

**\*AMENDED\* AGENDA  
BOARD OF SELECTMEN  
MONDAY, DECEMBER 21, 2020  
WAQUOIT MEETING ROOM  
MASHPEE TOWN HALL  
16 GREAT NECK ROAD NORTH  
MASHPEE, MA 02649**

MASHPEE TOWN CLERK

DEC 17 2020

RECEIVED BY: VS

**\*Virtual / Remote Meeting\***

**\*Broadcast Live on Local Cable Channel 18\***

**\*Public Call in Number: (508) 539-1400 extension 8585 for Public Comment and Public Hearings\***

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

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

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MINUTES**

Approval of the following: Monday, December 7, 2020 Regular Session

**APPOINTMENTS & HEARINGS**

- Public Comment: **\*Call in Number (508) 539-1400 extension 8585\***

**CONVENE JOINT MEETING WITH THE AFFORDABLE HOUSING TRUST**

Discussion and Approval of Mashpee Housing Assistance Program II Proposal: *Town Manager Rodney Collins*

**ADJOURNMENT OF THE AFFORDABLE HOUSING TRUST**

**APPOINTMENTS & HEARINGS (CON'T)**

- Status Report by M3 Ventures, d/b/a Triple M: *Lianne Ankner*

**COMMUNICATIONS & CORRESPONDENCE**

**OLD BUSINESS**

1. Update, Discussion and Possible Action Relative to COVID-19

**NEW BUSINESS**

1. Discussion and Certification of Hiring Process of Police Officers; Nicholas Carpenter, Frederick Bohnenberger:  
*Police Chief Scott Carline*
2. Discussion and Approval of Re-Appointment to the Barnstable County HOME Consortium Advisory Council,  
(Term expires: January 31, 2024): *Arden Cadrin*
- \*3. Discussion and Approval of Revision of Board of Selectmen Policy #007:  
*"Closing of Town Hall During Winter Storms"*

**LIAISON REPORTS**

**TOWN MANAGER UPDATES**

**ADDITIONAL TOPICS**

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

**EXECUTIVE SESSION**

Discussion of Strategy with Respect to Litigation (Conservation Law Foundation Notice of Intent to Initiate Suit).  
(G.L. c. 30A, §21(a) (3))

**ADJOURNMENT**

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

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

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MINUTES**

Approval of the following: Monday, November 16, 2020 Regular and Executive Sessions

**APPOINTMENTS & HEARINGS**

- Public Comment: **\*Call in Number (508) 539-1400 extension 8585\***
- 6:35 pm – Public Hearing: Private Sign on Town Property 126 South Sandwich Road Mashpee, MA for AJ's Screening: *Adam Giangregorio* **\*Call in Number (508) 539-1400 extension 8585\***
- 6:40 pm – Public Hearing: 2021 Annual Alcoholic Beverage and Entertainment License Renewals  
**\*Call in Number (508) 539-1400 extension 8585\***
- 6:45 pm – Public Hearing: Liquor License Amendment Application for an Alteration of Premises of 25 Market St. Inc. d/b/a, Trevi Café located at 25 Market Street, Mashpee MA 02649: *Susan Musto, Manager*  
**\*Call in Number (508) 539-1400 extension 8585\***
- Update on Mashpee Wastewater Treatment Facility and Collection System Design: *GHD, Inc.*
- Discussion and Approval of Host Community Agreement with Ocean Grown Canna Collective (OGCC), LLC:  
*Stephen Giatrelis*

**COMMUNICATIONS & CORRESPONDENCE**

**OLD BUSINESS**

1. Update, Discussion and Possible Action Relative to COVID-19

**NEW BUSINESS**

1. Discussion and Approval of the Following Contracts: *DPW Director Catherine Laurent*
  - Portable Toilets; Trash & Recycling Collection Services
  - Disposal of Municipal Solid Waste: *Gotta Do Contracting, LLC*
  - Increase/Addition in Transfer Station Gate Fees
2. Update on the Cape and Islands Water Protection Trust: *Andrew Gottlieb*

**Convene Joint Meeting with the Affordable Housing Trust**

1. Discussion and Approval of the Minutes of Monday, February 10, 2020
2. Discussion and Approval of Termination of Memorandum of Agreement with Mashpee Housing Authority for Mashpee Housing Assistance Program II
3. Discussion and Approval of Authorization for the Town Manager to Solicit Quotes, and to Negotiate and Execute a Memorandum of Understanding or other Agreement Relative to Prospective Administration of the Mashpee Housing Assistance Program II

**Adjournment of Affordable Housing Trust**

**LIAISON REPORTS**

**TOWN MANAGER UPDATES**

**EXECUTIVE SESSION**

**ADDITIONAL TOPICS** (This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed)

**ADJOURNMENT**

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

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

## MINUTES

Monday, November 16, 2020 Regular and Executive Sessions:

**Motion made by Selectman Gottlieb to approve the Regular and Executive Session minutes of Monday, November 16, 2020 as presented.**

**Motion seconded by Selectman O'Hara.**

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

**Roll Call Vote:**

Selectman Cotton, yes	Selectman O'Hara, yes	Selectman Sherman, yes
Selectman Gottlieb, yes	Selectman Weeden, yes	Opposed, none

## APPOINTMENTS & HEARINGS

Public Comment: None at this time.

Public Hearing: Private Sign on Town Property 126 South Sandwich Road Mashpee, MA for AJ's Screening: Adam Giangregorio:

The Board of Selectmen opened the Public Hearing by reading into the record the request of Adam J. Giangregorio, property owner at 126 South Sandwich, Road, Mashpee and proprietor of permitted home occupation, AJ's Screening to erect a free-standing routed sign within the 40' road layout of the South Sandwich Road location, approximately 3.5' from the edge of pavement.

Adam J. Giangregorio, project proponent was present via ZOOM to review the proposal with members of the Board of Selectmen. It was noted the sign fits within the neighborhood and would lie in an in-obtrusive location.

Being no public comment, the Select Board motioned as follows;

**Motion made by Selectman Gottlieb to close the Public Hearing.**

**Motion seconded by Selectman O'Hara.**

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

**Roll Call Vote:**

Selectman Cotton, yes	Selectman O'Hara, yes	Selectman Sherman, yes
Selectman Gottlieb, yes	Selectman Weeden, yes	Opposed, none

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## **APPOINTMENTS & HEARINGS**

Public Hearing: Private Sign on Town Property 126 South Sandwich Road Mashpee, MA for AJ's Screening: Adam Giangregorio: (continued)

It was disclosed the applicant is required to obtain a license agreement through the Building Department to hold the Town harmless if there are liabilities or damage to the signage.

**Motion made by Selectman Gottlieb to approve the request of Adam J. Giangregorio, property owner of 126 South Sandwich Road and of AJ's Screening to erect a free-standing routed sign within the 40' layout of South Sandwich Road subject to obtaining the applicable license agreement between the Town of Mashpee and property owner.**

**Motion seconded by Selectman O'Hara.**

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

**Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Opposed, none</b>

Public Hearing: 2021 Annual Alcoholic Beverage and Entertainment License Renewals:

Acting as the Licensing Authority for the Town of Mashpee, the Select Board opened the Public Hearing on the 2021 Annual Alcoholic Beverages and Entertainment License renewals in the Town of Mashpee. The Hearing notice was read aloud into the record in accordance with posting procedures.

It was disclosed there are no violations. All licensed establishments have passed Building/Fire Inspections, with no reported violations from the Police, Fire Department and Board of Health. All licensed establishments are current on their property taxes and there are no reported violations with the ABCC.

An establishment with the asterisk denotes a renewal of its license for Weekday Entertainment and/or Entertainment on Sundays. There are no alterations to the Entertainment Licenses as previously conditioned.

In accordance with the Board of Selectmen's action on November 2, 2020 to institute a Ban on the Sale of Alcohol Nips (50 mil) (50 milliliter (ml) container) and on containers of up to 100 milliliters in size as a condition of any new, renewed and/or transferred license for establishments licensed pursuant to G.L. Ch. 138 §15 based on considerations of public health, welfare and safety. The Ban is applicable with the License Renewals for 2021 with an effective date of July 1, 2021.

The conditions in effect will remain status quo. This includes outdoor seating for restaurants permitted by the Board of Selectmen which shall remain in effect until the Governor's State of Emergency has been lifted.

Being no comment the Board motioned to close the Public Hearing.

**Motion made by Selectman Sherman to close the Public Hearing.**

**Motion seconded by Selectman O'Hara.**

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

**Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Opposed, none</b>

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## **APPOINTMENTS & HEARINGS**

Public Hearing: 2021 Annual Alcoholic Beverage and Entertainment License Renewals: (continued)

**Motion made by Selectman Sherman to approve the Annual Alcoholic Beverages License and Entertainment License Renewals for the year 2021 conditioned on the Ban on the Sale of Alcohol Nips effective July 1, 2021, with Entertainment Licenses conditioned as currently in effect with permitted outdoor seating effective until the Governor's State of Emergency is lifted as follows;**

### **Package Store – Alcohol:**

**Andy's Market  
The Barn Best Buy Beverages  
Liberty Liquors  
South Cape Wine & Spirits**

### **Package Store – Wine & Malt:**

**Mashpee Mart  
Commons Convenience  
Rory's  
Mashpee Mini Mart  
The Little Shop of Olive Oils**

### **Restaurant – All Alcohol**

**Asia  
Bleu  
Bobby Byrne's  
Café Trevi\*  
Cape Cod Coffee LLC d/b/a Cape Cod Coffee (53 Market Street)\*  
Magni Inc. d/b/a Cape cod Coffee (10 Evergreen Circle)\*  
Estia\*  
Finally Dino's\*  
The Lanes\*  
99 Restaurant\*  
New Seabury Athletic Club and Pool\*  
Quashnet Valley Country Club\*  
Siena\*  
Sopranos\*  
Wicked\***

### **Restaurant – Wine & Malt:**

**Bangkok Thai Cuisine  
Zoe's\***

### **Innholder – All Alcohol:**

**Popponesset Inn\***

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## **APPOINTMENTS & HEARINGS**

Public Hearing: 2021 Annual Alcoholic Beverage and Entertainment License Renewals: (continued)

### **Commercial Club:**

**New Seabury Country Club\***

**Willowbend Country Club\***

### **Farmers Brewery Pouring:**

**Naukabout Beer Company\***

**Motion seconded by Selectman Gottlieb.**

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

**Roll Call Vote:**

**Selectman Cotton, yes**

**Selectman O'Hara, yes**

**Selectman Sherman, yes**

**Selectman Gottlieb, yes**

**Selectman Weeden, yes**

**Opposed, none**

Public Hearing: Liquor License Amendment Application for an Alteration of Premises of 25 Market St. Inc. d/b/a Trevi Café located at 25 Market Street, Mashpee MA 02649: Susan Musto, Manager:

The Board of Selectmen opened the Public Hearing on the Liquor License Amendment Application of 25 Market St. Inc., d/b/a Trevi Café, 25 Market Street, Mashpee, Susan Musto, Manager, for an alteration of premises. The premises is described as a two floor dining area and patio totaling 2,501 sq. ft., with two entrances and two exits. The proposed change would add a new dining area, measuring 327 sq. ft. with a seating capacity of 24.

