a number of solar elements in housing, and guidelines to incorporate some of the elements of solar and other types of renewable energy. The regional plan is due for a 5-year update so there will be opportunities to amend these regulations.

The matter of broadband was discussed. It was agreed that increasing the capacity of fiberoptic would bring more opportunities to the Cape. The CCC is working to identify areas to attract businesses.

There are concerns with respect to water resources. The Cape being a single source aquifer needs to protect and replenish its drinking water sources, especially in drought conditions. As the CCC moves forward with planning, zoning and other regulated matters would be studied. It was suggested the CCC develop a more comprehensive zoning analysis on the Cape to further review responsible development.

A handbook was provided detailing the accomplishments and actions taken by the Cape Cod Commission in 2022. (enclosure)

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Update on the Wastewater Project: Ray Jack:

The Select Board met with Raymond Jack to further review the progress of the Phase I Wastewater Plan. The contracts associated to his phase include;

- Contract #1 – Water Resource Recovery Facility – New MBR Facility (South of the Transfer Station)
- Contract #2 – Collection System North (North of Route 28)
- Contract #3 – Collection System South (South of Route 28), Includes 3 Lift Stations

The adjusted Contract #1, \$27,905,000 with a \$1,507,000 change order for the carbon scrubber and 2 additional process tanks; \$29,502,000 adjusted contract value is moving forward to project completion. It is anticipated the Phase I project would be completed by December 1, 2024.

It was noted the additional tanks would represent an overall cost savings, give capacity through Phase II, and avoid disruption and risks in digging if the tanks were installed after the initial construction. For cost effectiveness and warranties, the additional process tanks will not be equipped until they are ready for use.

Contract #2 North \$5,024,198 is 19.6% complete with no change orders anticipated. Contract #3 South \$9,806,731 (Base bid with wet well coating and lift stations), no change orders to date.

Mr. Jack indicated the State Revolving Fund (SRF) 0% interest loan was approved in January 2023 for \$54 million. The Town of Mashpee is on the Intended Use Plan (IUP) list for the additional \$12 million required to complete Phase I construction. A May 2023 Town Meeting article is on the warrant to complete the project.

It is anticipated that roadwork on Route 28 from the Mashpee Rotary to Orchard Road would commence in early April. The Town is applying for a state permit to conduct the work. When approved the Town is expected to give ample notification to the road construction project and use of alternate detour roads. Notification would include a specific email address for public comment and concerns.

Discussion and Approval of the Following Resignations and Appointments:

Resignation: Mashpee Inclusion and Diversity Committee (Term Expires June 30, 2023): Rachael Hicks:

Correspondence was received from Rachael Hicks dated February 21, 2023 resigning from the Mashpee Inclusion and Diversity Committee.

**Motion made by Selectman Sherman to accept the resignation of Rachael Hicks from the Mashpee Inclusion and Diversity Committee sending a letter of appreciation to Ms. Hicks for her service.**

**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

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## **APPOINTMENTS & HEARINGS**

Reappointment: Community Preservation Committee (Term Expires June 30, 2023): Dawn Thayer:

The Select Board was in receipt of a letter from Dawn M. Thayer dated February 17, 2023 requested the Board rescind her letter of resignation for the At Large membership to the Community Preservation Committee.

**Motion made by Selectman Sherman to rescind and reappoint Dawn M. Thayer to the Community Preservation Committee as an At Large member.**

**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

Discussion and Approval of the Following Temporary Sign Permits:

Mashpee Boosters Club Psychic Fair: March 4, 2023 – March 12, 2023: CS/JC 5-0. Signs and event.

A Special Event Application was before the Select Board for the annual Mashpee Boosters Club Psychic Fair scheduled to be held on March 12, 2023 from 10:00 a.m. to 4:00 a.m. at the K.C. Coombs School. The Club has requested the Select Board approve 8 temporary sign banners; 2'x2' at various locations to announce the event from March 4, 2023 to March 12, 2023.

**Motion made by Selectman Sherman to approve the Mashpee Boosters Club Annual Psychic Fair and request for a Temporary Permit 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

Master Gardeners Plant Sale: May 16, 2023 – May 20, 2023:

The Master Gardeners submitted a Special Event Application to the Select Board for their annual plant sale on May 20, 2023. Ten Signs; 24"x18" are planned at various locations to announce the event from May 16, 2023 to May 20, 2023.

**Motion made by Selectman Sherman to approve the Mashpee Gardeners Annual Plant Sale and request for a Temporary Permit as presented.**

**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

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Discussion and Possible Approval of Draft #1 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles:

Andrew McManus was in attendance to request the Select Board withdraw the Disc Golf article. Mr. McManus indicated that he intends to postpone the request for CPA funding to October 2023. Various reasons to support this request were outlined in a memorandum addressed to the Town Manager and CPC Chair dated February 27, 2023.

The Select Board reviewed and deliberated on the following articles contained in Draft #1 of the Special and Annual Town Meeting warrants of Monday, May 1, 2023.

Special Town Meeting Warrant:

- Article: To fund a deficit in the Snow & Ice Account – HELD
- Article: To pay bills received at the end of a previous fiscal year – HELD
- Article: To set aside funds to the Capital Stabilization Account – HELD
- Article: CPC –To set aside the Surplus 10% Reserves (if received) - HELD
- Article: To provide funds to cover the shortfall in the Fire Department Salary Account;  
\$101,450 from the Ambulance Reserved Receipts Account

**Motion made by Selectman Sherman to approve and recommend the allocation of funds to cover the shortfall in the Fire Department Salary Account.**

**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

- Article: CPC to fund the Quashnet School Playground Improvement Project Phase II- \$378,080

Motion made by Selectman Sherman to approve the recommend the Quashnet School Playground Improvement Project.

Motion seconded by Selectman O'Hara. Motion withdrawn.

It was requested the DPW Director attend the next meeting to further review this article.

**Motion made by Selectman Sherman to HOLD this article.**

**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

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Discussion and Possible Approval of Draft #1 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article: CPC – Edward A. Baker Boat Ramp at Pirate’s Cove Improvement Project Phase II - \$425,000

**Motion made by Selectman Sherman to approve and recommend the Edward A. Baker Boat Ramp at Pirate’s Cove Improvement Project Phase II.**

**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

Article: CPC – 18-Hole Disc Golf Course Project - \$200,000; Recommendation to Remove

**Motion made by Selectman Sherman to remove the 18-Hole Disc Golf Course Project.**

**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

Article: CPC – Affordable Housing Trust - \$550,000

**Motion made by Selectman Sherman to approve and recommend the Affordable Housing Trust article.**

**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

Article: CPC – Le Clair Village Affordable Housing Project - \$500,000

**Motion made by Selectman Cotton to approve and recommend the Le Clair Village Affordable Housing project.**

**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

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Discussion and Possible Approval of Draft #1 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article: CPC – Acquisition of 751 Main Street for Affordable Housing – TBD (Placeholder)  
HELD

Annual Town Meeting Warrant:

Article: Acceptance of 2022 Town Report

**Motion made by Selectman Cotton to approve the recommend the Annual Town Report article.  
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	Opposed, none

Article: Omnibus Budget

**Motion made by Selectman Sherman to approve and recommend the Omnibus Budget article.  
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

Article: Capital Improvement Program – HELD

Article: Cape Cod Regional Technical School Budget – HELD

Article: Cape Cod Regional Technical School Debt Assessment – HELD

Article: Other Postemployment Benefits Irrevocable Trust Fund - \$250,000

**Motion made by Selectman Sherman to approve and recommend the OPEB article.  
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



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Discussion and Possible Approval of Draft #1 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article: Revolving Funds; Recreational/Library/Senior Center/Historical Commission

**Motion made by Selectman Cotton to approve and recommend the expenditure limits of the Revolving Funds.**

**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

Article: Injured on Duty Fund - \$250,000

**Motion made by Selectman Cotton to approve and recommend the Injury on Duty Fund.**

**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	Opposed, none

Article: PEG Access and Cable Related Fund – HELD

**Motion made by Selectman Sherman to HOLD the PEG Access and Cable Related Fund article.**

**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

Article: Phase I Wastewater - \$12,000,000

**Motion made by Selectman Sherman to approve and recommended the Phase I Wastewater article.**

**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

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Discussion and Possible Approval of Draft #1 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article: Chapter 90 Program - HELD

**Motion made by Selectman Sherman to HOLD the Chapter 90 article.**

**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

Article: Kids Klub Enterprise Fund - \$486,380

**Motion made by Selectman Cotton to approve and recommend the Kids Klub Enterprise Fund.**

**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

Article: CPC Administrative/Operating Funds - \$40,000

**Motion made by Selectman Sherman to approve and recommend the CPC Administrative/Operating budget.**

**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

Article: Massachusetts Water Pollution Abatement Trust Loans

**Motion made by Selectman Sherman to approve and recommend the MWPAT article.**

**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

\*Explanation to be clarified. Can rates be staggered? Agenda topic of discussion.

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Discussion and Possible Approval of Draft #1 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article: All Contract Settlement Articles – HELD

Article: To authorize the lease of land to the Boys & Girls Club of Cape Cod

**Motion made by Selectman Cotton to approve and recommend the Lease of Land article.  
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

Article: Human Services Opioid Settlement Account - \$152,956

**Motion made by Selectman Cotton to approve and recommend the Human Services Opioid Settlement Account article.**

**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

Article: Santuit Pond Prohibited Uses

**Motion made by Selectman Sherman to approve and recommend the Santuit Pond Prohibited Uses article.**

**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

Article: DNR- Part-time Administrative Secretary - \$66,005.15

**Motion made by Selectman Sherman to approve and recommend the DNR – Part-time Administrative Secretary article.**

**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

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Discussion and Possible Approval of Draft #1 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article: To Fund Various Waterways Projects - \$75,000

**Motion made by Selectman Cotton to approve and recommend the Waterways Projects article.  
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

Article: Zoning Table of Use Regulations – HELD

Article: Land Space Requirements Table – HELD

Article: Solar Energy Systems – HELD

Article: To upgrade and create positions at the Library.

**Motion made by Selectman Cotton to approve and recommend the Library article.**

**Motion seconded by Selectman Wyman-Colombo.**

**VOTE: Unanimous. 4-0-1.**

**Roll Call Vote:**

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

Article: To create one full-time Circulation Assistant position; Library \$37,402.79

**Motion made by Selectman Sherman to approve and recommend the Circulation Assistant position to the Library.**

**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

Article: To Transfer from the Ambulance Reserved Receipts to cover a shortfall - \$507,250 – HELD

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Discussion and Possible Approval of Draft #1 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article: To increase the current 100' buffer zone to wetlands to 150'

Paul Colombo, Chair of the Conservation Commission indicated the two amendment articles are extremely critical and would provide a necessary cog. Mashpee would be in the forefront as the first Cape community to move forward with the understanding that increasing a setback would give the waters a chance to rejuvenate. The existing bylaws were adopted and approved 26 years ago.

The current regulations have not effectively protected the waters and the benefit of wastewater improvements may not be realized for 15-20 years. This change would have no effect on existing properties. Increasing the buffer zone to wetlands would provide increased pollution and sediment removal from waters entering wetlands, and increase the area available for wildlife habitat.

As discussion followed there was strong opposition to this proposal.

**Motion made by Selectman Sherman to approve and recommend the article to increase the current buffer zone.**

**Motion seconded by Selectman Cotton.**

**VOTE: 4-1. Motion carries.**

**Roll Call Vote:**

Selectman Weeden, yes	Selectman Cotton, yes	Selectman O'Hara, no
Selectman Sherman, yes	Selectman Wyman-Colombo, yes	Opposed, (1)

Selectman O'Hara left the meeting.

Article: To increase the current 100' buffer zone to wetlands to 150' and to increase the current requirement of a 50' Naturally Vegetated Buffer Strip to 75'.

**Motion made by Selectman Cotton to approve and recommend the increase to the buffer zone and Naturally Vegetated Buffer Strip article.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 4-0.**

**Roll Call Vote:**

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

The remainder of articles are submitted by Petition. There was no action taken due to the late hour.

Mashpee Select Board  
Minutes  
February 27, 2023

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## **LIAISON REPORTS**

JBCC Meeting: At the last Joint Base Cape Cod meeting there was discussion regarding the replacement of the bridges at the canal. A total of four bridges are proposed. The \$3.9 billion dollar project would increase the travel lanes from two to three lanes in each direction. Funds are not readily available for this project.

Chamber of Commerce: It was announced that Ruth Provost, Executive Director of the Boys and Girls Club of Cape Cod was chosen as Citizen of the Year. A total of (9) Unsung Heroes have been named. The awards ceremony will be held at the Chamber's annual dinner.

## **WATER QUALITY UPDATES**

Barnstable County Septic Loan Program: Income guidelines for tiered septic loans are expected to be published next week.

## **TOWN MANAGER UPDATES**

SAFER Grant: The SAFER grant voted upon at the May 2022 Town Meeting has been received. The grant program authorizes the re-creation of employment positions for the hiring of (4) additional Firefighters funded for three years. Thereafter, the Town would be responsible for all salaries and expenses. The extension of the positions is not required for grant funding. Upon the expiration of the term it is likely the staffing would continue with additional funds deriving from the Ambulance Receipts Account.

Selectman O'Hara, present.

CIP: With the assistance of Town Counsel the Town Manager is currently working on protocols associated to the Capital Improvement Program. This includes the adoption of a five-year Capital Improvement Program presentation to the Finance Committee for its report to the Spring Annual Town Meeting. In accordance with the Charter, the CIP studies the proposed capital outlays involving the acquisition of land or any expenditure of \$25,000 or more having a useful life of three years.

Board of Health: It is anticipated the cesspool compilation would be available for review by March 31<sup>st</sup>.

Legislative Communication: The Town Manager is scheduled to discuss Federal funding initiatives for wastewater with representatives from the U.S. Senator's Office.

Mashpee Select Board  
Minutes  
February 27, 2023

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**ADJOURNMENT**

**Motion made by Selectman Cotton to adjourn at 9:47 p.m.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Weeden, yes  
Selectman Sherman, yes**

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

Respectfully submitted,

Kathleen M. Soares  
Secretary to the Select Board

*Enclosures:*

Public Comment Memo  
CCC – 2022 Year in Review



**PUBLIC HEARING NOTICE  
MASHPEE SELECT BOARD**

In accordance with the provisions of the Mashpee Home Rule Charter, Section 7-9, the Mashpee Select Board will conduct a Public Hearing relative to the proposed removal of Mohamad Fahd as an appointed member of the Mashpee Community Garden Advisory Committee.

Said public hearing will be conducted on Monday, March 13, 2023 at 6:30 p.m. in the Waquoit Meeting Room at Mashpee Town Hall, 16 Great Neck Road North, Mashpee, MA 02649.

You may submit comments and questions via email to [bos@mashpee.ma.gov](mailto:bos@mashpee.ma.gov) prior to the meeting date and time.



**PUBLIC HEARING  
NOTICE  
MASHPEE SELECT  
BOARD**

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You may submit comments and questions via email to [bos@mashpee.ma.gov](mailto:bos@mashpee.ma.gov) prior to the meeting date and time.

Per Order of:

**Select Board**

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

March 3, 2023

Per Order of,

**Select Board**

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



*"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

February 23, 2023

Mohamad Fahd

Mashpee, MA 02649

Dear Mr. Fahd:

This letter shall serve notice pursuant to the Town of Mashpee Town Charter, Section 7-9: *Removals and Suspensions*, that the Mashpee Select Board may contemplate removing you from your appointed position on the Mashpee Community Garden Advisory Committee. Based on evidence, the pending removal may be necessary to protect the interests of the Town. The reasons for the contemplated removal are allegations of repeated disregard of the committee's "decisions, garden protocol and Mashpee Community Garden Advisory Committee rules and regulations over the course of the last year."

As you know, a complaint was issued against you by Chair Virginia Scharfenberg of the Mashpee Community Garden Advisory Committee. According to Chair Scharfenberg, your actions have "consistently undermined the purpose and charge" of the Community Garden Advisory Committee to provide a "collaborative, cooperative and enjoyable community garden experience." This information was articulated in a letter from Chair Scharfenberg on September 13, 2022. The allegations are deemed to be a reasonable basis that you are culpable of conduct unbecoming, insubordination to proper authority, inefficiency, or other good cause. It is my understanding that you have received copies of all materials submitted by Chair Scharfenberg.

In accordance with Town of Mashpee Town Charter, Section 7-9 (b), within five (5) days of receipt of this notice you may request a public hearing. Failure to request the public hearing within five (5) days of receipt of this letter shall be a waiver and the Appointing Authority shall make a final determination on your removal from the Mashpee Community Garden Advisory Committee in accordance with the Town Charter. If you wish to have a public hearing, it shall be scheduled on Monday, March 13, 2023 at 6:30 pm at the Waquoit Meeting Room, Mashpee Town Hall, 16 Great Neck Road North, Mashpee, Massachusetts. If you decide to have a public hearing, testimony may be offered and evidence may be introduced against you. You may be represented by counsel or a person of your choice. You will be provided with an opportunity to present evidence, call witnesses and to question any witness appearing at the hearing in defense of these charges. If you decide to resign as a member of the Community Garden Advisory Committee, no hearing will be scheduled.

If a public hearing is requested, protocols on the said hearing will be explained at the beginning of such hearing. However, if you have any questions in advance, please don't hesitate to contact me.

As you know, an attempt was made to mediate the differences articulated in this matter. No reconciliation could be reached.

The Select Board shall take final action pursuant to Section 7-9 (c) of the Mashpee Town Charter. (See enclosed)

Sincerely,

A handwritten signature in dark ink, consisting of a stylized 'R' followed by a series of loops and a long horizontal stroke.

RODNEY C. COLLINS  
Town Manager

Cc: Chair Scharfenberg  
Select Board Office  
Enclosure

- (f) Composition of Multiple Member Bodies - All multiple member bodies when established shall be composed of an odd number of members. Whenever the terms of office of a multiple member body are for more than one year such terms of office shall be so arranged that as nearly an equal number of terms as is possible will expire each year.

#### SECTION 7-9: REMOVALS AND SUSPENSIONS

Any appointed town officer, member of a multiple member body or employee of the town, not subject to the provisions of the state civil service law, or covered by the terms of a collective bargaining agreement which provides a different method, and whether appointed for a fixed or an indefinite term, may, for good cause, be suspended or removed from office, without compensation, by the officer or multiple member body which appoints such officers, members of multiple member bodies, or employees. The term cause shall include, but not be limited to the following: incapacity other than temporary illness, inefficiency, insubordination and conduct unbecoming the office. Any appointed officer, member of a multiple member body or employee of the town may be suspended from office by the officer or multiple member body which appoints such officers, members of multiple member bodies, or employees, if such action is deemed by said appointing authority to be necessary to protect the interests of the town. However, no suspension shall be for more than fifteen (15) days. Suspension may be concurrent with removal and shall not interfere with the rights of the officer or employee under the removal procedure given below. The appointing authority when removing any such officer, member of a multiple member body or employee of the town shall act in accordance with the following procedure:

- (a) A written notice of the intent to remove and a statement of the cause or causes therefore shall be delivered in hand, or by certified mail, return receipt requested, to the last known address of the person sought to be removed.
- (b) Within five (5) days following delivery of such notice the officer, member of a multiple member body or employee of the town may request a public hearing at which such person may be represented by counsel, shall be entitled to present evidence, call witnesses and to question any witness appearing at the hearing.
- (c) Between one (1) and ten (10) days after the public hearing is adjourned, or if the officer, member of a multiple member body or employee of the town fails to request a public hearing between six (6) and fifteen (15) days after delivery of the notice of intent to remove, the appointing authority shall take final action, either removing the officer, member of a multiple member body or employee of the town or notifying such person that the notice is rescinded. Failure of the appointing authority to take any action within the time periods as stated in this Section shall be deemed to be a rescission of the original notice and the officer, member of a multiple member body or employee shall, forthwith, be reinstated and any compensation of such officer, member of a multiple member body or employee which was withheld during such suspension shall be promptly paid. Nothing in this Section shall be construed as granting a right to such a hearing when a person who has been appointed for a fixed term is not reappointed when a fixed term expires.

