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WASHPEE TOWN CLERK
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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 Approval to Deficit Spend the Snow & Ice Account

(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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March 13, 2023

Present: Selectman David W. Weeden, Selectman John J. Cotton, Selectman Thomas F. O'Hara,
Selectman Carol A. Sherman, Selectman Michaela 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 (Tabled 2-27-23 meeting):

Motion made by Selectman Cotton to approve the Regular Session minutes of Monday, February 13, 2023 as amended.

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

Monday, February 27, 2023 Regular Session:

Motion made by Selectman Cotton to approve the Regular Session minutes of Monday, February 27, 2023 as presented.

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

APPOINTMENTS & HEARINGS

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):

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

In accordance with posting procedures, the Hearing notice was read aloud into the record. Town Manager Rodney C. Collins was the presiding official of this Public Hearing.

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APPOINTMENTS & HEARINGS

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): (continued)

The Select Board at its November 21, 2023 meeting were notified the respective parties were in agreement to review the dispute to develop a conflict remediation. Action was thus taken to table this matter. An attempt by the respective parties was made to mediate the differences however, no reconciliation could be reached.

On February 23, 2023 Mr. Fahd received notice pursuant to Section 7-9; Removals and Suspension, the Mashpee Select Board may contemplate removing Mr. Fahd from his appointed position on the Mashpee Community Garden Advisory Committee. Mr. Fahd agreed to a Public Hearing.

Town Manager Rodney C. Collins acting as facilitator indicated based on evidence, the pending removal may be necessary to protect the interests of the Town of Mashpee. In accordance with Section 7-9, the Select Board for good cause may remove or suspend. To remain fair and impartial in their determination, the Select Board members were requested to listen carefully to the statements. Between (1) and (10) days after the Public Hearing adjournment, the appointing authority shall take final action.

The following exhibits were presented;

- Exhibit No. 1: Letter of February 23, 2023 from Town Manager Collins to Mohamad Fahd.
- Exhibit No. 2: Public Hearing Notice under the provisions of the Home Rule Charter, Section 7-9.
- Exhibit No. 3: Policy No. 078 – Mashpee Community Garden Advisory Committee adopted 5/21/2018.
- Exhibit No. 4: Policy No.008 – Control of Town Property adopted 9/18/1989.
- Exhibit No. 5: Mashpee Community Garden Rules & Responsibilities amended/approved 9/28/2019.
- Exhibit No. 6: Letter of August 8, 2022 from Virginia Scharfenberg, MCGAC President to Mohamad Fahd, *Unresolved Items and MCGAC Board of Directors Decisions.*
- Exhibit No. 7: Letter of August 18, 2022 from Virginia Scharfenberg, MCGAC President to Select Board, *Request for Dismissal of MCGAC Board Member Mohamad Fahd.*
- Exhibit No. 8: Letter of September 13, 2022 from Virginia Scharfenberg to Town Manager, *Request for Select Board Dismissal of MCGAC Board Member Mohamad Fahd.*
- Exhibit No. 9: Photograph of outside garden dated 11/15/2022.
- Exhibit No. 10: MCGAC Agenda 7/20/2022 (Minutes not attached).
- Exhibit No. 11: MCGAC Minutes 8/17/2022.
- Exhibit No. 12: MCGAC Minutes 9/21/2022.
- Exhibit No. 13: Email of February 24, 2023 from Virginia Scharfenberg to Town Manager, *Fahd proposed version of Rules & Regulations for MCGAC. Attachments; February 23, 2023 Email from Town Manager to Virginia Scharfenberg, January 27, 2023 Email from Mohamad Fahd to Town Manager, Mashpee Community Garden Rules & Responsibilities approved 1/28/2019 with proposed 2023 amendments, 3 pages.*

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APPOINTMENTS & HEARINGS

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): (continued)

Exhibit No. 14: Email of January 20, 2023 from Virginia Scharfenberg to Town Manager,
Fahd harassment, Fahd dismissal, Attachments;
1/20/2023 Email from Mohamad Fahd to Virginia Scharfenberg re: MCGAC Board membership conclusion 1/18/2023,
1/19/2023 Email from Virginia Scharfenberg to Mohamad Fahd re: MCGAC Board membership conclusion 1/18/2023.

Exhibit No. 15: March 13, 2023 Statement concerning public hearing from Marjorie Hecht

Acting on the request of Mr. Fahd, the following exhibits were added;

Exhibit No. 16: Policy No. 025 – Town Employees and Appointed Officials Reporting of Misconduct/Wrongdoing.

Exhibit No. 17: Policy No. 054 – Ethical Conduct – Boards/Committees/Commissions Adopted 6/4/2007.

Exhibit No. 18: Policy No. 081 - Public Participation at Public Meetings Adopted 9/23/2019 revised 5/23/2022.

Exhibit No. 20: Policy No. 069 – Public Records Access Policy Adopted 7/24/2017, amended 2/26/2018.

In addition Mr. Fahd referenced as Exhibits, Policy No. 79 – Mashpee Inclusion & Diversity Committee, and the M.G.L. Declaration of Rights stating it is hopeful all of the additional policies would guide the Select Board in reaching their decision.

Selectman David W. Weeden made note of Policy No. 078 – Mashpee Community Garden Advisory Committee under Section 1. Purpose: 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...

If the property is under the jurisdiction of the Historic District Commission why was this submitted to the Select Board, and has this matter been brought to the Historic District Commission?

This matter was brought to the attention of the Select Board as the appointing authority to contemplate the removal of Mr. Fahd from his appointed position on the Mashpee Community Garden Committee pursuant to the Mashpee Town Charter Section 7-9.

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APPOINTMENTS & HEARINGS

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): (continued)

At the Public Hearing John Carter and Lynne Harris were in attendance representing the Mashpee Community Garden Advisory Committee.

Mohamad Fahd was in attendance with Marjorie Hecht and Lynne Barbee.

Town Manager Rodney C. Collins serving as mediator opened discussions.

John Carter attested his testimony would be true and accurate to the best of his knowledge.

Mr. Carter indicated he was not prepared to give a speech or testimony. The letter referenced as Exhibit No. 6 dated August 8, 2022 from Virginia Scharfenberg to Mohamad Fahd discusses the main complaints and the reason this all began. Mr. Carter stated he was present and had knowledge of Exhibits 6-12, he attended all the meetings and received copies and reviewed all paperwork with the exception of Exhibits 13-15. Mr. Carter indicated he read the proposed regulations and he believes they are all true and accurate.

When asked why the MCGAC felt the removal of Mr. Fahd was necessary Mr. Carter indicated he began to realize his (Mr. Fahd) participation was detrimental to any of the goals the committee tried to do. The decision was unanimous amongst the board members, discussed, voted upon and Mr. Fahd had the opportunity to hear all the concerns. At one meeting, Mr. Fahd left before the onset of the discussion. It (the topic) was on the agenda of August 17, 2023 and he (Mr. Fahd) left the meeting. Exhibit No. 11 – MCGAC Minutes of August 17, 2023.

Mr. Carter indicated that all documentation had been submitted. The Chair left any decisions to the Town as to the direction (of this matter and) to request the Select Board's dismissal.

Mr. Carter was asked if Mr. Fahd wanted to step down from the MCGAC, and keep his plot, why was this not considered? Town Manager Collins noted from an advisory standpoint its like having a crime. (As an example) It's like you were committing a violation and amending the rules that you were not allowed to do. Mr. Fahd wanted permission to do what we did not want him to do. (Example) And, if someone is late for work, they may get a warning before they are fired. Mr. Carter concluded his comments by stating this began in June of 2022 and continued throughout the year. The MCGAC tried to discuss this many times.

Lynne Harris attested her testimony would be true and accurate to the best of her knowledge. Ms. Harris stated it is a great privilege to serve on any board. With privilege you have responsibilities, to promote and to advance, whatever the organization is. This requires respect, commitment and work. If you are not willing to offer to our community, you have no business (in relation to) to someone who would be kind and collaborative to put the work it. It makes us very sad.

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APPOINTMENTS & HEARINGS

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): (continued)

Lynne Barbee noted the minutes taken by the MCGAC Chair suggest they may have been biased. Now a clerk has been assigned to take the minutes. Town Manager Collins indicated if Mr. Fahd was present and feels the minutes are inaccurate, he can attest to that. Mr. Fahd stated that none of the minutes are fabricated. They are all accurate.

Mohamad Fahd attested his testimony would be true and accurate to the best of his knowledge. Mr. Fahd heard accusations, but no specifics involving the community garden and the advisory committee stating if there is an overflow, it should be clarified. Mr. Fahd asked did I ever infringe on the rules? Mr. Fahd responded by stating he would not desist from dumping upside down in the compost bins. The bins were not functional, and all of these actions happened outside of the fenced area. Mr. Fahd asked if the MCGAC can you show documentation as to why you as a committee went after me for it? Can you verbally testify he infringed on the garden rules?

Ms. Harris stated Mr. Fahd encouraged other gardeners to allow their vegetation to grow out into the walkways. Regulations state the plot and its surrounding pathways must be kept free from weeds and trash.

Mr. Fahd indicated there is only one issue that has to do with discarded waste and not participating to clean up. Mr. Fahd made note of Exhibit No. 9 a photograph of the garden he created outside of his garden plot. It was stated the MCGAC only allows gardening within your assigned plot. Mr. Fahd asked about the fenced garden, not the community garden of Mashpee. Mr. Fahd indicated this area was full of ivy and other overgrown plant material. Some of which he consumes.

Mr. Fahd in good faith indicated he has worked to resolve this matter for some time. Margorie Hecht and Lynne Barbee will be discussing this matter of his behalf.

