

Town of Mashpee

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

March 10, 2014

**Mashpee Board of Selectmen
Meeting Minutes
March 10, 2014 at 6:30 pm
Waquoit Meeting Room, Mashpee Town Hall**

Present: Chairman Cahalane, Selectman O'Hara, Selectman Sherman, Selectman Richardson, Selectman Taylor
Also Present: Town Manager Joyce Mason, Assistant Town Manager Tom Mayo, Mashpee Finance Committee

CALL TO ORDER

Chairman Cahalane opened the joint meeting with the Finance Committee at 6:30 p.m. The Finance Committee meeting was also called to order. The Pledge of Allegiance was recited and a moment of silence observed.

APPROVAL OF MINUTES-February 24, 2014

Selectman Richardson made a motion to approve the minutes of Monday, February 24, 2014 Regular Session. Selectman Sherman seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O'Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

APPOINTMENTS & HEARINGS

6:30 Public Comment

There was no public comment.

COMMUNICATIONS & CORRESPONDENCE

Ms. Mason announced that 8th grader, Frederick Hanna, had visited Town Hall to promote Community Project 351 which will support Cradles to Crayons with a clothing drive. Drop off locations will be located throughout Mashpee and more information can be found on the Town website.

Ms. Mason also reported, on behalf of the Treasurer, that motor vehicle excise tax bills had been issued and would be due by April 2. Residents with questions may contact the Treasurer at 508-539-1419.

Selectman Richardson announced that Palumbo's news magazine would soon be released and that they would be seeking newsworthy stories. Ms. Mason will share her article with Selectman Richardson once it is completed.

OLD BUSINESS

None at this time

LIAISON REPORTS

Selectman O'Hara reported that there was some controversy at a recent Planning Board meeting regarding a proposed street name change in the Sandalwood neighborhood. Ms. Mason reported that the Town had been in contact with the President of the Sandalwood Association regarding a meeting to further discuss the issue. The Working Group will also be meeting.

Selectman Richardson reported that a wellness event had recently taken place at the high school, with at least 100 people in attendance. The event was sponsored by Mashpee Cares and Project Purple and there was discussion regarding the heroin issue.

Selectman Sherman reported that there would be a Mashpee After-Hours event at the Kiwanis Club tomorrow

night.

NEW BUSINESS

- **Revocation of Conditional License - 617 Limousine Limited Partnership**

Ms. Mason referenced the limousine license approved conditionally, pending investigation by the Police Chief, and recommended that the Board revoke the license based on his findings.

Selectman Sherman made a motion to revoke the license. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O’Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

- **Position Vacancy Request – Administrative Clerk/Recreation Department**

Ms. Mason reported the Administrative Clerk vacancy in the Recreation Department, due to retirement, and requested the Board move forward to fill the position.

Selectman Sherman made a motion to fill the position, with regret. Selectman Richardson seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O’Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

- **Recommendations for Contract Award – Annual Paving and Catch Basin Adjustment**

Ms. Mason referenced the Contract Award for the paving and catch basin contract for the remainder of the fiscal year. DPW Director Catherine Laurent recommended Lawrence Lynch Corporation, the only bidder, to receive the bid. The project is a partnership between Mashpee and Mashpee Commons for the extension of the road, to be eligible for a grant.

Selectman Richardson made a motion to approve the contract for the remainder of this fiscal year. Selectman O’Hara seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O’Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

APPOINTMENTS & HEARINGS

6:40 Public Hearing: FY2015 Capital Improvement Program

The appointed time having arrived, Ms. Mason read for the record the public hearing notice regarding the FY2015 Capital Improvement Program. The Capital Improvement Committee recommended a Capital Improvement Program totaling \$633,600. Funding of the Program would amount to \$568,100 from free cash, \$58,000 from the cable fund and \$7,500 from the waterways fund. Regarding software upgrades, they were determined to be an

