

Town of Mashpee

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

March 24, 2014

AGENDA BOARD OF SELECTMEN MONDAY, MARCH 24, 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, March 10, 2014 – Regular

APPOINTMENTS & HEARINGS

- 6:30 Public Comment
Mashpee Middle/High School – Town Seal Presentation
Certification and Confirmation of Hire - Fire Chief
- 6:40 Public Hearing: 2014 Seasonal Liquor License Renewals

- *Cooke's – 7 Ryan's Way*
- *Raw Bar – Popponesset Market Place, Shore Drive*
- *Marketplace Café/Bob's Seafood – 259 Rock Landing Road*
- *Popponesset Country Store – Not Renewing*

Adoption of Seasonal Population Estimate

Public Hearing: MashpeeWampanoag Tribe

Renewal of Aquaculture Shellfish License (8 Acre Site)

Tom Eagle – MOU/National Wildlife Refuge

COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

- Approval and Execution of Town Meeting Warrant

NEW BUSINESS

- Reappointment of Registrar Member – Town Clerk
- Proclamation – Equal Pay Day/April 8, 2014
- Position Vacancy Request – Accounting Department/Principal Clerk
- Approval of MOU – Dog Park

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 Richardson, Selectman Taylor, Selectman Sherman
Town Manager Joyce Mason
Assistant Town Manager Tom Mayo

Absent: Selectman O'Hara

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

MINUTES:

Monday, March 10, 2014 Regular Session:

Motion made by Selectman Richardson to approve the Regular Session minutes of Monday, March 10, 2014 as presented.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 4-0.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

APPOINTMENTS & HEARINGS:

Public Comment: None at this time.

Mashpee Middle/High School – Town Seal Presentation:

This past December students from the Mashpee Middle School constructed six wooden plaques to commemorate the five branches of the Military and Town of Mashpee. The signage was displayed on a float at the annual Mashpee Christmas Parade winning the highest recognition in the children's entry.

In gratitude to the people of Mashpee, the students proudly acknowledged their gift of the Mashpee Town Seal to the Town. On behalf of the Board of Selectmen and Town of Mashpee, Selectman Cahalane expressed appreciation and commended the students and school staff members participating in this conscientious school project.

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APPOINTMENTS & HEARINGS:

Certification and Confirmation of Hire – Fire Chief:

On March 12, 2014 interviews were conducted for the position of Fire Chief. A total of ten applications were received. Two in-house applicants were considered for the final appointment. At the conclusion of the interview

process, it was determined that Acting Chief Thomas Rullo was the most favorable candidate for the position.

In honor of the panel's determination Joyce Mason highly recommended the Board certify and confirm Thomas Rullo's appointment as Fire Chief. The Hiring Certification of the Town of Mashpee was before the Board for additional review. The procedure as outlined maintains compliance with the certification requirements.

In the absence of the Town Clerk, Rodney Collins, Chief of Police conducted the swearing in ceremony. George Baker, the former Fire Chief was also in attendance in respect towards Mr. Rullo's achievement.

Motion made by Selectman Taylor to approve the recommendation of the Town Manager, to certify and confirm the Hiring Certification of Thomas Rullo as Fire Chief of the Town of Mashpee.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 4-0.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

Motion made by Selectman Taylor to confirm the appointment of Thomas Rullo as Fire Chief of the Town of Mashpee.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 4-0.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

The Board of Selectmen, the Town Manager's, along with several Department Heads and interested public applauded the appointment. Fire Chief Rullo expressed deep appreciation and indicated he is proud to serve the Town of Mashpee and its citizens.

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OLD BUSINESS:

Approval and Execution of Town Meeting Warrant:

The Board of Selectmen reviewed the Special and Annual Town Meeting Warrants of Monday, May 5, 2014 scheduled to begin at 7:00 p.m. at the Mashpee High School.

Motion made by Selectman Taylor to approve and execute the Special and Annual Town Meeting Warrants of Monday, May 5, 2014 as presented.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 4-0.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

NEW BUSINESS:

Reappointment of Registrar Member – Town Clerk:

Correspondence was received from the Town Clerk dated March 5, 2014 recommending the re-appointment of Margaret Bent to the Board of Registrars. Ms. Bent currently represents the Democratic voters of the Town of Mashpee. Her term will expire on March 31, 2014. A letter of interest from Ms. Bent was included in the Selectmen's communication on this matter.