Margorie Hecht stated her testimony would be true and accurate to the best of her knowledge. Ms. Hecht read aloud her comments reflected as Exhibit No. 15. Ms. Hecht indicated she was a part of the mediation process when the matter first came up before the Select Board, and it was agreed to abide by the decision reached via mediation under the guidance of the Town Manager. This was thought to be a reasonable compromise. Mr. Fahd would agree to resign and keep his garden plot. The MCGAC flatly rejected the offer. Mr. Fahd's plot was mowed down during his absence while he was out of the country.

The main point was to add due process to the regulations to establish a clear path in the future for handling disagreements with the Town Manager having the ultimate authority. Ms. Hecht stated the MCAGC is a Town committee overseeing a project that is on public land funded by public money. The garden was established to give residents who do not have land, a way to plant food for family use. It is not meant to be a manicured showplace, it is a community garden for the public good. The positive message is to make it clear to all town committees that due process is important. We all have a right to free speech even if they are a minority of one.

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APPOINTMENTS & HEARINGS

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): (continued)

Lynne Barbee attested her testimony would be true and accurate to the best of her ability. Ms. Barbee stated this hearing is about committee membership and not gardening. This is public land created and supported by public dollars. The hearing notice is about participation in a Town committee.

Ms. Barbee indicated she is part of a tri-party agreement for mediation. Ms. Barbee and Marjorie Hecht are present to facilitate with Mr. Fahd. It was stated that some of the rules for improvement include due process. The revisions have been reviewed by the Town Manager. Ms. Barbee indicated the MCGAC failed to uphold its part to the remediation, and refused any changes being suggested. The January 18, 2023 minutes reflect this discussion. Leaving a meeting is not a reason to leave a committee. The minutes reflect that Mr. Fahd was attacked at the meeting, and there was a feeling of hostility toward Mr. Fahd. Did he do anything besides having his own opinions?

Mr. Fahd indicated the rules have to be amended to include due process, to allow issues between gardeners, and (for issues) to be brought to the Town Manager for final authority.

Mr. Fahd voiced objection to the matter of just cause. Mr. Fahd indicated he is willing to step down from the MCGAC, but he wants to have his garden plot. Mr. Fahd indicated he would not step down unless he gets full acknowledgement of his rights and his speech which is protected free speech from the Commonwealth Bill of Rights. Mr. Fahd indicated he participated at the meetings in good faith. The expression of a dissenting opinion is not grounds for the removal of a committee member. Mr. Fahd indicated he was not out of order at any time, and the chair did not call him out. Mr. Fahd asked what is the proof of the cause for removal?

To speak at a public meeting, you are required to be acknowledged by the Chair.

Mr. Fahd indicated there is no clear listing of allegation that would tell you to have to have a public hearing. The dumping of plants, having something on the outside such as the planting of a rhubarb patch. Mr. Fahd commented on Exhibit No. 6 stating (commenting on the allegation) he came to the meeting but chose to work at his computer throughout the meeting rather than participate, and also chose to leave just prior to discussion of the agenda item of concern to him. In response to the comments made by the MCGAC Chair, Mr. Fahd indicated he works on his computer all of the time. He left the meeting because there are limits where you can only stand so much.

For clarity it was noted Exhibit No. 13 an email regarding Mr. Fahd's rules and regulations were rejected. The communication states the committee voted unanimously (with his choosing not to vote) NOT to accept his proposed rules and regulations. Town Manager Collins advised in the tentative agreement Mr. Fahd would step down from the committee, but keep his garden plot subject to the rules and regulations, but the rules would be revised. Exhibit No. 13 is the response from the MCGAC Chair dated February 24, 2023.

In response Ms. Barbee indicated Mr. Fahd was willing to make adjustment to his proposed rules and regulations, but the committee was not willing to make any changes to the proposal.

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APPOINTMENTS & HEARINGS

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): (continued)

With regards to Exhibit No. 13 it was noted the rules and regulations are suggestions and not a mediation between both parties. Mr. Fahd had stated that he would step down if the MCGAC supported the proposed rules and regulations. This is one side of the mediation. Both perspectives should be considered. This is not an all or nothing compromise.

As discussions amongst the Select Board continued, Mr. Fahd was noted to have stated he would step down from the MCGAC if he retained his garden plot. Although Mr. Fahd felt there was no reason for him to step down, he would be willing to bring this to an amicable end, and that he would seek a chance to see the rules revised and abide by them. Mr. Fahd was noted to agree with the process however, he wants to ensure that due process is included in the updated rules and regulations.

There is an appearance that Mr. Fahd did not follow the rules of having an independent plot.

Mr. Fahd indicated he lost his plot. There was no cause. He lost his plot because there is a rule the committee can kick someone from the garden. There is no due process. His loss has nothing to do with any act. Mr. Fahd stated he did not cause anything in the garden, except the issue with the grass pathway.

Ms. Barbee indicated the rules as proposed are reasonable. As Exhibit No. 13 states, his rule #21 would circumvent the current rule #24 to give authority to resolve conflicts. If there is a dispute, there is an appeal process.

Mr. Fahd indicated the email states in Exhibit No. 13, The MCGAC rule #24 has been the basis for our 6-month attempt to both dismiss him from the Board and our decision to dismiss him from the garden. Rule #24 with proposed 2023 amendments states: All activities in and around the community garden should follow the 1989 Town property use policy #08, the 2018 community garden policy #078, and other policies in effect.

By democracy of the committee, the vote was a unanimous no to proposed rule #21. If there weren't so many changes proposed to the rules the committee may have been more agreeable. Rules are rules, you cannot do whatever you want to.

Mr. Fahd was asked if he believes as a member of the MCGAC, did he represent the committee and the garden in your (his) best interest. The reply was affirmative. Mr. Fahd was asked if he represented integrity in the Town's best interest. The replay was also affirmative.

Mr. Fahd stated he did not break the rules and amended rules. He was kicked out of the garden based on a specific rule. He feels he was victimized. Mr. Fahd indicated he had a right to discuss the rules at the meeting. All of his changes were refused. Being a gardener and being kicked out in this fashion is unacceptable.

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APPOINTMENTS & HEARINGS

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): (continued)

Mr. Fahd was asked if he created an illegal garden outside of the community garden land on Town property. Exhibit No. 4 – Policy No.008 Control of Town Property was read into the record by Chairman Weeden. It states: 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.

Ms. Barbee indicated the photograph; Exhibit 9 shows the garden on Town property and not the Town community garden. Mr. Fahd has a small patch of rhubarb outside of the community garden. The area contained ivy and brush, and it was his desire to save the rhubarb. Mr. Fahd stated to talked with the Town Manager about this. However it was stated the plot was created illegally without the approval of the Town Manager. In response Mr. Fahd indicated it is not an ornamental object. He did this unintentionally, nothing illegal. Mr. Fahd added that he forges the land to eat greenery that may be unusual to most.

As the Select Board discussion continued it was agreed this is an issue to be resolved under Policy No. 008, Control of Town Property outside of the community garden. The issue to be resolved involving the community garden under Exhibit No. 3, Policy No. 078 may be (under the jurisdiction of) the Historic District Commission.

Karen Faulker attested her testimony would be truthful to the best of her knowledge and belief stated this is a circus and what she would call a peccadillo. In her opinion Mr. Fahd is within his bounds. Ms. Faulkner indicated Mr. Fahd is a kind and decent man. He grew up in Lebanon in a different way than we do. The Town has an Inclusion and Diversity Committee, and we need to stop removing people for reasons. Mediation is a compromise. Ms. Faulker offered to mediate this case. She stated this is an embarrassment, and let's not make this a problem.

As the Select Board digested this information it was strongly stated there is no racism in this room, nor creed nor color (issue). That is not the reason the public hearing is being held.

Mr. Fahd in closing stated he would serve on the committee, and a committee should have different opinions. If he choses to dissent, he dissents. The members need to behave, discuss, and vote. It we don't agree, big deal. Mr. Fahd indicated he was not bargaining.

Town Manager Rodney C. Collins mediator for this hearing recommended the Select Board take the opportunity to further review the information and materials distributed. It was recommended the Select Board take this matter under advisement, and reconvene after review of the materials.

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APPOINTMENTS & HEARINGS

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): (continued)

The Select Board briefly summarized the issue. Additional questions would be forwarded to the Town Manager. It was suggested that each party take this opportunity to further review this matter. It was highly suggested the parties abstain from discussing this matter with either party while this issue is pending.

Motion made by Selectman Sherman to continue the Public Hearing relative to the removal of Mohamad Fahd from the Mashpee Community Garden Advisory Committee; pursuant to Section 7-9 of the Mashpee Charter to an amicable date to be determined.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Public Comment:

Ken Dembrowski of Great Field Landing indicated he wrote a *Letter to Editor* which appeared in the *Mashpee Enterprise* on the CPC. Mr. Dembrowski presented a chart of the Community Preservation Committee; revenues, projects and balances. (enclosure) In his opinion, the CPC is overfunded. To support wastewater initiatives Mr. Dembrowski recommended the CPC be reduced to 1%.

In matters pertaining to capital improvement Mr. Dembrowski suggested the Town be careful and not fund vehicles over a 30-year term.

Lynee Barbee a resident of Surf Drive indicated she is not speaking on behalf of CPC, but she serves as a member of CPC. In support of the Community Preservation Committee and their actions Ms. Barbee indicated the CPC is very conservative in their examination of projects to ensure they fit the criteria as outlined by the CPA Act. Community Preservation funding is important money for this town. Projects include improving access to the waterways and playing fields. It is important to protect the CPC funding the Town currently has. If there are issues, please talk with us at our meetings.