**Town of Mashpee  
Board of Selectmen**

**Policy No: 078**

**Mashpee Community Garden Advisory Committee**

**I. PURPOSE**

The Mashpee Community Garden Advisory Committee (MCGAC) is hereby established by the Town of Mashpee Board of Selectmen (Selectmen) to advise and assist the Town with respect to the creation, maintenance, and improvement of the Mashpee Community Garden located off 400 Main Street (Route 130), which property is owned by the Town of Mashpee and is under the jurisdiction of the Mashpee Historic District Commission, as well as various other Town-owned properties deemed to be suitable by the Town for garden use/improvements including, but not limited to, areas within the layouts of Town ways (collectively "Garden Sites").

The MCGAC's charge is to work in conjunction with Town officers/agencies and other interested organizations/individuals to:

- a) improve and enhance the value and appearance of the Community Garden and other Garden Sites;
- b) create a space and an opportunity for individuals, children, families and community organizations to cultivate gardens for food and flowers and to learn about growing fresh vegetables; and
- c) provide agricultural/horticultural educational programs, activities, and other related community benefits.

**II. POLICY**

The MCGAC shall be deemed a public multi-member body of the Town of Mashpee, serving as an advisory committee to the Board of Selectmen for the purposes stated herein, and it shall, accordingly, comport with all applicable provisions of General Law, Town Charter and Bylaws, relative to the conduct of its meetings and the execution of its duties and responsibilities.

**III. DUTIES AND RESPONSIBILITIES**

The duties and responsibilities of the MCGAC specifically include the following:

- a) develop and recommend a master plan for improvement and use of the Garden Sites;
- b) set specific goals/objectives for Garden Site improvements;
- c) make recommendations to the Town Manager with respect to implementation of those recommended improvements;
- d) help solicit private financial support for the Garden Sites and related activities conducted at said Sites;
- e) coordinate and supervise any volunteers providing services and participants engaged in gardening activities at the Community Garden and other Garden Sites; and
- f) work closely with Mashpee Public Works and other relevant Town Departments, the Mashpee Historic District Commission, Mashpee Historical Commission and other interested organizations

and individuals to ensure that the Community Garden and the other Garden Sites are well managed and maintained for the benefit of the entire Mashpee community.

#### **IV. MEMBERSHIP**

The MCGAC will consist of seven (7) members appointed by the Board of Selectmen for terms of three (3) years. The terms of all members shall run for three (3) years, *except* the terms of members appointed as of July 1, 2018, shall be adjusted and thereafter staggered as follows: two terms ending in 2019, two terms ending in 2020 and three terms ending in 2021, so that the terms of not more than three (3) members shall terminate in any single year. Committee members must be residents of the Town of Mashpee. Selectmen will fill all Committee vacancies which may arise upon notification thereof.

#### **V. ORGANIZATION**

The MCGAC will elect a Chairman, Vice Chairman and Secretary at its annual meeting, which will be held in July of each year, and it shall adopt such rules and regulations regarding its proceedings as the Committee shall deem appropriate.

#### **VI. COORDINATION AND APPROVAL OF ACTIVITIES**

The MGCAC shall report to, and all recommendations/actions undertaken by it shall be subject to approval by, the Town Manager or his designee.

*Adopted by the  
Mashpee Board of Selectmen  
May 21, 2018*

**Town of Mashpee  
Board of Selectmen**

**Policy No: 008**

**Control of Town Property**

The Town Manager shall be responsible for the proper use of all Town property other than that under the control of the School Committee and the Conservation Commission.

The placement of ornamental objects on Town property, described above, shall be contingent on approval by the Town Manager. Nothing in this policy is intended to discourage the placement of flags, seasonal decorations, or plants and flowers on Town property.

The Board of Selectmen will consider appeals of decisions of the Town Manager if the reasons for the appeal are provided to the Board in writing.

***Adopted by the  
Mashpee Board of Selectmen  
September 18, 1989***

**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 1<sup>st</sup>, 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 2<sup>nd</sup> 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 1<sup>st</sup>, 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

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 20<sup>th</sup> meeting.
- This is an unfortunate situation but one for which there are consequences, including your removal from the MCGAC Board of Directors.

*Virginia Scharfenberg*

Virginia Scharfenberg | President

Mashpee Community Garden Advisory Committee (MCGAC)

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



# *Town of Mashpee*

Mashpee Community Garden Advisory  
Committee

16 Great Neck Road North  
Mashpee, MA 02649

August 18, 2022

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

RE: Request for Dismissal of Mashpee Community Garden Advisory  
Committee (MCGAC) Board Member Mohamad Fahd

Dear Members of the Select Board:

The MCGAC Board of Directors has had concerns about Board member Mohamad Fahd for some time, based on a number his ongoing actions, refusal to comply with Board directives and garden rules, and lack of constructive engagement with the Board. At our July 20, 2022 meeting we unanimously passed a vote of No Confidence and as President I was asked to confer with the Select Board office about next steps for his dismissal.

We understand that since the Select Board appoints members of Town boards, the MCGAC Board needs to request a dismissal in order to do so. Understanding that, the MCGAC Board of Directors, at its August 17, 2022 monthly meeting, unanimously voted 6-0 to request the Select Board to dismiss Mohamad Fahd from his appointed directorship. (His 3-year term is scheduled to end June 30, 2023.)

Mr. Fahd had informed us that he would be writing a response to my August 8, 2022 email and letter sent via certified mail. He did not do so and asked to state his piece at the August 17<sup>th</sup> Board meeting. As of the meeting date he had not complied with the requests set forth in the letter, all of which had been raised during the course of the 2022 gardening season as well. The discussion resolved nothing; thus the above referenced motion to request dismissal from the Select Board was passed. Mr. Fahd voted for it as well, stating that he wanted to present his case to the Select Board.

Please advise if you need anything else and whether this might appear on the agenda for Monday, August 22, 2022 Select Board meeting.

Virginia Scharfenberg | MCGAC President



# 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 his dismissal not be considered until after the October 4<sup>th</sup> election of a replacement Select Board member. Per your review of the Town calendar, the first possible meeting date after the election is November 17, 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 last year. His actions have consistently undermined the purpose and charge of MCGAC to provide a collaborative, cooperative and enjoyable community garden experience.

Respectfully,

Virginia Scharfenberg | Chair

Mashpee Community Garden Advisory Committee (MCGAC)

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







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

**ANNUAL MEETING AGENDA**

**July 20, 2022 7:00 P.M.**

**Popponessett Room, Town Hall**

**Masks required**

**MASHPEE TOWN CLERK**

**JUL 15 2022**

RECEIVED BY: JK 8:30 AM

**CALL TO ORDER**

**Meeting Minutes for June 15, 2022**

**COMMUNICATIONS and CORRESPONDENCE**

**REPORTS:**

- Community garden expansion completion 7/12/22 - Virginia Scharfenberg
- Revised Plot Assignment charts for 2022 season and payment issues – Sheryl Carberry and Virginia Scharfenberg
- Update on Recording Secretary position – Virginia Scharfenberg

**OLD BUSINESS:**

- "Welcome Back to the Garden" gathering/revised date of July 16 (July 17 rain date) – Virginia Scharfenberg
- Discussion of potential new Board members and timeline for appointment\*
- Compost Bins removal and disposal area preparation - Virginia Scharfenberg
- Demonstration garden bed soil improvements and additional planting schedule – Lynn Harris

**NEW BUSINESS:**

- Review of protocols for use of community garden property – Virginia Scharfenberg
- Review of 3 finalized form letters for gardeners and whether needed for plots needing attention as of 7/20/22 – Lynn Harris & Virginia Scharfenberg
- Discussion of process for Rules & Regulations enforcement in 2022 - Virginia Scharfenberg
- Schedule for filling Michael Talbot's vacant seat and Lynn Harris's upon resignation

**\*Board Members as of 6/16/22:**

**Virginia Scharfenberg**

**Frank Gallelo**

**Mohamad Fahd**

**Lynn Harris**

**John Carter**

**Sheryl Carberry**

**OTHER BUSINESS:**

**ADJOURNMENT**

**NEXT MEETING DATE: Wednesday August 17, 2022 at Town Hall unless Zoom deemed necessary**

**MASHPEE COMMUNITY GARDEN ADVISORY COMMITTEE (MCGAC)**  
**ANNUAL MEETING MINUTES**  
**July 20, 2022 7:00 P.M.**  
**Popponessett Meeting Room**

**PRESENT:** Virginia Scharfenberg, Sheryl Carberry, Frank Gallelo, John Carter, Lynn Harris, Mohamad Fahd (partial)

**GUEST:** Kirsten Nordstrom, gardener

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

**Meeting Minutes for June 15, 2022** – Approved unanimously

**COMMUNICATIONS and CORRESPONDENCE** – none to report

**REPORTS and RELATED DISCUSSION:**

- Virginia Scharfenberg reported that new garden with fencing was completed by contractors on July 12, 2022. New gardeners, as well as all those using 20 original beds, were sent an email invitation to attend a 10:30 AM Welcome Gathering on Saturday, July 16<sup>th</sup> at the garden. It was well attended by new gardeners.
- Garden charts will be updated by Sheryl Carberry to reflect a newly vacated plot and replacement gardener.
- The shed lock box that had broken was replaced by Rick Harris. The combination remains the same.
- Discussion of gardeners' responsibility for own watering of their beds, including asking a fellow gardener to do so if they cannot be there on given days.
- Discussion of two gardeners' inquiries about soil testing of the soil/compost brought from Mashpee transfer station for filling the new beds. They expressed concern about the possibility of PFAS presence since they had seen reference to a PFAS issue with a large composting facility in the state.
  - Virginia reported that the UMass Soil & Plant Tissue Testing Lab in Amherst does not test for PFAS, but that she will send a sample to the Lab this week requesting their standard test.
  - Virginia will check with APCC to confer with them about information they may have relating to PFAS soil testing, the purpose being that we would have something we could pass on if an individual requested more information.
  - The Board concluded that since the soil is Town generated and owned, it would be their call as to whether to do any kind of advanced testing such as this.
- The Board discussed dividing up the list of new gardeners, and perhaps that of renewed gardeners, to call and personally review the Rules & Regulations. This should be done sooner rather than later to ensure that there is no confusion about expectations.
  - Virginia will draft talking points as needed to provide consistency in our review with individuals and call Board members with assignments, hopefully within the next week.
  - The Board was reminded that the Rules & Regulations need to be referenced when dealing with garden situations and all members need to understand the parameters.

- Recommended setting up a subcommittee to review and recommend any changes that should be made for clarification and other reasons. Nothing finalized at this meeting.
- Further discussion of enforcement of the Rules requirement that individual gardeners contribute up to 2 hours of volunteer time per month.
  - Suggested a Task Sheet of work that is needed and posting it on the shed bulletin board alongside a list of gardeners. Gardeners would indicate next to their name what task they had performed, the date, and amount of time it took. If the task were completed it could be crossed off the Task Sheet, or a note made that more work remains to be done.

#### **OLD BUSINESS:**

- Filling vacant Board position: Discussion with guest gardener Kirsten Nordstrom about her desire to become a Board member. The Board responded favorably and asked her to submit a letter of interest to the Select Board for their consideration and official appointment at an upcoming Select Board meeting.
- Compost Bins: As a result of discussion with DPW Director Catherine Laurent, Virginia recommended that the 3 compost bins remain this season as a place to dispose of garden debris. The reason is that DPW staff schedule is such that preparation of concrete slab and bordering minimal fencing may not happen until the end of the season. Catherine has prepared and labeled a barrel for gardeners' disposal of diseased garden plants. DPW will pick up everything at the end of the season and determine how the materials will be used.
- Native Plant Garden adjacent to the parking lot: Lynn Harris explained the need to improve the soil and prepare for further late summer planting in this garden:
  - She would like a native garden workday organized to put down paper sheeting over existing turf, move 2-3" of the Town's soil/compost on top, and top that with the Town's wood chip mixture.
  - The Board decided on two days, August 5 and August 6, 2022 at 8:00 AM. Virginia will send email out to all gardeners on June 22<sup>nd</sup> asking them to sign up for either or both days. This would start to fulfill garden volunteering requirements.

#### **NEW BUSINESS:**

- Discussion of dividing Board of Directors work among Board members, with designated areas of responsibility. Discussion will continue at another Board meeting.
- Review of protocols for use of community garden property: Reminder that we have requested the Town to develop a policy or regulation that would disallow individual use of Town property that is not part of the Town-designated area of use; i.e., in the community garden's case it would clarify that gardeners could establish gardens only in their assigned plot.
  - The discussion was intended to clarify issues related to Board member Mohamad Fahd, who had left the meeting as this Agenda item was approaching
  - Another designated community area such as the Native Plant Garden outside of the fenced in area would be planted at the direction of the Board of Directors and would be established for the benefit of the gardeners as a community.
- There was detailed Board discussion about each Board members' responsibility to be an active and collaborative participant, and the negative impacts of individual actions undermining overall goals, purpose and procedures of the organization. This was in reference to one specific Board member who had not been actively engaged for months and had initiated several negative activities. A vote of no confidence and a motion to remove him from the Board was


made by Frank Gallelo and seconded by Lynn Harris. The motion was passed unanimously by the five Board members remaining at the meeting. Virginia was asked to inquire at the Select Board office about what the next steps should be.

## **ADJOURNMENT**

Meeting adjourned at 8:46 PM by unanimous vote 5-0.

NEXT MEETING DATE: Wednesday, August 17, 2022 at Town Hall unless Zoom deemed necessary

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Virginia Scharfenberg".

Virginia Scharfenberg, President (in the absence of Town-appointed a Board Secretary)  
July 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 5<sup>th</sup>/6<sup>th</sup> and August 12<sup>th</sup>/13<sup>th</sup> 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 7<sup>th</sup> 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 20<sup>th</sup> 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 20<sup>th</sup> Board meeting before the relevant Agenda item came up to discuss his non-compliance (which had been moved from the June 15<sup>th</sup> 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

**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 19<sup>th</sup> 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 3<sup>rd</sup> as expected because Select Board Chair wants to wait until there is a full Board. The election to fill vacant seat is October 4<sup>th</sup>. 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 7<sup>th</sup>. Since Mohamad will be out of the country that week it will most likely have to be rescheduled for November 21<sup>st</sup>. (The

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

#### **NEW BUSINESS:**

- The Board selected Saturday October 22<sup>nd</sup> (rain date Oct. 23<sup>rd</sup>) 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 1<sup>st</sup>. It also specifies that written approval by the Advisory Committee for all winter crops is required prior to November 1<sup>st</sup>.
- 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

## Recreation Department

Stephanie Coleman <SColeman@mashpeema.gov>

Tue 3/14/2023 11:35 AM

To: Mary K. Bradbury <MBradbury@mashpeema.gov>

Good Morning:

Please be advised that on Monday, March 13, 2023 the Select Board approved your Recreation Department Special Event Applications. Attached are the approved permits.

Thank you.

**Stephanie Coleman | Administrative Secretary**

Town of Mashpee

Office of the Town Manager and Select Board

16 Great Neck Road North, Mashpee, MA 02649

Office: 508.539.1401 | Fax: 508.539.1004



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Permit No - SE-23-0005



THE COMMONWEALTH OF  
MASSACHUSETTS  
The Town Of Mashpee  
Special Event Permit

Fee -

This is to certify that

MASHPEE RECREATION DEPARTMENT/STREAMLINE EVENTS

(Name)

0-BEACH BACK RD

(Address)

Special Event Permit

IS HEREBY GRANTED A

Annual Super Swim: Saturday, June 10, 2023 9 am - 12 pm: John's Pond

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 06/12/23 unless sooner  
suspended or revoked.

Issue Date :

03/13/23

David W. Weeden (Chair)

John J. Cotton (Vice-Chair)

Carol A. Sherman (Select Board)

Thomas F. O'Hara (Clerk)

Michaela Wyman-Colombo (Select Board)

Permit No -SE-23-0009



THE COMMONWEALTH OF  
MASSACHUSETTS

The Town Of Mashpee  
Special Event Permit

Fee -

This is to certify that

TOWN OF MASHPEE/RECREATION DEPARTMENT/SPECIAL EVENTS COMMITTEE

(Name)

13 GREAT NECK RD, NORTH

(Address)

Special Event Permit

IS HEREBY GRANTED A

Holiday Tree Lighting: Saturday, December 2, 2023 5:30 pm - 6:30 pm: Mashpee Community Park Gazebo

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 12/04/23 unless sooner  
suspended or revoked.

Issue Date :

03/13/23

David W. Weeden

David W. Weeden (Chair)

John J. Cotton

John J. Cotton (Vice-Chair)

Carol A. Sherman

Carol A. Sherman (Select Board)

Michael Wyman-Colombo

Michael Wyman-Colombo (Select Board)

Thomas F. O'Hara

Thomas F. O'Hara (Clerk)



Permit No -SE-23-0008



THE COMMONWEALTH OF  
MASSACHUSETTS  
The Town Of Mashpee  
Special Event Permit

Fee -

This is to certify that

TOWN OF MASHPEE/RECREATION DEPARTMENT/SPECIAL EVENTS COMMITTEE

(Name)

13 GREAT NECK RD, NORTH

(Address)

Special Event Permit

IS HEREBY GRANTED A

*Veterans Day Ceremony: Saturday, November 11, 2023 10 am - 11:30 am: Mashpee Community Park Gazebo*

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 11/12/23 unless sooner  
suspended or revoked.

Issue Date :

03/13/23

David W. Weedon (Chair)

John J. Cotton (Vice-Chair)

Thomas F. O'Hara (Clerk)

Carol A. Sherman (Select Board)

Michaela Wyman-Colombo (Select Board)

Permit No -SE-23-0002



THE COMMONWEALTH OF  
MASSACHUSETTS  
The Town Of Mashpee  
Special Event Permit

Fee -

This is to certify that

TOWN OF MASHPEE/RECREATION DEPARTMENT

(Name)

520 MAIN ST

(Address)

Special Event Permit

IS HEREBY GRANTED A

Annual Easter Egg Hunt: Saturday, April 1, 2023 10 am - 12 pm: Mashpee Community Park

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 04/03/23 unless sooner  
suspended or revoked.