Motion made by Selectman Taylor to re-appoint Margaret Bent to the Board of Registrars for a three-year term to expire March 31, 2017.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 4-0.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

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NEW BUSINESS:

Proclamation – Equal Pay Day/April 8, 2014:

Selectman Cahalane on behalf of the Board of Selectmen read aloud a Proclamation to symbolize Tuesday, April 8, 2014 as *Equal Pay Day*, and urge the citizens of the Town of Mashpee to recognize the full value of women's skills and significant contributions to the labor force, and further to encourage businesses to conduct an internal pay evaluation to ensure women are being fairly paid.

Motion made by Selectman Taylor to proclaim April 8, 2014 as *Equal Pay Day* in the Town of Mashpee.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 4-0.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

APPOINTMENTS & HEARINGS:

Public Hearing: 2014 Seasonal Liquor License Renewals:

Cookes' 7 Ryan's Way, Raw Bar – Popponeset Market Place, Shore Drive.

Marketplace Café/Bob's Seafood 259 Rock Landing Road, Popponeset Country Store (Not Renewing):

Acting as the Licensing Authority of the Town of Mashpee, the Board of Selectmen opened the Public Hearing on the renewal of All Seasonal Liquor Licenses in the Town of Mashpee. The Hearing notice was read aloud in conformance with posting requirements.

Selectman Taylor disclosed that he has a confliction with (1) of the referenced renewals, and as a result would step down from discussing this matter.

It was disclosed The Popponeset Country Store has contacted the Office of the Board of Selectmen and verbally

confirmed they will not be renewing their license this year.

All seasonal licenses are in the process of scheduling inspections, and approval is contingent upon the passing of all required inspections.

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APPOINTMENTS & HEARINGS:

Public Hearing: 2014 Seasonal Liquor License Renewals:
Cookes' 7 Ryan's Way, Raw Bar – Popponeset Market Place, Shore Drive,
Marketplace Café/Bob's Seafood 259 Rock Landing Road, Popponeset Country Store (Not
Renewing): (continued)

Being no public comment, the Board motioned as follows;

Motion made by Selectman Richardson to close the Public Hearing.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 3-0-1.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, abstained
Selectman Sherman, yes	Opposed, none

Motion made by Selectman Richardson to renew the Seasonal Liquor License of Azzaro Mashpee, Inc. d/b/a Cooke's Seafood, 7 Ryan's Way, Mashpee, subject to the passing of required inspections.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 3-0-1.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, abstained
Selectman Sherman, yes	Opposed, none

Motion made by Selectman Richardson to renew the Seasonal Liquor License of L.N.R.R. Corporation d/b/a Marketplace Café, 259 Rock Landing Road, Mashpee subject to the passing of required inspections.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 3-0-1.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, abstained
Selectman Sherman, yes	Opposed, none

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APPOINTMENTS & HEARINGS:

Public Hearing: 2014 Seasonal Liquor License Renewals:
Cookes' 7 Ryan's Way, Raw Bar – Popponeset Market Place, Shore Drive,
Marketplace Café/Bob's Seafood 259 Rock Landing Road, Popponeset Country Store (Not
Renewing): (continued)

Motion made by Selectman Richardson to renew the Seasonal Liquor License of the Raw Bar, Inc. Popponeset Marketplace, Shore Drive, Mashpee subject to the passing of required inspections.
Motion seconded by Selectman Sherman.
VOTE: Unanimous. 3-0-1.

Roll Call Vote:
Selectman Cahalane, yes Selectman Richardson, yes
Selectman O'Hara, absent Selectman Taylor, abstained
Selectman Sherman, yes Opposed, none

Adoption of Seasonal Population Estimate:

Correspondence was received from the Town Planner dated March 17, 2014 estimating the "overnight" July 10, 2014 population estimate for submission to the Alcoholic Beverages Control Commission. The estimate is 33,847 persons.

Motion made by Selectman Taylor to adopt the Seasonal Population Estimate of 33,847 for July 10, 2014 as referenced.
Motion seconded by Selectman Richardson.
VOTE: Unanimous. 4-0.