In accordance with posting procedures the Hearing notice was read aloud into the record. Susan Musto, Manager was in attendance to review the proposed alteration of premises with the Board of Selectmen.

Ms. Musto indicated she is seeking a permanent change to remain in compliance with COVID-19 restrictions. A total of 24 seats would be added to the upstairs room for use as additional indoor seating when the outdoor patio for dining is closed. The seating arrangement would be comprised of 6 tables with 4 seats at each table. It was noted the proposed alteration of premise was discussed with the Building and Fire Departments, and is awaiting approval from the Board of Health.

The Building and Fire Departments are awaiting approval by the Select Board before signing off on compliance.

Being no further comment, the Board motioned to close the Public Hearing.

**Motion made by Selectman Gottlieb to close the Public Hearing.**

**Motion seconded by Selectman Sherman.**

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

**Roll Call Vote:**

**Selectman Cotton, yes**

**Selectman O'Hara, yes**

**Selectman Sherman, yes**

**Selectman Gottlieb, yes**

**Selectman Weeden, yes**

**Opposed, none**

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Public Hearing: Liquor License Amendment Application for an Alteration of Premises of 25 Market St. Inc. d/b/a Trevi Café located at 25 Market Street, Mashpee MA 02649: Susan Musto, Manager: (continued)

**Motion made by Selectman Gottlieb to approve the amended application of 25 Market St. Inc., d/b/a Trevi Café, 25 Market Street, Mashpee, Susan Musto, Manager, for an alteration of premises as described subject to written sign-off and compliance with the Building, Health and Fire Departments.**

**Motion seconded by Selectman O'Hara.**

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

**Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Opposed, none</b>

Update on Mashpee Wastewater Treatment Facility and Collection System Design: GHD, Inc.:

Anastasia Rudenko, GHD, Inc. project manager was in attendance to review the project schedule for the final design, pump stations and collection system for Phase I of the Water Resource Recovery Facility. The project schedule for State Revolving Funds was identified as follows;

SRF PEF Application – Submitted in August 2020

Intended Use Plan – January 2021

Town Construction Appropriation – Spring Town Meeting 2021

SRF Design Submittal Target Date – July 2021 (90% design)

Target Bid Date – November 2021

The State Revolving Fund (SRF) is the source of 0% state loans for towns seeking to bid for infrastructure. On behalf of the Town of Mashpee, the Town's engineering consultant, GHD, Inc. has submitted an application in August, to get on state list to qualify for 0% loans. Part of this process requires adherence to the project schedule to remain in que for funding which will be made known in FY2021 for funding in 2021. As a result of the water pollution abatement needs of the Town of Mashpee it is likely the Town would achieve a high ranking for funding eligibility.

Final design includes Field Investigations which includes site borings, collection system borings and collection system and pump station surveys. Notice will be given to all abutters regarding Phase I Final Design Field Investigations. A list of roads in Phase I was identified. Certain properties may be requested to grant permission to enter properties for the purpose of design to include measurements and height data to complete the survey requirements.

Discussion and Approval of Host Community Agreement with Ocean Grown Canna Collective (OGCC), LLC: Stephen Giatrelis:

Evan Lehrer, Town Planner was present to facilitate discussions regarding the Notice of Intent received from Ocean Grown Canna Collective (OGCC), LLC to enter into a Host Agreement with the Town of Mashpee for marijuana cultivation and manufacturing at 57 Industrial Drive, Mashpee.

Proponents from OGCC consist of three officers who have had multiple years of experience in other businesses in the Town of Mashpee and surrounding communities. The founders are Justin Bigwood, Trevor Bigwood and Stephen Giatrelis.

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## **APPOINTMENTS & HEARINGS**

### Discussion and Approval of Host Community Agreement with Ocean Grown Canna Collective (OGCC), LLC: Stephen Giatrelis: (continued)

The Select Board met with the applicants virtually after receiving information from applicable department heads regarding technical recommendations. It was disclosed the Select Board previously executed an agreement with different principals for the same proposed uses. Due to changes in OGCC's leadership, it was determined that a new Host Community Agreement would be presented to the Town of Mashpee for approval.

With support of the Letter of Intent for a Host Agreement Mr. Giatrelis indicated the OBCC would apply to the Cannabis Control Commission for a Tier II Marijuana Cultivator License to include cultivating, manufacture, extraction, process, package and brand marijuana products to be delivered to Marijuana establishments, excluding edibles. It was explained the new group of proponents would be moving forward in the same manner as previously supported. It was thus reaffirmed there would be no edibles offered under this license.

In the packet submission from the Town Planner, the approvals from Fire, Police, Health, Building/Zoning and Planning were approved and submitted with stipulations attached.

With approvals, and internal changes within the building it is anticipated the new business would be in operation in approximately 18 months. Appreciation was given to Mr. Lehrer for his involvement in the process on behalf of the Town of Mashpee.

**Motion made by Selectman Sherman to approve and authorize the Town Manager to enter into a Host Community Agreement with Ocean Grown Canna Collective, LLC (OGCC), Stephen Giatrelis proponent and point of contact.**

**Motion seconded by Selectman O'Hara.**

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

**Roll Call Vote:**

**Selectman Cotton, yes**

**Selectman O'Hara, yes**

**Selectman Sherman, yes**

**Selectman Gottlieb, yes**

**Selectman Weeden, yes**

**Opposed, none**

## **OLD BUSINESS**

### Update, Discussion and Possible Action Relative to COVID-19:

Town Manager Rodney C. Collins updated the Select Board on actions and limitations due to COVID-19. As a result of the uptick in cases, the Library is temporarily limiting access to its building. Services will include contactless curbside pick-up and drop-off of Library material.

A total of 5 new positive cases were reported on this date.



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## **NEW BUSINESS**

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

Portable Toilets; Trash & Recycling Collection Services:

Catherine Laurent, Director of Public Works recommended the Board award the annual contracts for Trash/Recycling Services and the Rental of Portable Toilets for CY2021. The current contracts expire on 12/31/2020. This is the first year of a two-year bid.

It was recommended that contracts be awarded as follows;  
Portable Toilets for Beaches – Pina Sajje Sanitation  
Portable Toilets for Event Rentals – United Site Services  
Trash & Recycling – Cavossa Disposal

**Motion made by Selectman Gottlieb to approve the bid specifications for Portable Toilets and Trash & Recycling as recommended by the DPW Director.**

**Motion seconded by Selectman Weeden.**

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

**Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Opposed, none</b>

Disposal of Municipal Solid Waste: Gotta Do Contracting, LLC:

The current contract for the disposal of Municipal Solid Waste collected at the Mashpee Transfer Station is due to expire on 12/31/2020. Proposals were solicited and received from SEMASS and Gotta Do Contracting for a three-year contract. Gotta Do Contracting was contracted for this service in May with the termination of New Bedford Waste Services.

Gotta Do Contracting is the low bidder. The three year quotation includes transportation which is estimated to cost less by approximately \$20,000 in Year 1, \$25,000 in Year 2 and \$30,000 in Year 3. The cost in CY21 is \$105 per ton, including transportation.

It was noted the bids were very competitive. With the pandemic there has been an increase in the tonnage of solid waste. Plastics are now costing more, exceeding the cost of solid waste disposal. Markets have improved for cardboard and metal.

**Motion made by Selectman Gottlieb to award a 3-Year contract for CY2021, CY2022 & CY2023 with Gotta Do Contracting, LLC of Jordan, NY for the disposal of Municipal Solid Waste at the Mashpee Transfer Station for a respective yearly cost of \$105.00 per ton, \$108.00 per ton and \$111.00 per ton including transportation.**

**Motion seconded by Selectman O'Hara.**

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

**Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Opposed, none</b>

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## **NEW BUSINESS**

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

#### Increase/Addition in Transfer Station Gate Fees:

The DPW Director reviewed Transfer Station fees charged at the gate for the recycling of bulky wastes to ensure adequate charges to cover the cost of recycling. It is recommended the mattress fee be increased from \$15 to \$20 per mattress and that a \$6 fee be set for fire extinguishers. The fees will be more comparable with surrounding communities.

A large number of mattresses are being disposed of at the Transfer Station, and not all mattresses are recyclable. The cost to the Town is \$35 per mattress. Additional monies would offset the costs incurred by the Town.

Fire extinguishers have never been included as a separate fee. The \$6 fee to be imposed would cover the cost to the Town.

Discussion followed regarding residential and commercial use of the Transfer Station. It was agreed the Board would place an article on the Town Meeting warrant to fund a bar code scanner to distinguish and track vehicles entering the Transfer Station.

**Motion made by Selectman Sherman to increase the Transfer Station Gate Fee for Fire Extinguishers to \$6 per item and Mattresses from \$15 to \$20 per mattress as recommended effective July 1, 2021.**

**Motion seconded by Selectman Gottlieb.**

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

#### **Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Opposed, none</b>

### Update on the Cape and Islands Water Protection Trust: Andrew Gottlieb:

The Cape & Islands Water Protection Trust is comprised of 15 Cape Cod municipalities serving as voting members. Its executive directors represent the Cape Cod Commission, the Martha's Vineyard Commission and the Nantucket Town Manager serving as non-voting members of the 18-member management board.