Issue Date :

03/13/23

David W. Weeden John J. Cotton Thomas F. O'Hara

David W. Weeden (Chair)

John J. Cotton (Vice-Chair)

Thomas F. O'Hara (Clerk)

Carol A. Sherman Michael Wyman-Colombo

Carol A. Sherman (Select Board)

Michael Wyman-Colombo (Select Board)

Permit No -SE-23-0003



THE COMMONWEALTH OF  
MASSACHUSETTS  
The Town Of Mashpee  
Special Event Permit

Fee -

This is to certify that

TOWN OF MASHPEE/RECREATION DEPARTMENT

(Name)

0-BEACH BACK RD

(Address)

Special Event Permit

IS HEREBY GRANTED A

Annual Fishing Derby: Saturday, June 3, 2023 9 am - 11:30 am: John's Pond

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 06/05/23 unless sooner  
suspended or revoked.

Issue Date:

03/13/23

*David W. Weeden*  
David W. Weeden (Chair)

John J. Cotton (Vice-Chair)

*Carol A. Sherman*  
Carol A. Sherman (Select Board)

*Thomas F. O'Hara*  
Thomas F. O'Hara (Clerk)

*Michaela Wyman-Colombo*  
Michaela Wyman-Colombo (Select Board)

Permit No - SE-23-0007



THE COMMONWEALTH OF  
MASSACHUSETTS

The Town Of Mashpee  
Special Event Permit

Fee -

This is to certify that

TOWN OF MASHPEE/RECREATION DEPARTMENT

(Name)

64 STEEPLE ST

(Address)

Special Event Permit

IS HEREBY GRANTED A

Oktoberfest: Saturday, September 30, 2023 10 am - 4 pm: Mashpee Commons Green

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 10/02/23 unless sooner  
suspended or revoked.

Issue Date :

03/13/23

David W. Weedon (Chair)

John J. Cotton (Vice-Chair)

Thomas F. O'Hara (Clerk)

Carol A. Sherman (Select Board)

Michaela Wyman-Colombo (Select Board)

Permit No -SE-23-0006



THE COMMONWEALTH OF  
MASSACHUSETTS

The Town Of Mashpee  
Special Event Permit

Fee -

This is to certify that

TOWN OF MASHPEE/ RECREATION DEPARTMENT

(Name)

500 OLD BARNSTABLE RD

(Address)

Special Event Permit

IS HEREBY GRANTED A

Mashpee Fireworks Display and Community Picnic: Friday, June 23, 2023 5 pm- 9:30 pm: Mashpee High School Athletic Field

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 06/25/23 unless sooner  
suspended or revoked.

Issue Date :

03/13/23

David W. Weedon David W. Weedon (Chair)

John J. Cotton (Vice-Chair)

Thomas F. O'Hara (Clerk)

Carol A. Sherman Carol A. Sherman (Select Board)

Michaela Wyman-Colombo (Select Board)



Permit No - SE-23-0004



THE COMMONWEALTH OF  
MASSACHUSETTS

The Town Of Mashpee  
Special Event Permit

Fee -

This is to certify that

MASHPEE RECREATION DEPARTMENT/VFW POST 5489

(Name)

13 GREAT NECK RD, NORTH

(Address)

Special Event Permit

IS HEREBY GRANTED A

Memorial Day Ceremony: Monday, May 29, 2023 10 am - 11:30 am: Mashpee Community Park Gazebo

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 05/30/23 unless sooner  
suspended or revoked.

Issue Date:

03/13/23

*David W. Weed*

David W. Weed (Chair)

*John J. Cotton*

John J. Cotton (Vice-Chair)

*Thomas F. O'Hara*

Thomas F. O'Hara (Clerk)

*Carol A. Sherman*

Carol A. Sherman (Select Board)

*Michaela Wyman-Colombo*

Michaela Wyman-Colombo (Select Board)

## Lovin' Life 5k Approved Permit

Stephanie Coleman <SColeman@mashpeeema.gov>

Tue 3/14/2023 10:26 AM

To: Maureen McNamara <MMcNamara@lifecapecod.org>

Good Morning:

Please be advised that on Monday, March 13, 2023 the Select Board voted to approve your Special Event application for the Lovin' Life 5k. Attached is the approved permit.

Thank you.

**Stephanie Coleman | Administrative Secretary**

Town of Mashpee

Office of the Town Manager and Select Board

16 Great Neck Road North, Mashpee, MA 02649

Office: 508.539.1401 | Fax: 508.539.1004



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Permit No -RR-23-0001



THE COMMONWEALTH OF  
MASSACHUSETTS  
The Town Of Mashpee

Fee -

This is to certify that

*LIFE inc*

(Name)

175 GREAT NECK RD, SOUTH

(Address)

Road Race Permit

IS HEREBY GRANTED A

Annual Lovin' LIFE 5k Special Event: Saturday, May 6, 2023 9 am - 11:30 am: LIFE, Inc: Maureen McNamara

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 05/08/23 unless sooner  
suspended or revoked.

Issue Date :

03/13/23

*David W. Weeden*  
David W. Weeden (Chair)

*Carol A. Sherman*  
Carol A. Sherman (Select Board)

*John J. Cotton*  
John J. Cotton (Vice-Chair)

*Thomas F. O'Hara*  
Thomas F. O'Hara (Clerk)

*Michaela Wyman-Colombo*  
Michaela Wyman-Colombo (Select Board)




## Cape Cod Mini Makers Fair Temporary Sign Permit

Stephanie Coleman <SColeman@mashpeeema.gov>

Tue 3/14/2023 10:22 AM

To: Michael Looney <mlooney@mpspk12.org>

 1 attachments (147 KB)

cc mini maker faire signpermit.pdf;

Good Afternoon:

Please be advised that on Monday, March 13, 2023 the Select Board voted to approve your temporary sign permit application for the Cape Cod Mini Makers Fair. Attached is your approved permit.

Thank you.

**Stephanie Coleman | Administrative Secretary**

Town of Mashpee

Office of the Town Manager and Select Board

16 Great Neck Road North, Mashpee, MA 02649

Office: 508.539.1401 | Fax: 508.539.1004



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Permit No - TS-23-0003



**THE COMMONWEALTH OF  
MASSACHUSETTS**

**The Town Of Mashpee  
Temporary Sign Permit**

Fee -

This is to certify that

*Cape Cod Mini Maker Faire*

(Name)

*500 OLD BARNSTABLE RD*

(Address)

*Temporary Sign Permit*

IS HEREBY GRANTED A

• *Annual Cape Cod Makers Faire: Ten (10) signs, 24" x 18" March 18, 2023 - March 25, 2023: Michael Looney*

This license is granted in conformity with the Statutes and ordinances relating thereto, and expires 03/26/23 unless sooner suspended or revoked.

Issue Date:

03/13/23

*David W. Weeden*

David W. Weeden (Chair)

*Carol A. Sherman*

Carol A. Sherman (Select Board)

*John J. Cotton*

John J. Cotton (Vice-Chair)

*Michael Wyman-Colombo*

Michael Wyman-Colombo (Select Board)

*Thomas F. O'Hara*

Thomas F. O'Hara (Clerk)



# TOWN OF MASHPEE


## OFFICE OF THE SELECT BOARD

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

### MEMORANDUM

Date: March 9, 2023

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

From: Stephanie A. Coleman, Administrative Secretary 

Re: Special Event and Temporary Sign Permit Applications

#### Description

Discussion of the following Annual Special Event and Temporary Sign Permit applications:

- **Recreation Department Annual Events:**

**Annual Easter Egg Hunt:** Saturday, April 1, 2023 10 am – 12 pm: Mashpee Community Park; **Annual Fishing Derby:** Saturday, June 3, 2023 9 am – 11:30 am: John's Pond; **Memorial Day Ceremony:** Monday, May 29, 2023 10 am – 11:30 am: Mashpee Community Park Gazebo; **Annual Super Swim:** Saturday, June 10, 2023 9 am – 12 pm: John's Pond; **Mashpee Fireworks Display and Community Picnic:** Friday, June 23, 2023 5 pm- 9:30 pm: Mashpee High School Athletic Field; **Oktoberfest:** Saturday, September 30, 2023 10 am – 4 pm: Mashpee Commons Green; **Veterans Day Ceremony:** Saturday, November 11, 2023 10 am – 11:30 am: Mashpee Community Park Gazebo; **Holiday Tree Lighting:** Saturday, December 2, 2023 5:30 pm – 6:30 pm: Mashpee Community Park Gazebo

- **Annual Lovin' LIFE 5k Special Event:** Saturday, May 6, 2023 9 am – 11:30 am: LIFE, Inc: Maureen McNamara
- **Annual Cape Cod Makers Faire: Temporary Sign Permit:** March 18, 2023 – March 25, 2023: Michael Looney

**Annual Easter Egg Hunt:** Saturday, April 1, 2023 10 am – 12 pm: Mashpee Community Park

Board of Health: Approved

Building: Approved

DPW: Approved

Fire: Approved

Police: Approved

**Annual Fishing Derby:** Saturday, June 3, 2023 9 am – 11:30 am: John's Pond

Board of Health: Approved, No food

Building: Not applicable

DPW: Approved

Fire: Approved

Police: Approved

**Memorial Day Ceremony:** Monday, May 29, 2023 10 am – 11:30 am: Mashpee Community Park Gazebo

Board of Health: Approved, no food

Building: Approved

DPW: Approved, Construction may be ongoing at the new War Memorial in the Community Park (tentative schedule; exact schedule will be known as the event day approaches). DPW will coordinate with the Recreation Department to make necessary accommodations for the events.

Fire: Approved

Police: Approved, No detail officers will be required. Officers from the shift will be present at the ceremony and can assist with pedestrian/vehicle traffic.

**Annual Super Swim:** Saturday, June 10, 2023 9 am – 12 pm: John's Pond

Board of Health: Approved

Building: Not Applicable

DPW: Approved

Fire: Approved

Police: Approved, One Officer will be funded by the Police Department for this event.

**Mashpee Fireworks Display and Community Picnic:** Friday, June 23, 2023 5 pm- 9:30 pm: Mashpee High School Athletic Field

Board of Health: Approved

Building: Approved, Reminder to provide accessible parking and toilets.

DPW: Approved

Fire: Incomplete, Firework vendor needs to submit a permit application and based on the size and scope of the show will determine the extent and placement of barrier fencing and personnel requirements. Has the vendor been determined?

Police: Approved, Police officer assigned to the event will be funded by the Police Department.

**Oktoberfest:** Saturday, September 30, 2023 10 am – 4 pm: Mashpee Commons Green

Board of Health: Approved

Building: Approved

DPW: Approved, Applicant should contact Mashpee Library to discuss impacts on their operation.

Fire: Approved

Police: Approved, 2 detail officers will be required (traffic/beer tent) from 8a-4p.

**Veterans Day Ceremony:** Saturday, November 11, 2023 10 am – 11:30 am: Mashpee Community Park Gazebo

Board of Health: Approved

Building: Approved

DPW: Approved

Fire: Approved

Police: Approved, No detail officers will be required for this event. Officers on duty at the ceremony can assist with any vehicle/pedestrian traffic as necessary.

**Holiday Tree Lighting:** Saturday, December 2, 2023 5:30 pm – 6:30 pm: Mashpee Community Park Gazebo

Board of Health: Approved

Building: Approved

DPW: Approved

Fire: Approved

Police: Approved, No detail officers will be required for this event.

**Annual Lovin' LIFE 5k Special Event:** Saturday, May 6, 2023 9 am – 11:30 am: LIFE, Inc: Maureen McNamara

Board of Health: Approved

Building: Approved, Please provide accessible parking and portable toilets.

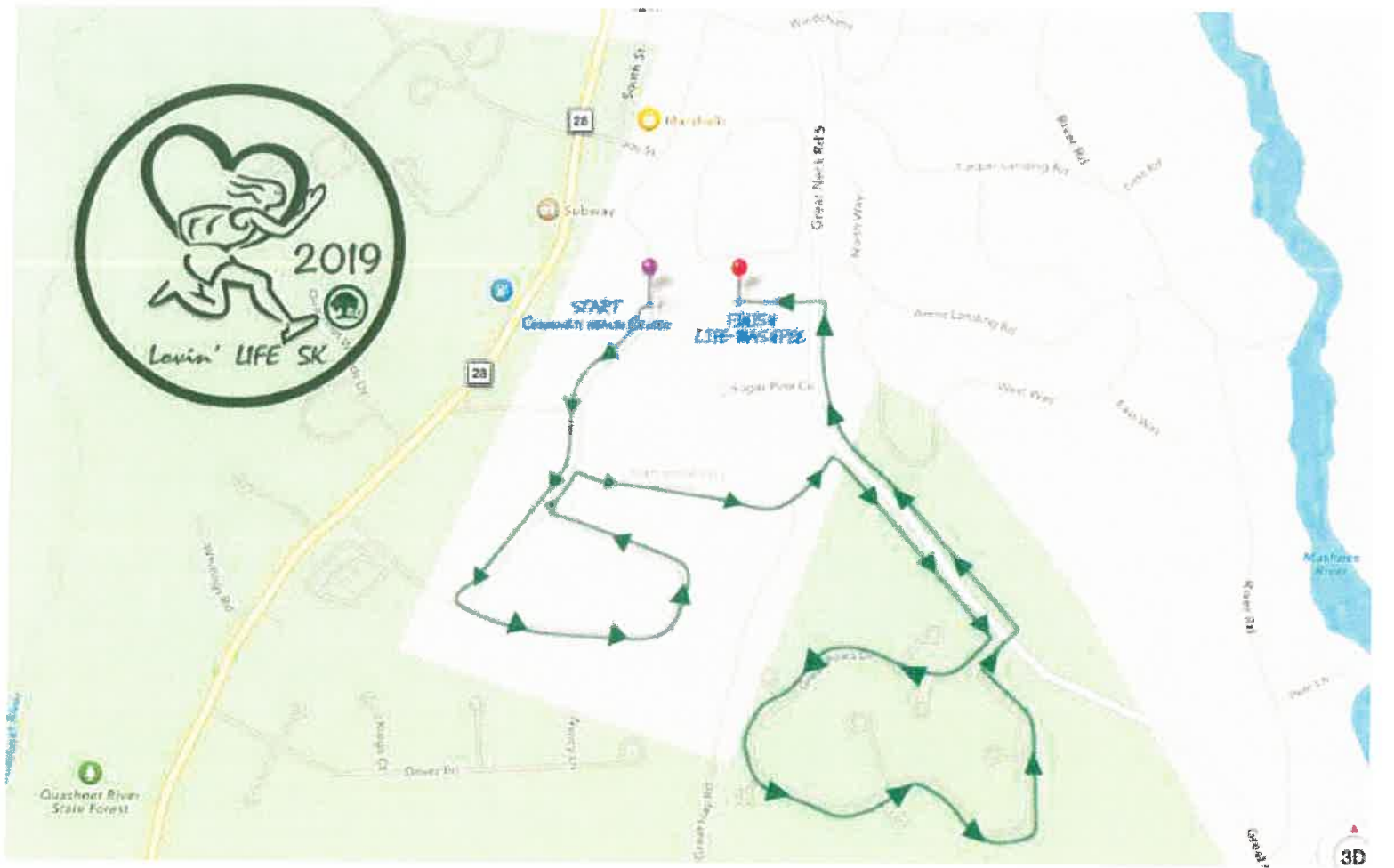
DPW: Approved, Applicant shall clean up any signage/ litter along the race route after the event.

Fire: Approved

Police: Approved, 2 detail officers are required for this event (4hrs).

**Annual Cape Cod Makers Faire: Temporary Sign Permit:** March 18, 2023 – March 25, 2023: *Michael Looney*

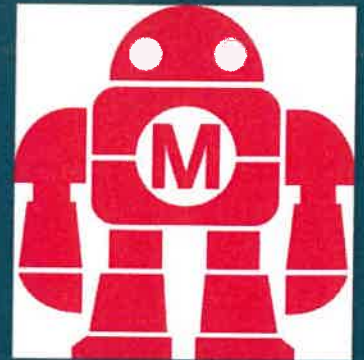
Ten (10) signs, 24" x 18", no more than two located at the intersection of Old Barnstable Road and Route 151; Lowell Road and Old Barnstable Road; Old Barnstable Road and driveway to K.C. Coombs School; Mashpee Rotary



**FREE FAMILY EVENT!**

**Cape Cod**

**Maker Faire®**



**SATURDAY MARCH 25TH**  
**MASHPEE MIDDLE -HIGH SCHOOL**  
**10:00AM -3:00PM**

**FUN FOR ALL AGES!**





***Mashpee Affordable Housing Committee***  
***Mashpee Town Hall***  
***16 Great Neck Road North, Mashpee, MA 02649***

**March 08, 2023**

**To: HONORABLE DAVID W. WEEDEN, CHAIR  
SELECT BOARD AND AFFORDABLE HOUSING TRUST  
Mashpee Town Hall, 16 Great Neck Road North  
Mashpee, Massachusetts 02649**

**Subject: A Recommendation for Approval by the Town of Mashpee  
Habitat Homeowner Refinancing Loan Commitment  
Owner: Ms. Lopes-Costa, 31 Dixon Drive, Mashpee, MA**

**Dear Select Board Members:**

On March 7, 2023, at the Affordable Housing Committee meeting, the committee voted to support the refinancing request noted below. We are recommending The Select Board vote to approve the request.

The applicant is a successful example of the intent of the program. She purchased her home 20 years ago, paid off the mortgage and wishes to update the interior and continue to live there.

In 2002, Ms. Kimberly Lopes-Costa built and purchased a home from Habitat for Humanity of Cape Cod. The sale of 31 Dixon Drive in Mashpee was completed on 8.14.2002 (BK 15475 PG 47). The mortgage was paid in full and discharged on 6.7.2022 (BK 35170 PG 290).

As required under the terms of her home's perpetual Deed Rider, on February 10, 2023, Ms. Lopes-Costa sent a joint letter to Habitat for Humanity, Town of Mashpee and Massachusetts Department of Housing and Community Development (DHCD) seeking the approval for the refinancing of her home (for the purpose of repairs and updating).

Subsequently, Ms. Lopes-Costa provided a lender's loan commitment letter to each party and returned to DHCD its required LIP Refinance Form. The loan is a conventional cash out refinance for \$50,000 at a fixed rate of 5.625%. The loan to value ratio is 38% and meets DHCD guidelines for refinancing. It is important to note Habitat has advised us that this transaction will not cause an increase in the sale price of the home at some future time. It will remain affordable for purchase by an income eligible buyer as required in the perpetual deed rider.

DHCD acknowledged its receipt of all required materials on February 14, 2023. Habitat for Humanity provided Ms. Lopes-Costa with their approval letter on February 15, 2023. On receipt of a letter of approval from the Town of Mashpee, DHCD's legal department will provide final review, approval, and preparation of closing documents.

Thank you for your consideration of this matter.

Affordable Housing Committee Chair Allan Isbitz and Member Gary Shuman



# TOWN OF MASHPEE

## OFFICE OF THE SELECT BOARD

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

March 14, 2023

Ms. Kimberly Lopes-Costa  
31 Dixon Drive  
Mashpee, MA 02649

Dear Ms. Lopes-Costa

At the Monday, March 13, 2023 meeting of the Mashpee Select Board, on recommendation of the Mashpee Affordable Housing Committee, the Select Board voted to approve your request to refinance your home at 31 Dixon Drive, Mashpee, MA.