Roll Call Vote:
Selectman Cahalane, yes Selectman Richardson, yes
Selectman O'Hara, absent Selectman Taylor, yes
Selectman Sherman, yes Opposed, none

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Position Vacancy Request – Accounting Department/Principal Clerk:

A Position Vacancy Request for the job of Principal Clerk to the Accounting Department was before the Board for advertisement. Dawn Thayer, the Town Accountant was in attendance to discuss the position vacancy with the Board of Selectmen. The date of the vacancy is April 7, 2014.

Motion made by Selectman Taylor to approve the Position Vacancy Request for Principal Clerk to Accounting at Step 1 of the intended pay scale.
Motion seconded by Selectman Richardson.
VOTE: Unanimous. 4-0.

Roll Call Vote:
Selectman Cahalane, yes Selectman Richardson, yes

Selectman O’Hara, absent
Selectman Sherman, yes

Selectman Taylor, yes
Opposed, none

Approval of MOU – Dog Park:

The Board of Selectmen reviewed the Memorandum of Understanding (MOU) for the mutual understandings and commitments between the Stanton Foundation and the Town of Mashpee for the design and construction of a dog recreation space (DRS), a one-acre parcel referenced on Assessors Map 26, Parcel 10 in the Town of Mashpee.

The Stanton Foundation is expected to provide grant funding in the amount of \$189,800 to fund the design and construction of the dog recreation space, and the Town of Mashpee has committed \$18,980 in capital funds for this project.

The Town’s DPW Director is the contact person with respect to all construction plans, and the Assistant Town Manager is designated as the contact person for all issues relative to the operation of the DRS.

Motion made by Selectman Richardson to approve the Memorandum of Agreement between the Town of Mashpee and the Stanton Foundation for the design and construction of the Dog Recreational Space as referenced.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 4-0.

Roll Call Vote:

Selectman Cahalane, yes
Selectman O’Hara, absent
Selectman Sherman, yes

Selectman Richardson, yes
Selectman Taylor, yes
Opposed, none

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COMMUNICATIONS & CORRESPONDENCE:

Mashpee Chamber of Commerce: Due to the impending storm, the annual Ladies Night event sponsored by the Mashpee Chamber of Commerce has been rescheduled to April 1, 2014.

LIAISON REPORTS:

Mashpee Cares: Mashpee Cares, a wellness and safety coalition is making strides to create a difference in the Town of Mashpee. On schedule is a Prescription Drug Return Day to be held on April 26th at the Mashpee Police Department. The organization has also developed a new logo to promote their endeavors regarding Mashpee youth.

Mashpee High School – Senior Projects: Catherine Wood, a Mashpee High School senior is currently making recommendations and progress in developing a new Community Calendar which is anticipated to be a beneficial reference tool for all organizations.

Mashpee TV: Segments for the new program *Something About Mashpee* are currently being filmed for future broadcasting on Mashpee TV. This week, the Department of Public Works is the featured department of interest.

Kids Klub: Several members of the Board of Selectmen attended the annual Spring Show sponsored by the Kids Klub. The community event was well attended in support of the children’s program.

Mashpee Tribe Annual Ball: The 18th Annual Mashpee Wampanoag Ball was held last Saturday at the Seacrest Hotel in Falmouth. The Tribe is celebrating a renaissance referred to as “a new beginning”. Several Tribe members received awards for their advocacy. Selectman Cahalane and Selectman Sherman attended the ball deemed a magnificent affair and celebration. The “new beginning” as referenced is appropriate for the Tribe with the Federal Recognition they have received and with all that has transpired for them thus far.

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APPOINTMENTS & HEARINGS:

Public Hearing – Mashpee Wampanoag Tribe – Renewal of Aquaculture Shellfish License (8 Acre Site):

The Board of Selectmen opened the Public Hearing to discuss the renewal of the shellfish aquaculture license of the Mashpee Wampanoag Tribe for the 8-acre shellfish aquaculture area (grant), referenced as Number 12 in Popponeset Bay.

The Hearing notice was read aloud into the record in accordance with posting procedures. Mashpee Wampanoag Tribal members and Natural Resource representative Quan Tobey and Chuck Green were present to discuss the renewal request with members of the Board of Selectmen. Andrew McManus, the Conservation Agent and Richard York, the Shellfish Constable were in attendance for discussion purposes.