The Cape & Islands Water Protection Fund is a part of the Clean Water State Revolving Fund program which authorizes the management board to grant water pollution abatement projects undertaken by its member communities.

Mashpee's representative to the Cape & Islands Water Protection Trust Selectman Andrew R. Gottlieb updated the Select Board on the process and timelines for grants to be considered for 2021. Funding derives from a 2.75% surcharge on nightly short-term rental hotel/motel stays. Funds collected since July 2019 total more than \$10 million.

The Town of Mashpee in August 2020 submitted an application for a 0% interest SRF loan and by taking action on certain steps and deadlines imposed by the state, Mashpee is now eligible to receive grant funding from the Cape & Islands Water Protection Trust Fund. The subsidy would diminish the financial burden to the Town of Mashpee and its taxpayers.

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## NEW BUSINESS

### Update on the Cape and Islands Water Protection Trust: Andrew Gottlieb: (continued)

It is important to realize the Management Board of the Trust does not select member towns for grant funding. The directive lies solely on the intensive review of the Clean Water State Revolving Fund program. The CWSRF Board determines the subsidy percentage for qualified pre-existing projects.

Municipalities should be notified of their eligibility in late March. By the end of May the subsidy percentage will be revealed as well as the qualification for 0% interest loans. Subsidy percentage applies to the principal of all projects costing over \$1 million. The total monetary value of each grant equals the subsidy percentage times the final project cost. The amount is allocated in four installments. For projects costing less than \$1 million, the subsidy percentage is doubled.

This is a predictable and reliable source of funds for the member communities across the Cape to assist with wastewater infrastructure and water quality remediation.

### Convene Joint Meeting with the Affordable Housing Trust:

The Affordable Housing Trust convened their meeting at 7:52 p.m.

Members present include Selectman John Cotton, Selectman Thomas O'Hara, Selectman Carol Sherman, Selectman Andrew Gottlieb, Selectman David Weeden, Affordable Housing Committee member Allen Isbitz and Finance Committee member Mike Richardson.

### Discussion and Approval of the Minutes of Monday, February 10, 2020:

**Motion made by Selectman Gottlieb to approve the minutes of February 10, 2020 as presented.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 6-0-1.**

#### **Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Mr. Isbitz, abstained</b>
<b>Mr. Richardson, yes</b>	<b>Opposed, none</b>	

### Discussion and Approval of Termination of Memorandum of Agreement with Mashpee Housing Authority for Mashpee Housing Assistance Program II:

Correspondence was received from the Mashpee Housing Authority dated September 22, 2020 giving notice of withdrawal from the Housing Assistance Program II due to time constraints and financial costs to administer the program. Leila Botsford, Executive Director of the Mashpee Housing Authority indicated in her letter that all participants would be advised of the termination of the program as of November 30, 2020.

Acting on the opinion of Town Counsel, the Municipal Affordable Housing Trust was advised to terminate the Memorandum of Understanding (MOU) between the Town and the Housing Authority ratified by the Board of Selectmen on June 17, 2019.

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## NEW BUSINESS

### Discussion and Approval of Termination of Memorandum of Agreement with Mashpee Housing Authority for Mashpee Housing Assistance Program II: (continued)

Selectman Andrew R. Gottlieb indicated that he believes the Mashpee Housing Authority is in violation of the Agreement where the Town of Mashpee complied with the terms of the Agreement by making the funds available for the Housing Assistance Program. This is a much needed program, and a cold and heartless action at a desperate time of year. Selectman Gottlieb who also serves as Chair of the Community Preservation Committee, the initial funding source for this project recommended the Mashpee Housing Authority be placed on Notice that this is not the way things such as this should be handled.

**Motion made by Mr. Richardson to terminate the Memorandum of Agreement between the Town and Mashpee Housing Authority for the administration of the Housing Assistance Program II, sending a letter of disappointment for their decision to end this program.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 7-0.**

#### **Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Mr. Isbitz, yes</b>
<b>Mr. Richardson, yes</b>	<b>Opposed, none</b>	

### Discussion and Approval of Authorization for the Town Manager to Solicit Quotes, and to Negotiate and Execute a Memorandum of Understanding or other Agreement Relative to Prospective Administration of The Mashpee Housing Assistance Program II:

In an effort to revitalize the Housing Assistance Program II funded through June 30, 2022, the Municipal Affordable Housing Trust agreed to move forward to solicit quotes for the administration of the program.

Models from area Cape communities were reviewed. In the Town of Mashpee the Housing Assistance Program gives priority to Veterans and to those who live and work in Mashpee.

It is necessary for the Town to develop a Request for Proposal (RFP) for services to be rendered for the administration of the Housing Assistance Program II.

Discussion followed with regards to this service and of the services provided to neighboring communities. It was noted the local Housing Assistance Corporation (HAC) administers this program successfully. There is a dire need for assistance especially with the impacts of COVID-19. The program would provide funding for those who have fallen on hard times requiring mortgage assistance for short term as well as short term rental assistance. Due to the scale of the economy HAC has reduced their administrative fees to 5%. The funding process would remain consistent with past programs requiring a thorough eligibility review process with funding to go directly to the landlord or to the mortgage holder.

Trust member Alan Isbitz indicated the Mashpee Affordable Housing Committee is concerned with this growing problem. All members of the AHC are working diligently on this issue and are available to assist and to keep the Town informed.

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## **NEW BUSINESS**

Discussion and Approval of Authorization for the Town Manager to Solicit Quotes, and to Negotiate and Execute a Memorandum of Understanding or other Agreement Relative to Prospective Administration of The Mashpee Housing Assistance Program II: (continued)

A brief discussion followed with respect to available funds.

**Motion made by Selectman Gottlieb to authorize the Town Manager on behalf of the Mashpee Affordable Housing Trust to solicit proposals for the provisions of service related to the Mashpee Housing Assistance Program II for the benefit of Mashpee residents offering short term rental assistance, mortgage assistance for short term and to those impacted by the COVID-19 pandemic for Calendar Year 2021 for an amount not to exceed \$75,000 (total value of contract).**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 7-0.**

**Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Mr. Isbitz, yes</b>
<b>Mr. Richardson, yes</b>	<b>Opposed, none</b>	

With regards to the Community Preservation Committee appropriation of \$110,000 per year for the Housing Assistance Program II over the three year term, it was reaffirmed the monies are transferred to the Mashpee Affordable Housing Trust under the care and custody of the Mashpee Affordable Housing Trust as per the May 2019 Town Meeting vote of approval. Monies are thus controlled by the Trust for Affordable Housing purposes, and are permissible for use by an additional entity for the administration of the available funds.

With the continuation of the Housing Assistance Program II administered by a new agency, the Municipal Affordable Housing Trust will re-evaluate the demand of the program in the future and secure additional funds if necessary. At this time, assistance will not be provided for those receiving subsidized housing.

Adjournment of Affordable Housing Trust

**Motion made by Selectman Gottlieb to adjourn the Affordable Trust meeting at 8:11 p.m.**

**Motion seconded by Mr. Isbitz.**

**VOTE: Unanimous. 7-0.**

**Roll Call Vote:**

<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Selectman Sherman, yes</b>
<b>Selectman Gottlieb, yes</b>	<b>Selectman Weeden, yes</b>	<b>Mr. Isbitz, abstained</b>
<b>Mr. Richardson, yes</b>	<b>Opposed, none</b>	

Respectfully submitted,

Kathleen M. Soares  
AHT Secretary

Board of Selectmen  
Minutes  
December 7, 2020

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## **TOWN MANAGER UPDATES**

Road Construction: Beginning Wednesday evening along Route 130 and Great Neck Road North.

MMA Trade Show: Virtual Meeting January 21 and 22, 2020.

Polar Express Motorcade: Saturday, December 12, 2020.

Staff Organizational Day: Dec 22, 2020.

Electronic Voting: At the last meeting the Select Board requested information regarding e-voting. This endeavor has proved to be costly; \$35,000 in rental fees per meeting. The Town of Falmouth has purchased the unit, however, the Town Meeting dates co-inside with the Town of Mashpee and Sandwich meeting dates.

It was suggested that Eastham, Brewster and Bourne be consulted regarding the proposed undertaking.

Mashpee Rotary: Appreciation was given to those who contributed to the beautiful holiday lighting display at the Mashpee Rotary.

## **ADJOURNMENT**

**Motion made by Selectman Weeden to adjourn at 8:15 p.m.**

**Motion seconded by Selectman Gottlieb.**

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

**Roll Call Vote:**

**Selectman Cotton, yes  
Selectman Gottlieb, yes**

**Selectman O'Hara, yes  
Selectman Weeden, yes**

**Selectman Sherman, yes  
Opposed, none**

Respectfully submitted,

Kathleen M. Soares  
Secretary to the Board of Selectman

## **Mashpee Human Services Department Proposal**

During the COVID-19 crisis, many households are experiencing a loss of income and uncertainty about their ability to maintain their housing. For individuals and families this program will provide temporary rental and mortgage assistance in the form of a grant to support eligible households.

### **Grant Details:**

#### **I. Monthly assistance can be up to the following amounts based on unit size:**

1 Bedroom Unit-\$350.00/month

2 Bedroom Unit-\$500.00/month

3 Bedroom Unit-\$650.00/month

4 Bedroom Unit-\$800.00/month

- Grants will be issued for up to a six-month period. Applicants may request two months of assistance upfront to assist with back rent payment (rent arrears) but doing so will shorten the duration of the grant.
- **Participation Agreement-** Participation agreements will be executed between the Town (and Trust) the beneficiary and the landlord. Landlords must agree to participation in the program. All payments will be made directly to the landlord.
- Homeowners seeking mortgage assistance must meet income guidelines of 80% below median income.

#### **II. Household Eligibility:**

- **Residency Requirement:** Application must be currently living in Mashpee or with a lease for property in town to start within 30 days.
- Applicants must demonstrate that they have had income reduced by COVID-19 or other extenuating circumstances.
- **Income Eligibility-**Household income must be below 80% AMI as published by HUD. Income for all adult household members (over age 18) must be included.
- **Demonstration of Need:** Applicants must demonstrate that they currently spend more than 30% OF their gross annual income on heat, electricity and water.