The vote of approval stipulated that the loan be at a fixed rate and the principal loan amount should not exceed \$50,000, as outlined in your loan commitment letter from First Citizens' Federal Credit Union dated February 10, 2023.

This consent is valid subject to obtaining the prior written approval of the Department of Housing and Community Development (DHCD). By copy of this letter to that Agency, the Board is confirming that the Town of Mashpee has approved your request.

Sincerely,

David Weeden, Chair  
Mashpee Select Board

cc:  
DHCD  
Habitat for Humanity of Cape Cod

Kimberly Lopes-Costa  
31 Dixon Drive  
Mashpee, MA 02649

February 10, 2023

Habitat for Humanity of Cape Cod  
Attn: Wendy Cullinan, CEO  
411 Main Street, Suite 6  
Yarmouth Port, MA 02675

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

Department of Housing and Community Development  
Attn: LIP Director  
100 Cambridge Street, Suite 300  
Boston, MA 02114

RE: Refinance of 31 Dixon Drive, Mashpee, MA 02649 with First Citizens Federal Credit Union

Dear Ms. Cullinan, Mr. Collins and Director of DHCD,

I would like to request your respective agencies' approval for the refinance of the above captioned property with First Citizens Federal Credit Union.

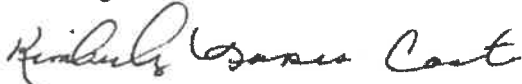
The terms of the proposed refinance are a loan amount of \$50,000 with a 15 year fixed rate at 5.625% interest. The loan to value ratio is 38%. This will be a conventional cash out refinance.

I would like to authorize you to speak with Lisa Faria, my loan officer, Christopher Cole, Loan Processor, at First Citizens Federal Credit Union or the closing Attorney that will be used by the bank.

I would further like to authorize Beth Wade and Mary Campbell to speak to DHCD on my behalf to help with any information needed to help with the loan process.

Please let me know if you have any questions or need further information. Thank you for your assistance.

Best Regards



Kimberly Lopes-Costa



## Habitat for Humanity of Cape Cod

411 Main Street Suite 6 • Yarmouth Port, MA 02675 • 508-362-3559  
[www.habitatcapecod.org](http://www.habitatcapecod.org)

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Ms. Kimberly Lopes-Costa  
31 Dixon Drive  
Mashpee, MA 02649

Re: Refinance of 31 Dixon Drive with First Citizens' Federal Credit Union

February 15, 2023

Dear Ms. Lopes-Costa:

This is to confirm that this office received on February 10, 2023 a letter indicating your intention to refinance your deed-restricted property at 31 Dixon Drive through First Citizen's on terms as follows: loan amount, \$50,000 with a 15 year fixed rate mortgage at an interest rate of 5.625%. This being a cash out, home equity loan. With the loan to value ratio of 38% (the maximum resale value being \$132,940 under the deed rider).

Habitat has no concern with these terms or the loan to value ratio. Therefore, per section 4 of the deed rider, this letter may serve as official notice that Habitat does not object to the refinancing of your home as outlined above. Habitat has notified DHCD, and Allan Isbitz, Affordable Housing Committee Chair, and Rodney Collins, Mashpee Town Manager, as to our decision.

Best wishes as you endeavor through this process.

With regards,

Wendy Cullinan

CEO/President

508-362-3559 x11

[wendy@habitatcapecod.org](mailto:wendy@habitatcapecod.org)

cc. (email only)

[bertha.borin@state.ma.us](mailto:bertha.borin@state.ma.us)

[rccollins@mashpeeema.gov](mailto:rccollins@mashpeeema.gov)

[aisbitz@gmail.com](mailto:aisbitz@gmail.com)

## **Article 11**

**(SB needs to vote to add to the Warrant: Borrowing Authorization for Capital Expenditures  
WRITTEN AND APPROVED BY Town Counsel and Bond Counsel)**

To see if the Town will vote to authorize the Treasurer, upon the approval of the Select Board, to borrow the sum of \$8,000,000, and to appropriate said sum for purposes of paying the costs of the following capital improvements, including all costs incidental and related thereto, as recommended by the Capital Improvement Program Committee:

1. Purchase a new Fire Truck;
2. Mashpee Public Schools HVAC Replacement design, engineering, and construction/  
Energy Audit;
3. Town Hall HVAC Water Piping design and construction;
4. Police Department HVAC Replacement design, engineering, and construction; and
5. DPW Roof Replacement design, engineering, and construction.

provided, however, that any borrowing authorized hereunder shall be expressly subject to and contingent upon approval by the voters of the Town of a ballot question to exclude from the limitations of *Proposition 2 1/2*, G.L. c. 59, §21C, the amounts required to pay the principal and interest on any bonds, notes or certificates of indebtedness issued hereunder; or take any other action relating thereto.

Submitted by the Select Board, the Finance Committee and the Capital Improvement Program (CIP) Committee

**Explanation:** This article seeks to authorize the Treasurer, after approval by the Select Board, to borrow \$8,000,000 to pay for Capital Expenditures for a new fire truck, HVAC replacement design, engineering and construction, as well as, an energy audit for Mashpee Public School Buildings, HVAC replacement design, engineering and construction the Mashpee Police Department Building, HVAC water piping design and construction at Mashpee Town Hall, and design, engineering and construction of a roof at the Department of Public Works Building.

**The Select Board recommends approval of Article 11 by a vote of**

**The Finance Committee recommends approval of Article 11 by a vote of**

Terrie M. Cook  
Administrative Assistant  
Tel. (508) 539-1401  
tmcook@mashpeema.gov



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

## MEMORANDUM

Date: March 9, 2023

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

From: Administrative Assistant Terrie M. Cook

Re: May 1, 2023 Special and Annual Town Meeting Warrants – Actions to be taken by Select Board  
**The articles are numbered, but the numbers are subject to change depending upon the Board's action** on various articles.

The page numbers and a brief description of each article that requires action appears below:

Article #/ Page #	Description	Submitted by:	Action needed
Special Town Meeting Warrant			
Article 1, Page 1	Snow and Ice	DPW	Vote to recommend/not recommend
Article 2, Page 1	Capital Stabilization Fund	Select Board	Vote to recommend/not recommend
Article 4, Page 2	CPC-Quashnet Playground	CPC	Vote to recommend/not recommend
Annual Town Meeting Warrant			
Article 3, Page 12-13	CIP	SB, FinCom, CIP	Vote to recommend/not recommend
Article 4, Page 13	CC Tech Tuition	SB	Vote to recommend/not recommend
Article 5, Page 13-14	CC Tech Debt	SB	Vote to recommend/not recommend
Article 9, Page 15	PEG Access Budget	Finance Director	Vote to recommend/not recommend
Article 11, Page 16	CIP Debt Exclusion	SB, FinCom, CIP	Vote to include and recom/not recom
Article 12, Page 16-17	Chap 90	DPW	Vote to recommend/not recommend
Articles 16-23, Pages 17-21	Contracts	Select Board	not ready yet for vote
Articles 29-31, Pages 23-30	Solar Zoning	Planning Board	Vote to recommend/not recommend
Article 34, Page 31	Fire Salaries	Fire Chief	Vote to recommend/not recommend
Article 37-44, Pages 33-41	Petition Articles	Petition	Vote to recommend/not recommend

**Town of Mashpee  
Mashpee High School  
500 Old Barnstable Road  
Mashpee, MA 02649  
Special Town Meeting  
Monday, May 1, 2023**

Barnstable, ss:

Greetings to the Constables of the Town,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and summon the inhabitants of the Town of Mashpee who are qualified to vote in the elections to meet at the Mashpee High School on Monday, the 1st day of May 2023 at 7:00 p.m. for the following purposes:

To act on the articles contained in the following Warrant:

**MOTION TO BE MADE BY SELECT BOARD MEMBER \_\_\_\_\_**

**Motion: I move that the Town vote to dispense with the reading of the Annual Town Meeting warrant articles.**

**Article 1** (As per Town Counsel, this article may be “recommended for approval” with the wording “a sum of money” The motion made at Town Meeting will have the actual sum of money included)

To see if the Town will vote to appropriate and transfer a sum of money from revenue available for appropriation to the Snow & Ice Account, or take any other action relating thereto.

Submitted by the Department of Public Works

**Explanation:** This article is necessary to fund a deficit in the Snow & Ice Account.

**The Select Board recommends approval of Article 1 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 1 by a vote of**

**Article 2**

To see if the Town will vote to appropriate and transfer the sum of \$1,964,629 from revenue available for appropriation, to be deposited into the Capital Stabilization Fund, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** As per Select Board Policy #072, “Capital Improvement Policy”, this article will set aside funds in the amount of fifteen percent (15%) of the “Certified Free Cash” into the Capital Stabilization account for future capital expenditures in an effort to ensure the Town will maintain its assets at a level adequate to protect the Town’s capital investment and to minimize future maintenance and replacement costs.

**The Select Board recommends approval of Article 2 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 2 by a vote of**

### **Article 3**

To see if the Town will vote to appropriate and transfer the sum of \$101,450 from the Ambulance Reserved Receipts account with said funds to be distributed as follows: \$100,000 to the Fire Department Overtime Salary account and \$1,450 to the Medicare expense account, or take any other action relating thereto.

Submitted by Fire Chief John Phelan

**Explanation:** This article provides additional funds to cover a projected shortfall in the Fire Department Salary account. Due to an increase in calls for service, additional staffing is required. The funds will cover anticipated overtime costs associated with increasing minimum manning. All funds will be transferred from the Ambulance Reserved Receipts account and will have no impact on the taxes.

**The Select Board recommends approval of Article 3 by a vote of 5-0**

**The Finance Committee recommends approval of Article 3 by a vote of**

### **Article 4**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Budget for Appropriation Reserve in accordance with the provisions of M.G.L., Chapter 44B, §5, the sum of \$378,080 for the purpose of funding the Quashnet School Playground Improvement Project Phase II at the site located at 150 Old Barnstable Road, Mashpee, identified on Assessor's Map 67, Parcel 2, including necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

**Explanation:** The goal of this project is to address the aging courts in disrepair. This project includes the construction of new basketball courts, tennis/pickleball courts and a new outdoor game. Playground surfacing would meet the requirements for fall protection and handicap accessibility. The provision of different types of equipment would invite and encourage physical outdoor play for all skill levels and introduce a variety of sports activities. The playgrounds and courts are used year-round by the schools and are available for public use during non-school hours. The total cost of the project is \$391,080. Available fees by outside groups will offset the projected budget. The DPW will also perform some of the required work.

The Community Preservation Committee recommends approval of Article 4 by a vote of 8-0.

**The Select Board recommends approval of Article 4 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 4 by a vote of**

### **Article 5**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Budget for Appropriation Reserve in accordance with the provisions of M.G.L. Chapter 44B, §5, the sum of \$425,000 for the purpose of funding the Edward A. Baker Boat Ramp at Pirate's Cove Improvement Project Phase II, at the site located at 388 Mashpee Neck Road, Mashpee, identified on Assessor's Map 96, including necessary costs and expenses related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee



**Explanation:** The goal of this project is to replace the 35-year-old concrete boat ramp that has deteriorated, install a concrete scour pad at the end of the ramp and install two additional floats at the dock. It is necessary to install a scour pad for the erosion caused by the power loading of boats at the ramp and to avoid boats running aground. There is no change to the size of the ramp.

The installation of two additional floats will provide more space for boats to avoid congestion at the ramp. Four piles will be installed at the west end of the ramp to prevent boaters from landing on the adjacent small beach protecting the saltwater marsh. The total cost of the project is \$434,735. The design and permitting for the project were funded through the DPW and Waterways Commission budgets. Stormwater improvements have been made through grant funding. This includes a bioretention basin. In 2016 the Town approved CPA funding to replace a 30-year wooden structure at the site with marine-grade material to promote eelgrass growth and shellfish habitat. Unused funds for this project would be returned to the CPC.

The Community Preservation Committee recommends approval of Article 5 by a vote of 8-0.

**The Select Board recommends approval of Article 5 by a vote of 5-0**

**The Finance Committee recommends approval of Article 5 by a vote of**

## **Article 6**

To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate and transfer to the Mashpee Affordable Housing Trust ("Trust") the sum of \$550,000, as follows: the sum of \$300,000 transferred from the Community Preservation Fund 10% Affordable Housing Reserve, and the sum of \$250,000 transferred from the Community Preservation Fund, Fund Balance, both in accordance with the provisions of M.G.L. Chapter 44B §5; said funds, totaling \$550,000, to be held and expended by the Board of Trustees of said Trust for the purpose of Affordable Housing, including any necessary costs and expenses related thereto, provided, however, that said sums shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of M.G.L. Chapter 44B when expended by the Trust, shall be accounted for separately by the Trust, and, provided further, that at the end of each fiscal year the Trust shall ensure that all expenditures of said funds are reported to the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

**Explanation:** The goal of this appropriation is to allow a more efficient procedure to enable the acquisition and subsequent development of affordable housing projects in the Town of Mashpee. The Affordable Housing Trust is a Town body which, by statute, may purchase, hold, and make decisions regarding the development of affordable housing units within the Town. Granting the requested available funds to the Affordable Housing Trust will enable the Trust to negotiate with developers and execute real estate transactions effectively and efficiently.

The Community Preservation Committee recommends approval of Article 6 by a vote of 7-0-1 (1) abstention.

**The Select Board recommends approval of Article 6 by a vote of 5-0**

**The Finance Committee recommends approval of Article 6 by a vote of**

## **Article 7**

To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate and transfer the sum of \$500,000 from the Community Preservation Fund, Fund Balance in accordance with the provisions of M.G.L. Chapter 44B §5, for the purpose of assisting with funding for the LeClair Village Affordable Rental Housing project, property located at 950 Falmouth Road, Mashpee, identified on Assessor's Map 93-6-0 (2.49 acres site for 39 affordable homes in 3 buildings), 93-7-0 (3.26 acres, site for underground water infrastructure and open space), 94-7-0 (7.08 acres to be preserved as open space); said property comprised of 12.83 acres in total, including any necessary costs and expenses related thereto, as recommended by the Community Preservation Committee; provided, said sum shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of M.G.L. Chapter 44B when expended by the Housing Assistance Corporation of Cape Cod (HAC) and Preservation of Affordable Housing (POAH) or their designated entity, or take any other action relating thereto.

Submitted by the Community Preservation Committee

**Explanation:** The goal of this appropriation is to assist the Housing Assistance Corporation (HAC) and the Preservation of Affordable Housing (POAH), the designated developers pursuant to a competitive proposal solicitation process, to develop the 950 Falmouth Road property to provide much-needed affordable housing stock in Mashpee. The project will create 39 new affordable rental homes in three buildings with a total of 68 bedrooms units. The residential construction will be confined to Parcel A. The wastewater treatment infrastructure for the project will be located in Parcel B, and Parcel C shall remain as open space. The addition of 39 affordable rental homes in the LeClair Village development will assist Mashpee in achieving a total affordable housing stock inventory of 5.9%. This contribution from the Town, through its CPA, will offset direct construction costs for the subject affordable housing development.

The Community Preservation Committee recommends approval of Article 7 by a vote of 7-0.

**The Select Board recommends approval of Article 7 by a vote of 5-0**

**The Finance Committee recommends approval of Article 7 by a vote of**

**THIS CONCLUDES THE BUSINESS OF THE SPECIAL TOWN MEETING**

And you are hereby directed to serve this Warrant by posting up attested copies thereof, one at the Town Hall, one at the Post Office, and one each on the bulletin boards, thirty days at least before said meeting.

Hereof fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 20th day of March in the year two thousand and twenty-three.

**Per Order of,  
Select Board**

\_\_\_\_\_  
David W. Weeden, Chair

\_\_\_\_\_  
John J. Cotton, Vice Chair

\_\_\_\_\_  
Thomas F. O'Hara, Clerk

\_\_\_\_\_  
Carol A. Sherman

\_\_\_\_\_  
Michaela Wyman-Colombo

**Town of Mashpee  
Mashpee High School  
500 Old Barnstable Road  
Mashpee, MA 02649  
Annual Town Meeting  
Monday, May 1, 2023**

Barnstable, ss:

Greetings to the Constables of the Town,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and summon the inhabitants of the Town of Mashpee who are qualified to vote in the elections to meet at the Mashpee High School on Monday, the 1st day of May 2023 at 7:00 p.m. for the following purposes:

To act on the articles contained in the following Warrant:

**MOTION TO BE MADE BY SELECT BOARD MEMBER \_\_\_\_\_**

**Motion: I move that the Town vote to dispense with the reading of the Annual Town Meeting warrant articles.**

**Article 1**

To see if the Town will vote to accept the reports of the Town officers, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** The 2022 Annual Town Report in which the reports of Town officers are presented is available at the Town Meeting and at the Town Hall.

**The Select Board recommends approval of Article 1 by a vote of 5-0**

**The Finance Committee recommends approval of Article 1 by a vote of**

**Article 2**

To see if the Town will vote to fix the salaries of the following elected officers as provided in Chapter 41, Section 108, of the Massachusetts General Laws for the period of July 1, 2023 to June 30, 2024, and further, to see if the Town will vote to appropriate, raise, and/or transfer a sum of money to defray the Town's expenses for the ensuing fiscal year, according to the following line item budget, with the maximum amount to be appropriated as shown in the column entitled "FY 2024 Department Request" (see Omnibus Budget), or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** This article seeks to fund the annual operating budgets for the various Town Departments.