operating expense and part of the budget and, as such, recommended that \$15,000 be moved to the IT operating budget and \$15,000 to the Police budget for radio replacements. Ms. Mason further noted that \$260,000 was recommended for the DPW for the replacement of two major pieces of equipment and \$75,000 for the Fire Department for two utility vehicles. There was discussion regarding the Fire Department fleet of vehicles, in place of assigned vehicles, and the need for sport utility vehicles to carry the equipment needed for an emergency. There was also discussion regarding the rotation of vehicles that would allow longer usage of the vehicles and removal of retired vehicles from insurance coverage. Ms. Mason continued with Information Technology, regarding a VM server requiring an upgrade in the amount of \$28,000 and funded from cable funding, the \$30,000 School Department wireless upgrade also funded from the cable account and the Police vehicle leases.

Selectman Taylor made a motion to close the Public Hearing for the Selectmen. Selectman Sherman seconded the motion. All voted unanimously.

Roll Call Vote:
Chairman Cahalane-yes Selectman Richardson-yes
Selectman O'Hara-yes Selectman Taylor-yes
Selectman Sherman-yes

Selectman Richardson made a motion to support the CIP budget as presented. Selectman Sherman seconded the motion. All voted unanimously.

Roll Call Vote:
Chairman Cahalane-yes Selectman Richardson-yes
Selectman O'Hara-yes Selectman Taylor-yes
Selectman Sherman-yes

Joint Meeting with Finance Committee: Review of FY2015 Annual Town Meeting Warrant Draft #3 & Budget

Discussion turned to the Special Town Meeting Warrant, Draft #3 and Ms. Mason described the Articles. The Finance Committee voted on each of the Articles following the Board of Selectmen vote.

Article 1-An unpaid bill article to appropriate \$3,520.90

Selectman Richardson made a motion to support Article 1. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:
Chairman Cahalane-yes Selectman Richardson-yes
Selectman O'Hara-yes Selectman Taylor-yes
Selectman Sherman-yes

Article 2-To appropriate and transfer \$150,000 to the snow and ice account

Selectman Richardson made a motion to see if the Town would vote to appropriate and transfer from available funds \$150,000 to the snow and ice account. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:
Chairman Cahalane-yes Selectman Richardson-yes
Selectman O'Hara-yes Selectman Taylor-yes
Selectman Sherman-yes

Should fewer funds be needed, the amount would be reduced at Town Meeting.

Article 3-Transfer from the Overlay Surplus Account \$110,000 to the Reval Account

Selectman Richardson made a motion to see if the Town would vote to transfer from the Overlay Surplus Account \$110,000 to the Reval Account. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O'Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

Article 4-To transfer \$20,000 from the Interest Outside 2½ to Temporary Borrowing Inside 2½

Selectman Richardson made a motion to see if the Town would vote to transfer \$20,000 from the Interest Outside 2½ to Temporary Borrowing Inside 2½. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O'Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

Article 5-To transfer \$10,000 from the Ambulance Receipts Reserved for Appropriation Account to the Fire & Rescue Expense Account for their medical supply line item. Should it be determined that there would be sufficient funds to reach the end of the fiscal year, the amount would be reduced at Town Meeting or the Article would be indefinitely postponed, but at this time, it appeared there would be a shortfall.

Selectman Richardson made a motion to see if the Town would vote to transfer \$10,000 from the Ambulance Receipts Reserved for Appropriation Account to the Fire & Rescue Expense Account for their medical supply line item. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O'Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

Article 6-To transfer \$22,500 from the Community Preservation Fund Historic Reserves to the Historic Commission for the "History of Mashpee"

Selectman Richardson made a motion to see if the Town would vote to transfer \$22,500 from the Community Preservation Fund Historic Reserves to the Historic Commission for the "History of Mashpee." Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O'Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

It was noted that possible funding may become available from mitigation funds, to be determined just prior to Town Meeting, and should the funds not be needed, the amount would be reduced or indefinitely postponed. It was noted that a profit was anticipated from the "History of Mashpee."

Article 7-To fund a portion of the cost of the installation of a pre-school therapeutic playground at the KC Coombs School, the remainder of the funds to be made up by a fundraising effort with the Mashpee Kiwanis. Cost of the project would total \$160,000.