*Household will not qualify if any of the following apply:*

- Individuals currently receive rental assistance from a local, state or federal program, Section 8, MRVP, RAFT.
- Own any real estate property.

**Unit Requirements:** The landlord and applicant must certify that the property is in satisfactory condition and free of any health and safety hazards. A current lease or mortgage must be in place for the duration of the grant.

### **III. Application Process:**

1. Program applications will be available electronically and can be mailed upon request.
2. Applicants have the right to request reasonable accommodations to afford a person with a disability with an equal opportunity to participate fully in the program.
3. Applicants must submit completed application with sufficient documentation to determine eligibility to be considered for the grant.
4. All submissions must be made electronically in PDF format and then mailed or dropped off at Town Hall. Assistance with submission is available to those with limited computer access.

### **IV. Screening Procedures:**

Prospective applicants will complete an online application. All adult household members (over age 18)

To be considered for selection, applicants must submit a completed application and relevant consent forms including a CORI and release of information form.

**Income:** Gross annual income must not exceed 80% of the current Area Median Income as published by HUD for the Barnstable region.

**Residency:** The applicant must be a Mashpee Resident for a minimum of six months. Once initial eligibility has been established the applicant will need to have further screening, including an interview.

#### **Property Documentation:**

- Provide a copy of the lease and/or documentation of payment of rent to landlord.
- Statements from landlord of back rent due, if applicable.

#### **Current Income:**

- Provide two months of the most recent paystubs received.
- Self-employed-Provide year to date Profit and Loss statements, showing monthly amounts.
- Unemployment Assistance-Provide determination letter and recent statement of benefits
- Other Government Assistance-Social Security Income (SSI or SSDI)
- Child Support or Alimony Verification
- Social Security cards for all household members (anyone over the age of 18 needs to include their income or provide a notarized statement explaining reason for unemployment.
- Birth Certificates for all household members
- Other Income-Documents all other income including pension, investment income, income.
- Pre-Pandemic Income-Provide documentation or statement regarding type of employment, date of termination, furlough or reduction of pay. You can also provide the first page of the 2019 tax return showing 2019 gross annual income.
- Asset Information-Provide copies of last two Bank Statements from all bank accounts. Copies of any investment statements for the previous two months.
- If qualifying under the local preference categories, provide current documentation of employment with the Town of Mashpee or school enrollment verification.
- Any other additional information you feel is applicable to you and your household.

The Town may request additional information if necessary to make a determination of eligibility.



To obtain information about the applicant's ability to meet the criteria for the program, the Human Services Department will gather background information from one or more of the following sources:

1. References from landlords in the last five years or from two successive tenancies.
2. Credit References furnished by a credit bureau, Information should not be more than five years old.
3. Two personal references furnished by the applicant
4. Record of prior criminal history, an applicant must successfully pass a CORI
5. Sex Offender Registration Status, the Department shall obtain information necessary to determine if the applicant or a member of the household is subject to registration with the Massachusetts Sex Offender Registry Board.
6. Verification of income from either a present employer, agency or financial institution.

#### **V. Final Eligibility Selection Criteria:**

Once the applicant has passed the initial screening procedure, final eligibility will be determined by:

- a. Short-term rental assistance (not to exceed six months)-
  - Proof of leased unit and rental arrearage (if any)
  - Signed MOU (tenant)
  - Signed MOU (landlord)
  - Proof of utility bill status, ability to pay bills in a timely manner
  - Proof of Property Ownership
  - Owners Form W-9
- b. One-time assistance for First/Last/Security Deposits:
- c. Proof of lease or unit to be rented
- d. Signed MOU (tenant)
- e. Signed MOU (landlord)
- f. Mortgagee assistance not to exceed six months:
- g. Proof of Mortgage
- h. Proof of Arrearage
- i. Down Payment Assistance for First Time Homebuyers
- j. Proof of Property
- k. Documentation of Mortgage

#### **Waiting List:**

If the Applicant is eligible for assistance but no assistance is available at that time each applicant will be placed on the appropriate waiting list chronologically according to the date/time of the completed application withing the preference categories.

**Denial of Participation:** If it has been determined that the Applicant is not eblibibe for participating in the program, a written notice will be mailed to the applicants last known address outlining the reasons for the determination.

**Confidentiality:** Accordance with the Federal Privacy Act of 1974 and the Massachusetts Privacy Act, no private information about the applicant will be released to anyone other than the applicant unless the applicant given written permission to release the information. The Department will not disclose any personal information to any person or agencies unless the individual gives written consent.

## **VI. Marketing:**

Applications will be available electronically and posted on Town websites. Application will be available by mail by request. The Department can arrange for assistance for those households who have limited English proficiency or computer access. Outreach will be conducted to reach as many households as possible. This will include but not limited to local boards, committees and community organizations including:

- a. Town wide electronic announcements
- b. Direct outreach to multi-family landlords
- c. Council on Aging
- d. Housing Authority
- e. School Department
- f. Local Food Pantries
- g. Other community organization and places of worship

**VII. Program Reporting:** The Department will prepare and submit quarterly reports no later than 30 days after the end of the quarter. No confidential, identifying information including client name, address, will be released.

**Final FY 2020 & Final FY 2019 FMRs By Unit Bedrooms**

<b>Year</b>	<b><u>Efficiency</u></b>	<b><u>One-Bedroom</u></b>	<b><u>Two-Bedroom</u></b>	<b><u>Three-Bedroom</u></b>	<b><u>Four-Bedroom</u></b>
FY 2020 FMR	\$986	\$1,149	\$1,513	\$1,919	\$2,050
FY 2019 FMR	\$979	\$1,152	\$1,524	\$1,931	\$2,101

Triple M  
Status Report To  
Town of Mashpee  
Monday, December 21, 2020

# Agenda Overview

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1)	Introductions	11)	HCA Recreational Use & Medical Use
2)	Agenda Overview	12)	HCA Agreement: Traffic Study
3)	Mashpee Management Team	13)	Traffic Study Overview
4)	Mashpee Recreational Time-Line	14)	Traffic Study Conclusion
5)	Temporary Additions for Recreational	15)	CCC Home Delivery - Medical
6)	Combined Site Plan	16)	CCC Home Delivery - Recreational
7)	New Building	17)	Hemp Products Regulations
8)	Projected Sales & Tax Forecast	18)	Local Control Provisions
9)	Host Community Impact Fee	19)	Town Discretion on Marijuana Establishments
10)	Medical Host Community Payments	20)	Meeting Action Items
		21)	Questions & Answers

# Mashpee – Management Team

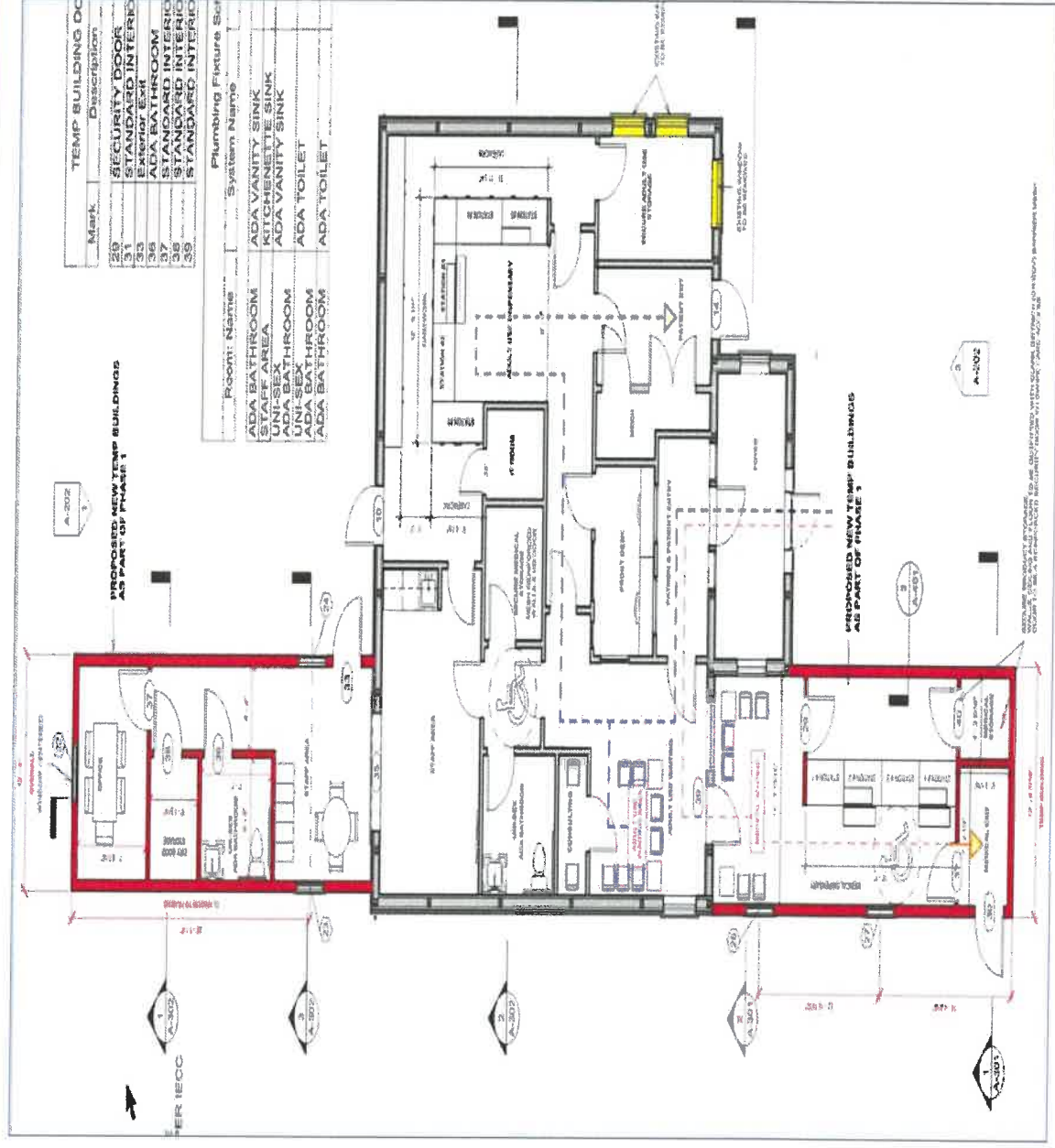
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- 1) Triple M's Management Team
  - a) All are long-term Massachusetts residents
  - b) Experience in healthcare, compliance, legal, finance and state & municipal government
- 2) These individuals all reflect MMM's primary focus of:
  - *Ensuring public and patient safety in the delivery of medical and recreational marijuana.*
- 3) The Mashpee Management Team is comprised of:
  - a) Jonathan Herlihy
  - b) Lianne Ankner, Esq.
  - c) Kevin O'Reilly
  - d) Elizabeth Nowlan
  - e) Mary LeClair
  - f) Renee Pannoni

