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## August 24, 2015

### AGENDA BOARD OF SELECTMEN MONDAY, AUGUST 24, 2015

**6:30 p.m. – Convene Meeting – Waquoit Meeting Room – Mashpee Town Hall**

#### PLEDGE OF ALLEGIANCE

#### MOMENT OF SILENCE

#### MINUTES

Approval of the following: Monday, August 10, 2015 Regular Session – **Vote Required**

#### APPOINTMENTS & HEARINGS

6:30 – Public Comment

#### COMMUNICATIONS & CORRESPONDENCE

- 1) Introduction of new grant-funded Air Packs at Mashpee Fire & Rescue Department, Fire Chief Rullo

#### OLD BUSINESS

- 1) Review of Mashpee Host Community Agreement between Medical Marijuana of Massachusetts, Inc. and the Town of Mashpee – **Possible Vote**
- 2) Discussion of status of Town Engineer Position

#### NEW BUSINESS

- 1) Presentation of Massachusetts Firefighting Academy Outstanding Student Award to Matthew Spears
- 2) Special Events Application: Cape Cod Run from Addiction, September 26, 2015 – **Vote Required**
- 3) Approval of application for One-Day Liquor License, Mashpee Kiwanis – **Vote Required**
- 4) Confirmation of Appointment, Police Chief – **Vote Required**
- 5) Certification of Hiring Process, Patrol Officer – **Vote Required**
- 6) Certification of Hiring Process, Animal Control Officer – **Vote Required**
- 7) Approval of Dog Park signage at intersection of Route 130 and Ashumet Road – **Vote Required**
- 8) Proclamation: Suicide Prevention Week – **Vote Required**
- 9) Review of Draft #1 of October Town Meeting Warrant
- 10) Discussion of reorganization of Town Departments, pursuant to Section 4.2(n) of the Charter

#### ADDITIONAL TOPICS

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

#### LIAISON REPORTS

#### EXECUTIVE SESSION

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Present: Selectman Cahalane, Selectman Sherman, Selectman Gottlieb,  
Selectman O'Hara, Selectman Cotton  
Town Manager Rodney C. Collins

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

#### MINUTES

##### Monday, August 10, 2015 Regular Session:

**Motion made by Selectman Sherman to approve the Regular Session Minutes of Monday, August 10, 2015 as presented.  
Motion seconded by Selectman O'Hara.**

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

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

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

#### APPOINTMENTS & HEARINGS

##### Public Comment:

Phyllis Moniz Littleford, the owner of property located at 104 William Mingo and 60 Saddleback Road, with a combined acreage of 25 acres more or less in Mashpee indicated she is interested in offering the land to the Town of Mashpee. Ms. Moniz Littleford stated the parcels could be used for recreational, open space and/or conservation purposes. Ms. Moniz Littleford indicated she is hopeful the Board of Selectmen would take this offer into consideration at their next meeting.

#### COMMUNICATIONS & CORRESPONDENCE

##### Introduction of new Grant-funded Air packs at Mashpee Fire & Rescue Department, Fire Chief Rullo:

Thomas Rullo, Fire Chief introduced the new grant-funded air packs ready for use to safeguard the firefighters with the latest protection. With \$142,064 received in funding from Assistance to Firefighters (AFG) Homeland Security grant, and \$60,000 in Capital Improvement Programming (CIP) funds, the upgraded equipment will conform to NFPA standards for the next ten years.

Chief Rullo indicated the 29 air packs with spare bottles will uniformly outfit the Mashpee Fire Department and enhance firefighter safety. Additional safety items will increase the air tank volume, and protect the firefighters from chemical, biological, radiological and nuclear agents. The improvement mask is equipped with a safer face-piece, and new strap configuration. An air alarm will notify the firefighter that there is low air supply which would enable adequate time to safely exit a building.

