

Town of Mashpee

16 Great Neck Road North, Mashpee, MA 02649
ph: (508) 539-1400

December 15, 2014

AGENDA

BOARD OF SELECTMEN

MONDAY, DECEMBER 15, 2014

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

MINUTES

Approval of the following:

Monday, December 1, 2014 – Regular Session

APPOINTMENTS & HEARINGS

6:30 Public Comment

6:40 DPW Director–Recommendations for Award of Annual Contracts-**Vote Required**

- Trash/Recycling Services
- Rental of Portable Toilets

Public Hearing – Request of New Seabury Country Club to Temporarily Close for Annual Repairs/Maintenance – **Vote Required**

Public Hearing – Request of Popponesset Inn to Temporarily Close for Annual Repairs/Maintenance – **Vote Required**

Public Hearing – Alan Morra d/b/a Classics First – Request to Amend Current Class 2 License from 5 to 7 Vehicles with 2 Outside –**Vote Required**

Public Hearing - Renewal of Annual Licenses: All 2015 Alcohol and Entertainment

Package Store Licensees – All Alcohol

Andy's Market
The Barn
Best Buy Beverage, Inc.
Liberty Liquors
South Cape Wine & Spirits

Package Store Licensees – Wine & Malt

Mashpee Mart
Commons Convenience

Restaurant Annual All Alcohol & Entertainment Licensees:

Asia Palace	Recorded Music
Bleu	Live and Recorded Music
Bobby Byrne's	Recorded Music
Café Trevi	Recorded Music
Estia	No Entertainment
Finally Dino's	Live, Recorded, DJ & Dancing
The Lanes	Live Music
Meggie Top	No Entertainment
99 Restaurant	TV & Recorded Music
New Seabury Country Club	Live Music & Dancing
Oak and Ember	Radio, TV & Live Music
Quashnet Valley Country Club	Recorded & Live Music
Siena	Recorded & Live Music
Soprano's	Recorded & Live Music
Wicked	Recorded Music & TV

Restaurant Annual Wine & Malt Licensees:

Bangkok Thai Cuisine	No Entertainment
Burrito Bistro Mashpee	No Entertainment
Zoe's	Recorded Music

Innholder Annual All Alcohol Licensees:

Popponesset Inn	Recorded & Live Music
ukebox, Light Show, Video Games, Billiard Tables, Dancing by Patrons, Theater	

Commercial Club Annual All Alcohol Licensee:

Willowbend Country Club	Live Music & Dancing by Patrons
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General on Premises Wine & Malt Licensee:

Artfully Yours	No Entertainment
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COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- Special Events Application Request – Hero Triathlon/Streamline Sports, LLC **Vote Required**
- Mashpee Cares Committee Candidates – **Vote Required**
- Acceptance of Resignation – Affordable Housing Committee – **Vote Required**
- Request to Close Municipal Buildings – Day after Christmas 2014 – **Vote Required**

ADDITIONAL TOPICS

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

LIAISON REPORTS

EXECUTIVE SESSION

Board of Selectmen

Minutes

December 15, 2014

Present: Selectman Taylor, Selectman Richardson, Selectman Sherman,
Selectman Cahalane, Selectman Gottlieb
Town Manager Joyce Mason
Assistant Town Manager Tom Mayo

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

MINUTES:

Monday, December 1, 2014 – Regular Session:

Motion made by Selectman Cahalane to approve the Regular Session minutes of Monday, December 1, 2014 as presented.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

APPOINTMENTS & HEARINGS:

Public Comment:

Steve Paxton, a resident of Juniper Drive and member of the Lakewood Association commented on the Selectmen's proposed intent to jointly regulate with the Town of Sandwich, boats on Mashpee Wakeby Pond in excess of 26 feet.

Mr. Paxton indicated he has resided on the pond for the past twenty-seven years, and during this time he has not seen a boat of that size on Mashpee Wakeby. In concern with respect to the devaluation of properties and to the recent editorial in the *Mashpee Enterprise*, regarding this matter Mr. Paxton stated that regulating the pond would be a disservice to the people of the Town of Mashpee who use this property.