Selectman Richardson made a motion to support Article 7. Selectman Sherman seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes

Selectman Richardson-yes
Selectman Taylor-yes

Article 8-Use of CPC funds to purchase a private parcel of land known as 32 Collins Lane, totaling 3.7 acres at a cost \$155,000. Finance Committee member, Charles Gasior, expressed concern about utilizing tax payer funds for private land and suggested that it should show a distinct advantage to the Town to do so. Mr. Gasior added that 42% of the land was already Federal, State or Mashpee open space, recreation or conservation land and as such, the purchase was not in the best interest of the Town. Mr. Gasior referenced another more costly parcel that may return for the October Town Meeting and expressed concern about setting a precedent. Selectman Richardson disagreed that it would set a precedent, but did agree with Mr. Gasior's position. Mr. Gasior noted that use of the parcel for affordable housing would be an advantage to the Town. Selectman O'Hara noted that the CPC voted 5-4 regarding Collins Lane. Selectman O'Hara stated that the request was presented with the reasoning to protect open space abutting the Mashpee River.

Selectman Richardson made a motion not to support this article. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes

Selectman Richardson-yes
Selectman Taylor-yes

Discussion turned to the Annual Meeting Draft 3 Articles.

Article 1-To accept the Town Report

Selectman Richardson made a motion to see if the Town would vote to accept the Town Report. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes

Selectman Richardson-yes
Selectman Taylor-yes

Article 2-The Finance Committee discussed issues related to Article 2.

Selectman Richardson made a motion to see if the Town would vote to support Article 2. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes

Selectman Richardson-yes
Selectman Taylor-yes

Article 4-To transfer \$7500 to the Waterway Improvement Fund

Selectman Richardson made a motion to see if the Town would vote to transfer \$7,500 to the Waterway Improvement Fund. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes

Selectman Richardson-yes
Selectman Taylor-yes

Article 5-To approve the Cape Cod Regional Technical High School District budget

Selectman Richardson made a motion to see if the Town would vote to approve the Cape Cod Regional Technical High School District budget. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O'Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

Article 6-To allow Cape Cod Regional Technical High School to establish a stabilization fund, not currently funded, for future facility capital costs. The next fiscal year budget would likely include a figure to begin funding the capital cost, up to 5% of the assessments. It was noted that the representative on the school committee would be at the table. Voting not to establish the fund would require the majority of the contributing communities to establish the fund. All towns were asked to place the item on their warrant.

Selectman Taylor made a motion to take Article 6 off the Warrant. Selectman O'Hara seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O'Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

Article 7-To re-appropriate the Kids Klub Enterprise Fund for their budget needs for next fiscal year

Selectman Richardson made a motion to see if the Town would vote to re-appropriate the Kids Klub Enterprise Fund for their budget needs for next fiscal year. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O'Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

Article 8-To authorize borrowing, as needed, for the Chapter 90 Program. The final figure had not been received from the State. This year's funding amount would be added to the Article should the information not be available from the state. Ms. Mason indicated that authorization to borrow would only be up to that figure and reimbursements had always been submitted so that borrowing from Chapter 90 was unnecessary.

Selectman Richardson made a motion to see if the Town would vote to authorize borrowing for the Chapter 90 Program with the above mentioned conditions. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes	Selectman Richardson-yes
Selectman O'Hara-yes	Selectman Taylor-yes
Selectman Sherman-yes	

Members of the Finance Committee expressed concern about voting on an Article without the amount listed. The Town Manager requested that she be afforded the flexibility to change the figure to the correct amount once the information was received from the State.

Article 9-To fund a contract settlement for the next 3 years with the Police Sergeants

Selectman Richardson made a motion to see if the Town would vote to fund a contract settlement for the next 3 years with the Police Sergeants. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

**Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes**

**Selectman Richardson-yes
Selectman Taylor-yes**

Article 10- To fund a contract settlement for the Police Officers

Selectman Richardson made a motion to see if the Town would vote to fund a contract settlement for the Police Officers. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

**Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes**

**Selectman Richardson-yes
Selectman Taylor-yes**

It was confirmed that any remaining funds would be returned to the General Fund.