# Recreational Time-Line

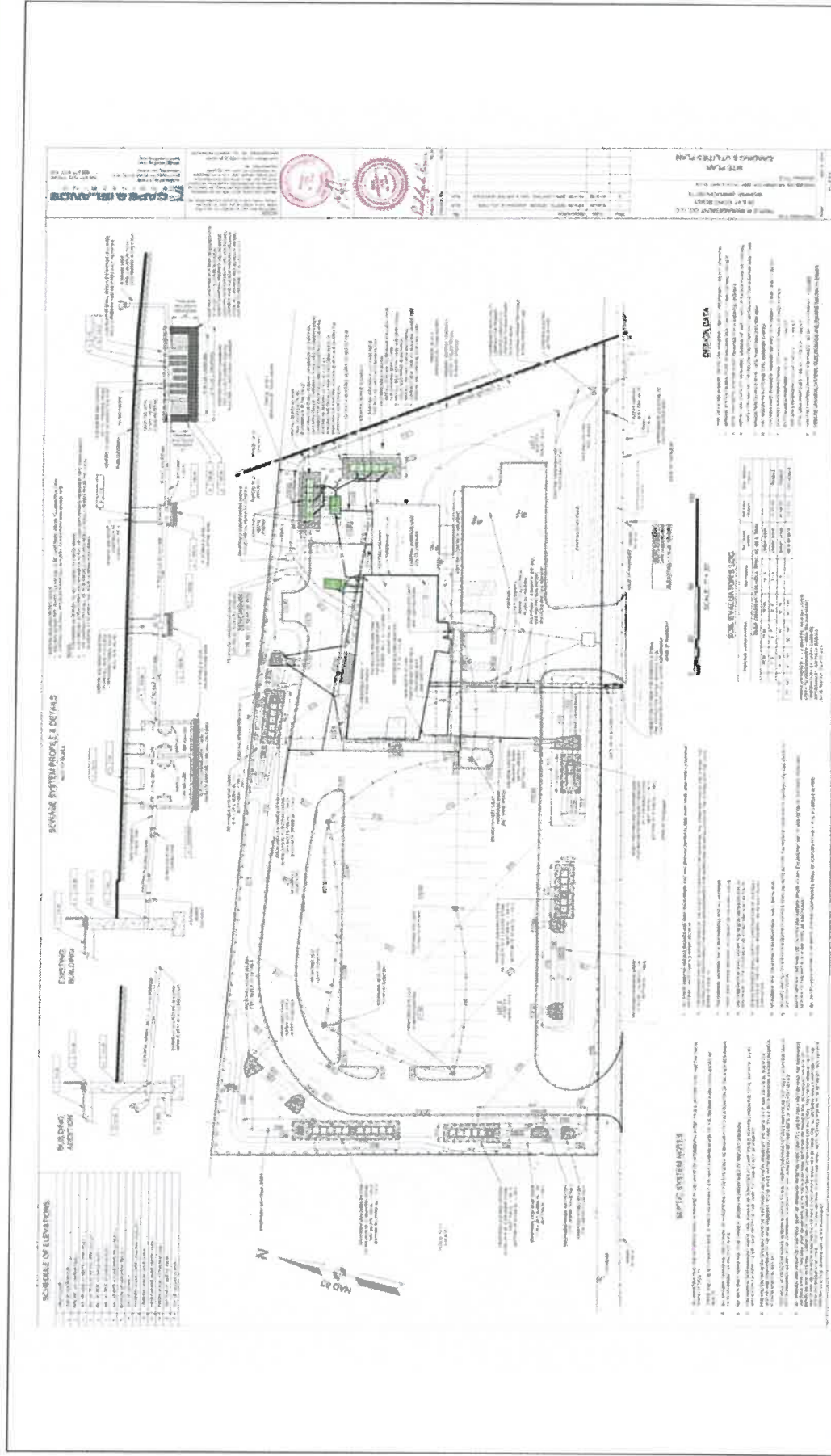
Mashpee Recreational Process			Status
Date			
03.11.2019	Selectmen Approve Triple for Recreational Retail license		Completed
03.21.2019	Triple M Holds Community Outreach Meeting		Completed
04.08.2019	Selectmen Approve Triple M's Host Community Agreement		Completed
05.01.2019	Triple M Submits Mashpee Recreational Application to CCC		Completed
08.01.2019	ZBA Approves Modifications to Medical Dispensary (SP-2015-33 and SP-2019-36)		Completed
10.15.2019	Board of Health Approves Site and Septic Plans		Completed
02.08.2020	CCC Issues Provisional License Recreational		Completed
03.20.2020	CCC Approves Architectural Review of Temporary Additions to Existing Medical Dispensary		Completed
08.26.2020	ZBA Approves Permanent Addition to Mashpee Building (39-2019-36 and SP-2020-28)		Completed
10.08.2020	Building Department Permit for Two Temporary Additions (C-20-0877)		Completed
10.08.2020	Building Department Permit for New Building Foundation ((C-20-0879)		Completed
11.16.2020	CCC Approves Architectural Review of New Building		Completed
12.21.2020	Presentation to Board of Selectmen		
TBD	Town Issue Occupancy Permit for Existing Building		
TBD	CCC Issues Final License for Adult Use Sales		
TBD	CCC Conducts Ready for Adult Use Sales Inspection		

# Temporary Additions for Recreational





# Combined Site Plan



**2morrow Studio - Build Inc.**

**ARCHITECT**  
John Connell, AIA  
P.O. BOX 1435  
MONTPELIER VT 05601



TRIPLE M MASHPEE DISPENSARY  
29 ECHO ROAD  
MASHPEE, MA 02649

[illegible]

**SITE PLAN-REDUCED**

Project number	<div style="writing-mode: vertical-rl; transform: rotate(180deg);"> CCC-102 </div>
Date	
Issue Date	
Drawn by	
Author	<div style="writing-mode: vertical-rl; transform: rotate(180deg);"> Scale 1/4" = 1'-0" </div>
Checked by	
Checker	

# Triple M Mashpee New Building



**2morrow Studio - Build Inc.**  
ARCHITECT  
John Connell AIA  
P.O BOX 1435  
MONTPELIER VT 05601

  
**TRIPLE M MASHPEE DISPENSARY**  
29 ECHO ROAD  
MASHPEE, MA 02649

No.	Description	Date

COVER PAGE			
Project number			CCC-101
Date		Issue Date	
Drawn by		Author	
Checked by		Checker	
Scale 1/2" = 1'-0"			

# Triple M – Mashpee Recreational Sales & Tax Forecast

M3 Venture's Inc. Mashpee Recreational Pro-forma						
Sales Estimates		2021	2022	2023	2024	2025
Number of Months		8	12	12	12	12
Sales Per Month		\$1,400,000	\$1,680,000	\$1,848,000	\$2,032,800	\$2,236,080
Projected Increase in Sales		n/a	120%	110%	110%	110%
Sales Per Year		\$11,200,000	\$20,160,000	\$22,176,000	\$24,393,600	\$26,832,960
Customers Visits Per Year		176,842	212,211	233,432	256,775	282,452
Annual Sales		\$11,200,000	\$20,160,000	\$22,176,000	\$24,393,600	\$26,832,960
Town of Mashpee Recreational Tax Revenue Pro-forma						
Mashpee Community Impact Fee	3%	\$336,000	\$604,800	\$665,280	\$731,808	\$804,989
Mashpee 3% of State Sales Tax	3%	\$336,000	\$604,800	\$665,280	\$731,808	\$804,989
Mashpee Tax Revenue		\$672,000	\$1,209,600	\$1,330,560	\$1,463,616	\$1,609,978