**The Select Board recommends approval of Article 2 by a vote of 5-0**

**The Finance Committee recommends approval of Article 2 by a vote of**

DEPARTMENT			FY 2023 BUDGET		FY 2024 DEPARTMENT REQUEST	FY 2024 FINANCE COMMITTEE RECOMMEND	FY 2024 TOWN MGR RECOMMEND
MODERATOR							
SALARY	1	200	200	-	200		
TOTAL		200	200	-	200		
SELECTMEN							
SALARY-ELECTED	2	15,500	15,500	-	15,500		
SALARY/WAGE	3	436,055	490,430	-	490,430		
EXPENSE	4	38,500	38,500	-	38,500		
LEG/ENG/CONSULTING	5	385,000	385,000	-	385,000		
TOTAL		875,055	929,430	-	929,430		
FINANCE COMMITTEE							
RESERVE FUND	6	45,500	300,000	-	275,000		
EXPENSE	7	75,000	83,000	-	83,000		
TOTAL		120,500	383,000	-	358,000		
TOWN ACCOUNTANT							
SALARY/WAGE	8	304,765	325,360	-	325,360		
EXPENSE	9	3,175	3,175	-	3,175		
TOTAL		307,940	328,535	-	328,535		
ASSESSORS							
SALARY-APPOINTED	10	3,000	3,000	-	3,000		
SALARY/WAGE	11	266,788	267,560	-	267,560		
EXPENSE	12	6,000	6,800	-	6,800		
TOTAL		275,788	277,360	-	277,360		
TREASURER/TAX COLLECTOR							
SALARY/WAGE	13	274,760	268,164	-	268,164		
EXPENSE	14	47,400	51,400	-	51,400		
DEBT SERVICE	15	2,500	2,500	-	2,500		
FORECLOSURE	16	12,000	12,000	-	12,000		
TOTAL		336,660	334,064	-	334,064		
HUMAN RESOURCES							
SALARY/WAGE	17	436,813	428,858	-	428,268		
EXPENSE	18	100,637	100,685	-	100,685		
TOTAL		537,450	529,543	-	528,953		

DEPARTMENT		FY 2023 BUDGET	FY 2024 DEPARTMENT REQUEST	FY 2024 FINANCE COMMITTEE RECOMMEND	FY 2024 TOWN MGR RECOMMEND
<b>INFORMATION TECHNOLOGY</b>					
SALARY/WAGE	19	389,985	391,935	-	391,935
EXPENSE	20	321,756	335,862	-	335,862
EQUIPMENT REPLACEMENT	21	27,000	27,000	-	27,000
<b>TOTAL</b>		<b>738,741</b>	<b>754,797</b>	-	<b>754,797</b>
<b>TOWN CLERK</b>					
SALARY-ELECTED	22	98,890	103,440	-	103,440
SALARY/WAGE	23	108,890	108,070	-	108,070
EXPENSE	24	8,875	9,125	-	9,125
<b>TOTAL</b>		<b>216,655</b>	<b>220,635</b>	-	<b>220,635</b>
<b>ELECTIONS &amp; REGISTRATIONS</b>					
SALARY/WAGE	25	66,486	68,261	-	68,261
EXPENSE	26	56,700	63,300	-	63,300
<b>TOTAL</b>		<b>123,186</b>	<b>131,561</b>	-	<b>131,561</b>
<b>CONSERVATION</b>					
SALARY/WAGE	27	220,561	216,816	-	216,816
EXPENSE	28	5,824	6,908	-	6,908
HERRING EXPENSE	29	500	500	-	500
<b>TOTAL</b>		<b>226,885</b>	<b>224,224</b>	-	<b>224,224</b>
<b>NATURAL RESOURCES</b>					
SALARY/WAGE	30	643,420	659,420	-	659,420
EXPENSE	31	189,710	181,910	-	181,910
PROPAGATION	32	240,650	253,500	-	203,500
<b>TOTAL</b>		<b>1,073,780</b>	<b>1,094,830</b>	-	<b>1,044,830</b>
<b>PLANNING BOARD</b>					
EXPENSE	33	11,125	21,125	-	21,125
<b>TOTAL</b>		<b>11,125</b>	<b>21,125</b>	-	<b>21,125</b>
<b>PLANNING DEPARTMENT</b>					
SALARY/WAGE	34	161,130	157,735	-	157,735
EXPENSE	35	4,125	4,125	-	4,125
<b>TOTAL</b>		<b>165,255</b>	<b>161,860</b>	-	<b>161,860</b>
<b>TOWN HALL</b>					
EXPENSE	36	307,000	302,000	-	302,000
<b>TOTAL</b>		<b>307,000</b>	<b>302,000</b>	-	<b>302,000</b>

DEPARTMENT			FY 2023 BUDGET	FY 2024 DEPARTMENT REQUEST	FY 2024 FINANCE COMMITTEE RECOMMEND	FY 2024 TOWN MGR RECOMMEND
POLICE						
SALARY/WAGE	37	4,610,509	4,755,120	-	4,755,120	
EXPENSE	38	317,681	317,681	-	317,681	
DISPATCHERS SALARY/WAGE	39	571,660	573,510	-	573,510	
TOTAL		5,499,850	5,646,311	-	5,646,311	
FIRE						
SALARY/WAGE	40	4,369,552	4,403,610	-	4,403,610	
EXPENSE	41	529,405	528,590	-	528,590	
TOTAL		4,898,957	4,932,200	-	4,932,200	
BUILDING INSPECTOR						
SALARY/WAGE	42	341,776	342,553	-	342,553	
EXPENSE	43	32,070	31,148	-	31,148	
TOTAL		373,846	373,701	-	373,701	
SCHOOL						
BUDGET	44	23,402,261	24,354,179	-	24,354,179	
TOTAL		23,402,261	24,354,179	-	24,354,179	
DPW						
SALARY/WAGE	45	2,827,614	2,831,514	-	2,831,514	
EXPENSE	46	1,098,985	1,149,350	-	1,149,350	
BUILDINGS & GROUNDS	47	1,440,481	1,472,553	-	1,472,553	
TOTAL		5,367,080	5,453,417	-	5,453,417	
SNOW & ICE						
EXPENSE	48	116,570	116,570	-	116,570	
TOTAL		116,570	116,570	-	116,570	
STREET LIGHTING						
EXPENSE	49	22,000	22,000	-	22,000	
TOTAL		22,000	22,000	-	22,000	
TRANSFER STATION						
EXPENSE	50	1,120,062	1,202,690	-	1,202,690	
TOTAL		1,120,062	1,202,690	-	1,202,690	

DEPARTMENT		FY 2023 BUDGET		FY 2024 DEPARTMENT REQUEST	FY 2024 FINANCE COMMITTEE RECOMMEND	FY 2024 TOWN MGR RECOMMEND
<b>WASTEWATER</b>						
SALARY	51	119,139		164,030	-	164,030
EXPENSE	52	163,450		383,450	-	223,450
<b>TOTAL</b>		<b>282,589</b>		<b>547,480</b>	-	<b>387,480</b>
<b>CEMETERY</b>						
EXPENSE	53	15,000		14,000	-	14,000
<b>TOTAL</b>		<b>15,000</b>		<b>14,000</b>	-	<b>14,000</b>
<b>HEALTH</b>						
SALARY-APPOINTED	54	3,000		3,000	-	3,000
SALARY/WAGE	55	309,339		306,515	-	306,515
EXPENSE	56	63,540		52,750	-	52,750
<b>TOTAL</b>		<b>375,879</b>		<b>362,265</b>	-	<b>362,265</b>
<b>COUNCIL ON AGING</b>						
SALARY/WAGE	57	270,485		276,431	-	276,431
EXPENSE	58	45,973		42,745	-	42,745
<b>TOTAL</b>		<b>316,458</b>		<b>319,176</b>	-	<b>319,176</b>
<b>VETERANS</b>						
EXPENSE	59	110,000		132,000	-	132,000
MEMBERSHIP	60	45,650		50,215	-	50,215
<b>TOTAL</b>		<b>155,650</b>		<b>182,215</b>	-	<b>182,215</b>
<b>HUMAN SERVICES</b>						
SALARY/WAGE	61	91,228		95,046	-	95,046
EXPENSE	62	51,910		56,410	-	53,410
<b>TOTAL</b>		<b>143,138</b>		<b>151,456</b>	-	<b>148,456</b>
<b>LIBRARY</b>						
SALARY/WAGE	63	554,725		577,229	-	577,229
EXPENSE	64	208,624		214,700	-	214,700
<b>TOTAL</b>		<b>763,349</b>		<b>791,929</b>	-	<b>791,929</b>
<b>RECREATION</b>						
SALARY/WAGE	65	317,433		323,168	-	323,168
EXPENSE	66	30,875		41,525	-	41,525
<b>TOTAL</b>		<b>348,308</b>		<b>364,693</b>	-	<b>364,693</b>



DEPARTMENT		FY 2023 BUDGET	FY 2024 DEPARTMENT REQUEST	FY 2024 FINANCE COMMITTEE RECOMMEND	FY 2024 TOWN MGR RECOMMEND
<b>HISTORICAL</b>					
TEMP WAGE	67	10,000	10,000	-	10,000
EXPENSE	68	6,830	6,830	-	6,830
<b>TOTAL</b>		<b>16,830</b>	<b>16,830</b>	<b>-</b>	<b>16,830</b>
<b>CULTURAL COUNCIL</b>					
EXPENSE	69	90	90	-	90
<b>TOTAL</b>		<b>90</b>	<b>90</b>	<b>-</b>	<b>90</b>
<b>PRINCIPAL INSIDE 2 1/2</b>		<b>70</b>	<b>978,800</b>	<b>893,385</b>	<b>-</b>
					<b>893,385</b>
<b>PRINCIPAL OUTSIDE 2 1/2</b>		<b>71</b>	<b>795,000</b>	<b>785,000</b>	<b>-</b>
					<b>785,000</b>
<b>INTEREST INSIDE 2 1/2</b>		<b>72</b>	<b>170,040</b>	<b>134,338</b>	<b>-</b>
					<b>134,338</b>
<b>INTEREST OUTSIDE 2 1/2</b>		<b>73</b>	<b>232,975</b>	<b>205,175</b>	<b>-</b>
Principal & Interest					<b>205,175</b>
<b>TEMP BORROW INSIDE 2 1/2</b>		<b>74</b>	<b>22,875</b>	<b>325,400</b>	<b>-</b>
Principal & Interest					<b>70,400</b>
<b>TEMP BORROW OUTSIDE 2 1/2</b>		<b>75</b>	<b>74,400</b>	<b>13,125</b>	<b>-</b>
					<b>13,125</b>
<b>RETIREMENT EXPENSE</b>		<b>76</b>	<b>4,062,220</b>	<b>4,301,935</b>	<b>-</b>
					<b>4,140,960</b>
<b>UNEMPLOYMENT</b>		<b>77</b>	<b>40,000</b>	<b>40,000</b>	<b>-</b>
					<b>40,000</b>
<b>MEDICAL INSURANCE</b>		<b>78</b>	<b>8,251,590</b>	<b>8,772,736</b>	<b>-</b>
					<b>8,558,248</b>
<b>GROUP INSURANCE</b>		<b>79</b>	<b>15,845</b>	<b>15,845</b>	<b>-</b>
					<b>15,845</b>
<b>MEDICARE</b>		<b>80</b>	<b>534,186</b>	<b>587,038</b>	<b>-</b>
					<b>587,038</b>
<b>TOWN INSURANCE</b>		<b>81</b>	<b>1,057,815</b>	<b>1,166,300</b>	<b>-</b>
					<b>1,134,300</b>
<b>TOTAL</b>		<b>64,769,883</b>	<b>67,784,643</b>	<b>-</b>	<b>66,883,590</b>

### Article 3

To see if the Town will vote to appropriate and transfer the sum of \$6,578,527 from available funds to various department Capital Accounts, as specified in the chart accompanying this Article, or take any other action relating thereto.

Submitted by the Select Board, Finance Committee and the Capital Improvement Program (CIP) Committee

FISCAL YEAR 2024 CAPITAL IMPROVEMENT PROGRAM		
REQUESTS BY DEPARTMENT	FY 2024 CIP COMMITTEE RECOMMENDATIONS	FY 2024 TOWN MANAGER RECOMMENDATIONS
<b>DPW</b>		
Loader (Year 2 of 3 Year lease)	\$90,127	\$90,127
Replace 2015 Ford F550	\$146,400	\$146,400
Replace 2015 International with 10 Wheel Dump Truck	\$120,000	\$120,000
Purchase Bucket Truck	\$170,000	\$170,000
<b>Total DPW</b>	<b>\$526,527</b>	<b>\$526,527</b>
<b>FIRE</b>		
Purchase of Ambulance	\$425,000	\$425,000
<b>Total Fire</b>	<b>\$425,000</b>	<b>\$425,000</b>
<b>INFORMATION TECHNOLOGY</b>		
Upgrade TV Studio at Town Hall	\$100,000	\$100,000
<b>Total Information Technology</b>	<b>\$100,000</b>	<b>\$100,000</b>
<b>PLANNING &amp; CONSTRUCTION</b>		
Flooring Replacement	\$100,000	\$100,000
HVAC Upgrades Schools, Energy Audit & Design/Engineering	\$5,000,000	\$5,000,000
<b>Total Planning &amp; Construction</b>	<b>\$5,100,000</b>	<b>\$5,100,000</b>
<b>POLICE</b>		
Four (4) Police Vehicles (Year 3 of 3 Year Lease)	\$56,000	\$56,000
Ten (10) Police Vehicles (Year 1 of 3 Year Lease)	\$199,000	\$199,000
<b>Total Police</b>	<b>\$255,000</b>	<b>\$255,000</b>
<b>RECREATION</b>		
Resurface Pickleball Courts	\$42,000	\$42,000
<b>Total Recreation</b>	<b>\$42,000</b>	<b>\$42,000</b>

(Table is continued on the next page)

<b>FISCAL YEAR 2024 CAPITAL IMPROVEMENT PROGRAM (CONTINUED)</b>		
<b>REQUESTS BY DEPARTMENT</b>	<b>FY 2024 CIP COMMITTEE RECOMMENDATIONS</b>	<b>FY 2024 TOWN MANAGER RECOMMENDATIONS</b>
<b>SCHOOL</b>		
Kitchen Equipment Upgrades	\$25,000	\$25,000
Chromebook Leases	\$50,000	\$50,000
Interactive Board Systems in classrooms	\$25,000	\$25,000
MMHS Public Address & Bell System	\$30,000	\$30,000
<i>Total School</i>	<b>\$130,000</b>	<b>\$130,000</b>
<b>TOTAL ALL DEPARTMENTS</b>	<b>\$6,578,527</b>	<b>\$6,578,527</b>

**Explanation:** This article seeks to appropriate and transfer \$6,578,527 from the Capital Stabilization Fund, Ambulance Receipts, Recreation Revolving Fund, School Choice Funds, School Department Grants and the Mashpee Cable and Advanced Technology Funds for the FY 2024 capital budget. This article requires a 2/3rd vote.

**The Select Board recommends approval of Article 3 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 3 by a vote of**

#### Article 4

To see if the Town will vote to approve the annual regional school district budget for the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2023, in the amount of \$16,750,000 and further, to see if the Town will vote to raise and appropriate the sum of \$981,293 to meet its share of the cost of operation and maintenance of the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2023, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** Mashpee's share of the Cape Cod Regional Technical High School budget is \$981,293. There are currently 50 students from Mashpee at the Cape Cod Regional Technical High School, a decrease of 1 student from the previous year.

**The Select Board recommends approval of Article 4 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 4 by a vote of**

#### Article 5

To see if the Town will vote to approve the regional school district debt assessment for the Cape Cod Regional Technical High School District Building Project for the fiscal year beginning July 1, 2023, in the amount of \$5,907,075, and further, to see if the Town will vote to raise and appropriate the sum of \$444,810 to meet its share of the cost of debt for the Cape Cod Regional Technical High School District Building Project for the fiscal year beginning July 1, 2023, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** Mashpee's share of the Cape Cod Regional Technical High School debt for the Cape Cod Regional Technical High School Building Project for Fiscal Year 2024 is \$444,810.

**The Select Board recommends approval of Article 5 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 5 by a vote of**

#### **Article 6**

To see if the Town will vote to appropriate and transfer the sum of \$250,000 from revenue available for appropriation to the Other Postemployment Benefits Irrevocable Trust Fund, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** This article will add funds to the OPEB Irrevocable Trust Fund which was established in FY 2013 to assist the Town with meeting its potential post-employment benefits obligation.

**The Select Board recommends approval of Article 6 by a vote of 5-0**

**The Finance Committee recommends approval of Article 6 by a vote of**

#### **Article 7**

To see if the Town will vote to authorize the total expenditures for the following revolving funds pursuant G.L. c.44 Section 53E ½ for the fiscal year beginning July 1, 2023, to be expended in accordance with the Bylaw establishing said revolving funds, heretofore approved, or take any other action relating thereto.

<b>FUND</b>	<b>FY 2024 AUTHORIZATION</b>
Recreation	\$625,000
Library	\$20,000
Senior Center	\$25,000
Historical Commission	\$2,500

Submitted by the Finance Director

**Explanation:** This article establishes the FY 2024 expenditure limits for departmental revolving funds.

**The Select Board recommends approval of Article 7 by a vote of 5-0**

**The Finance Committee recommends approval of Article 7 by a vote of**

#### **Article 8**

To see if the Town will vote to appropriate and transfer the sum of \$250,000 from revenue available for appropriation, to be deposited into special injury leave indemnity fund, (Injured on Duty Fund), in accordance with the provisions of General Law Chapter 41, Section 111F for the purposes of funding injury leave compensation or medical bills incurred under said law, or take any other action relating thereto.

Submitted by the Finance Director

**Explanation:** This article would deposit \$250,000 into the special injury leave indemnity fund (Injured on Duty Fund).

**The Select Board recommends approval of Article 8 by a vote of 5-0**

**The Finance Committee recommends approval of Article 8 by a vote of**

#### **Article 9**

To see if the Town will vote to appropriate \$575,902 to establish a budget for the PEG Access and Cable Related fund for fiscal year 2024, with said appropriation to be funded through the current balance of the fund, or take any other action relating thereto.

Submitted by the Finance Director

**Explanation:** The Department of Revenue requires the Town to establish and appropriate a yearly budget based on estimated expenditures from the fund for the next fiscal year. The total budget voted may not exceed the current balance within the fund.

**The Select Board recommends approval of Article 9 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 9 by a vote of**

#### **Article 10**

To see if the Town will vote to appropriate the sum of \$12,000,000 to fund completion of Phase 1 construction of the Town's comprehensive nitrogen and wastewater management, treatment and disposal improvement project, including sanitary sewer mains, lift stations, and related wastewater collection and treatment system improvements, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Select Board is authorized to borrow \$12,000,000 and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that the Treasurer, with the approval of the Select Board, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and, in connection therewith, to enter into a financing agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Select Board and/or the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and, further, to authorize the Select Board and/or Town Manager to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into any Inter-municipal or other Agreements necessary for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein; provided, however, that this appropriation and debt authorization shall be contingent upon passage of a Proposition 2 1/2 debt exclusion ballot question pursuant to General Law Chapter 59, § 21C(k), or take any other action relating thereto.

Submitted by the Select Board and the Sewer Commission

**Explanation:** This Article would provide funding to complete the construction of the Phase 1 wastewater collection and treatment system as originally proposed and bid in in the summer of 2022, including items listed as "Alternates". The Town requested, and MassDEP approved, inclusion of funding in this amount in Mass DEP's 2023 Intended Use Plan (IUP) for a zero-interest State Revolving Fund (SRF) loan.

**The Select Board recommends approval of Article 10 by a vote of 5-0**

**The Finance Committee recommends approval of Article 10 by a vote of**

#### **Article 11**

**(SB needs to vote to add to the Warrant: Borrowing Authorization for Capital Expenditures WRITTEN AND APPROVED BY Town Counsel and Bond Counsel)**

To see if the Town will vote to authorize the Treasurer, upon the approval of the Select Board, to borrow the sum of \$8,000,000, and to appropriate said sum for purposes of paying the costs of the following capital improvements, including all costs incidental and related thereto, as recommended by the Capital Improvement Program Committee:

1. Purchase a new Fire Truck;
2. Mashpee Public Schools HVAC Replacement design, engineering, and construction/ Energy Audit;
3. Town Hall HVAC Water Piping design and construction;
4. Police Department HVAC Replacement design, engineering, and construction; and
5. DPW Roof Replacement design, engineering, and construction.

provided, however, that any borrowing authorized hereunder shall be expressly subject to and contingent upon approval by the voters of the Town of a ballot question to exclude from the limitations of *Proposition 2 1/2*, G.L. c. 59, §21C, the amounts required to pay the principal and interest on any bonds, notes or certificates of indebtedness issued hereunder; or take any other action relating thereto.