Gregory McKelvey of Menemsha Road spoke on behalf of the \$8,000,000 borrowing authorization proposed under the Capital Improvement Program (CIP). Mr. McKelvey indicated the Finance Committee unanimously approved the appropriation at their last meeting. It is hopeful the Select Board would give every consideration at tonight's meeting. A lot of work went into this recommendation. The Town Manager was a part of the discussions and we did a good job reducing the expenditures totaling \$38 million.

Mashpee Select Board
Minutes
March 13, 2023

APPOINTMENTS & HEARINGS

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:

The list of annual events sponsored by the Recreation Department to include Temporary Sign Permit applications was presented to the Select Board by Stephanie A. Coleman, Administrative Secretary in a memo dated March 9, 2023. All applicable regulatory agencies have signed off on the applications with stipulations imposed as required.

It was noted the rain date for the annual Easter Egg Hunt is Sunday, April 2, 2023. The annual Fireworks display is pending a permit application with stipulated requirements thereof.

Motion made by Selectman Sherman to approve the Annual Events and Temporary Sign Permits as presented and sponsored by the Recreation Department.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Mashpee Select Board
Minutes
March 13, 2023

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:

Correspondence was received from Kimberly Lopes-Costa dated February 10, 2023 requesting approval to refinance the property identified as 31 Dixon Drive, Mashpee. Additional communication was received from Allan Isbitz, Chair of the Affordable Housing Committee dated March 8, 2023 recommending approval of the Habitat for Humanity Homeowner Refinancing Loan Commitment.

Motion made by Selectman Cotton to approve the request of Kimberly Lopes-Costa to approve the Refinancing of the Deed Restricted Property Loan Commitment, and further authorize the Town Manager to execute any required documents on the Select Board's behalf.

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 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:

The Select Board conducted a review of a proposed article that would appropriate borrowing authorization for capital expenditures written and approved by Town Counsel and Bond Counsel.

The Capital Improvement Program (CIP) Committee was noted to have conducted due diligence on the appropriation pending Town Meeting approval to borrow the sum of \$8,000,000 for the following capital improvements;

Purchase a New Fire Truck;
Mashpee Public Schools, HVAC Replacement; design, engineering and construction with Energy Audit;
Town Hall HVAC Water Piping; design and construction;
Police Department HVAC Replacement; design, engineering and construction; and
DPW Roof Replacement; design, engineering and construction.

The borrowing authorization is subject to the approval of Town Meeting and a ballot question to exclude the project from the limitations of Proposition 2 ½ requiring a debt exclusion to pay the amounts of principal and interest on any bonds, notes or certificates of indebtedness.

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March 13, 2023

NEW BUSINESS

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: (continued)

Discussion followed with respect to the capital projects as presented. The majority of the CIP Committee was in favor of the article as presented to include its borrowing authorization. Town Manager Rodney C. Collins, Chair of the CIP Committee indicated he did not vote in support of the borrowing authorization to purchase a new Fire Truck. As the project was debated the purchase was favored by the majority of the committee as the truck is in need of replacement. It will take an estimated 2-3 years to receive the vehicle as the trucks are made to order. The new Fire Truck will replace the existing ladder truck with a Quinn, a smaller, more versatile vehicle more suited to the departmental needs.

This article is being submitted by the Select Board, Finance Committee and the Capital Improvement Program (CIP) Committee.

Motion made by Selectman Cotton to add the new Article 11 to the Town Meeting warrant, approving and recommending the article proposed to borrow the sum of \$8,000,000 for the purposes of paying costs associated to the above referenced capital improvement projects.

Motion seconded by Selectman Sherman.

VOTE: 4-1. Motion carries.

Roll Call Vote:

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

Discussion and Possible Approval of Draft #2 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles:

The Select Board reviewed and took action on the following articles contained in Draft #2 of the Special and Annual Town Meeting warrant of Monday, May 1, 2023.

Special Town Meeting Warrant:

Article 1: To deficit spend the Snow & Ice Account – HELD

Article 2: To fund the Capital Stabilization Fund - \$1,964,629

Motion made by Selectman Sherman to approve and recommend Article 2 to fund the Capital Stabilization Fund 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

Mashpee Select Board
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Discussion and Possible Approval of Draft #2 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article 4: CPC – Quashnet School Playground - \$378,080 – HELD

Motion made by Selectman Sherman to approve and recommend Article 4 to fund the Quashnet School Playground as presented.

Motion seconded by Selectman Cotton.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, no	Selectman Cotton, no	Selectman O'Hara, no
Selectman Sherman, no	Selectman Wyman-Colombo, no	Opposed, (5)

There was a question with respect to the project as it relates to the resurfacing of the pickleball courts as the resurfacing of the pickleball courts is also recommended as a Capital Improvement Program (CIP) project under Article 3 of the Town Meeting warrant.

Motion made by Selectman Cotton to HOLD Article 4 for further clarity.

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

Annual Town Meeting Warrant:

Article 3 Capital Improvement Program (CIP) - \$6,578,527

Motion made by Selectman Sherman to approve and recommend Article 3 to fund the Capital Improvement Program (CIP) 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

Article 4: To fund the Cape Cod Regional Technical High School budget - \$981,293

Motion made by Selectman Sherman to approve and recommend Article 4 to fund the Cape Cod Regional Technical School budget 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 #2 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article 5: To fund the Cape Cod Regional Technical High School District Building project \$444,810

Motion made by Selectman Sherman to approve and recommend Article 5 to fund the Cape Cod Regional Technical School District Building project budget 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

Article 9: To establish a budget for the PEG Access and Cable Related Fund - \$575,902

Motion made by Selectman Sherman to approve and recommend Article 9 to establish the PEG Access and Cable Related Fund 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

Article 11: Borrowing Authorization; \$8,000,000 – VOTED

Article 12: To provide for Road Improvement Projects under Chapter 90 - \$595,357

Motion made by Selectman Cotton to approve and recommend Article 12 to fund Road Improvement Projects under Chapter 90 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

Articles 16-23: Contract Settlements – HELD

Articles 29-31 Solar Zoning – HELD

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March 13, 2023

Discussion and Possible Approval of Draft #2 of the May 1, 2023 Special and Annual Town Meeting Warrant Articles: (continued)

Article 34: To cover a Projected Shortfall in the Fire Department Salary Account, a Transfer from the Ambulance Reserved Receipts Account - \$507,250

Motion made by Selectman Sherman to approve and recommend Article 34 to fund the Fire Department Salary Account 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

Petition Articles: Articles 37-44 – HELD

ADDITIONAL TOPICS

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

Approval to Deficit Spend the Snow & Ice Account:

Motion made by Selectman Sherman to add to the Select Board's Agenda, the unanticipated topic; Approval to Deficit Spend the Snow & Ice 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

With the unanticipated and pending weather events it is necessary for the Select Board to authorize further expenditures relative to Snow & Ice. Work includes snow removal, sanders, labor and response. This is a permissible expenditure to deficit spend. Funds Available for Appropriation have been set aside for this purpose.

Motion made by Selectman Cotton to authorize deficit spending as necessary to offset the Snow & Ice Account.

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

Mashpee Select Board
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LIAISON REPORTS

Harbor Management Meeting: The Harbor Management meeting was well attended. With an estimated 60 attendees, there was a lot of contributions and data sharing. In moving forward several recommended projects may advance to the Community Preservation Committee for possible CPA funding

WATER QUALITY UPDATES

AQUI Fund Update: The new rates were released for the Community Septic Loan Program offered by Barnstable County to assist homeowners to afford septic system replacements, upgrades and new sewer connections. The subsidy is based on tiers;

Homeowners earning less than \$100,500 can qualify for 0% interest betterment loans,

Homeowners earning less than \$150,500 can qualify for 2% interest betterment loans, and

All other new projects qualify for 4% interest betterment loans.

This applies to single family homes and year round residences.

The Board of Health will be requested to tier the loan interest rates as well for affordability.

TOWN MANAGER UPDATES

Ground-breaking Ceremony: A groundbreaking ceremony is planned for the LeClair Village, an affordable housing project located at 950 Falmouth Road, Mashpee. The dates of May 22nd and May 29th are being considered.

Joint Workshop Meeting: A joint workshop meeting with the Select Board and Board of Health is tentatively scheduled on Monday, April 10, 2023 at 6:30 p.m.

Route 28 Closure: As a reminder, the closure of Route 28 from the Mashpee Rotary to Orchard Road for wastewater work in Phase I is scheduled for next month. Detour information has been duly posted.

ADJOURNMENT

Motion made by Selectman Cotton to adjourn at 9:13 p.m.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Weeden, yes

Selectman Cotton, yes

Selectman O'Hara, yes

Selectman Sherman, yes

Selectman Wyman-Colombo, yes

Opposed, none

Enclosure:

Public Comment;

Handout

Respectfully submitted,

Kathleen M. Soares

Secretary to the Select Board



**TOWN OF MASHPEE
SELECT BOARD
PUBLIC HEARING NOTICE**

Pursuant to Chapter 138, § 16A of Massachusetts General Laws, the Select Board, acting as the Local Licensing Authority for the Town of Mashpee, will conduct a public hearing on the 2023 Seasonal Alcoholic Beverages and Entertainment License renewals.

Said hearing will be held on Monday, March 20, 2023 at 6:35 p.m., in the Waquoit Meeting Room of Mashpee Town Hall, 16 Great Neck Road North, Mashpee, MA 02649.