Quan Tobey, Director of the Tribe's Natural Resources Department respectfully requested the Selectmen renew the 8-acre shellfish aquaculture license; grant #12 as it is a critical component of their EPA Environmental Merit Award to reduce nitrogen in the Popponeset Bay estuary.

The continued lease of this license would leverage eligibility to gain additional grant funding. Mr. Tobey indicated the program also requires the Tribe to remove marine debris. With the assistance of the Town of Mashpee, the Tribe has exceeded its clean-up efforts.

Mr. Green also noted that grant funding has been applied for to create an oyster reef, a project proposed to reduce nitrogen annually, enhance water quality and increase commercial shellfish and finfish productivity. Jessie Little Doe, Tribal Vice-Chair also spoke in support of the grant renewal.

The renewal of this aquaculture grant would greatly assist the objective to lower the concentration of nitrogen to meet the proposed Total Maximum Daily Loads (TMDL's), a requirement imposed by the DEP.

Being no further comment, the Board closed the Public Hearing.

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APPOINTMENTS & HEARINGS:

Public Hearing – Mashpee Wampanoag Tribe – Renewal of Aquaculture Shellfish License (8 Acre Site): (continued)

**Motion made by Selectman Taylor to close the Public Hearing.
Motion seconded by Selectman Sherman.
VOTE: Unanimous. 4-0.**

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O’Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

Motion made by Selectman Taylor to approve the Renewal of the Shellfish Aquaculture License of the Mashpee Wampanoag Tribe for the 8-Acre Shellfish Aquaculture Area (grant) referenced as Number 12 in Popponeset Bay, Mashpee.

**Motion seconded by Selectman Richardson.
VOTE: Unanimous. 4-0.**

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O’Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

Tom Eagle – MOU/National Wildlife Refuge:

Tom Eagle representing the U.S. Fish and Wildlife Service was in attendance to discuss the Memorandum of Understanding (MOU) relative to the Mashpee National Wildlife Refuge (NWR), a site comprised of 6,444 acres of protected lands. The Town of Mashpee was noted to be the largest landowner in the Refuge.

There are currently (8) partners who own and jointly manage the lands within the NWR. The partners in addition to the U.S. Fish and Wildlife Service include the MA Department of Conservation and Recreation, the MA Division of Fisheries and Wildlife, the Town of Mashpee/Mashpee Conservation Commission, the Falmouth Rod and Gun Club, the Orenda Wildlife Land Trust, the Mashpee Wampanoag Indian Tribal Council and The Friends of the Mashpee National Wildlife Refuge.

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APPOINTMENTS & HEARINGS:

Tom Eagle – MOU/National Wildlife Refuge: (continued)

This updated MOU is intended to replace the 1995 version to serve all partners in accomplishing refuge management goal and objectives. Management strategies have reduced hazardous fuels and the risk of wildfire, and have improved emergency access. The program has also restored and enhanced forest and shrub-land habitats for the New England Cottontail and other species. Of importance in the fire program is the prescribed burns in strategic areas for safety.

Future endeavors include stream and bog restoration, restoring the bat population, fuel mitigation, increasing public awareness, environmental education, land protection, improved law enforcement agreements and increased public use of the lands.

Mr. Eagle indicated that to date, the updated MOU has not been executed by any of the partners, although agreements are perceived to be forthcoming.

In the matter of safety, Fire Chief Thomas Rullo spoke in support of the fire program, and strategic area burning. Chief Rullo indicated that he has also driven all areas of the fire plan.

With regards to the proposal to increase public access at the Refuge, it was noted that currently, the locked gates prevent public access.

The MOU as presented shall be in effect upon signatures by all parties for a period of five years. The MOU will be automatically renewed every five years with a maximum of up to 15 years. It was suggested that Town Counsel formerly review the MOU document on behalf of the Town of Mashpee.

Motion made by Selectman Richardson to request that Town Council review the updated Memorandum of Understanding relative to the National Wildlife Refuge on behalf of the Town of Mashpee as soon as possible.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 4-0.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

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Adjournment:

Motion made by Selectman Taylor to adjourn at 7:22 p.m.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 4-0.

Roll Call Vote:

Selectman Cahalane, yes	Selectman Richardson, yes
Selectman O'Hara, absent	Selectman Taylor, yes
Selectman Sherman, yes	Opposed, none

Respectfully submitted,

Kathleen M. Soares
Secretary to the Board of Selectmen