Submitted by the Select Board, the Finance Committee and the Capital Improvement Program (CIP) Committee

**Explanation:** This article seeks to authorize the Treasurer, after approval by the Select Board, to borrow \$8,000,000 to pay for Capital Expenditures for a new fire truck, HVAC replacement design, engineering and construction, as well as, an energy audit for Mashpee Public School Buildings, HVAC replacement design, engineering and construction the Mashpee Police Department Building, HVAC water piping design and construction at Mashpee Town Hall, and design, engineering and construction of a roof at the Department of Public Works Building.

**The Select Board recommends approval of Article 11 by a vote of**

**The Finance Committee recommends approval of Article 11 by a vote of**

#### **Article 12**

To see if the Town will vote to raise, borrow or transfer from available funds and appropriate the sum of \$595,357 to provide for road improvement projects under the Chapter 90 program, or take any other action relating thereto.

Submitted by the Department of Public Works

**Explanation:** This article authorizes use of funds which will be 100% reimbursed by the Commonwealth of Massachusetts. The budget approved each fiscal year by the Legislature and Governor establishes the total funding available for Chapter 90 local transportation aid for that year. These funds are then apportioned to the 351 Massachusetts towns and cities. The funding authorized by this article is the maximum anticipated Town's share of the FY24 Chapter 90 program.

**The Select Board recommends approval of Article 12 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 12 by a vote of**

### Article 13

To see if the Town will vote to appropriate \$ 486,380 for the operation of the Kids Klub Enterprise Fund for Fiscal Year 2024; such sums to be raised from \$ 486,380 in receipts of the Enterprise, or take any other action relating thereto.

Submitted by the Recreation Department

#### Estimated Revenues

Registration Fees	\$ 3,200
Tuition	\$ 482,905
Investment Income	\$ 275
<b>Total Budgeted Revenue</b>	<b>\$ 486,380</b>

#### Estimated Expenses

Salary (full-time; incl. long.)	\$321,328
Salary (part-time)	\$ 45,552
Benefits (Health, Life, Medicare)	\$ 57,000
<u>Building Expenses</u>	<u>\$ 62,500</u>
<b>Total Budgeted Expenses</b>	<b>\$486,380</b>
<b>Net Profit/Loss</b>	<b>\$ 0</b>

**Explanation:** The proposed Recreation Enterprise budget for fiscal year 2024 will authorize the Recreation Department to operate a toddler/pre-school program as a self-sufficient, self-funded operation. All costs related to this program are projected are to be offset by the revenues of the program. Any monies in excess of the expenses are to remain in the account.

**The Select Board recommends approval of Article 13 by a vote of 5-0**

**The Finance Committee recommends approval of Article 13 by a vote of**

### Article 14

To see if the Town will vote to appropriate and transfer from the FY 2024 Community Preservation Fund Estimated Revenues, the sum of \$40,000 to the Community Preservation Committee Administrative and Operating Expense Account, pursuant to the provisions of M.G.L., Chapter 44B, §5, including any necessary costs related thereto, as recommended by the Community Preservation Committee, or take any other action relating thereto.

Submitted by the Community Preservation Committee

**Explanation:** To provide annual funding in FY 2024 for the administrative and operational costs of the Community Preservation Committee which includes project costs associated with and incidental to the Community Preservation Committee. Under the CPA Act, up to 5% of the annual CPA funds may be spent on the operation and administrative costs of the Community Preservation Committee. Funding supports legal and professional fees, technical reviews, appraisal costs, signage, annual Community Preservation Coalition dues, administrative wages, office supplies and similar costs associated with and incidental to the development of a CPA project.

The Community Preservation Committee recommends approval of Article 14 by a vote of \_\_\_\_.

**The Select Board recommends approval of Article 14 by a vote of 5-0**

**The Finance Committee recommends approval of Article 14 by a vote of**

#### **Article 15**

To see if the Town will vote to continue participation in the Community Septic Management Program and the Massachusetts Water Pollution Abatement Trust (MWPAT) for the purpose of making loans to residents of the Town for repairing and/or upgrading residential septic systems pursuant to agreements between the Board of Health and residential property owners, including all costs incidental and related thereto, or to take any other action relating thereto.

Submitted by the Board of Health

**Explanation:** The Commonwealth of Massachusetts, through the Water Pollution Abatement Trust, has provided approximately \$660,000.00 at 0% interest to the Town of Mashpee to assist homeowners in complying with failed Title V systems since 1998. The loans are available to homeowners at 5% interest, to cover any ongoing costs of the program. Loans must be secured by a betterment assessed by the Town on the property being improved by the loan. The repayment of the loans to the Town, with the 5% interest, is being repaid through previously issued property betterments. In order for the Town to be able to re-loan funds to future additional septic projects, the Town must annually reauthorize/re-approve participation in the Community Septic Management Program. Failure to reauthorize participation in the Program will restrict the Town from re-lending funds to homeowners with failed septic systems. The repaid monies will be held in an account with the principle amount repaid to the MWPAT as scheduled.

**The Select Board recommends approval of Article 15 by a vote of 5-0**

**The Finance Committee recommends approval of Article 15 by a vote of**

#### **\*PLACESAVERS\* CONTRACT SETTLEMENTS Articles 16-23 (Page 18 through top of Page 21)**

#### **Article 16**

To see if the Town will vote to appropriate and transfer the sum of \$\_\_\_\_\_ from revenue available for appropriation to fund the Personnel Administration Plan (P.A.P.) Appendix B and Appendix C employees, including the Plumbing and Wiring Inspectors, effective July 1, 2023, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Select Board



**Explanation:** This article will fund the adjustments to the Personnel Administration Plan for Fiscal Year 2024.

**The Select Board recommends approval of Article 16 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 16 by a vote of**

#### **Article 17**

To see if the Town will vote to appropriate and transfer the sum of \$\_\_\_\_\_ from revenue available for appropriation to fund the Mashpee Permanent Fire Fighters Association, International Association of Fire Fighters (IAFF) Local 2519, effective July 1, 2023, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** This article will fund the negotiated adjustments to the Mashpee Permanent Fire Fighters Association, International Association of Fire Fighters (IAFF) Local 2519 for Fiscal Year 2024.

**The Select Board recommends approval of Article 17 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 17 by a vote of**

#### **Article 18**

To see if the Town will vote to appropriate and transfer the sum of \$\_\_\_\_\_ from revenue available for appropriation to fund the MASS. C.O.P., Local 324, Unit A – Patrol Officers and Detectives, effective July 1, 2023, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** This article will fund the negotiated adjustments to the MASS. C.O.P., Local 324, Unit A – Patrol Officers and Detectives for Fiscal Year 2024.

**The Select Board recommends approval of Article 18 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 18 by a vote of**

#### **Article 19**

To see if the Town will vote to appropriate and transfer the sum of \$\_\_\_\_\_ from revenue available for appropriation to fund the MASS. C.O.P., Local 320, Unit B – Sergeants, effective July 1, 2023, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** This article will fund the negotiated adjustments to the MASS. C.O.P., Local 320, Unit B – Sergeants for Fiscal Year 2024.

**The Select Board recommends approval of Article 19 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 19 by a vote of**

## **Article 20**

To see if the Town will vote to appropriate and transfer the sum of \$\_\_\_\_\_ from revenue available for appropriation to fund the MASS. C.O.P., Local 477, Administrator's Unit C – Police Lieutenants effective July 1, 2023, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** This article will fund the negotiated adjustments to the MASS. C.O.P., Local 477 Administrator's Unit C – Police Lieutenants for Fiscal Year 2024.

**The Select Board recommends approval of Article 20 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 20 by a vote of**

## **Article 21**

To see if the Town will vote to appropriate and transfer the sum of \$\_\_\_\_\_ from revenue available for appropriation to fund the Service Employees International Union (SEIU), Local 888, Clerical/Library/Dispatchers Chapter effective July 1, 2023, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** This article will fund the negotiated adjustments to the Service Employees International Union (SEIU), Local 888, Clerical / Library/Dispatchers Chapter for Fiscal Year 2024.

**The Select Board recommends approval of Article 21 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 21 by a vote of**

## **Article 22**

To see if the Town will vote to appropriate and transfer the sum of \$\_\_\_\_\_ from revenue available for appropriation to fund the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit A; effective July 1, 2023, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** This article will fund the negotiated adjustments to the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit A for Fiscal Year 2024.

**The Select Board recommends approval of Article 22 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 22 by a vote of**

## **Article 23**

To see if the Town will vote to appropriate and transfer the sum of \$\_\_\_\_\_ from revenue available for appropriation to fund the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit B; effective July 1, 2023, with said funds to be distributed to various salary line items by the Town Accountant, or take any other action relating thereto.

Submitted by the Select Board

**Explanation:** This article will fund the negotiated adjustments to the Service Employees International Union (SEIU), AFL-CIO Local 888, Public Works Unit B for Fiscal Year 2024.

**The Select Board recommends approval of Article 23 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 23 by a vote of**

#### **Article 24**

To see if the Town will vote to transfer the care, custody, management and control of the following parcel of Town owned land to the Select Board for the purpose of sale or lease in conjunction with use of the abutting Boys and Girls Club of Cape Cod, Inc. parcel: a portion of land shown on Assessors' map 67 as Block 1 and more particularly described on a plan entitled, "Proposed Boys and Girls Club Expansion", dated September 8, 2008, a copy of which is on file in the Office of the Town Clerk, and to authorize the Select Board to execute a deed or a lease therefor on such terms as the Select Board shall deem proper, and further, to authorize the Select Board to petition the General Court, as may be necessary, for special legislation authorizing such sale or lease, or take any other action relating thereto.

SEE MAP IN APPENDIX A

Submitted by the Select Board

**Explanation:** This article will authorize the lease of additional land to the Boys & Girls Club of Cape Cod, Inc. for the expansion of the Boys and Girls Club Building located at the municipal complex on Frank E. Hicks Drive off of the Nathan Ellis Highway (Route 151).

**The Select Board recommends approval of Article 24 by a vote of 5-0**  
**The Finance Committee recommends approval of Article 24 by a vote of**

#### **Article 25**

To see if the Town will appropriate and transfer the sum of \$152,956 from revenue available for appropriation to the Human Services Opioid Settlement account; said funds to be expended by Human Services Director, upon approval of the Human Services Committee, or take any other action relating thereto.

Submitted by the Human Services Committee

**Explanation:** These funds are a result of the statewide opioid settlement agreement and must be used to implement strategies to assist individuals affected by opioid use.

**The Select Board recommends approval of Article 25 by a vote of 5-0**  
**The Finance Committee recommends approval of Article 25 by a vote of**

#### **Article 26**

To see if the Town will vote to amend General Bylaw, Chapter 170, Use of Waterways, by adding the following section prohibiting the use of any engine or motor in excess of 10 horsepower and regulating speed to "headway speed" on Santuit Pond:

##### **Ch. 170 § 19: Santuit Pond Prohibited Uses**

- A. Purpose. This regulation is intended to limit the disturbance and resuspension of phosphorous laden sediment into the water column resulting from deep mixing caused by motorized boats on Santuit Pond, to protect and preserve water quality of the Pond, prevent shoreline erosion, and limit noise pollution.

- B. The operation and use of any engine or motor greater than 10 horsepower in or upon the waters of Santuit Pond is prohibited. Further, no powered recreational vessel shall operate at speeds greater than "headway speed". The operation of vessels owned or authorized by an agency of the United States Government, Tribal Government, or by a State, County, City, or Town is excluded from the application of this section. Each violation hereof shall subject the vessel operator/owner responsible therefor to a penalty of not more than \$300.00.
- C. "Headway Speed" shall be defined as the minimum speed at which a vessel may be operated to maintain safe steerage, but not to exceed six miles per hour.
- D. Abutter compliance - All "direct abutters" to Santuit Pond will be allowed a 1-year grace period for compliance with this regulation commencing with approval hereof by the Attorney General, Office of Fishing Boating Access, and the Massachusetts Environmental Police. For purposes of this section a "direct abutter" shall be defined as any resident or homeowner residing at or owning property within 300 feet of Santuit Pond. Said resident or homeowner shall receive a pass from the Department of Natural Resources' Harbormaster Division to operate outside of the above restrictions during the 1-year period after regulatory approval hereof.

Submitted by the Department of Natural Resources

**Explanation:** Santuit Pond's depth is under 11 feet throughout, with an average depth of only 6.5 feet. Due to its shallowness and elevated phosphorus levels, the Pond cannot support the use of motors of more than 10 horsepower. Through the Municipal Vulnerability Preparedness Program and the completion of a Watershed Management Plan, our consultants from Fuss & O'Neil and The Southeast New England Partnership Program recommend this horsepower restriction for Santuit Pond to improve water quality and reduce shoreline erosion. This is one important change necessary for the Pond's long-term health.

**The Select Board recommends approval of Article 26 by a vote of 5-0**

**The Finance Committee recommends approval of Article 26 by a vote of**

## **Article 27**

To see if the Town will vote to upgrade one part-time Administrative Secretary position (19 hours/week without benefits) to a full-time Administrative Secretary position within the Department of Natural Resources with said position to be classified under the Clerical Union, to be effective July 1, 2023, and to appropriate and transfer the sum of \$66,005.15 from revenue available for appropriation with said funds to be distributed as follows: \$26,190.00 to the Department of Natural Resources Full-Time Salary Account; \$379.76 to the Medicare Account, \$26,811.00 for the Town's portion of health insurance; \$ 34.56 for the Town's portion of life insurance; and \$12,589.83 to Barnstable County Retirement or take any other action relating thereto.

Submitted by the Department of Natural Resources

**Explanation:** The new full-time Administrative Secretary position is needed to help and assist with the Department's billing and invoicing, mooring management, payroll processing, and public affairs. The Administrative Secretary will allow for a full-time presence at the Department's new location outside of Town Hall. He/ she will serve as the primary contact for public relations to allow other staff members to tend to mission critical affairs away from their office space.

**The Select Board recommends approval of Article 27 by a vote of 5-0**

**The Finance Committee recommends approval of Article 27 by a vote of**

## Article 28

To see if the Town will vote to appropriate and transfer the sum of \$75,000 from the Waterways Improvement Fund to the Engineering/Permitting/Dredging and Associated Expense Account or take any other action relating thereto.

Submitted by the Department of Natural Resources and the Waterways Commission

**Explanation:** This Article will provide funds for various Waterways projects.

**The Select Board recommends approval of Article 28 by a vote of 5-0**

**The Finance Committee recommends approval of Article 28 by a vote of**

## Article 29

To see if the Town will vote to amend §174-25 (H)(12) of the Mashpee Zoning By Law "Table of Use Regulations" by adding the letters 'SP' located in the columns identified as C-1 and C-2, and further by deleting the phrase, "provided that neighboring properties are effectively protected from any significant adverse impacts from glare, that any such systems are properly fenced or otherwise secured, and that no hazardous materials are stored in quantities greater than permitted by other sections of this bylaw, subject to approval by the Plan Review Committee and Design Review Committee" under the "Type of Use column" and replacing that phrase with "subject to the provisions of Section 174-45.7"

Type of Use	Residential		Commercial			Industrial
	R-3	R-5	C-1	C-2	C-3	I-1
Medium-scale and Large Scale Ground Mounted Solar Energy Systems, subject to the provisions of Sec. 174-45.7	--	--	SP	SP	--	PR

Submitted by the Planning Board

**Explanation:** This article would allow the development of medium scale solar energy systems as an accessory and/or principal use in the residential, commercial and industrial zoning districts with a Special Permit from the Planning Board in the C-1 and C-2 zoning districts subject to a new special provision 174-45.7 proposed containing performance standards and design criteria for the use.

**The Select Board recommends approval of Article 29 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 29 by a vote of**

## Article 30

To see if the Town will vote to amend §174-31, Land Space Requirements Table by referencing footnote 15 in the Minimum Lot Frontage column title and adding new footnote 15 to read as follows:

<sup>15</sup> Minimum lot frontage required for the development of solar energy systems shall be twenty-five (25) feet.

Submitted by the Planning Board

**Explanation:** This article would allow the development of solar energy systems on lots that have a minimum of twenty-five (25) feet by amending the footnotes of the Land Space Requirements table in the Zoning Bylaw. Lot frontage of 150 feet is the minimum requirement for other uses in the Town. The Town may consider reducing frontage to encourage solar energy on otherwise unbuildable lots. Solar Energy systems require only one access driveway for maintenance.

**The Select Board recommends approval of Article 30 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 30 by a vote of**

### **Article 31**

To see if the Town will vote to add new section 174-45.7: Solar Energy Systems to the Mashpee Zoning Bylaws as follows:

#### **Solar Energy Systems**

##### **A. Purpose and Intent**

This section promotes the creation of new small, medium and large-scale, ground-mounted solar energy systems by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and for providing adequate financial assurance for the eventual decommissioning of such installations. This bylaw is adopted pursuant to the Commonwealth of Massachusetts Green Communities Act and Massachusetts General Laws Chapter 40A Section 3.

##### **B. General Provisions**

1. Small scale ground mounted solar energy systems and roof mounted solar energy systems shall be considered an accessory use allowed as-of-right in the R-3, R-5, C-1, C-2, C-3, and I-1 districts. In issuing a building permit for such a system, the Building Inspector shall ensure that neighboring properties are effectively protected from any adverse impacts arising from glare.
2. Any medium or large-scale solar energy system shall be allowed in the C-1 and C-2 Zoning Districts only after the issuance of a Special Permit by the Planning Board. In issuing such Special Permit, the Board shall ensure that neighboring properties are effectively protected from any significant adverse impacts arising from glare, that any such systems are properly fenced or otherwise secured, and that no hazardous materials are stored in quantities greater than permitted by other sections of this bylaw.
3. Any medium or large-scale solar energy system in the I-1 Industrial Zoning District shall be allowed after review and approval by the Plan Review Committee.
4. The construction and operation of all ground-mounted solar energy systems shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures constituting part of a ground-mounted solar energy system shall be constructed in accordance with all applicable requirements of the Massachusetts State Building Code.

5. The solar energy system's owner or operator shall maintain system facilities in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Town's Fire Chief and Emergency Management Director. The owner or operator shall be responsible for the cost of maintaining the ground-mounted solar energy system and any related access road(s).
6. No solar energy system may use panels manufactured with per-and polyfluoroalkyl substances (PFAS).

### **C. Dimensional Criteria**

#### **1. Small Scale Solar Energy Systems**

- a) Small scale ground mounted systems shall comply with the setback requirements typical of the zoning district and shall not exceed fifteen (15') feet in height.
- b) Small scale ground mounted systems shall be exempt from the performance standards defined in Section G of this chapter.