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

Per order of

The Mashpee Select Board

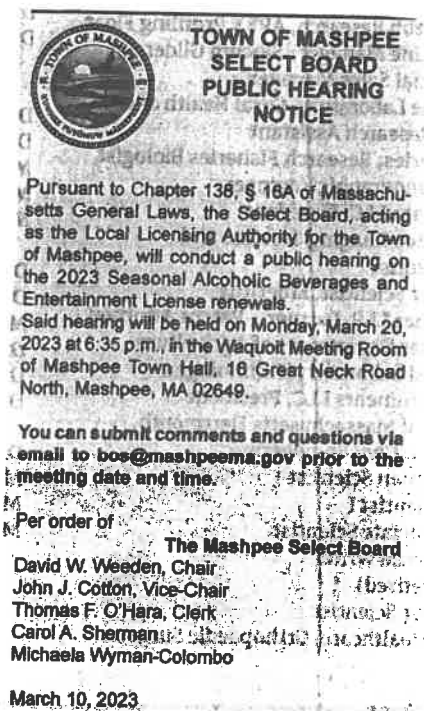
David W. Weeden, *Chair*

John J. Cotton, *Vice-Chair*

Thomas F. O'Hara, *Clerk*

Carol A. Sherman

Michaela Wyman-Colombo





TOWN OF MASHPEE

OFFICE OF THE SELECT BOARD

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

MEMORANDUM

Date: March 15, 2023

To: Rodney C. Collins, Town Manager,
Board of Selectmen

From: Stephanie A. Coleman, Administrative Secretary

Subj: 2023 Seasonal Alcoholic Beverages and Entertainment License Renewals

Description

Discussion and approval of the Seasonal Alcoholic Beverages License and Entertainment License Renewals for the year 2023.

Background

Pursuant to Chapter 138, § 16A of Massachusetts General Laws, the Select Board, acting as the Local Licensing Authority for the Town of Mashpee, will conduct a public hearing on the 2023 Seasonal Alcoholic Beverages and Entertainment License renewals.

Said hearing will be held on Monday, March 20, 2023 at 6:35 p.m., in the Waquoit Meeting Room of Mashpee Town Hall, 16 Great Neck Road North, Mashpee, MA 02649.

The following Town of Mashpee Seasonal License holders have filed their renewal applications:

Package Store – All Alcohol

Mashpee Mart
Rapid Refill
Popponesset Fresh Market

Restaurant – All Alcohol

Cooke's Seafood
The Lure *
Bob's Seafood Cafe*
The Raw Bar*
New Seabury Athletic Club And Pool*
Popponesset Inn*

* Denotes an establishment that is renewing its License for **Weekday Entertainment and Entertainment on Sundays**.

The Building Department has verified that all licensed establishments have passed building/fire inspections. The Health Agent has verified that there are no violations to report. Our office received notice of no violations from the Police Chief. The Treasure/Collector's office has confirmed that all licensed establishments are current on their property taxes. All license holders have submitted proof of workers' compensation insurance as mandated by the State, as well as proof of liquor liability insurance as required.



Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission

Jean M. Lorizio, Esq.
Commission Chairman

2023
Retail License Renewal

License Number: 89547-PK-0670

Municipality: MASHPEE

License Name : ASZS GROUP INC.

License Class: Seasonal

DBA : Mashpee Mart

License Type: Package Store

Premise Address: 44 Falmouth Rd Mashpee, MA 02649

License Category: All Alcoholic Beverages

Manager: Zohaib Shahid

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Signature

Zohaib Shahid

Printed Name

2/27/23

Date

President

Title

Additional Information:

TOWN MANAGERS OFFICE
FEB 27 '23 PM2:38

Please sign this form only in the month of March and return to your Local Licensing Authority.



Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission

Jean M. Lorizio, Esq.
Commission Chairman

2023
Retail License Renewal

License Number: 90214-PK-0670

Municipality: MASHPEE

License Name : MPG Corporation

License Class: Seasonal

DBA : Rapid Refill

License Type: Package Store

Premise Address: 414 Nathan Ellis Highway Mashpee, MA
02649

License Category: All Alcoholic Beverages

Manager: Daniel Fortunato

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Melina Behnke

Signature

3/1/2023

Date

Melina Behnke

Printed Name

Marketing Specialist

Title

Additional Information:

TOWN MANAGERS OFFICE
MAR 3 '23 AM 10:58

Please sign this form only in the month of March and return to your Local Licensing Authority.



Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission

Jean M. Lorizio, Esq.
Commission Chairman

2023
Retail License Renewal

License Number: 90301-PK-0670

Municipality: MASHPEE

License Name : Popponesset Fresh Market LLC

License Class: Seasonal

DBA :

License Type: Package Store

Premise Address: 259 Shore Drive Bldg 1 Mashpee, MA
02649

License Category: All Alcoholic Beverages

Manager: Megan A. Burdick

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Megan Burdick
Signature

03-01-2023
Date

Megan Burdick
Printed Name

Owner
Title

Additional Information:

TOWN MANAGERS OFFICE
FEB 27 '23 PM 12:54

Please sign this form only in the month of March and return to your Local Licensing Authority.



Jean M. Lorzio, Esq.
Commission Chairman

Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission

2023

Retail License Renewal

License Number: 00052-RS-0670

Municipality: MASHPEE

License Name: Azzaro Mashpee Inc

License Class: Seasonal

DBA: Cookes Seafood

License Type: Restaurant

Premise Address: 7 Ryan'S Way Mashpee, MA 02144

License Category: All Alcoholic Beverages

Manager: Angela Asimakopoulos

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Angela Asimakopoulos
Signature

3/13/2023
Date

Angela Asimakopoulos
Printed Name

Manager
Title

Additional Information:

Please sign this form only in the month of March and return to your Local Licensing Authority.



Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission

Jean M. Lorizio, Esq.
Commission Chairman

2023
Retail License Renewal

License Number: 00081-CL-0670

Municipality: MASHPEE

License Name : NS Beach Club LLC

License Class: Seasonal

DBA : The Lure At Popponesset

License Type: Club

Premise Address: 236 Shore Drive Mashpee, MA 02649

License Category: All Alcoholic Beverages

Manager: Scott Mullen

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Scott A Mullen

Signature

2-24-23

Date

Scott A Mullen

Printed Name

Food & Beverage Manager

Title

Additional Information:

Please sign this form only in the month of March and return to your Local Licensing Authority.

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF MASHPEE



State Fee, \$ 100
Municipal Fee, \$

LICENSE

For
PUBLIC ENTERTAINMENT ON SUNDAY
The Name of the Establishment is **NS BEACH CLUB LLC DBA THE LURE** in or on the property at No.

60-80 CROSS ROAD, MASHPEE MA 02649 (address)

The Licensee or Authorized representative, Scott A. Malen in accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
4/1/2023 - 1/15/2023	11 AM - 12 AM	TV, Live music, recorded music, dancing by patrons.

Hon. Mayor/ Chairman of Board of Selectman, Town of Mashpee (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm - Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm - Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES



Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission

Jean M. Lorizio, Esq.

Commission Chairman

TOWN MANAGERS OFFICE

MAR 13 '23 PM 3:30

2023

Retail License Renewal

License Number: 03360-RS-0670

Municipality: MASHPEE

License Name : PM Cafe LLC

License Class: Seasonal

DBA : Bob'S Seafood Cafe

License Type: Restaurant

Premise Address: 259 Shore Drive 8 Mashpee, MA 02649

License Category: All Alcoholic Beverages

Manager: Tara Marie Merola

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).


Signature

Tara Merola

Printed Name

3/8/23

Date

Manager

Title

Additional Information:

Please sign this form only in the month of March and return to your Local Licensing Authority.

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF MASHPEE



LICENSE

For
PUBLIC ENTERTAINMENT ON SUNDAY
The Name of the Establishment is **PM CAFÉ DBA BOB'S SEAFOOD CAFÉ** in or on the property at No. **259 SHORE DRIVE, UNIT #8 MASHPEE MA 02649** (address)

The Licensee or Authorized representative, [Signature] in accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
4/1/2023 - 1/15/2023	1 PM - 12 AM	TV, Live music, recorded music, dancing by patrons. Outdoor entertainment restricted to acoustic, non-amplified and must cease at 10 pm

Hon. Mayor/ Chairman of Board of Selectman, **Town of Mashpee** (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm - Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm - Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES



Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission

Jean M. Lorizio, Esq.

Commission Chairman

TOWN MANAGERS OFFICE

MAR 19 '23 PM3:30

2023

Retail License Renewal

License Number: 03356-RS-0670

Municipality: MASHPEE

License Name : PM Raw Bar, LLC

License Class: Seasonal

DBA : The Raw Bar

License Type: Restaurant

Premise Address: 259 Shore Drive Bldg 4 Mashpee, MA
02649

License Category: All Alcoholic Beverages

Manager: Matthew James Gelly

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).


Signature

3/8/23
Date

MATTHEW GELLY
Printed Name

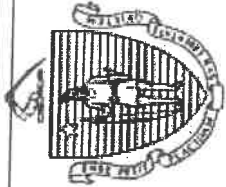
OWNER
Title

Additional Information:

Please sign this form only in the month of March and return to your Local Licensing Authority.

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF MASHPEE

State Fee, \$ 100
Municipal Fee, \$



LICENSE

For
PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is **PM RAW BAR LLC DBA THE RAW BAR** in or on the property at No.

259 SHORE DRIVE, UNIT #4 MASHPEE MA 02649

(address)

The Licensee or Authorized representative, *Red*

in

accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
4/1/2023 - 1/15/2023	1 PM - 12 AM	TV, Live music, recorded music, dancing by patrons. Outdoor entertainment restricted to acoustic, non-amplified and must cease at 10 pm

Hon.