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APPOINTMENTS & HEARINGS:

DPW Director – Recommendation for Award of Annual Contracts:
Trash/Recycling Services and Rental of Portable Toilets:

Catherine Laurent, Director of Public Works was before the Board to request that a contract be awarded to Republic Services for trash and recycling services at various Town buildings. In review of the proposals submitted in response to advertisement, Republic Services of Yarmouth is the low bidder offering a bid price that is equal to CY14. There have been no issues with the incumbent contractor for this service.

When asked about recycling services, it was noted the firm takes care of trash and recycling at various Town and School buildings. At the beach, recycling containers used by the public are emptied by the Department of Public Works as currently, there is not enough recycling to justify the use of a large container.

Ms. Laurent recommended that a contract be awarded to Bouse House Enterprises, Inc., the low bid firm for the

rental and service of portable toilet facilities. Bouse House operates out of Forestdale.

Motion made by Selectman Cahalane to accept the recommendation of the DPW Director and award the Annual Trash and Recycling Contract to Republic Services of Yarmouth, and the contract for the Rental and Service of Portable Toilet facilities to Bouse House of Forestdale.

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

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NEW BUSINESS:

Special Events Application Request – Hero Triathlon/Streamline Sports, LLC:

The Selectmen were in receipt of a Special Events Application from Bill Burnett of Streamline Sports, LLC to conduct the 3rd Annual Hero Triathlon in Mashpee on June 21, 2015. The event has been very successful in the Town of Mashpee.

All applicable regulatory agencies have signed-off on the application. The event is planned to be coordinated with the Super Swim meet; held the day before the triathlon. The Selectmen were requested to close the John's Pond parking lot to the public from Saturday, June 20, 2015 from 6:00 a.m. to Sunday, June 21, 2015; 12:00 p.m. for the purpose of site preparation and clean-up for the triathlon event. Athletes, spectators and volunteers will use the Barnstable County Fairgrounds for parking. A shuttle bus service will be provided.

Motion made by Selectman Gottlieb to approve the Special Events Application for the Hero Triathlon on June 21, 2015 as referenced.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

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NEW BUSINES:

Mashpee Cares Committee Candidates:

With the Selectmen's endorsement to formalize the Mashpee Cares Committee, the composition of the committee formed to take a holistic approach to those in need was presented to the Board for approval.

Motion made by Selectman Richardson to approve the composition of the Mashpee Cares Committee as follows;

Board of Selectmen Representative (1) Michael R. Richardson
Town Manager Joyce M. Mason
Chief of Police Rodney C. Collins
Fire Chief Thomas C. Rullo
Board of Health Representative Lucy Burton
Human Services Representative Gail Wilson
Housing Authority Representative Leila Botsford
Library Representative Kathleen Mahoney
School Committee Representative Christopher Santos
Council on Aging Representative Lynne Waterman
At-Large Clergy Representative Bishop Beatrice Munroe-Scott

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Board of Selectmen
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NEW BUSINESS:

Acceptance of Resignation – Affordable Housing Committee:

Correspondence was received from Kalliope Egloff dated December 10, 2014 resigning from the Affordable Housing Committee.

Motion made by Selectman Richardson to accept the letter of resignation from Kalliope Egloff from the Affordable Housing Committee with regret.

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

LIAISON REPORTS:

Human Services Award: Each year the Human Services Committee bestows a *Thanks for Giving Award* to an individual and a business organization. This year, the award was presented to Kenneth and Cynthia Jones and the Hero's in Transition organization.

Mr. and Mrs. Jones as individuals and founders of Hero's in Transition have given countless hours and outstanding service to Veteran's, and have proven to be an asset to the Mashpee community.

CCWPC: With the support of Selectman Gottlieb, the State in addressing wastewater will be assisting the Town of Mashpee in the mitigation of funds for alternative technology which includes shellfish aquaculture for nitrogen removal and adaptive management approaches.

Holiday Parade: The Board of Selectmen expressed appreciation to the Town Manager and to those who volunteered and participated in the success of the 9th annual Christmas Parade in the Town of Mashpee.