Article 11-To fund the administrative account of the Community Preservation Fund

Selectman Richardson made a motion to see if the Town would vote to fund the administrative account of the Community Preservation Fund. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

**Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes**

**Selectman Richardson-yes
Selectman Taylor-yes**

Article 12-To re-authorize the revolving fund for the Council on Aging

Selectman Richardson made a motion to see if the Town would vote to re-authorize the revolving fund for the Council on Aging. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

**Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes**

**Selectman Richardson-yes
Selectman Taylor-yes**

Article 13-To re-authorize the Library revolving account

Selectman Richardson made a motion to see if the Town would vote to re-authorize the Library revolving account. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

**Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes**

**Selectman Richardson-yes
Selectman Taylor-yes**

Article 14-To re-authorize the Recreation Department's revolving fund

Selectman Sherman made a motion to see if the Town would vote to re-authorize the Recreation Department's revolving fund. Selectman Richardson seconded the motion. All voted unanimously.

Roll Call Vote:

**Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes**

**Selectman Richardson-yes
Selectman Taylor-yes**

Article 15-To amend the Zoning Bylaws

Mr. Mayo explained that the maps would become law regardless of adoption by the Town, requiring the building department to adhere to the standards, and without adoption, would eliminate access by Mashpee residents to the flood insurance program. It was still unclear whether the proposed maps would be the standard as Congress was continuing to consider the issue. Ms. Mason inquired whether the Article could be held for October, but Mr. Mayo indicated penalties would kick in if not passed by July 16. It was noted that new modeling was utilized to develop the maps, however, the modeling was based on wave dispersion rates on the West coast. Some South Shore communities were challenging the maps.

Selectman Richardson made a motion to see if the Town would vote to amend the Zoning Bylaws. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes Selectman Richardson-yes
Selectman O'Hara-yes Selectman Taylor-yes
Selectman Sherman-yes

Mr. Avis of the Finance Committee requested that maps be provided with an overlay at Town Meeting in order to inform Mashpee representatives. Mr. Mayo indicated that the maps had been available for review for 6 months and that an overlay would be too detailed and difficult to interpret, due to the scale of the Town. Mr. Mayo added that there would be an appeal process once the maps were adopted. Mr. Klenert recommended that the residents be notified of the appeal process.

Article 16-To amend the General Bylaws by deleting a section that currently restricts tax-taking parcels from being auctioned or sold without Town Meeting approval. The Treasurer and Board of Selectmen would make the decision to sell the parcels.

Selectman Richardson made a motion to see if the Town would vote to amend the General Bylaws by deleting a section that currently restricts tax-taking parcels from being auctioned or sold without Town Meeting approval. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes Selectman Richardson-yes
Selectman O'Hara-yes Selectman Taylor-yes
Selectman Sherman-yes

Article 17-To amend the General Bylaws for appointed Boards and Committees to require a residency qualification and grandfathering current members, who were not residents of the Town, until the end of their terms. Chairman Cahalane pointed out that it had been assumed that residency was a requirement to become a member of Boards and Committees.

Selectman Sherman made a motion to see if the Town would vote to amend the General Bylaws for appointed Boards and Committees to require a residency qualification. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes Selectman Richardson-yes
Selectman O'Hara-yes Selectman Taylor-yes
Selectman Sherman-yes

Article 18-To authorize the Board of Selectmen to prepare a plan laying out certain roadways that the DPW Director felt were important to take for public safety reasons, with an estimated cost of \$15,000.