Mayor/ Chairman of Board of Selectman, Town of Mashpee (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm - Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm - Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, and the entertainment approved, upon the understanding that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment, and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES



Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission

Jean M. Lorizio, Esq.
Commission Chairman

2023
Retail License Renewal

License Number: 03325-RS-0670 Municipality: MASHPEE
License Name : NS Beach Club LLC License Class: Seasonal
DBA : New Seabury Athletic Club And Pool License Type: Restaurant
House
Premise Address: 60-80 Cross Road Mashpee, MA 02649 License Category: All Alcoholic Beverages
Manager: Scott Mullen

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Scott A Mullen
Signature

Scott A Mullen
Printed Name

2-24-23
Date

Food & Beverage Manager
Title

Additional Information:

Please sign this form only in the month of March and return to your Local Licensing Authority.

State Fee, \$ 100
Municipal Fee, \$

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF MASHPEE



LICENSE

For
PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is **NS BEACH CLUB LLC DBA NEW SEABURY ATHLETIC CLUB & POOL** in or on the property at No.

236 SHORE DRIVE, MASHPEE MA 02649

(address)

The Licensee or Authorized representative, Scott A. Mellen in

accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion

DATE	TIME	
4/1/2023 - 1/15/2023	11 AM - 12 AM	TV, Live music, recorded music, dancing by patrons.

Hon. _____ Mayor/ Chairman of Board of Selectman, Town of Mashpee (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm - Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm - Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, upon the understanding that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES



Commonwealth Of Massachusetts
Alcoholic Beverages Control Commission

Jean M. Lorizio, Esq.
Commission Chairman

2023
Retail License Renewal

License Number: 00051-HT-0670

Municipality: MASHPEE

License Name : NS Beach Club LLC

License Class: Seasonal

DBA : Popponesset Inn

License Type: Hotel/Innkeeper

Premise Address: 252 Shore Drive Mashpee, MA 02649

License Category: All Alcoholic Beverages

Manager: Scott Mullen

I hereby certify and swear under penalties of perjury that:

1. I am authorized to sign this renewal pursuant to M.G.L. Chapter 138;
2. The renewed license is of the same class, type, category as listed above;
3. The licensee has complied with all laws of the Commonwealth relating to taxes; and
4. The premises are now open for business (if not, explain below).

Scott A Mullen

Signature

Scott A Mullen

Printed Name

2-24-23

Date

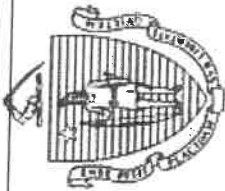
Food & Beverage Manager

Title

Additional Information:

Please sign this form only in the month of March and return to your Local Licensing Authority.

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF MASHPEE



State Fee, \$ 100
Municipal Fee, \$

LICENSE

For

PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is **NS BEACH CLUB LLC DBA POPPONSETT INN** in or on the property at No.

252 SHORE DRIVE, MASHPEE MA 02649

(address)

The Licensee or Authorized representative, Scott A Mullen

accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment: _____ in _____

Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion

DATE	TIME	
4/1/2023 -	11 AM -	TV, Live music, recorded music, dancing by patrons.
1/15/2023	12 AM	

Hon.

Mayor/ Chairman of Board of Selectmen, Town of Mashpee (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm - Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm - Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES



FY24 Operating Budget

Cape Cod Tech

Finance Committee

Anthony Tullio – Wellfleet (chair)
Dave Bloomfield – Mashpee
Norman Michaud - Yarmouth
Stefan Galazzi – Orleans



FY24 Enrollment by Town

Enrollments	Students FY24	Students FY23	Change
Barnstable	193	186	7
Brewster	53	59	-6
Chatham	13	12	1
Dennis	68	72	-4
Eastham	22	18	4
Harwich	69	71	-2
Mashpee	50	48	2
Orleans	14	11	3
Provincetown	9	7	2
Truro	11	9	2
Wellfleet	13	12	1
Yarmouth	149	148	1
Total	664	653	11



FY24 Enrollment

Enrollment by Member Town



*Enrollment as of 10/1/2022

Student Enrollment Trend

	FY19	%	FY20	%	FY21	%	FY22	%	FY23	%	FY24	%
Barnstable	179	30.3%	176	30.9%	194	31.5%	169	27.0%	186	28.5%	193	29.1%
Brewster	41	7.0%	36	6.1%	29	4.7%	41	6.5%	59	9.0%	53	8.0%
Chatham	7	1.2%	8	1.4%	10	1.6%	15	2.4%	12	1.8%	13	2.0%
Dennis	61	10.4%	68	11.6%	73	11.9%	73	11.7%	72	11.0%	68	10.2%
Eastham	22	3.7%	22	3.7%	22	3.6%	23	3.7%	18	2.8%	22	3.3%
Harwich	77	13.1%	67	11.4%	58	9.4%	51	8.1%	71	10.9%	69	10.4%
Mashpee	53	9.0%	45	7.7%	48	7.8%	44	7.0%	48	7.3%	50	7.5%
Orleans	11	1.9%	9	1.5%	12	1.9%	13	2.1%	11	1.7%	14	2.1%
Provincetown	7	1.2%	11	1.9%	14	2.3%	11	1.8%	7	1.1%	9	1.4%
Truro	6	1.0%	6	1.0%	6	1.0%	11	1.8%	9	1.4%	11	1.7%
Wellfleet	13	2.2%	12	2.0%	13	2.1%	16	2.6%	12	1.8%	13	2.0%
Yarmouth	114	19.4%	110	18.7%	137	22.2%	159	25.4%	148	22.6%	149	22.3%
	591		570		616		626		653		664	

The FY24 Budget

3.86%



\$16,750,000

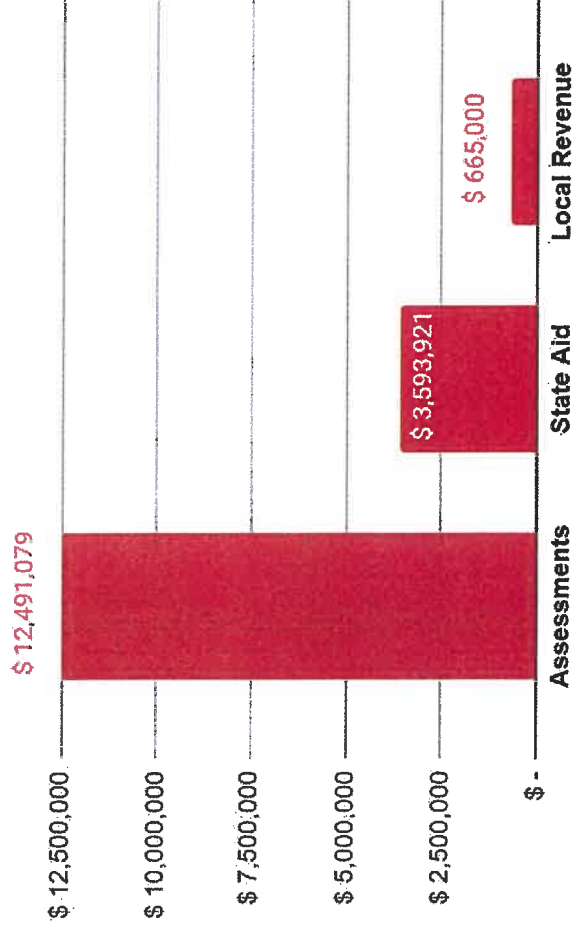
An increase of \$623,000
over the FY23 Budget

Six Year History

Fiscal Year	Budget
FY18	1.89 %
FY19	1.44 %
FY20	0.96 %
FY21	2.76%/1.34 %
FY22	1.99%
FY23	1.99%