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#### OLD BUSINESS

##### Review of Mashpee Host Community Agreement between Medical Marijuana of Massachusetts, Inc. and the Town of Mashpee:

The Board of Selectmen reviewed the amendments agreed upon at the last Selectmen's Meeting with respect to the Mashpee Community Host Agreement with Medical Marijuana of Massachusetts, Inc. Amendments made to the initial agreement include the Host Community Donation of \$40,000 in Calendar Year 2017 from

\$20,000, and the addition of Appendix A as added to the Agreement and reflected as a phrase under Recitals – B referencing the Appendix of this Agreement has been added in two places. In paragraph 1 of Appendix A it is indicated that any change in the procedure relative to the overnight storage of product will be reported to the Town Manager.

Mark Gildea, representing attorney for Medical Marijuana of Massachusetts, Inc. was in attendance for discussion purposes. It was noted the Host Agreement with the Town of Plymouth is proposed to work in parallel with the Town of Mashpee's Host Agreement. If the Plymouth Agreement is not approved, the Host Agreement would require an amendment for another grow facility. When MMM receives its final Certificate of Registration to operate a Registered Marijuana Dispensary, they would have obligation to make payment to the Town of Mashpee. With regards to the Charitable Foundation, the tri-town agreement will include a third RMD location, to be determined.

**Motion made by Selectman Gottlieb to approve the Mashpee Host Agreement between Medical Marijuana of Massachusetts, Inc. and the Town of Mashpee as presented.**

**Motion seconded by Selectman Cahalane.**

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

**Roll Call Vote:**

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

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**OLD BUSINESS**

**Discussion of Status of Town Engineer Position:**

The FY2016 budget includes funding for a full-time Assistant DPW Director/Engineer. The position has been duly posted and advertised.

Discussion followed with reference to the posted position for a Town Engineer equivalent to the position of Highways, and Building and Grounds at the foreman level, and not the supervisory level. Rodney Collins, Town Manager brought this matter to the Board of Selectmen as it was his assumption the position would fall directly under the Director serving as a deputy, or number two in the chain of command within the Department of Public Works.

In the absence of the DPW Director, it was highly recommended the DPW maintain a specific no. 2 position, especially during the winter months. Mr. Collins recommended that additional time be granted to deliberate the job description with the DPW Director, and possibly re-advertise the position. It was noted the engineer position was actually created and sponsored in 1988. The former DPW Director was an engineer, and his staff included an Assistant DPW Director.

To rectify this matter, the Board of Selectmen agreed to move forward with a revised job description and posting, and favorably to fund the position before the onset of the upcoming winter season.

#### NEW BUSINESS

##### Presentation of Massachusetts Firefighting Academy Outstanding Student Award to Matthew Spears:

Fire Chief Rullo proudly presented Firefighter Matthew Spears with a plaque honoring his Outstanding Recruit Award received from the Massachusetts Training Council. The Board of Selectmen applauded the achievement of Mr. Spears as a certified firefighter on behalf of the Town of Mashpee.

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#### NEW BUSINESS

##### Special Events Application: Cape Cod Run from Addiction, September 26, 2015:

School Committee member Christopher Santos was before the Board to request permission to traverse through the Town of Mashpee on September 26, 2015 to promote awareness to the opiate and heroin addiction crisis. Mr. Santos indicated the relay race initiative began with a Facebook page that became very popular. In the Cape Cod Run from Addiction, teams comprised of individual towns will relay purple flags to the boundaries of each Cape town which includes Joint Base Cape Cod.

The relay will start at the Bourne Library and end at the Provincetown Town Hall. At the lawn of each Town Hall on Cape Cod, runners will plant a purple "Stop the Madness" flag.

In Mashpee, the race would begin at approximately 12:00 p.m. Flags would be picked up at the Falmouth line on Old Barnstable Road near the high school and one would be planted at the Mashpee Town Hall. The race would then continue along Route 130 to the Town of Barnstable. Fifteen to twenty runners from each town are anticipated to partake in the relay of the purple flags.

Mr. Santo's requested the Board's permission to plant a single flag on town grounds, and use the Town Hall as a runner's station where there would be a water table, and vendors serving ice cream and pizza. Signage; 3 x 4 would also depict the site location.

Funding is being collected by the non-profit organization Open Doorways of Cape Cod and applicable regulatory agencies have signed off on the Special Events Application.