6:45 p.m. Recess

6:55 p.m. Meeting Resumed

Board of Selectmen
Minutes
December 15, 2014

APPOINTMENTS & HEARINGS:

Public Hearing – Request of New Seabury Country Club to Temporarily Close for Annual Repairs/Maintenance:

The Board of Selectmen opened the Public Hearing on the request of New Seabury Properties, LLC, d/b/a New Seabury Country Club, Stephen T. Brennan, Manager, to close for maintenance, renovations and repairs as follows;

January 2, 2015 through March 28, 2015 (restaurant will re-open on Fridays and Saturdays only March 27, 2015)
Snack Bar: January 5, 2015 through April 3, 2015

The Hearing notice was read aloud into the record in accordance with posting requirements. There was no one present to discuss the closure request. It is the policy of the Board of Selectmen to take no action, if a representative is not in attendance at the start of a public hearing. The next scheduled meeting of the Board of Selectmen is Monday, January 5, 2015.

Motion made by Selectman Cahalane to take no action, and continue the Public Hearing to Monday, January 5, 2015.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Board of Selectmen
Minutes
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APPOINTMENTS & HEARINGS:

Public Hearing – Request of Popponesset Inn to Temporarily Close for Annual Repairs/Maintenance:

The Board of Selectmen opened the Public Hearing on the request of New Seabury Properties, LLC, d/b/a Popponesset Inn, Stephen T. Brennan, Manager, to close for maintenance, renovations and repairs as follows;

January 1, 2015 through March 31, 2015 (restaurant will re-open for functions beginning April 1, 2015)

The Hearing notice was read aloud into the record in accordance with posting requirements. There was no one present to discuss the closure request. It is the policy of the Board of Selectmen to take no action, if a representative is not in attendance at the start of a public hearing. The next scheduled meeting of the Board of Selectmen is Monday, January 5, 2015.

Motion made by Selectman Cahalane to take no action, and continue the Public Hearing to Monday, January 5, 2015.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Public Hearing – Alan Morra d/b/a Classics First – Request to Amend Current Class 2 License from 5 to 7 Vehicles with 2 Outside:

Acting as the Licensing Authority of the Town of Mashpee, the Board of Selectmen opened the Public Hearing on the application of Alan Morra, d/b/a Classics First, 78 Industrial Drive, Unit 1, Mashpee, to amend the current Class II License to increase the number of vehicles to be stored inside from 5 to 7 with a maximum of 2 displayed outside.

The Hearing notice was read aloud into the record. Mr. Morra was in attendance to discuss the license application with the Board of Selectmen. It was noted the applicant has met with the Design Review Committee and the Planning Board, and each respective board has approved the request with no conditions. Being no further comment, the Board motioned to close the Public Hearing.

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Public Hearing – Alan Morra d/b/a Classics First – Request to Amend Current Class 2 License from 5 to 7 Vehicles with 2 Outside: (continued)

Motion made by Selectman Cahalane to close the Public Hearing.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Motion made by Selectman Cahalane to grant the request of Alan Morra d/b/a Classics First, 78 Industrial Drive, Unit 1 to amend the current Class II License to increase the number of vehicles to be stored inside from 5 to 7 with a maximum of 2 vehicles to be displayed outside.

Motion seconded by Selectman Richardson.

VOTE: 4-0-1.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, abstained	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Public Hearing - Renewal of Annual Licenses: All 2015 Alcohol and Entertainment:

The Board of Selectmen, acting as the Licensing Board for the Town of Mashpee opened the Public Hearing on the renewal of all 2015 Annual Liquor and Entertainment Licenses in the Town of Mashpee. The Hearing notice was read aloud in accordance to posting procedures.

It was disclosed the all license holders are current regarding tax payments.

All liquor license holders, with the exception of one, have been inspected and passed by the Building, Health and Fire Departments. All liquor license holders have submitted proof of Workers' Compensation Insurance as mandated by the State as well as proof of liquor liability insurance as required.

The referenced establishment not inspected to date is Meggie Top, 13 Lake Avenue, Mashpee as there is a pending matter between the lessee and the realty company. If an executed lease agreement is not received by December 29, 2014, the Board of Selectmen has the option to schedule a Public Hearing to consider the revocation of the license.