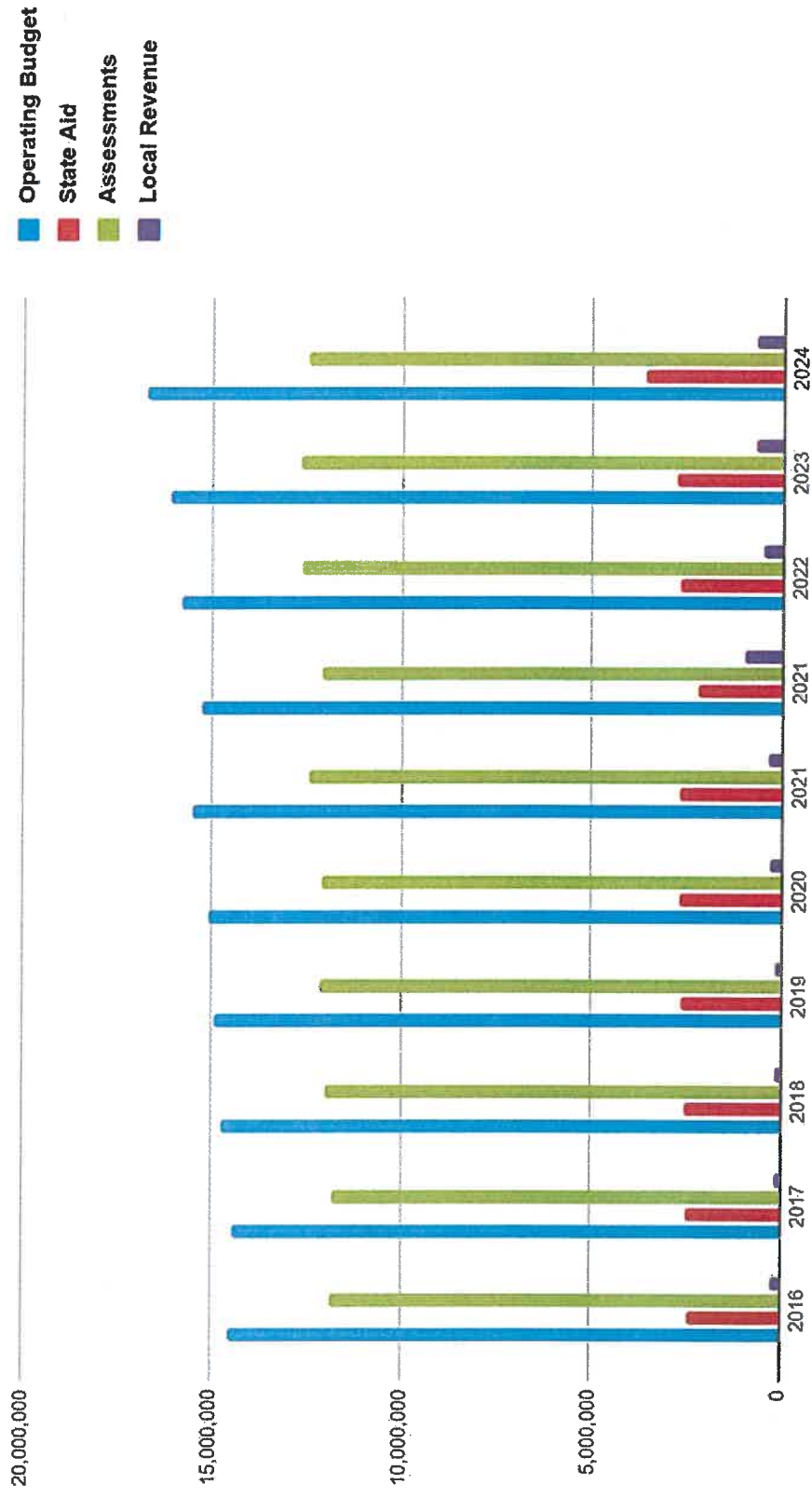


Where Does the Money Come From?



FY24 Revenue Sources	
Assessments	\$ 12,491,079
State Aid	\$ 3,593,921
Local Revenue	\$ 665,000

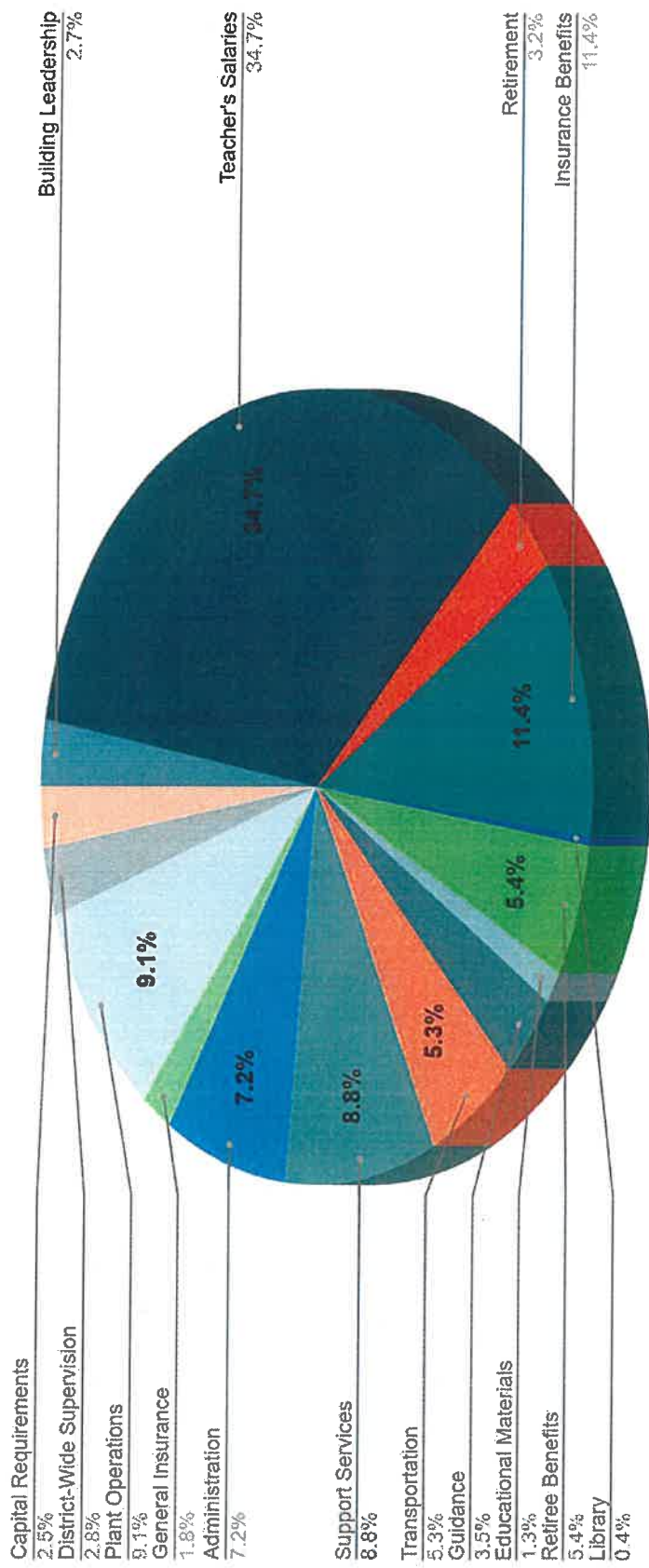
Revenue Source vs. The Operating Budget



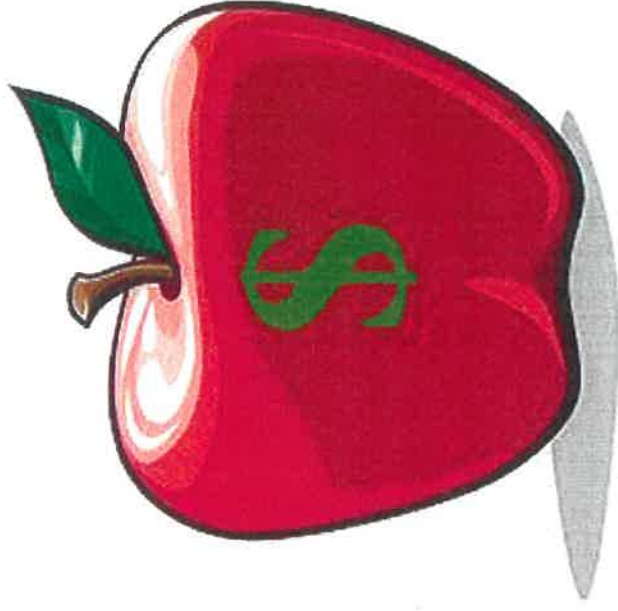
Revenue Source vs. The Operating Budget

Fiscal Year	Budget	State Aid	Assessments	Local Revenue
2016	14,532,300	2,413,040	11,885,260	234,000
2017	14,459,000	2,466,487	11,844,513	148,000
2018	14,732,000	2,538,847	12,043,153	150,000
2019	14,944,000	2,634,067	12,159,933	150,000
2020	15,087,000	2,659,133	12,137,867	290,000
2021	15,504,000	2,699,147	12,464,853	340,000
2021	15,289,584	2,193,718	12,137,867	958,000
2022	15,812,000	2,699,147	12,647,853	465,000
2023	16,127,000	2,753,137	12,708,963	665,000
2024	16,750,000	3,593,921	12,491,079	665,000

What is the Money Used For?



WHAT IS THE MONEY FOR?		
Building Leadership	\$446,544	2.7%
Teachers Salaries	\$5,807,269	34.7%
Retirement	\$537,343	3.2%
Insurance Benefits	\$1,910,289	11.4%
Library	\$64,850	0.4%
Retiree Benefits	\$909,354	5.4%
Educational Materials	\$217,250	1.3%
Guidance	\$578,731	3.5%
Transportation	\$885,000	5.3%
Support Services	\$1,473,637	8.8%
Administration	\$1,202,535	7.2%
General Insurance	\$294,494	1.8%
Plant Operations	\$1,531,080	9.1%
District-Wide Supervision	\$476,624	2.8%
Capital Requirements	\$415,000	2.5%
	\$16,750,000	



Capital Debt

	Principal	Interest	Total P&I
2020	2,935,000	4,682,300	7,617,300
2021	3,320,000	2,940,700	6,260,700
2022	3,485,000	2,770,575	6,255,575
2023	3,485,000	2,596,325	6,081,325
2024	3,485,000	2,422,075	5,907,075
2025	3,485,000	2,247,825	5,732,825
2026	3,485,000	2,073,575	5,558,575
2027	3,485,000	1,899,325	5,384,325
2028	3,485,000	1,725,075	5,210,075
2029	3,485,000	1,550,825	5,035,825
2030	3,485,000	1,376,575	4,861,575
2031	3,485,000	1,202,325	4,687,325
2032	3,485,000	1,045,500	4,530,500
2033	3,485,000	906,100	4,391,100
2034	3,485,000	766,700	4,251,700
2035	3,485,000	627,300	4,112,300
2036	3,485,000	487,900	3,972,900
2037	3,485,000	348,500	3,833,500
2038	3,485,000	209,100	3,694,100
2039	3,485,000	69,700	3,554,700
	\$68,985,000	\$31,948,300	\$100,933,300

In FY19
Cape Tech issued a
Bond in the amount of
\$68,985,000 at 3.32% for
20 Years Fixed Principal

FY24 Capital Debt Assessment

Town of Barnstable	\$1,716,966
Town of Brewster	\$471,498
Town of Chatham	\$115,651
Town of Dennis	\$604,941
Town of Eastham	\$195,716
Town of Harwich	\$613,838
Town of Mashpee	\$444,810
Town of Orleans	\$124,547
Town of Provincetown	\$80,066
Town of Truro	\$97,858
Town of Wellfleet	\$115,651
Town of Yarmouth	<u>\$1,325,533</u>
	\$5,907,075

FY24 Total Assessments

Town	Capital	Operating	Total
Barnstable	\$1,716,966	\$3,387,200	\$5,104,166
Brewster	\$471,498	\$992,867	\$1,464,365
Chatham	\$115,651	\$260,452	\$376,103
Dennis	\$604,941	\$1,362,365	\$1,967,306
Eastham	\$195,716	\$440,765	\$636,481
Harwich	\$613,838	\$1,400,362	\$2,014,200
Mashpee	\$444,810	\$981,293	\$1,426,103
Orleans	\$124,547	\$280,487	\$405,034
Provincetown	\$80,066	\$180,313	\$260,379
Truro	\$97,858	\$220,383	\$318,241
Wellfleet	\$115,651	\$260,452	\$376,103
Yarmouth	<u>\$1,325,533</u>	<u>\$2,724,141</u>	<u>\$4,049,674</u>
Total	\$5,907,075	\$12,491,080	\$18,398,155

Other Post Employment Benefits (OPEB)

In 2015, Cape Cod Tech joined the Plymouth County OPEB Trust, an IRC Section 115 multiple-employer, irrevocable trust program. The District has established a funding plan and is currently ahead of the funding schedule.