**Motion made by Selectman O'Hara to approve the Special Events Application for the Cape Cod Run from Addiction/The Open Doorway of Cape Cod relay on September 26, 2015 as referenced.**

**Motion seconded by Selectman Sherman.**

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

**Roll Call Vote:**

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

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**NEW BUSINESS**

**Approval of Application for One-Day Liquor License, Mashpee Kiwanis:**

Theresa Cook, President of the Mashpee Kiwanis Club was in attendance to request the Board approve the Special Events Application for a One-Day Liquor license, to serve wine and malt at the annual Mashpee Oktoberfest scheduled to be held on Saturday, October 3, 2015. The rain date is October 4, 2015. As in previous years, the Mashpee Kiwanis is partnering with the Mashpee VFW at the Village Green on Steeple Street in Mashpee Commons. Volunteers police the event to ensure the beer and wine served stays within their purview.

**Motion made by Selectman Gottlieb to approve the Special Events Application of the Mashpee Kiwanis Club for a One Day Wine & Malt License on October 3, 2015 as referenced.**

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

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

**Roll Call Vote:**

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

**Confirmation of Appointment, Police Chief:**

Rodney Collins, the Town Manager and former Chief of Police highly recommended the appointment of Captain/Interim Police Chief Scott Carline to the position of Police Chief. Town Manager Collins indicated that Mr. Carline has the effort, dedication, qualifications, education, training, experience and character to make his appointment unquestionable.

Mr. Collins added that an oral board interview was conducted, and Interim Chief Carline did an exceptional job in response to all questions. With the Board's confirmation Mr. Collins will proceed to negotiate a personal services contract with Mr. Carline. Selectman O'Hara noted that he sat on the oral board, and agreed fully Mr. Carline would be a tremendous asset to the Town of Mashpee.

**Motion made by Selectman Sherman to certify and confirm the appointment of Scott Carline as Chief of Police of the**

**Town of Mashpee.**

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

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

**Roll Call Vote:**

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

Mr. Carline indicated he is a person of integrity, and is honored and humbled by the Town's decision and looks forward to the challenge, promising to do his best for the Town of Mashpee.

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**NEW BUSINESS**

**Certification of Hiring Process, Patrol Officer:**

**Certification of Hiring Process, Animal Control Officer:**

The Board of Selectmen was requested to certify and confirm the hiring of Benjamin Tamash as Patrol Officer and Donald Chicoine as Animal Control Officer at Step 1 of the intended pay scale. All background information is complete and consistent within the hiring qualifications.

**Motion made by Selectman Sherman to certify and confirm the Hiring Certification of Benjamin Tamash as Patrol Officer and Donald Chicoine as Animal Control Officer.**

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

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

**Roll Call Vote:**

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

**Approval of Dog Park Signage at Intersection of Route 130 and Ashumet Road:**

The Board of Selectmen was in receipt of proposed signage from the Department of Public Works for the Mashpee Dog Park. With the Board's approval, the 18"x24" sign would be placed at the intersection of Route 130 and Ashumet Road.

**Motion made by Selectman Gottlieb to authorize the installation of the Mashpee Dog Park sign as proposed.**

**Motion seconded by Selectman Sherman.**

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

**Roll Call Vote:**

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

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NEW BUSINESS

Proclamation: Suicide Prevention Week:

Selectman Gottlieb read aloud the Proclamation naming September 6 – 13, 2015 as Suicide Prevention Week in the Town of Mashpee.

**Motion made by Selectman Gottlieb to approve the Suicide Prevention Week Proclamation as presented.**

**Motion seconded by Selectman Sherman.**

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

**Roll Call Vote:**

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

Review of Draft #1 of October Town Meeting Warrant:

The Board of Selectmen conducted their first review of the annual October Town Meeting draft. It was agreed the Board would fully vote on the warrant at their special September 9, 2015 meeting. The following articles were reviewed;

Article 3: To fund a Digital Records Management System - \$338,205

The article was held for additional information. It was agreed the IT Director would meet with the Board at their September 9<sup>th</sup> meeting to further clarify the intent of this article.