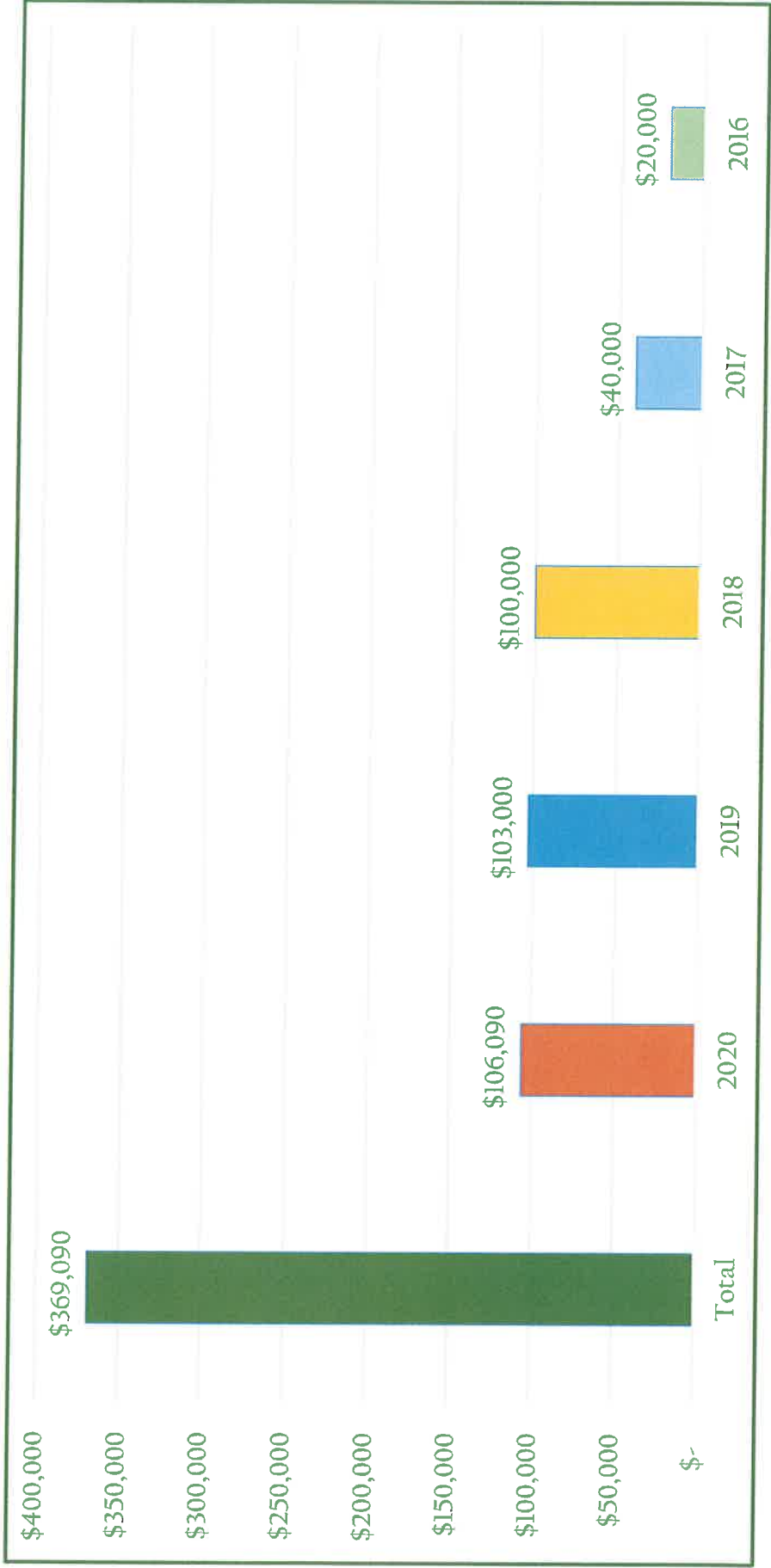
# Host Community Impact Fee - Statutory Provision (94G, §3)

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- 1) Host Community Fee: A Town may charge a Community Impact Fee to any Marijuana Establishment:
  - a) Community Impact Fee can be up to 3% of Gross Sales
  - b) Includes ALL Marijuana Establishments (Retail Sales and Wholesale Sales)
  - c) Community Impact Fee limit (as of 2019) applies to both Medical and Recreational establishments
  - d) Community Impact Fee can only be in effect for 5-years for both Medical and Recreational Retail and Wholesale Sales, can be renewed for additional 5-year terms
  - e) Community Impact Fee “shall be reasonably related to the expenses imposed upon the municipality by the operation” of the Recreational or Medical marijuana operator
- 2) Recreational Sales Tax
  - a) A town receives 3% of all Recreational Sales Tax on ALL products that are sold
  - b) Sales Tax does NOT include Wholesale, Cultivation or Processing Transfers
  - c) Sales Tax ONLY applies to Retail Store Sales



# Triple M Mashpee - Medical Host Community Payments



Every Calendar Year After 2018: The Host Community Donation will be adjusted annually by three percent (3%), which resulting amount will serve as the Escalator Base for the following calendar year. By way of example, for calendar year 2020, the Community Donation owed on or before December 31, 2020 will equal \$106,090 ( $\$103,000 \times 3\%$ ).

# Host Community Agreement Adult Use & Medical Use

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## 1) Adult Use/Recreational:

- a) First Year
  - i. 3% of Gross Revenue
  - ii. \$200,000 Advance Payment to Town at Commencement of Sales
  - iii. End of 12 Months balance of 3% less the \$200,000 advance Paid to Town
- b) Second, Third, Fourth and Fifth Years
  - i. 3% of Gross Revenue
- c) Town of Mashpee Local Option – Approved at Town Meeting
  - i. 3% of Gross Sales
- d) Education and Prevention Programs
  - i. \$25,000 annual donation

## 2) Medical Use:

- a) 2020 = \$106,090
- b) 2019 = \$103,000
- c) 2018 = \$100,000
- d) 2017 = \$ 40,000
- e) 2016 = \$ 20,000

# Triple M Amendment to HCA- Traffic Study

## AMENDMENT NO. 1 TO THE HOST COMMUNITY AGREEMENT

THE MASHPEE HOST COMMUNITY AGREEMENT (the "Agreement") dated August 26, 2015 by and between Medical Marijuana of Massachusetts, Inc. (now known as M3 Ventures, Inc. d/b/a Triple M Mashpee), a Massachusetts non-profit corporation ("MMM") and the Town of Mashpee, Massachusetts ("Mashpee"), a municipality in the Commonwealth is hereby amended as follows.

Appendix A to Mashpee Community Host Agreement shall be amended to include the following new paragraph 3:

"3. Pursuant to the Special Permit authorizing Triple M to operate a registered marijuana dispensary for medical marijuana sales, Triple M shall ensure that a traffic light is installed at the intersection of Echo Road and Route 130. Said installation shall be completed no later than May 31, 2020. Triple M shall either contract directly with such vendor(s) as may be required to design, permit and install such traffic light, at its sole expense, or it shall reimburse Mashpee for all costs it incurs in connection with the procurement of outside services or use of Town staff necessary to design, permit and install such traffic light. In either event, Triple M shall be solely responsible for all costs and expenses necessary for the installation of said traffic light.

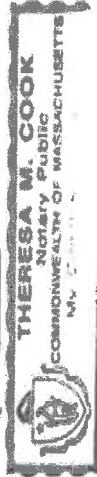
If, prior to the Company's installation of said traffic light at the intersection of Echo Road and Route 130, the Town Manager and/or the Police Chief determine that operation of the Establishment has caused or is substantially contributing to unsafe or inconvenient vehicular or pedestrian traffic conditions in the vicinity of the Establishment, the Town Manager or Police Chief may request, and the Company shall implement, at its sole cost such traffic mitigation or control measures, including, but not limited to, use of detail officers, implementation of pre-scheduled customer appointments, or such other reasonable measures as may be required to minimize such traffic impacts."

Except as expressly set forth in this Amendment, all other provisions of the Agreement shall remain in full force and effect in accordance with its original terms.

Town of Mashpee

  
Rodney C. Collins  
Town Manager

April 10<sup>th</sup> 2019  
4/10/19



M3 Ventures, Inc.

  
Jonathan Herlihy  
President

April 10<sup>th</sup> 2019

  
Theresa M. Cook  
July 22, 2022

# Overview of Route 130/Echo Road Intersection



Figure 1. Study location.



# Traffic Study Conclusion

## **CONCLUSION**

This TOS concludes that:

- the Main Street/Echo Road intersection should not be signalized
- modifying the Echo Road approach to separate left-turn and right-turn lanes is an option

The Main Street/Echo Road intersection should not be signalized because:

- peak-hour movements from the Echo Road approach are under capacity for all conditions
- movements from the Echo Road approach show moderate delays under most conditions
- movements from the Echo Road approach show delayed operations only under summer conditions for the weekday PM-street peak hour
- the intersection has a low crash rate
- signalization would subject Main Street to unnecessary stops, delays and increased potential for rear-end collisions
- traffic volumes do not meet a signal warrant with the optional modification
- meeting a signal warrant does not necessarily justify signalization
- signalization does not have advantages that outweigh the disadvantages

# CCC Medical Home Delivery

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- 1) Medical Home Delivery
  - a) Can Only Be Performed by a Medical Marijuana Treatment Center (MTC)  
or
  - b) A Delivery Licensee acting solely on the MTC's behalf
- 2) Only pre-order deliveries
- 3) No limitation on Towns for Home Delivery
- 4) No limit on the number of transport vehicles

# CCC Approves Recreational Home Delivery

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- 1) Home Delivery operators can purchase wholesale and sell directly to consumers
- 2) Some Notables:
  - a) Only available to Economic Empowerment and Social Equity Program Participants applicants for 3 years
  - b) Only pre-order deliveries
  - c) Only deliver in:
    - i. Their host community;
    - ii. A Town that has adult use dispensaries; and
    - iii. Those Towns that give them permission
- 3) Only one warehouse per operator
- 4) No more than two licenses per operator
- 5) No limit on the number of transport vehicles
- 6) Town Meeting can Vote to Prohibit Recreational Home Delivery

# Hemp Product Regulations

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- 1) MA Department of Agriculture Regulations on Hemp:
  - a) That a company cannot be licensed to sell BOTH hemp and cannabis.
  - b) Therefore, any applicant that currently sells hemp cannot sell cannabis.
- 2) It is illegal to sell and/or deliver hemp without a license from MDAR.

# Local Control Provisions Regarding Adult Use Marijuana Establishments

## Limiting Marijuana Establishments: By Ordinance/Bylaw

### 1) Retail Store:

- a) A town cannot (without the approval of the voters) adopt an ordinance or bylaw that would “limit the number of marijuana retailers to fewer than 20%” of the number of liquor licenses (alcohol as well as “beer-and-wine” licenses).
- b) 10.15.18 Mashpee Town Meeting adopted a bylaw to limit the number of marijuana retailers to “fewer” than 20% of the number of liquor licenses.
- c) As of that date there were 9 Retail Liquor stores in Mashpee: 20% of 9 = 1.8.
- d) The Town can only have 1 marijuana adult use retailer as the number must be “fewer” than 20%.
- e) Mashpee cannot approve 2nd Retail Dispensary until there are 11-Retail Liquor stores in the Town.

### 2) For all other MEs (Cultivation/Manufacturing, Home Delivery, On-Site Social Consumption)

- a) A town cannot (without the approval of the voters) adopt an ordinance or bylaw that would “limit the number of any type of marijuana establishment to fewer than the number of medical marijuana treatment centers” engaged in the same activity in the city or town.