Actuarial Accrued Liability (2022 GASB Audit)

\$15,321,890

Balance of OPEB Reserve

\$2,030,551

Proposed FY24 Funding

\$275,000

Net Position - Funding to Liability

13.38%

Terrie M. Cook
Administrative Assistant
(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 16, 2023

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

From: Terrie M. Cook, Administrative Assistant

Re: Boards, Committees and Commissions: Resignations and Appointments

Discussion and Approval of the following Resignations and Appointments:

- Resignation: Conservation Commission: *Brian Weeden (Term Expires June 30, 2023)*
- Resignation: Historical Commission: *Brian Weeden (Term Expires June 30, 2024)*
See attached email from Brian Weeden
- Appointment: Sewer Commission – Member at Large: *Erin Copeland (Term Expires June 30, 2023)*
See attached email from the Sewer Commission recommending Erin Copeland's appointment, and Ms. Copeland's letter of interest

Thank you.

Brian Weeden- Resignation from Town Board's

Brian Weeden

Fri 3/10/2023 11:28 AM

To: bos@mashpee.ma.gov <bos@mashpee.ma.gov>; Deb F. Dami <dkaye@mashpeema.gov>

Cc: AVA COSTELLO >; Paul D Colombo

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

Dear Honorable Select Board and Town Clerk,

With a heavy heart I want to inform you of an unfortunate situation that has been brought to my attention as both an elected and appointed "official" however as a leader we must follow the current laws/charter. The current Town charter prohibits any elected official from holding appointed offices and I was just informed of this situation by the Town Clerk. So, please accept this letter as my official notification for my resignation from both the Town of Mashpee Conservation Commission and Historical Commission. It has been my honor to serve the Town over the past few years in both capacities however will need to focus on my elected positions at this time. I also look forward to continuing being an active community member and always willing to assist anyone when called upon. While I will miss everyone, please don't hesitate to reach out and Kutâputush for allowing me to serve our beloved Mashpee community.

Ahâpây (humbly),

Brian Moskwetah Weeden

Mashpee, Ma 02649 Sent from my iPhone

TOWN MANAGERS OFFICE
MAR 10 '23 PM12:16

MASHPEE TOWN CLERK
MAR 10 '23 AM11:56

From: Chad Smith -

Sent: Monday, February 27, 2023 3:49 PM

To: All Selectboard <allselectboard@mashpeeema.gov>

Cc: Rodney C. Collins <rccollins@mashpeeema.gov>; Wayne E. Taylor <wtaylor@mashpeeema.gov>; Deb F. Dami <dkaye@mashpeeema.gov>; Ray Jack <rjack@mashpeeema.gov>

Subject: Sewer Commission Candidate

WARNING! EXTERNAL EMAIL: This message and any attachments are UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with the policies and procedures of the Department of Defense. Do not release this information to the public or other personnel who do not have a valid "need-to-know" without prior approval of the appropriate authority.

Good Afternoon All,

On Thursday February 23rd, our sewer commission voted unanimously to recommend the appointment of Erin Copeland of 1B Riverview Avenue to the Mashpee Sewer Commission. She is currently a member of our Conservation Commission and would be filling the at large vacancy on our board.

I have attached her original letter of interest to our board. I thank you in advance as I respectfully request the Select Board consider this appointment.

Best Regards,

Chad Smith

Chairman, Mashpee Sewer Commission

ERIN TERKELSEN COPELAND

Mashpee, MA 02649

Chad Smith, Chair
Sewer Commission
16 Great Neck Road North
Mashpee, MA 02649

Dear Chad,

I'm writing to express my interest in the Commissioner vacancy on the Sewer Commission.

I've enjoyed my time as Commissioner on Mashpee's Conservation Commission, and feel it a natural progression to look towards the Sewer Commission as an important next step/component in my involvement with the town.

It's accurate that I do not have any direct professional experience with sewers or the nuts and bolts of how they work and will serve Mashpee's interests going forward. However, I bring a great deal of interest and enthusiasm for how our town plans to engage and how I can be a part of the solution.

As a realtor, I believe it is part of my job to understand the big issues (infrastructure, conservation, and the like) and inform those people looking to make Cape Cod their home.

Thank you.

Best,



Erin Terkelsen Copeland

Terrie M. Cook
Administrative Assistant
(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 17, 2023

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

From: Terrie M. Cook, Administrative Assistant

Re: **MOTION and VOTE needed** for:

Inclusion of Sewer Betterment Assessment Article as Annual Town Meeting Article 12 AND whether to recommend Town Meeting approval of Article 12

Vote required to include in the Annual Town Meeting Warrant and "recommend" Town Meeting approval

Article 12 *NEW ARTICLE* (Accept Provisions with Regard to Sewer Betterment Assessments)

To see if the Town will accept the provisions of Massachusetts General Laws Chapter 83, sections 15C and 15D relative to the assessment of interest on and the apportionment of unpaid balances of sewer betterment assessments, or take any other action relating thereto.

Submitted by the Select Board

Explanation: This article will authorize the Town to assess and collect interest on an unpaid balance of a sewer betterment assessment at a rate up to 2% above the net rate of interest chargeable to the Town for the project to which the assessment relates, and to apportion all *future* sewer assessments or unpaid balances of assessments over a period not to exceed 30 years, and to structure the payments so that the amounts payable for principal and interest combined in the respective years are as nearly equal as practicable. These equal payments may be further apportioned and collected by the Town on quarterly tax bills at the option of the Town. An owner of land assessed would still be able to pay the total remaining principal amount due without any prepayment penalty.

The Select Board recommends approval of Article 12 by a vote of

FROM TOWN COUNSEL: (Article 12)

The adoption of these local option sewer assessment provisions would permit the Town to proceed in accordance with these statutes, rather than pursuant to the general betterment assessment provisions of G.L. c. 80, §13. Presently, §13 authorizes the Town to collect interest on betterment assessments at a rate of 5%, or at the election of the Town, at a rate of up to 2% above the rate of interest charged to the Town for the project's financing. Section 13 also provides that, upon commitment of the assessments by the Collector, the Board of Assessors may, and at the request of the owner of the land assessed shall, apportion all assessments or unpaid balances thereof into such number of equal portions, not exceeding 20, as is determined by said Board or as requested by the owner.

If accepted, the subject local option statutes, c. 83, §§15 C & D, would authorize the Town to assess and collect interest on an unpaid balance of a sewer betterment assessment at a rate up to 2% above the net rate of interest chargeable to the Town for the project to which the assessment relates, and to apportion all *future* sewer assessments or unpaid balances of assessments over a period not to exceed 30 years, and to structure the payments so that the amounts payable for principal and interest combined in the respective years are as nearly equal as practicable. These equal payments may be further apportioned and collected by the Town on quarterly tax bills at the option of the Town. An owner of land assessed would still be able to pay the total remaining principal amount due without any prepayment penalty.

These local option statutes can be adopted jointly or by separate warrant articles. A majority vote of Town Meeting is required to accept the statutes. Assuming that the Town intends to implement *both* the interest and apportionment provisions with respect to future sewer assessments, I recommend a single article.

Thank you.

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



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

MEMORANDUM

Date: March 16, 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

Annual Town Meeting Warrant

ADD Article 12, Page 16-17 Sewer Betterment Provisions Select Board

SEE INFORMATION AT THE END OF THIS MEMO FROM TOWN COUNSEL RE: PROPOSED ARTICLE 12

Articles 17-24, Pages 19-21	Contracts	Select Board	not ready yet for vote
Articles 30-32, Pages 23-30	Solar Zoning	Planning Board	Vote to recommend/not recommend
Article 38-45, Pages 33-41	Petition Articles	Petition	Vote to recommend/not recommend

FROM TOWN COUNSEL: (Article 12)

The adoption of these local option sewer assessment provisions would permit the Town to proceed in accordance with these statutes, rather than pursuant to the general betterment assessment provisions of G.L. c. 80, §13. Presently, §13 authorizes the Town to collect interest on betterment assessments at a rate of 5%, or at the election of the Town, at a rate of up to 2% above the rate of interest charged to the Town for the project's financing. Section 13 also provides that, upon commitment of the assessments by the Collector, the Board of Assessors may, and at the request of the owner of the land assessed shall, apportion all assessments or unpaid balances thereof into such number of equal portions, not exceeding 20, as is determined by said Board or as requested by the owner.

If accepted, the subject local option statutes, c. 83, §§15 C & D, would authorize the Town to assess and collect interest on an unpaid balance of a sewer betterment assessment at a rate up to 2% above the net rate of interest chargeable to the Town for the project to which the assessment relates, and to apportion all *future* sewer assessments or unpaid balances of assessments over a period not to exceed 30 years, and to structure the payments so that the amounts payable for principal and interest combined in the respective years are as nearly equal as practicable. These equal payments may be further apportioned and collected by the Town on quarterly tax bills at the option of the Town. An owner of land assessed would still be able to pay the total remaining principal amount due without any prepayment penalty.