100,000 to the Sewer Commission Facilities Study Account to fund the preparation of a feasibility study, and preliminary designs. This project is one of the initial steps in implementing the Town's Watershed Nitrogen Management Plan/CWMP once it is approved by the State and the Cape Cod Commission. Tom Fudala, the Town Planner was in attendance for discussion purposes. Mr. Fudala explained this is not a feasibility study, but the beginning of the design and engineering process. It was agreed Selectman Gottlieb would work with Sewer Commission to amend the wording of the article and select a better range of funding required to begin the process.

50,000 to fund various consulting services regarding the negotiation and establishment of inter-municipal agreements related to shared responsibility for nutrient clean-up of Waquoit and Popponesset Bays under the Section 208 Plan. The Board was receptive to the strategy, but agreed there should be another funding method. It was agreed this matter would be further discussed at the next meeting.

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NEW BUSINESS

Review of Draft #1 of October Town Meeting Warrant: (continued)

0,000 to the Sewer Commission Facilities Study Account, and to re-authorize funding for the preparation of an adaptive

management plan. The amount has not been specified to date and is dependent on the CCC. The Sewer Commission lacks funds for the required engineering and funding is essential to complete the approval process. The DRI public hearing on adaptive management is scheduled in mid-September or early October.

It was noted that adaptive management is an emerging science and is dependent upon the harvest of shellfish. A detailed monitoring plan with site specific to test locations, the sampling shellfish, and sediment is required to demonstrate the amount of nitrogen that is removed. The Town needs to invest in measuring the program's success, and this would then become a part of the Town's operations. It was agreed the language of the article would be further refined.

20,000 to the Sewer Commission Part-Time Contract Expense Account, and to re-authorize the account to fund the part-time Sewer Commission Administrator position.

It was agreed that Selectman Gottlieb as liaison to the Sewer Commission would work with the Sewer Commission to develop options for discussion as to how the Town would move forward on this aspect of the project. It was noted that previously, the Board of Selectmen on two occasions, voted down the position.

65,000 to the Waterways Commission Dredging Account to dredge sediment from the Popponeset Approach Channel.

That all articles associated to the Waterways Commission would be grouped on the warrant.

To transfer \$754.89 from the Riverside Road Account to the Waterways Fund. The Board requested an explanation regarding the appropriation of said funding.

Article 16 through 20: Designation of Public Lands: The second hearing is scheduled to be held on August 25, 2015. A recommendation will be made at the next meeting regarding the master plan, and the make-up of articles. It was agreed the working group would provide a written summary based on the results of the meeting, and present it to the Board of Selectmen prior to September 9, 2015.

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Article 23: It was agreed the Building Commissioner would attend the next meeting to further review the proposed Zoning articles. The Board of Selectmen requested that a mark-up copy be provided to review the amendments in detail.

Article 24: To hold the annual Town Election on the 3<sup>rd</sup> Tuesday in May opposed to Saturday.

No power loading allowed at any Mashpee ramp. Recommended language amendment; This offense ~~may~~ shall be subject to a \$100 fine.

Article 26 through 28: Petition Articles

Discussion of Reorganization of Town Departments, pursuant to Section 4.2(n) of the Charter:

At the last Human Services meeting, it was agreed the office would be relocated to Town Hall. Rodney Collins, Town Manager indicated that he plans to relocate the Harbormaster and Shellfish Department to the current Human Services building, and form a Natural Resources Department. Mr. Collins explained that with the Shellfish Constable's project for nitrogen reduction, there is a need to ensure the department would have the resources, personnel, and space for the implementation of the shellfish component of the Comprehensive Wastewater and Nitrogen Management Plan. This initiative would also represent a tremendous cost savings

to the Town. It was noted the Waterways Commission and Police Department are supportive of this endeavor.

In accordance with the mandates of the Charter, the Town Manager has the authority to make this change. However, Mr. Collins has request input from the Board of Selectmen with respect to this regard. It is the consensus of the Board of Selectmen to support the Town Manager's recommendation for reorganization.

LIAISON REPORTS

School Committee – With available funding, Chromebooks will be distributed to all students prior to the start of the school year. Grant funding was also received to support special education in the Mashpee school system.

Adjournment:

**Motion made by Selectman Sherman to adjourn at 8:26 p.m.**

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

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

**Roll Call Vote:**

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

Respectfully submitted,

Kathleen M. Soares  
Secretary to the Board of Selectmen