#### **2. Medium and Large Scale Solar Energy Systems**

- a. Medium and Large Scale Solar energy systems may be accessory to another principal structure or use provided that they satisfy the dimensional criteria and performance standards contained in this section.
- b. Ground-mounted solar energy systems shall be set back a distance of at least 100 feet from a public or private way. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
- c. Ground-mounted solar energy systems shall be set back a distance of at least 125 feet from any inhabited Residence, and 100 feet from any property in residential use. For the purposes of this section, a Residence is defined as the primary living structure and not accessory structures. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
- d. Ground-mounted solar energy systems shall be set back a distance of at least 50 feet from any commercial property or use, and 25 feet from any industrial property or use notwithstanding the provisions of paragraph 2 above (relative to medium and large-scale solar energy systems). The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
- e. Ground-mounted solar energy systems shall be set back a distance of at least 50 feet from abutting conservation land and any property not included in the Ground-mounted solar array application. The Planning Board may reduce the minimum setback distance as it may deem appropriate based on site-specific considerations.
- f. Ground-mounted systems (medium and large) shall be set back a distance of at least 200 feet from any river and set back a distance of at least 100 feet from any water and wetlands.

- g. Fixed tilt Ground-mounted solar energy systems shall have a maximum height of 15 feet above grade. In the case of single or dual axis tracking Ground-mounted solar energy systems, the Planning Board may increase the maximum height as it may deem appropriate based on site-specific considerations.
- h. Inverters, energy storage systems, and transmission system substations shall be set back a distance of at least 200 feet from any residence. The Planning Board may reduce the minimum setback distance as it may deem appropriate based on site-specific considerations.

#### **D. Special Permits Rules and Application Requirements**

A Solar Energy System Special Permit shall not be granted unless each of the following submittal requirements, in addition to the requirements in §174-24 C Special Permit use, are satisfied:

- 1. A properly completed and executed application form and application fee;
- 2. Any requested waivers;
- 3. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
- 4. Name, contact information and signature of any agents representing the project proponent;
- 5. Name, address, and contact information for proposed system installer;
- 6. Documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar energy system;
- 7. Proposed hours of operation and construction activity;
- 8. Blueprints or drawings of the solar energy system signed by a Massachusetts licensed Registered Professional Engineer showing the proposed layout of the system and any potential shading from nearby structures;
- 9. Utility Notification - evidence that the utility company that operates the electrical grid where a grid-intertie solar energy system is to be located has been informed of the system owner or operator's intent to install an interconnected facility and acknowledges receipt of such notification, and a copy of an Interconnection Application filed with the utility including a one or three line electrical diagram detailing the solar electric installation, associated components, and electrical interconnection methods, with all Massachusetts Electrical Code (527 CMR § 12.00) compliant disconnects and overcurrent devices. Off-grid solar energy systems shall be exempt from this requirement;
- 10. Documentation of the major system components to be used, including the electric generating components, battery or other electric storage systems, transmission systems, mounting system, inverter, etc.;
- 11. Preliminary Operation & Maintenance Plan for the solar energy system, which shall include measures for maintaining safe access to the installation, storm water management, vegetation controls, and general procedures for operational maintenance of the installation;



12. Abandonment & Decommissioning Plan - Any ground-mounted solar energy system which has reached the end of its useful life or has been abandoned (i.e., when it fails to operate for more than one year without the written consent of the Planning Board) shall be removed. The owner or operator shall physically remove the installation within 150 days of abandonment or the proposed date of decommissioning. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. The Abandonment & Decommissioning Plan shall include a detailed description of how all of the following will be addressed:
- a. Physical removal of all structures; equipment, building, security barriers and transmission lines from the site, including any materials used to limit vegetation.
  - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
  - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow landscaping or below-grade foundations left *in situ* in order to minimize erosion and disturbance of the site.
  - d. Description of financial surety for decommissioning - Proponents of ground-mounted solar energy systems shall provide a form of surety, either through escrow account, bond or other form of surety approved by the Planning Board to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be commercially reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent and the Town. Such surety will not be required for municipal or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.
  - e. It shall be a condition of any special permit that all legal documents required to enable the Town to exercise its rights and responsibilities under the plan to decommission the site, enter the property and physically remove the installation shall be provided prior to the issuance of a building permit.
13. Proof of liability insurance in such form and with policy limits satisfactory to the Planning Board;
14. A storm water management plan prepared by a Massachusetts licensed Registered Professional Engineer; and
15. A Site Plan, with stamp and signature of the Massachusetts licensed Registered Professional Engineer that prepared the plan, including the following:
- a. Everything required under this bylaw and Site Plan Approval.
  - b. Existing Conditions Plan, showing property lines, map and lot from the Assessor's records, and physical features, including roads and topography, for the entire project site, signed and sealed by a Massachusetts licensed Registered Land Surveyor.

- c. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation, fencing or structures including their height, and placement of system components, including solar arrays and related structures and equipment.
- d. An estimate of earthwork operations including the volume of cut and fill and the amount of soil material to be imported or exported from the site.
- e. Locations of wetlands, vernal pools, and Priority Habitat Areas defined by the Natural Heritage & Endangered Species Program (NHESP).
- f. Locations of floodplain area(s).
- g. Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose).
- h. Materials storage and delivery and equipment staging area(s).
- i. Location of screening vegetation or structures.

**E. Required Performance Standards – Medium and Large Scale Solar Energy Systems**

1. Visual Impact Mitigation – The site plan for a ground-mounted solar energy system shall be designed to screen the array to the maximum extent practicable, on a year round basis, from adjacent properties in residential use and from all roadways.
2. All required setbacks shall be left in their undisturbed natural vegetated condition for the duration of the solar energy system's installation. In situations where the naturally vegetated condition within required setbacks is not wooded and does provide adequate screening of the solar array, the Planning Board may require additional intervention including, but not limited to:
  - a. A landscaping plan showing sufficient trees and understory vegetation, of a type common in natural areas of Mashpee, to replicate a naturally wooded area and to constitute a visual barrier between the proposed array and neighboring properties and roadways.
  - b. Berms along property lines and roadways with suitable plantings to provide adequate screening to neighboring properties and roadways.
3. Lighting – Lighting of ground-mounted solar energy systems shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Lighting shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
4. Signage – Signs on ground-mounted solar energy systems shall comply with all applicable regulations of this bylaw and/or any Town sign bylaw. A sign shall be required to identify the owner, operator and interconnected utility and provide a 24-hour emergency contact phone number. Ground-mounted solar energy systems shall not be used for displaying any advertising signage.
5. Utility Connections – Within setback distances and except where soil conditions, location, property shape, and topography of the site or requirements of the utility provider prevent it, all utility connections from grid-intertie solar energy systems shall be placed underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

6. Vegetation Management – All land associated with the ground-mounted solar energy system shall be covered and grown in natural vegetation. The height of vegetation must be managed by regular mowing or grazing so as to minimize the amount and height of combustible material available in case of fire. Herbicides, pesticides, or chemical fertilizers shall not be used to manage vegetation. To the greatest extent practicable, a diversity of plant species shall be used, with preference given to species that are native to New England. Use of plants identified by the most recent copy of the “Massachusetts Prohibited Plant List” maintained by the Massachusetts Department of Agricultural Resources is prohibited. Management of all vegetated areas shall be maintained throughout the duration of the solar energy system’s installation through mechanical means without the use of chemical herbicides.
7. Noise Generation – Noise generated by ground-mounted solar energy systems and associated equipment and machinery shall conform to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10.
8. Fencing – Fencing around solar arrays shall provide 6 inches of clearance between the fence bottom and the ground to allow passage of small wildlife. Clearance shall not exceed 6 inches unless otherwise approved by the Planning Board in its written decision for good cause. The Planning Board shall require residential style fencing where necessary to screen the solar energy systems on a year round basis from adjacent residences.
9. Land Clearing and Soil Erosion – Clearing of natural vegetation and topsoil shall be limited to what is necessary for the construction, operation, and maintenance of the ground-mounted solar energy system. No topsoil removed during construction shall be exported from the site.
10. Erosion Control and Stormwater – Erosion Control and Stormwater Management notation shall be included to show that adequate provisions against erosion and adverse impacts of runoff are appropriately mitigated.
11. Emergency Services – The ground-mounted solar energy system owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Mashpee Fire Department, and any other neighboring Fire Department upon request. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar energy system shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

#### **F. Waivers**

The Planning Board may, upon the prior written request of the applicant, waive any of the requirements of this Section, and shall state its reasons for doing so, in writing, as part of its decision.

Submitted by the Planning Board

**Explanation:** This article would expand solar energy system uses for medium scale (up to 40,000 square feet) and large scale (greater than 40,000 square feet) into the C-1 and C-2 Commercial Zoning Districts. Any medium and large-scale solar energy system proposed in either of those zoning districts would require an application to the Planning Board for a special permit outlining compliance with the minimum required performance standards of this article.

**The Select Board recommends approval of Article 31 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 31 by a vote of**

## **Article 32**

To see if the Town will vote to upgrade and create positions at the Library and to appropriate funding therefor, as follows:

Upgrade one part-time Library Assistant-Youth Services (19.5 hours per week) classified SEIU, Grade III, to a new full-time Library Assistant -Youth Services position (37.5 hours per week) classified SEIU Grade III, to be effective July 1, 2023; and to appropriate and transfer the sum of \$59,267.88 from revenue available for appropriation, with said funds to be distributed as follows: \$20,405.00 to the Library Full-Time Clerical Salary Account; Medical Insurance Account, \$27,882.00; Group Life Insurance Account, \$34.56; Medicare Account, \$616.39; and \$10,329.93 to Pension Reserve Account.

Upgrade one part-time Library Assistant-Adult Services (19.5 hours per week) classified SEIU, Grade III, to a new full-time Library Assistant -Adult Services position (37.5 hours per week) classified SEIU Grade III, to be effective July 1, 2023; and to appropriate and transfer the sum of \$58,042.06 from revenue available for appropriation, with said funds to be distributed as follows: \$19,465.00 to the Library Full-Time Clerical Salary Account; Medical Insurance Account, \$27,882.00; Group Life Insurance Account, \$34.56; Medicare Account \$600.30; and \$10,060.20 to Pension Reserve Account.

Upgrade one part-time Circulation Assistant (19.5 hours per week) classified SEIU, Grade II, to a new full-time Circulation Assistant position (37.5 hours per week) classified SEIU Grade II, to be effective July 1, 2023; and to appropriate and transfer the sum of \$55,820.54 from revenue available for appropriation, with said funds to be distributed as follows: \$18,417.75 to the Library Full-Time Clerical Salary Account; Medical Insurance Account, \$27,882.00; Group Life Insurance Account, \$34.56; Medicare Account \$534.11; and \$8952.12 to Pension Reserve Account, or take any other action relating thereto.

Submitted by the Library Board of Trustees

**Explanation:** Three existing and funded part-time positions (19.5 hours per week/each) as listed above will be eliminated and replaced with three full-time positions (37.5 hours per week/each). Due to the updated figures recorded in the 2020 Census, which reflect the fact that the Town of Mashpee's population now exceeds 15,000, the Library has three years to increase hours of operation to 50 hours per week to meet the full state certification requirements. We are currently at the end of the first year of the "grace period" to reach this benchmark.

**The Select Board recommends approval of Article 32 by a vote of 5-0**  
**The Finance Committee recommends approval of Article 32 by a vote of**

### **Article 33**

To see if the Town will vote to create one full-time Circulation Assistant position at the Library (37.5 hours per week) Classified SEIU, Grade II to be effective July 1, 2023, and to appropriate the and transfer the sum of \$37,402.79 from revenue available for appropriation with said funds to be distributed as follows: Medical Insurance Account, \$27,882.00; Group Life Insurance Account, \$34.56; Medicare Account \$534.11; and \$8952.12 to Pension Reserve Account, or take any other action relating thereto.

Submitted by the Library Board of Trustees

**Explanation:** Two existing and funded part-time Circulation Assistant positions (19.5 hours per week/each) will be eliminated and replaced with one full-time Circulation Assistant (37.5 hours per week). Due to the updated figures recorded in the 2020 Census, which reflect the fact that the Town of Mashpee's population now exceeds 15,000, the Library has three years to increase hours of operation to 50 hours per week to meet the full state certification requirements. We are currently at the end of the first year of the "grace period" to reach this benchmark.

**The Select Board recommends approval of Article 33 by a vote of 5-0**

**The Finance Committee recommends approval of Article 33 by a vote of**

### **Article 34**

To see if the Town will vote to appropriate and transfer the sum of \$507,250 from the Ambulance Reserved Receipts account with said funds to be distributed as follows: \$500,000 to the Fire Department Overtime Salary Account and \$7,250 to the Medicare expense account, or take any other action relating thereto.

Submitted by Fire Chief John Phelan

**Explanation:** This article provides additional funds to cover a projected shortfall in the Fire Department Salary account. Due to an increase in calls for service, additional staffing is required. The funds will cover anticipated overtime costs associated with increasing minimum manning. All funds will be transferred from the Ambulance Reserved Receipts account and will have no impact on the taxes.

**The Select Board recommends approval of Article 34 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 34 by a vote of**

### **Article 35**

To see if the Town will vote to amend Section 172-2 (Jurisdiction) of General Bylaw Chapter 172 (Wetlands) to increase the current one hundred (100') foot buffer zone to wetlands to one hundred and fifty (150') feet, as follows:

**Ch. 172-2: Jurisdiction:**

Except as permitted by the Conservation Commission or as provided in this bylaw, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas: any freshwater or coastal wetlands; marshes; wet meadows; bogs; swamps; vernal pools; banks; lakes; ponds; streams; creeks; beaches; dunes; estuaries; the ocean; lands under waterbodies; lands subject to flooding or inundation by ground water or surface water; lands subject to tidal action, coastal storm flowage, or flooding; lands within one hundred and fifty (150') feet of any of the aforesaid resource areas; rivers; and lands within two hundred (200') feet of rivers (collectively the "resource areas protected by this bylaw"). Said resources shall be protected whether or not they border surface waters.

Submitted by the Conservation Commission

**Explanation:** This article would increase the current one hundred (100') foot buffer zone to wetlands to one hundred and fifty (150') feet in order to provide increased pollution and sediment removal from waters entering wetlands, and to increase the area available for wildlife habitat.

**The Select Board recommends approval of Article 35 by a vote of 4-1**

**The Finance Committee recommends approval of Article 35 by a vote of**

### **Article 36**

To see of the Town will vote to amend Section 172-7 (A)(1) (Permits, Determinations and Conditions) of General Bylaw Chapter 172 (Wetlands) to increase the current one hundred (100') foot buffer zone to wetlands to one hundred and fifty (150') feet and increase the current requirement of a fifty (50') foot Naturally Vegetated Buffer Strip (NVBS) to seventy five (75') feet, as follows:

#### **172-7 Permits; Determinations and Conditions:**

A. If the Commission, after a public hearing, determines that the activities which are the subject of the application are likely to have significant or cumulative effect upon the wetland values protected by this chapter, the Commission, within twenty-one (21) days of the close of the hearing, shall issue or deny a permit for the activities requested. If it issues a permit, the Commission shall impose conditions which the Commission deems necessary or desirable to protect those values, and all activities shall be done in accordance with those conditions.

1. Lands within one hundred fifty (150') feet of specific resource areas, and lands within two hundred (200') feet of rivers, are presumed important to the protection of these resources because activities undertaken in close proximity to wetlands, rivers, streams, lakes, ponds, creeks, estuaries, the ocean and/or other resource areas have a high likelihood of adverse impact upon them, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of activities. These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality, and loss of wildlife habitat. The Commission therefore may require that the applicant maintain a continuous naturally vegetated buffer strip (NVBS) within the aforesaid one hundred fifty (150') foot (or two hundred (200') feet for rivers) area with the aim of minimizing adverse impacts to resource areas and the wetland values of Chapter 172. (This requirement will not preclude access pathways through said NVBS, as determined by regulations for this Chapter.) Said NVBS shall be a minimum of seventy five (75') feet in width unless the applicant convinces the Commission (as per the provisions of Section 12 of this Chapter) that:

- (a) The NVBS (or part of it) may be disturbed and/or diminished without harm to the values protected by this Chapter, or
- (b) That reducing the scope of work/alteration is not possible.

Submitted by the Conservation Commission

**Explanation:** This article would increase the current one hundred (100') foot buffer zone to wetlands to one hundred and fifty (150') feet and increase the current fifty (50') foot naturally vegetated buffer strip (NVBS) to seventy-five (75') feet in order to provide increased pollution and sediment removal from waters entering wetlands, and to increase the area available for wildlife habitat.

**The Select Board recommends approval of Article 36 by a vote of 4-0**

**The Finance Committee recommends approval of Article 36 by a vote of**

### **Article 37**

To see if the Town will vote to authorize and empower the Select Board to prepare a plan laying out and defining Watson Drive and to accomplish said purpose and for expenses related thereto, the Town vote to appropriate and transfer from revenue available for appropriation \$10,000 to the Watson Drive Roadways Account, or take any other action relating thereto.

SEE MAP IN APPENDIX A

Submitted by Petition  
(Lead Petitioner-Stephen McDonald)

**Explanation:** This Article authorizes the Town to layout and define Watson Drive and to appropriate funding for this purpose.

**The Select Board recommends approval of Article 37 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 37 by a vote of**

### **Article 38**

To see if the Town will vote to amend its Bylaws by amending Chapter 172 Wetlands, §172-2 Jurisdiction, to increase the buffer zone to wetlands by replacing the words "on hundred (100') feet of any of the aforesaid resource areas;" with the words "one hundred and fifty (150') feet of any of the aforesaid resource areas;" or take any other action relating thereto.

Submitted by Petition  
(Lead Petitioner-Susan Dangel)

**Explanation:** This article would increase the current one hundred (100') foot buffer zone to wetlands to one hundred and fifty (150') feet in order to provide increased pollution and sediment removal from waters entering wetlands, and to increase the area available for wildlife habitat.

**The Select Board recommends approval of Article 38 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 38 by a vote of**

### **Article 39**

To see if the Town will vote to amend Subsection 172-7.A.1 of its Wetlands Bylaws by replacing the term "one hundred (100') feet" in its first sentence with the term "one hundred fifty (150') feet", replacing the term "one hundred (100') foot" in its third sentence with the term "one hundred fifty (150') foot" and replacing the term "fifty (50') feet" in its fifth sentence with the term "seventy-five (75') feet", or take any other action relating thereto.

Submitted by Petition  
(Lead Petitioner-Susan Dangel)

**Explanation:** This article would increase the current one hundred (100') foot buffer zone to wetlands to one hundred and fifty (150') feet and increase the current fifty (50') foot naturally vegetated buffer strip (NVBS) to seventy-five (75') feet in order to provide increased pollution and sediment removal from waters entering wetlands, and to increase the area available for wildlife habitat.

**The Select Board recommends approval of Article 39 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 39 by a vote of**

### **Article 40**

To see if the Town will vote to authorize and empower the Select Board to prepare a plan laying out and defining Blue Castle Drive and to accomplish said purpose and for expenses related thereto, the Town vote to appropriate and transfer from revenue available for appropriation \$10,000 to the Blue Castle Roadways Account, or take any other action relating thereto.

SEE MAP IN APPENDIX A

Submitted by Petition  
(Lead Petitioner-Howard Rosen)

**Explanation:** This article authorizes the Town to layout and define Blue Castle Drive and to appropriate funding for that purpose.