### 3) Limiting Marijuana Establishments by Host Community Agreement (HCA)

- a) A town is not required to enter into a Host Community Agreement if an ordinance/bylaw has not been adopted to further limit the number of Marijuana Establishments.
- b) A town may decide to not enter into an HCA as long as it is not making an “arbitrary and capricious” decision.
- c) For instance: inadequate business plan, insufficient experience operating a business, lack of local ownership/control.

## Town Discretion to Prohibit/Authorize Marijuana Establishments

---

- 1) A Marijuana Establishment cannot operate in a Town without a Host Community Agreement (HCA).
  - a) Before an application can be submitted to the CCC, the applicant must have an HCA signed with the Town.
- 2) A Town cannot enter into a HCA if the maximum number of Marijuana Establishments has been met.
- 3) A Town may decide to not enter into an HCA as long as it is not making an “arbitrary and capricious” decision.

# Meeting Action Items

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## Host Community Agreements:

- 1) Medical - Revise Agreement Effective 2021
  - a) Payment would be 3% of Gross Medical Sales
  - b) Estimated 2021 Medical Sales = \$5.1M
  - c) Estimated HCA Payment at 3% of Sales = \$153,000
  - d) CY 2020 HCA Payment = \$106,090 x 1.03% = 109,273
  - e) CY 2021 HCA Payment Current Method
  - f) New Method Increase of \$43,727 to Town
- 2) Adult Use/Recreational
  - a) No Revisions Required
  - b) Payment would be 3% of Gross Medical Sales
  - c) Estimated 2021 Medical Sales = \$11.2M
  - d) Estimated HCA Payment at 3% of Sales = \$672,000

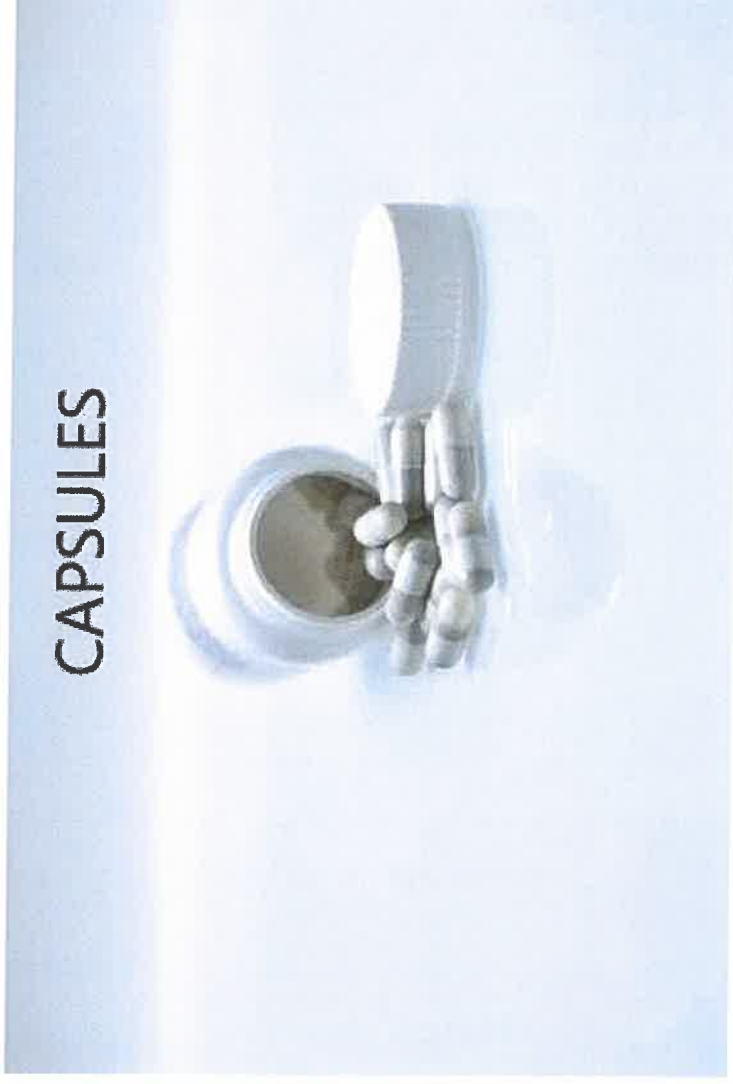
# Questions & Answers

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- 1) Do any of the Board Members have any questions or comments?
- 2) Thank you for letting us operate in your Town



# CAPSULES



# GEMS



## HOT BUTTONS



GUM



# HONEY POUCH



# TINCTURE





# CHOCOLATE



# LOZENGES





CHEWS



# GUMMIES



## Breath Strips



# CANNASYRUP



*"Serving with pride and integrity"*



**Scott W. Carline**  
Chief of Police

**MASHPEE POLICE DEPARTMENT**  
**19 Frank Hicks Drive**  
**Mashpee, Massachusetts 02649**

Emergency • Dial 911  
Police Priority • (508) 477-1212  
Patrol Services • (508) 539-1480  
Detectives • (508) 539-1484  
Records • (508) 539-1488  
Administration • (508) 539-1486  
Fax • (508) 539-1412  
[www.mashpeepd.com](http://www.mashpeepd.com)

**MEMORANDUM**

To: Town Manager Rodney Collins  
From: Chief of Police Scott W. Carline  
Reference: Entry Level Police Officer Process Certification  
Date: December 11, 2020

---

An entry level police officer hiring process was initiated and posted on February 7, 2020 with an examination filing deadline of February 28, 2020. Candidates applying for the position of police officer were required to submit a town application to the Town of Mashpee Human Resources Department. The entry level police officer process consisted of the following:

1. A written examination.
2. A physical agility test.
3. A law enforcement oral board examination.
4. An appointing authority interview with the Chief of Police.

A written examination was conducted at the Mashpee Senior/Junior High School on September 12, 2020 administered by the Town of Mashpee Human Resources Department and members of the Mashpee Police Department. Due to the Covid-19 pandemic the process was significantly delayed for safety concerns of the candidates. Once we collectively felt we could proceed safely, we moved forward with the remainder of the process consistent with CDC guidelines. Those receiving a passing score of 70% or higher were eligible to continue in the process while those under a 70% were eliminated.

On September 12, 2020, a physical agility testing process was conducted following the National Cooper Standards at the Mashpee High School, again, administered by the Town of Mashpee Human Resources Department and members of the Mashpee Police Department. Those that passed the physical agility testing were invited to an oral board examination.

On September 24, 2020, the oral board examinations were conducted at the Mashpee Police Department. The oral board consisted of the following members; Sergeant Bryan Burke (chair), Sergeant Michael Assad, Officer Erik Green, Officer William Cuzzo (Union member) and Human Resources Director Kim Landry.

The candidates were asked a series of uniformed questions focusing on work ethic, dedication, competence and past experience. Candidates were also rated on possessing knowledge, skills and abilities to perform the general duties and essential functions of the position of police officer. Specifically, candidates were rated on appearance, training, communication skills, judgment; poise; pride; motivation; responsibility; general knowledge; and overall fitness for the position.

On September 24, 2020 appointing authority interviews were conducted in my office. Present for these interviews were myself and Captain Thomas Rose.

Once the entire process was completed the candidates were ranked in the following order which established the current police officer eligibility list for a period of two years.

1. Frederick Bohnenberger
2. Nicholas Carpenter
- 3.
- 4.
- 5.

Police Officer candidates Frederick Bohnenberger and Nicholas Carpenter are the top two candidates and were given conditional offers of employment by me pending the outcome of a comprehensive background investigation, medical examination and psychological examination which were all completed successfully.

Therefore, both candidates are qualified for and have been appointed to the position of police officer conditional upon certification of the selection process.

Frederick Bohnenberger resides in Mashpee, Massachusetts and is a graduate of Mashpee High School. He is also a graduate of the Massachusetts Maritime Academy where he majored in emergency management. He is also a graduate of the MPTC Reserve Police Academy and has been employed with the Town of Mashpee as a harbormaster since 2017.

Nicholas Carpenter also resides in Mashpee, Massachusetts and is a graduate of Mashpee High School. He attended the University of New Hampshire and was in the process of earning his degree when he was appointed to this position.

I affirm that all phases of the entry level selection process have been completed consistent with all policies and procedures established by the Town of Mashpee and its police department and by the Department of Human Resources.

I respectfully request certification of the selection process with the appointments of Frederick Bohnenberger and Nicholas Carpenter to the position of full-time police officer.

**TOWN OF MASHPEE POSITION APPOINTMENT/REAPPOINTMENT REQUEST**

Effective: September 1, 2016

JOB TITLE: Police Officer DEPARTMENT: Police  
EMPLOYEE: Nicholas Carpenter UNION/UNIT: Mass C.O.P. Local 324

STATUS: Regular Full-time ☒ Temporary Full-time ☐ Temporary Part-time ☐  
Standard Part-time ☐ Non-Standard Part-time ☐ Seasonal ☐

LABOR GRADE: NIA STEP: 1 RATE OF PAY: \$28.3096 Per Hour  
Per Week \$55,108.07 Per Year/Base

I attest that this position was posted and/or advertised through the following:

Existing Eligibility List ☒ Town Posting ☐ Local Employment Opportunity ☐

Regional/State/National Opportunity ☐ Other Posting ☐

I also attest that all policies and procedures of the Town have been satisfied regarding this appointment, including: application review ☒ written examination ☒ oral interview ☒ appointing authority interview ☒ physical agility exam ☐ medical examination ☒ psychological examination ☒ comprehensive background investigation, including a CORI check ☒ or other \_\_\_\_\_.

I further attest that the search and initial screening for this position was based upon minimum requirements, knowledge, skills, abilities, essential functions and responsibilities outlined in a job description approved by the Town Manager. (Attach job description) I further attest that the employee's driver's license status, if applicable to the position, was verified.

[Signature]  
Human Resources Director Signature

12-14-2020  
Date

I request this appointment/promotion to be effective on: January 4, 2021 - Academy Start Date  
(Orientation to be held prior to)

Appointing Authority Signature

Date

This position may be filled upon confirmation and/or certification of this selection process, if a full-time new employee; or compliance with Town policies and procedures, if a promotion.