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Public Hearing - Renewal of Annual Licenses: All 2015 Alcohol and Entertainment:

The Board of Selectmen acted as follows;

Package Store Licensees – All Alcohol

Andy's Market
The Barn
Best Buy Beverage, Inc.
Liberty Liquors
South Cape Wine & Spirits

Motion made by Selectman Cahalane to renew the 2015 Package Store Licensees; All Alcohol as referenced above.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Package Store Licensees – Wine & Malt

Mashpee Mart
Commons Convenience

Motion made by Selectman Cahalane to renew the 2015 Package Store Licensees; Wine & Malt as referenced above.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

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Public Hearing - Renewal of Annual Licenses: All 2015 Alcohol and Entertainment:
(continued)

Restaurant Annual All Alcohol & Entertainment Licensees:

Asia Palace	Recorded Music
Bleu	Live and Recorded Music
Bobby Byrne's	Recorded Music
Café Trevi	Recorded Music
Estia	No Entertainment
Finally Dino's	Live, Recorded, DJ & Dancing
The Lanes	Live Music
Meggie Top	No Entertainment
99 Restaurant	TV & Recorded Music
New Seabury Country Club	Live Music & Dancing
Oak and Ember	Radio, TV & Live Music
Quashnet Valley Country Club	Recorded & Live Music
Siena	Recorded & Live Music
Soprano's	Recorded & Live Music
Wicked	Recorded Music & TV

Motion made by Selectman Cahalane to renew the above referenced 2015 Restaurant; Annual All Alcohol & Entertainment Licenses as presented.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

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Public Hearing - Renewal of Annual Licenses: All 2015 Alcohol and Entertainment:
(continued)

Restaurant Annual Wine & Malt & Entertainment Licensee:

Bangkok Thai Cuisine	No Entertainment
Burrito Bistro Mashpee	No Entertainment
Zoe's	Recorded Music

Motion made by Selectman Cahalane to renew the above referenced 2015 Restaurant; Annual Wine & Malt Licenses & Entertainment License as presented.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Innholder Annual All Alcohol & Entertainment Licensees:

Popponesset Inn	Recorded & Live Music
Music, Jukebox, Light Show, Video Games, Billiard Tables,	
	Dancing by Patrons, Theater

Motion made by Selectman Cahalane to renew the above referenced 2015 Innholder Annual All Alcohol & Entertainment Licenses as presented.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

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Public Hearing - Renewal of Annual Licenses: All 2015 Alcohol and Entertainment:
(continued)

Commercial Club Annual All Alcohol Licensee:

Willowbend Country Club	Live Music & Dancing by Patrons
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Motion made by Selectman Cahalane to renew the above referenced 2015 Commercial Club Annual All Alcohol & Entertainment License as presented.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes

Selectman Gottlieb, yes Opposed, none

General on Premises Wine & Malt Licensee:

Artfully Yours No Entertainment

Motion made by Selectman Cahalane to renew the above referenced 2015 General on Premises Wine & Malt License as presented, No Entertainment.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Motion made by Selectman Cahalane to close the Public Hearing.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Board of Selectmen
Minutes
December 15, 2014

NEW BUSINESS:

Request to Close Municipal Buildings – Day After Christmas 2014:

Motion made by Selectman Richardson to place the above topic on the Selectmen’s agenda.

Motion seconded by Selectman Cahalane.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

In an effort to conserve heat and electric Joyce Mason, Town Manager requested the Board consider closing all municipal buildings with the exception of public safety, the day after Christmas. Mrs. Mason indicated that contractual obligations require that municipal buildings to be closed on Wednesday, the day before Christmas. A brief discussion followed.

Motion made by Selectman Cahalane to close all municipal buildings on Friday, December 26, 2014 as requested with the exception of public safety.

Motion seconded by Selectman Richardson.

VOTE: 4-1. Motion carries.

Roll Call Vote:

Selectman Taylor, no	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, (1)

Adjournment:

Motion made by Selectman Richardson to adjourn at 7:15 p.m.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Taylor, yes	Selectman Richardson, yes
Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Opposed, none

Respectfully submitted,

Kathleen M. Soares
Secretary to the Board of Selectmen