**The Select Board recommends approval of Article 40 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 40 by a vote of**

### **Article 41**

To see if the Town will vote to approve the following additions pertaining to Santuit Pond to the Waterways Regulations Ch.170: Prohibit the use of any engine or motor over 10 horsepower, and regulate speed to "headway speed." Specific language below:

#### **Ch. 170 § 19: Santuit Pond Prohibited Uses**

- A. The operation and use of any engine or motor greater than 10 horsepower in or upon the waters of Santuit Pond is prohibited; further no powered recreational vehicle shall operate at speeds greater than "headway speed." Exceptions include vessels owned or authorized by an agency of the United States Government, Tribal Government, or by a State, County, City, or Town. Each violation shall make a person liable to a penalty of not more than \$300.00. This restriction is intended to limit the disturbance and resuspension of phosphorous laden sediment into the water column resulting from deep mixing caused by use of motorized boats, to protect and preserve water quality in the Pond, prevent shoreline erosion, and limit noise pollution.



- B. "Headway Speed" shall be defined as the minimum speed at which a vessel may be operated to maintain safe steerage, but not to exceed six miles per hour.
- C. Time to compliance - All "direct abutters" to Santuit Pond will be allowed a 1 year grace period to come into compliance once this regulation is approved by the Attorney General, Office of Fishing Boating Access, and the Massachusetts Environmental Police.
- D. A "Direct Abutter" shall be defined as any resident or homeowner within 300 feet of Santuit Pond. Said resident or homeowner shall receive a pass from the Department of Natural Resources' Harbormaster Division to operate outside of the above horsepower restrictions for a 1 year period after regulatory approval.
- or take any other action relating thereto.

Submitted by Petition  
(Lead Petitioner-Matthew Jalowy)

**Explanation:** Santuit Pond's depth is under 11 feet throughout, with an average depth of only 6.5 feet. Due to its shallowness and elevated phosphorus levels, the Pond cannot support motors of more than 10 horsepower. Through the Municipal Vulnerability Preparedness Program and the completion of a Watershed Management Plan, our experts from Fuss & O'Neil and The Southeast New England Partnership Program recommend this horsepower restriction for Santuit Pond to improve water quality and reduce shoreline erosion. This is one important change necessary for the Pond's long term health.

**The Select Board recommends approval of Article 41 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 41 by a vote of**

#### Article 42

To see if the Town will vote to amend §174-25 (H)(12) of the Mashpee Zoning Bylaw Table of Use Regulations by replacing §174-25 (H)(12) in its entirety with the following:

Type of Use		Residential		Commercial			Industrial
		R-3	R-5	C-1	C-2	C-3	I-1
(12)	Medium-scale and Large-scale ground mounted solar energy systems subject to the provisions of §174-45.7: Solar Energy Systems	---	---	SP	SP	---	PR

Submitted by Petition  
(Lead Petitioner-B. Lynne Barbee)

**Explanation:** This article would allow the development of medium- and large-scale ground mounted solar energy systems in the commercial (C-1) and (C-2) zoning districts with a Special Permit (SP) from the Planning Board and in the industrial (I-1) zoning district by approval of Site Plan Review per the standards for the placement, design, construction, operation, monitoring, modification, and removal of such installations as set by §174-45.7: Solar Energy Systems of the Mashpee Zoning Bylaws.

**The Select Board recommends approval of Article 42 by a vote of \*HOLD\***

**The Finance Committee recommends approval of Article 42 by a vote of**

## **Article 43**

To see if the Town will vote to add new section 174-45.7: Solar Energy Systems to the Mashpee Zoning Bylaws as follows:

### **Solar Energy Systems**

#### **Purpose and Intent**

This section promotes the creation of small, medium and large-scale, ground-mounted solar energy systems by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and for providing adequate financial assurance for the eventual decommissioning of such installations.

#### **General Provisions**

- A. Small scale ground mounted solar energy systems and roof mounted solar energy systems shall be considered an accessory use allowed as-of-right in the R-3, R-5, C-1, C-2, C-3, and I-1 districts. In issuing such building permit, the Building Inspector shall ensure that neighboring properties are effectively protected from any adverse impacts from glare.
- B. Any medium or large scale solar energy system shall be allowed in the C-1 and C-2 Zoning Districts only after the issuance of a Special Permit by the Planning Board. In issuing such Special Permit, the Board shall ensure that neighboring properties are effectively protected from any significant adverse impacts from glare, that any such systems are properly fenced or otherwise secured, and that no hazardous materials are stored in quantities greater than permitted by other sections of this bylaw. Any medium or large scale solar energy system shall be allowed as-of-right in the I-1 Zoning District subject to approval the Plan Review Committee and the Design Review Committee. The Plan Review Committee and the Design Review Committee shall ensure that neighboring properties are effectively protected from any significant adverse impacts from glare, that any such systems are properly fenced or otherwise secured, and that no hazardous materials are stored in quantities greater than permitted by other sections of this bylaw.
- C. The construction and operation of all ground-mounted solar energy systems shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a ground-mounted solar energy system shall be constructed in accordance with the Massachusetts State Building Code.
- D. The solar energy system's owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Management Director. The owner or operator shall be responsible for the cost of maintaining the ground-mounted solar energy system and any access road(s).
- E. **Dimensional Criteria**
  - Small Scale Solar Energy Systems
  - 1. Small scale ground mounted systems shall comply with the setback requirements typical of the zoning district and shall not exceed fifteen (15') feet in height.

2. Small scale ground mounted systems shall be exempt from the performance standards defined in Section G of this chapter.

#### Medium and Large Scale Solar Energy Systems

1. Medium and Large Scale Solar energy systems may be accessory to another principal structure or use provided that they satisfy the dimensional criteria and performance standards contained in this section.
2. Ground-mounted solar energy systems shall be set back a distance of at least 100 feet from a public or private way. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
3. Ground-mounted solar energy systems shall be set back a distance of at least 125 feet from any inhabited Residence, and 100 feet from any property in residential use. For the purposes of this section, a Residence is defined as the primary living structure and not accessory structures. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
4. Ground-mounted solar energy systems shall be set back a distance of at least 50 feet from any commercial property or use, and 25 feet from any industrial property or use notwithstanding the provisions of paragraph 2 above (relative to medium and large scale solar energy systems). The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
5. Ground-mounted solar energy systems shall be set back a distance of at least 50 feet from abutting conservation land and any property not included in the Ground-mounted solar array application. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.
6. Ground-mounted systems (medium and large) shall be set back a distance of at least 200 feet from any river and set back a distance of at least 100 feet from any water and wetlands.
7. Fixed tilt Ground-mounted solar energy systems shall have a maximum height of 15 feet above grade. In the case of single or dual axis tracking Ground-mounted solar energy systems, the Planning Board may increase the maximum height as appropriate based on site-specific considerations.
8. Inverters, energy storage systems, and transmission system substations shall be set back a distance of at least 200 feet from any residence. The Planning Board may reduce the minimum setback distance as appropriate based on site-specific considerations.

#### F. Special Permits Rules and Application Requirements

A Solar Energy System Special Permit shall not be granted unless each of the following requirements, in addition to the requirements in §174-24 C Special Permit use, are satisfied:

1. A properly completed and executed application form and application fee
2. Any requested waivers
3. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any

4. Name, contact information and signature of any agents representing the project proponent
5. Name, address, and contact information for proposed system installer
6. Documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar energy system
7. Proposed hours of operation and construction activity
8. Blueprints or drawings of the solar energy system signed by a Massachusetts licensed Registered Professional Engineer showing the proposed layout of the system and any potential shading from nearby structures
9. Utility Notification - evidence that the utility company that operates the electrical grid where a grid-intertie solar energy system is to be located has been informed of the system owner or operator's intent to install an interconnected facility and acknowledges receipt of such notification, and a copy of an Interconnection Application filed with the utility including a one or three line electrical diagram detailing the solar electric installation, associated components, and electrical interconnection methods, with all Massachusetts Electrical Code (527 CMR § 12.00) compliant disconnects and overcurrent devices. Off-grid solar energy systems shall be exempt from this requirement.
10. Documentation of the major system components to be used, including the electric generating components, battery or other electric storage systems, transmission systems, mounting system, inverter, etc.
11. Preliminary Operation & Maintenance Plan for the solar energy system, which shall include measures for maintaining safe access to the installation, storm water management, vegetation controls, and general procedures for operational maintenance of the installation
12. Abandonment & Decommissioning Plan - Any ground-mounted solar energy system which has reached the end of its useful life or has been abandoned (i.e., when it fails to operate for more than one year without the written consent of the Planning Board) shall be removed. The owner or operator shall physically remove the installation within 150 days of abandonment or the proposed date of decommissioning. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. The Abandonment & Decommissioning Plan shall include a detailed description of how all of the following will be addressed:
  - a. Physical removal of all structures; equipment, building, security barriers and transmission lines from the site, including any materials used to limit vegetation.
  - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
  - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow landscaping or below-grade foundations left *in situ* in order to minimize erosion and disturbance of the site.
  - d. Description of financial surety for decommissioning - Proponents of ground-mounted solar energy systems shall provide a form of surety, either through escrow account, bond or other form of surety approved by the Planning Board to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be commercially reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent and the Town. Such surety will not be required for municipal or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

- e. It shall be a condition of any special permit that all legal documents required to enable the Town to exercise its rights and responsibilities under the plan to decommission the site, enter the property and physically remove the installation shall be provided prior to the issuance of a building permit.

13. Proof of liability insurance

14. A storm water management plan prepared by a Massachusetts licensed Registered Professional Engineer

15. A Site Plan, with stamp and signature of the Massachusetts licensed Registered Professional Engineer that prepared the plan, including the following:

- a. Everything required under this bylaw and Site Plan Approval
- b. Existing Conditions Plan, showing property lines, map and lot from the Assessor's records, and physical features, including roads and topography, for the entire project site, signed and sealed by a Massachusetts licensed Registered Land Surveyor
- c. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation, fencing or structures including their height, and placement of system components, including solar arrays and related structures and equipment
- d. An estimate of earthwork operations including the volume of cut and fill and the amount of soil material to be imported or exported from the site
- e. Locations of wetlands, vernal pools, and Priority Habitat Areas defined by the Natural Heritage & Endangered Species Program (NHESP)
- f. Locations of floodplain area(s)
- g. Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose)
- h. Materials storage and delivery and equipment staging area(s)
- i. Location of screening vegetation or structures

**G. Required Performance Standards – Medium and Large Scale Solar Energy Systems**

- 1. Visual Impact Mitigation – The site plan for a ground-mounted solar energy system shall be designed to screen the array to the maximum extent practicable year round from adjacent properties in residential use and from all roadways.
- 2. All required setbacks shall be left in their undisturbed natural vegetated condition for the duration of the solar energy system's installation. In situations where the naturally vegetated condition within required setbacks is not wooded and does provide adequate screening of the solar array, the Planning Board may require additional intervention including, but not limited to:
  - a. A landscaping plan showing sufficient trees and understory vegetation, of a type common in natural areas of Mashpee, to replicate a naturally wooded area and to constitute a visual barrier between the proposed array and neighboring properties and roadways
  - b. Berms along property lines and roadways with suitable plantings to provide adequate screening to neighboring properties and roadways.

3. Lighting – Lighting of ground-mounted solar energy systems shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Lighting shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
4. Signage – Signs on ground-mounted solar energy systems shall comply with all applicable regulations of this bylaw and/or any Town sign bylaw. A sign shall be required to identify the owner, operator and interconnected utility and provide a 24-hour emergency contact phone number. Ground-mounted solar energy systems shall not be used for displaying any advertising signage.
5. Utility Connections – Within setback distances and except where soil conditions, location, property shape, and topography of the site or requirements of the utility provider prevent it, all utility connections from grid-intertie solar energy systems shall be placed underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
6. Vegetation Management – All land associated with the ground-mounted solar energy system shall be covered and grown in natural vegetation. The height of vegetation must be managed by regular mowing or grazing so as to minimize the amount and height of combustible material available in case of fire. Herbicides, pesticides, or chemical fertilizers shall not be used to manage vegetation. To the greatest extent practicable, a diversity of plant species shall be used, with preference given to species that are native to New England. Use of plants identified by the most recent copy of the “Massachusetts Prohibited Plant List” maintained by the Massachusetts Department of Agricultural Resources is prohibited. Management of all vegetated areas shall be maintained throughout the duration of the solar energy system’s installation through mechanical means without the use of chemical herbicides.
7. Noise Generation – Noise generated by ground-mounted solar energy systems and associated equipment and machinery shall conform to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10.
8. Fencing – Fencing around solar arrays shall provide 6 inches of clearance between the fence bottom and the ground to allow passage of small wildlife. Clearance shall not exceed 6 inches unless otherwise approved by the Planning Board in its written decision for good cause. Residential style fencing is necessary to screen the solar energy systems year round from adjacent residences.
9. Land Clearing and Soil Erosion – Clearing of natural vegetation and topsoil shall be limited to what is necessary for the construction, operation and maintenance of the ground-mounted solar energy system. No topsoil removed during construction shall be exported from the site.
10. Erosion Control and Stormwater – Erosion Control and Stormwater Management notation shall be included to show that adequate provisions against erosion and adverse impacts of runoff are appropriately mitigated.

11. Emergency Services – The ground-mounted solar energy system owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Mashpee Fire Department, and any other neighboring Fire Department upon request. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar energy system shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

Submitted by Petition  
(Lead Petitioner-B. Lynne Barbee)

**Explanation:** This section promotes the creation of new small, medium and large-scale, ground-mounted solar energy systems by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and for providing adequate financial assurance for the eventual decommissioning of such installations.

**The Select Board recommends approval of Article 43 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 43 by a vote of**

#### **Article 44**

To see if the Town will vote to amend the Zoning Bylaws by deleting in its entirety section §174-17.1 Raze and Replace. or take any other action relating thereto.

Submitted by Petition  
(Lead Petitioner-Glenn McCarthy)

**Explanation:** Article removes the ability of Board of Appeals to approve the raze/replacement of pre-existing/non-conforming dwellings by Special Permit. Passed in 2018, §174-17.1 Raze and Replace has not been employed in the spirit promised resulting in detrimental building height, lot coverage, and impacts on natural resources. Structures may still be altered under §174-17 Continuance/Extensions/Alterations.

**The Select Board recommends approval of Article 44 by a vote of \*HOLD\***  
**The Finance Committee recommends approval of Article 44 by a vote of**

**THIS CONCLUDES THE BUSINESS OF THE ANNUAL TOWN MEETING**

And you are hereby directed to serve this Warrant by posting up attested copies thereof, one at the Town Hall, one at the Post Office, and one each on the bulletin boards, thirty days at least before said meeting.

Hereof fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 20th day of March in the year two thousand and twenty-three.

Per Order of,  
**Select Board**

\_\_\_\_\_  
David W. Weeden, Chair

\_\_\_\_\_  
John J. Cotton, Vice Chair

\_\_\_\_\_  
Thomas F. O'Hara, Clerk

\_\_\_\_\_  
Carol A. Sherman

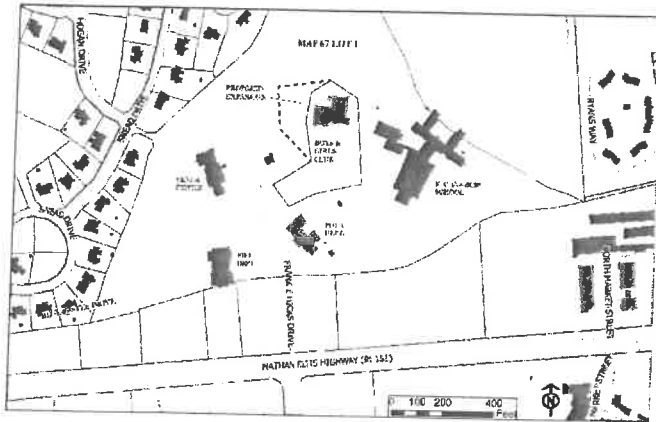
\_\_\_\_\_  
Michaela Wyman-Colombo



## APPENDIX A

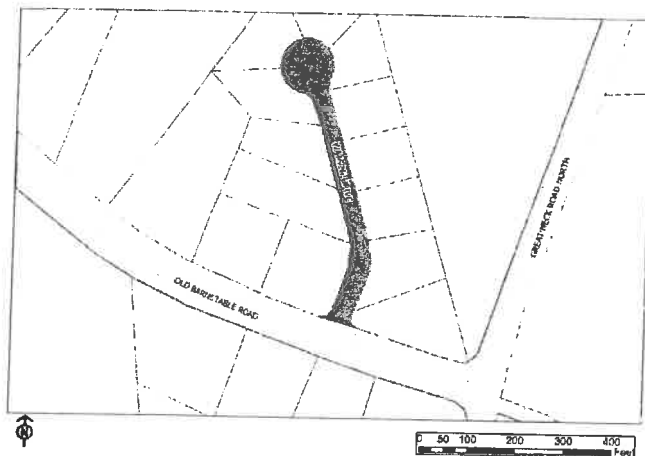
### Annual Town Meeting Article #24

#### Map – Boys & Girls Club of Cape Cod Proposed Expansion



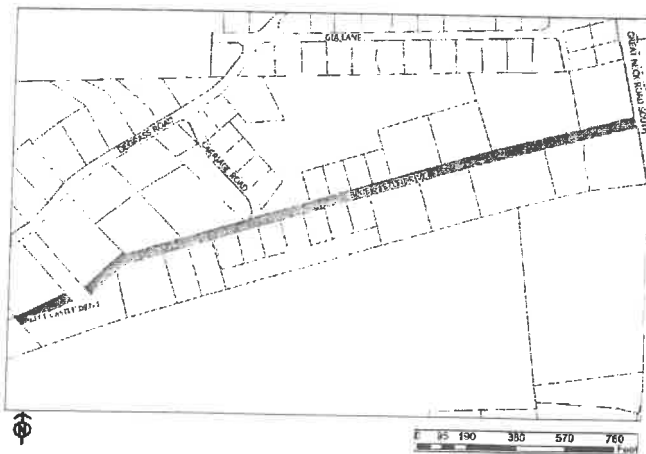
### Annual Town Meeting Article #37

#### Map - Watson Drive



### Annual Town Meeting Article #40

#### Map – Blue Castle Drive





## *Town of Mashpee*

## *Department of Public Works*

*350 Meetinghouse Road  
Mashpee, Massachusetts 02649  
Telephone - (508) 539-1420  
Fax - (508) 539-3894*

### **MEMORANDUM**

March 13, 2023

TO: Selectboard  
Rodney Collins, Town Manager

FROM: Catherine Laurent, Director *CL*

RE: Request for Approval to Deficit Spend Snow & Ice

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#### Description

There are not sufficient funds remaining in the Snow & Ice budget to respond to future storm events.

#### Background

The annual Snow & Ice Budget is \$116,570. DPW started the season with approximately 1,000 tons of salt. Another 1,000 tons have been purchased. Material for treatment of roads and walkways represents approximately 70% of the budget. And although there was not been a plowable storm this season, DPW has had to respond afterhours to treat roads nine times to date (seven total). These costs plus required repairs to the sanders accounts for the balance of the budget

#### Recommendation

I recommend that the Board of Selectmen approve deficit spending for Snow & Ice for FY23.

#### Pros and Cons

Without approval, DPW will not be able to respond to further winter storms.