Town Manager Signature

Date

Chairman of Board of Selectmen (or Designee) Signature

Date

Review of Appointment and Certification of Selection Process

Copies To: White – Human Resources Canary – Town Clerk Pink – Town Manager

**TOWN OF MASHPEE POSITION APPOINTMENT/REAPPOINTMENT REQUEST**

Effective: September 1, 2016

JOB TITLE: Police Officer DEPARTMENT: Police  
EMPLOYEE: Fredertck Bohnerberger UNION/UNIT: Mass C.O.P. Local 324

STATUS: Regular Full-time ☒ Temporary Full-time ☐ Temporary Part-time ☐  
Standard Part-time ☐ Non-Standard Part-time ☐ Seasonal ☐

LABOR GRADE: NIA STEP: 1 RATE OF PAY: \$28.3096 Per Hour  
Per Week \$55,108.07 Per Year/Base

I attest that this position was posted and/or advertised through the following:

Existing Eligibility List ☒ Town Posting ☐ Local Employment Opportunity ☐  
Regional/State/National Opportunity ☐ Other Posting ☐

I also attest that all policies and procedures of the Town have been satisfied regarding this appointment, including: application review ☒ written examination ☒ oral interview ☒ appointing authority interview ☒  
physical agility exam ☐ medical examination ☒ psychological examination ☒ comprehensive background investigation, including a CORI check ☒ or other \_\_\_\_\_.

I further attest that the search and initial screening for this position was based upon minimum requirements, knowledge, skills, abilities, essential functions and responsibilities outlined in a job description approved by the Town Manager. (Attach job description) I further attest that the employee's driver's license status, if applicable to the position, was verified.

[Signature] 12-14-2020  
Human Resources Director Signature Date

I request this appointment/promotion to be effective on: January 4, 2021 - Academy Start Date  
(Orientation to be held prior to)

\_\_\_\_\_  
Appointing Authority Signature Date

This position may be filled upon confirmation and/or certification of this selection process, if a full-time new employee; or compliance with Town policies and procedures, if a promotion.

\_\_\_\_\_  
Town Manager Signature Date

\_\_\_\_\_  
Chairman of Board of Selectmen (or Designee) Signature Date  
Review of Appointment and Certification of Selection Process

Copies To: White – Human Resources Canary – Town Clerk Pink – Town Manager





**BARNSTABLE COUNTY**  
**DEPARTMENT OF HUMAN SERVICES**  
3195 Main Street, Post Office Box 427  
Barnstable, Massachusetts 02630  
Office: 508-375-6628 | Fax: 508-362-0290  
[www.bchumanservices.net](http://www.bchumanservices.net)

**December 7, 2020**

Board of Selectmen, Town of Mashpee  
c/o Rodney C. Collins, Town Manager  
16 Great Neck Road North  
Mashpee, MA 02649

*Via email only:* [rcollins@mashpeema.gov](mailto:rcollins@mashpeema.gov)

RE: Barnstable County HOME Consortium Advisory Council

Dear Board of Selectmen:

I am writing to inform you that the three-year term of the Town of Mashpee's representative member on the Barnstable County HOME Consortium's Advisory Council, currently Arden Cadrin, expires on January 31, 2021. Ms. Cadrin has graciously expressed an interest in continuing on as Mashpee's member representative and we respectfully request that you submit your reappointment of Arden Cadrin, or another nominee of your choosing, to fill this position for a three-year term to run through January 31, 2024.

The Barnstable County HOME Consortium Advisory Council is a regional council made up of experienced affordable housing advocates from all fifteen towns. Please see the attached information sheet on the primary tasks of the Advisory Council.

As the County Commissioners are the formal appointing body for Council members, please address your letter of nomination to the County Commissioners but send the request to my attention. Your cooperation in this matter is greatly appreciated. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

*Renie Hamman*

Renie Hamman, HOME Program Manager  
(508) 375-6622  
[Renie.hamman@barnstablecounty.org](mailto:Renie.hamman@barnstablecounty.org)

cc via email only:

*Terrie cook, Administrative Assistant*

*Arden Cadrin, Barnstable County HOME Consortium member*

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**Creating a Healthy Connected Cape Cod**

*The Mission of the Department of Human Services is to plan, develop, and implement programs which enhance the overall delivery of human services in Barnstable County and promote the health and social well-being of County residents through regional efforts that improve coordination of services.*



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## Barnstable County HOME Consortium Advisory Council

The HOME Consortium Advisory Council consists of seventeen members: one representative from each town and two at-large members. Additionally, the Affordable Housing Specialist of the Cape Cod Commission is an ex officio member.

The primary tasks of the Advisory Council include the following:

1. Determines the allocation of federal HOME funds received by the County (*currently about \$450,000 per year*) and reviews and approves project applications for funding for the development of affordable rental housing units located in Barnstable County. *Additionally, this past year, the HOME Consortium operating under COVID-19 related HUD regulations, allocated up to \$100,000 for a county-wide tenant-based rental assistance program to be administered by Housing Assistance Corporation.*
2. Establishes local HOME program policies as allowed by regulations.
3. Remains current on local, state, and federal housing issues and advocates for policies that will promote the creation and preservation of affordable housing in the region.
4. Acts as a liaison with their respective towns and local housing partnerships/committees and reports relevant regional, state, or federal housing policy information
5. Participates in round-table discussions to share local affordable housing successes and/or concerns with the Advisory Council.

Advisory Council town members are nominated by the governing bodies in all fifteen towns and are appointed by the County Commissioners. At large members are recommended by HOME Consortium staff and are appointed by the County Commissioners. The term of each member is three years with no limit established on the number of terms any member can serve.

The Advisory Council has a standard meeting schedule of once a month on the second Thursday at 10:00 a.m. currently being held virtually pursuant to *Governor Charles D. Baker's Order Suspending Certain Provisions of the Open Meeting Law on March 12, 2020.*

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### **Creating a Healthy Connected Cape Cod**

*The Mission of the Department of Human Services is to plan, develop, and implement programs which enhance the overall delivery of human services in Barnstable County and promote the health and social well-being of County residents through regional efforts that improve coordination of services.*

**Town of Mashpee  
Board of Selectmen**

**Policy 007**

**Closing of Town Facilities During Winter Storms**

**I. PURPOSE**

It is the policy of the Board of Selectmen to maintain regularly-scheduled work hours at Town facilities to accommodate public needs except for conditions that would unreasonably and adversely affect the safety of Town employees.

**II. CONDITIONS AND SERVICES**

1. When severe weather conditions are being reported, department heads and staff should seek updated information relative to the predicted impact of any winter storm.
2. Essential services (Police, Fire and DPW) are expected to provide uninterrupted services. Other mission critical services may be required depending upon the circumstances.
3. Non-essential services may be suspended based upon careful consideration of the necessity to remain operational versus the unreasonable risk involved in travel by the motoring public.

**III. PROCEDURES**

1. When adverse conditions are caused by a winter storm, the Town Manager shall weigh service to the public and the hazards of road conditions. It must be recognized that the closure of Town non-essential services disrupts convenience to the public, in addition to a loss of productivity at taxpayer expense. It must be further recognized that the Town does not want to place any employee at unreasonable risk by maintaining regularly scheduled hours during a snowstorm that is causing hazardous road conditions.
2. The Town Manager shall consult with the DPW Director or any other sources in order to consider reliable, accurate and updated information regarding the impact of the snowstorm.
3. After reviewing all available relevant information and weather data, the Town Manager shall determine if the non-essential services shall be closed and temporarily suspended or subject to a delayed opening or early closing. Such elements include current road conditions or projected road conditions in terms of snow or ice; weather conditions such as snow, wind or rain; visibility; anticipated treatment of roads, and completed treatment of roads.

4. When the Town Manager decides to close Town operations or order a delayed opening or early closing, the Town Manager shall immediately inform all department heads and the Selectmen of such action. It shall be the responsibility of the department heads or assistant department heads to communicate the decision to their employees. The Town Manager or his/her designee will also make reasonable efforts (Facebook; website; electronic media; print media) to inform the public of such action.
5. If a Town non-essential employee desires to take time off during a winter storm when Town operations remain open, the non-essential employee may apply for appropriate leave consistent with their collective bargaining agreement or the Personnel Administration Plan or Personal Service contract. The Town will endeavor to grant such requested time provided it does not unreasonably disrupt operational efficiency. If the Town employee has no leave time available but his/her absence will not unreasonably disrupt operational efficiency, the Town Manager may grant unpaid leave to such person.

**Adopted: February 11, 1993**

**Revised: December 3, 1996**

**Amended: September 14, 2009**

**Amended: March 14, 2011**

**Revised: December 21, 2020**

**Town of Mashpee  
Board of Selectmen**

**Policy No: 007**

**Closing of Town Hall During Winter Storms**

It is the policy of the Board of Selectmen to maintain regularly-scheduled work hours at Town Hall except for conditions that would adversely affect the safety of employees. In doing so, the Board recognizes the need to have Town Hall open to serve the public must be weighed against the potential of personal injury associated with travel during severe winter weather. It is recognized that closing Town Hall for any circumstances is not only an inconvenience to the public, but is of considerable expense to taxpayers in terms of lost productivity.

The decision to close Town Hall will be made by the Town Manager following consultation with the Director of Public Works and Chairman of the Board of Selectmen.

Should severe weather conditions occur during the workday, the decision to close the building will be communicated through Blackboard Connect to all Town Hall department heads as well as staff.

The decision to close Town Hall for the day or to delay opening should be made in sufficient time to permit proper communication of the decision to employees through Blackboard Connect as well as local radio stations. The decision will be conveyed, at a minimum, to the appropriate radio stations (WQRC-FM, COOL 102). The decision will also be communicated to the Department of Public Works and Police Department dispatchers.

If a decision is made to keep Town Hall open and an individual employee feels his or her personal safety is jeopardized by traveling to work, that employee is permitted to use earned leave notwithstanding requirements in the Personnel Administration Plan and collective bargaining agreement relative to prior written approval of earned leave. Should an employee choose not to use earned leave, but prefers to remain home or to leave Town Hall early without the building being closed, that employee shall not be paid for the time lost.

***Adopted by the  
Mashpee Board of Selectmen  
February 11, 1993  
Revised December 3, 1996  
Amended September 14, 2009  
Amended March 14, 2011***