These local option statutes can be adopted jointly of by separate warrant articles. A majority vote of Town Meeting is required to accept the statutes. Assuming that the Town intends to implement *both* the interest and apportionment provisions with respect to future sewer assessments, I recommend a single article

**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 5-0

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 NUMBERS ARE SUBJECT TO CHANGE

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 7-0

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

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

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

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

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

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
DPW		
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
Total DPW	\$526,527	\$526,527
FIRE		
Purchase of Ambulance	\$425,000	\$425,000
Total Fire	\$425,000	\$425,000
INFORMATION TECHNOLOGY		
Upgrade TV Studio at Town Hall	\$100,000	\$100,000
Total Information Technology	\$100,000	\$100,000
PLANNING & CONSTRUCTION		
Flooring Replacement	\$100,000	\$100,000
HVAC Upgrades Schools, Energy Audit & Design/Engineering	\$5,000,000	\$5,000,000
Total Planning & Construction	\$5,100,000	\$5,100,000
POLICE		
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
Total Police	\$255,000	\$255,000
RECREATION		
Resurface Pickleball Courts	\$42,000	\$42,000
Total Recreation	\$42,000	\$42,000

(Table is continued on the next page)

FISCAL YEAR 2024 CAPITAL IMPROVEMENT PROGRAM (CONTINUED)		
REQUESTS BY DEPARTMENT	FY 2024 CIP COMMITTEE RECOMMENDATIONS	FY 2024 TOWN MANAGER RECOMMENDATIONS
SCHOOL		
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
Total School	\$130,000	\$130,000
TOTAL ALL DEPARTMENTS	\$6,578,527	\$6,578,527

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 5-0

The Finance Committee recommends approval of Article 3 by a vote of 7-0

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 5-0

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 5-0

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.

FUND	FY 2024 AUTHORIZATION
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 5-0

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

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 5-0

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

Article 12 *NEW ARTICLE* (Accept Provisions with Regard to Sewer Betterment Assessments)

To see if the Town will accept the provisions of Massachusetts General Laws Chapter 83, sections 15C and 15D relative to the assessment of interest on and the apportionment of unpaid balances of sewer betterment assessments, or take any other action relating thereto.

Submitted by the Select Board

Explanation: This article will authorize the Town to assess and collect interest on an unpaid balance of a sewer betterment assessment at a rate up to 2% above the net rate of interest chargeable to the Town for the project to which the assessment relates, and to apportion all *future* sewer assessments or unpaid balances of assessments over a period not to exceed 30 years, and to structure the payments so that the amounts payable for principal and interest combined in the respective years are as nearly equal as practicable. These equal payments may be further apportioned and collected by the Town on quarterly tax bills at the option of the Town. An owner of land assessed would still be able to pay the total remaining principal amount due without any prepayment penalty.

The Select Board recommends approval of Article 12 by a vote of
The Finance Committee recommends approval of Article 12 by a vote of

Article 13

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 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 \$ 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
Total Budgeted Revenue	\$ 486,380

Estimated Expenses

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

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 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 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 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 15 by a vote of 8-0.

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

Article 16

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-loaning 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 16 by a vote of 5-0

The Finance Committee recommends approval of Article 16 by a vote of

***PLACESAVERS* CONTRACT SETTLEMENTS Articles 17-24 (Page 19 through top of Page 21)**

Article 17

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 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 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 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 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 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 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 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 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 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), 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 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 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 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 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 24 by a vote of *HOLD*
The Finance Committee recommends approval of Article 24 by a vote of

Article 25

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 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 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 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 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 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 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 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 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 29 by a vote of 5-0

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

Article 30

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 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 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:

¹⁵ 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 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 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 32 by a vote of *HOLD*

The Finance Committee recommends approval of Article 32 by a vote of

Article 33

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 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 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 34 by a vote of 5-0

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

Article 35

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 35 by a vote of 5-0

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

Article 36

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 36 by a vote of 4-1

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

Article 37

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 37 by a vote of 4-0

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

Article 38

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

Article 45

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 45 by a vote of *HOLD*
The Finance Committee recommends approval of Article 45 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

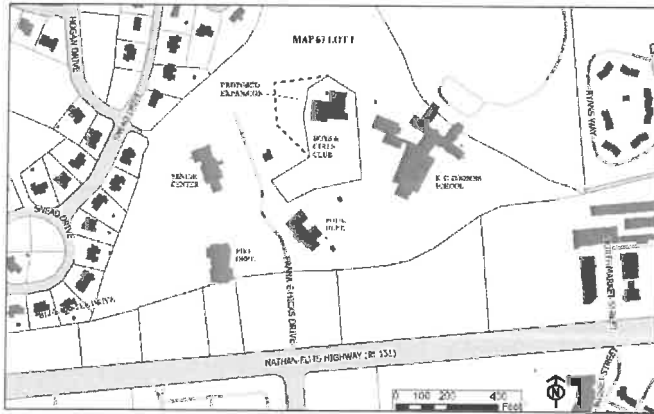
Carol A. Sherman

Michaela Wyman-Colombo

APPENDIX A

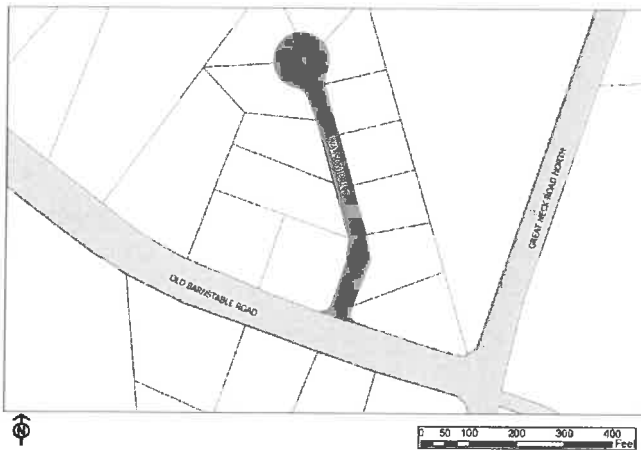
Annual Town Meeting Article #24

Map – Boys & Girls Club of Cape Cod Proposed Expansion



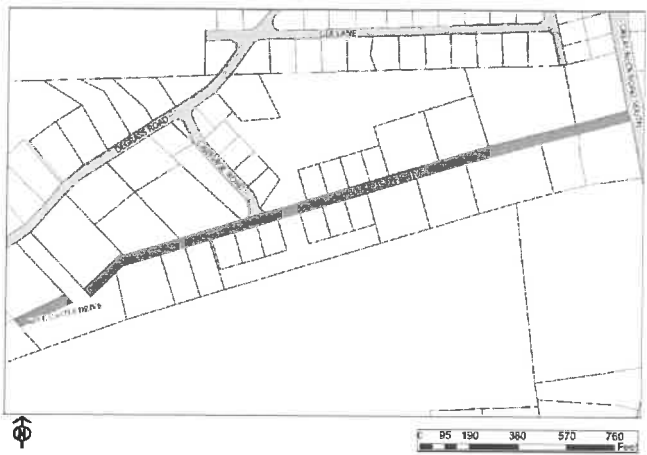
Annual Town Meeting Article #37

Map - Watson Drive



Annual Town Meeting Article #40

Map – Blue Castle Drive



Question 1

Shall the Town of Mashpee be allowed to exempt from the provisions of proposition two and one half, so called, the amounts required to pay for the bonds to be issued in order to fund construction completion of Phase 1 of the Town's comprehensive nitrogen and wastewater management, treatment and disposal improvement plans, 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?

Question 2


Shall the Town of Mashpee be allowed to exempt from the provisions of proposition two and one half, so-called, the amount required to pay for the bonds to purchase/lease of New Fire Truck, Mashpee Public Schools HVAC Replacement design, engineering, and construction/Energy Audit, Town Hall HVAC Water Piping Design and construction, Police Department HVAC replacement, design, engineering, and construction, and DPW Roof Replacement design, engineering, and construction, including the payment of costs incidental or related thereto?

Deborah Kaye
Town Clerk
(508) 539-1418
dkaye@mashpeema.gov



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

To: Select Board
Rodney Collins, Town Manager

From: Deborah F. Kaye 
Town Clerk

Date: March 9, 2023

Re: May 6, 2023 Annual Town Election

Attached for your approval and signature is the election warrant for the May 6, 2023 Annual Town Election.

TOWN OF MASHPEE
Annual Election Warrant
May 6, 2023

SS BARNSTABLE:

To the Constable of the Town of Mashpee

Greetings:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in the Election to be held on Saturday, May 6, 2023, with Precincts 1 and 2 located at the Mashpee Senior Center, Precincts 3 and 4 at Mashpee Town Hall, and Precinct 5 at the Mashpee Library, from 7:00 A.M. to 8:00 P.M.

HOUSING AUTHORITY Vote for One for 5 Years

LIBRARY TRUSTEE Vote for Three for 3 Years

PLANNING BOARD Vote for One for 3 Years

SCHOOL COMMITTEE Vote for Two for 3 Years

SELECTMEN Vote for Two for 3 Years

TOWN CLERK Vote for One for 3 Years

WATER COMMISSIONER Vote for One for 3 Years

Question 1

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Given under our hands this 20th day of March, 2023.

David W. Weeden, Chair

John J. Cotton, Vice-Chair

Thomas F. O'Hara, Clerk

Carol A. Sherman

Michaela Wyman-Colombo
Mashpee Select Board