Selectman Richardson made a motion to see if the Town would vote to authorize the Board of Selectmen to prepare a plan laying out certain roadways that the DPW Director felt were important to take for public safety reasons. Selectman Taylor seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes Selectman Richardson-yes

Selectman O'Hara-yes
Selectman Sherman-yes

Selectman Taylor-yes

There was question as to whether abutters had been notified of the road taking and Ms. Mason responded that there would be a public hearing after the plan was prepared. Selectman Taylor pointed out that it was for the betterment of the Town and safety of the residents. Chairman Cahalane noted that the residents would have a say and Selectman O'Hara indicated that the plan would then provide the cost for improvements to the abutters. Ms. Mason stated that the plan would be priced as a whole package and divided equally among property owners and also by road to identify the most cost effective option. There was some discussion regarding public safety issues and the roadways.

Article 19-By petition, to authorize the Board of Selectmen to prepare a plan for Anthony's Way

Selectman Richardson made a motion to see if the Town would vote to authorize the Board of Selectmen to prepare a plan laying out Anthony's Way. Selectman Sherman seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes

Selectman Richardson-yes
Selectman Taylor-yes

Article 20- By petition, to authorize the Board of Selectmen to prepare a plan for River Hill Road

Selectman Richardson made a motion to see if the Town would vote to authorize the Board of Selectmen to prepare a plan laying out River Hill Road. Selectman Sherman seconded the motion. All voted unanimously.

Roll Call Vote:

Chairman Cahalane-yes
Selectman O'Hara-yes
Selectman Sherman-yes

Selectman Richardson-yes
Selectman Taylor-yes

Article 21-To direct the Board of Selectman to place a question on the ballot regarding the Cape Cod Commission.

Selectman Taylor made a motion to take no position on Article 21. Selectman Richardson seconded the motion. 4-0-1

Roll Call Vote:

Chairman Cahalane-yes
Selectman O'Hara-abstain
Selectman Sherman-yes

Selectman Richardson-yes
Selectman Taylor-yes

There was discussion regarding the benefits provided by the Cape Cod Commission, though concerns were raised regarding their mitigation practices.

The Finance Committee meeting adjourned at 7:48 p.m. and a short recess was taken by the Board of Selectmen. The Board of Selectmen reconvened at 7:50 p.m.

7:30 AmeriCorps Cape Cod-Update of Services

Adam Hansen, member since September, and Victoria Brisson, working with Shellfish Constable Rick York, were present from AmeriCorps to provide an update regarding their services, and distributed materials to members of the Board. Ms. Brisson reported that AmeriCorps was a residential program comprised of 32 members focusing on Natural Resource Management, Disaster Preparation, Community Service & Engagement and Volunteer Engagement. The program was funded by the Corporation for National Service & Community Service, Massachusetts Service Alliance and matched by the County. Mr. Hansen indicated that, each week, members

could be in schools educating the youth or in the field preparing herring runs or working with certain departments throughout the Cape in individual placements. Ms. Brisson referenced the impact reports and projects completed within Mashpee. Mr. York reported that AmeriCorps had been key to Mashpee's shellfish propagation program, working toward restoring oyster fishing and cleaning up the Mashpee River. Mr. York stated that the volunteers had great attitudes and expertise and expressed his appreciation for their efforts and Ms. Brisson's contributions to the Shellfish Department. The Board of Selectmen also expressed appreciation for their efforts and thanked them for their work.

ADDITIONAL TOPICS

MEETING ADJOURNMENT

Selectman Taylor made a motion to adjourn. Selectman Sherman seconded the motion. All voted unanimously. The meeting adjourned at 7:57 p.m.

Roll Call Vote:

Chairman Cahalane-yes

Selectman O'Hara-yes

Selectman Sherman-yes

Selectman Richardson-yes

Selectman Taylor-yes

Respectfully submitted,

Jennifer M. Clifford
Board Secretary

LIST OF DOCUMENTS

- Catherine Laurent Memo Regarding Award of Contract for Annual Paving and Catch Basin Adjustment
- Public Hearing Notice for Capital Improvement Plan for FY2015
- Calculations of Projected Tax Rate
- Projected Fiscal Year 2015 Analysis of Available Resources
- Draft 3 Town Meeting Warrant
- Barnstable County's AmeriCorps Cape Cod Report to the Community