
May 18, 2015

AGENDA BOARD OF SELECTMEN MONDAY, MAY 18, 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, April 6, 2015 – Regular Session – **Vote Required**
- Friday, April 17, 2015 – Regular Session – **Vote Required**
- Monday, May 4, 2015 – Regular Session – **Vote Required**

APPOINTMENTS & HEARINGS

6:30 Public Comment

Board of Selectmen - Reorganization

6:40 Public Hearing:

Transfer of Stock - Mashpee Oriental, Inc. d/b/a Asia Palace – **Vote Required**

6:50 Public Hearing:

Transfer Location and Modify Class II Used Car License to 50 Used Cars for Sale –
Jack G. Carter d/b/a 1056 Enterprises, Inc. – **Vote Required**

7:00 Mashpee Commons – 2015 Special Events Schedule – **Vote Required**

7:05 Catherine Laurent, Director, DPW:

- Request for Approval of Contract Extension for Operation of Transfer Station – **Vote Required**
- Request for Approval of Annual Bid Contracts – **Vote Required**

COMMUNICATIONS & CORRESPONDENCE OLD BUSINESS

NEW BUSINESS

- Approval for status change of ZBA membership from Associate to Full/Dom DeBarros – **Vote Required**
- Acceptance of Resignation from Council on Aging/John M. Dorsey – **Vote Required**
- Request for Appointment to Environmental Oversight Committee/Dale McKay – **Vote Required**
- Request for One-Day Liquor License – Wampanoag Rod & Gun Club – **Vote Required**
- Town Manager Selection Process Discussion – **Possible Vote**

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

May 18, 2015

Present: Selectman Sherman, Selectman Cahalane, Selectman Gottlieb,
Selectman O'Hara, Selectman Cotton
Town Manager Joyce Mason
Assistant Town Manager Tom Mayo

Meeting Called to Order by Selectman Sherman at 6:30 p.m.
Town Hall, Waquoit Meeting Room

MINUTES

Monday, April 6, 2015 – Regular Session:

Motion made by Selectman Sherman to approve the Regular Session minutes of Monday, April 6, 2015 as presented.

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 3-0.

Roll Call Vote:

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

Friday, April 17, 2015 – Regular Session:

Motion made by Selectman Sherman to approve the Regular Session minutes of Friday, April 17, 2015 as presented.

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 3-0.

Roll Call Vote:

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

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MINUTES

Monday, May 4, 2015 – Regular Session:

Motion made by Selectman Gottlieb to approve the Regular Session minutes of Monday, May 4, 2015 as presented.

Motion seconded by Selectman Cahalane.

VOTE: Unanimous. 3-0.

Roll Call Vote:

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

APPOINTMENTS & HEARINGS

Public Comment – None at this time.

Selectman Sherman, Clerk of the Board of Selectmen publicly thanked the volunteers and those who participated in the recent Town Election. The newly appointed members of the Board of Selectmen were also recognized.

Selectman Tom O'Hara has returned to fulfill his second term and Selectman John Cotton was appointed to his first term.

The Board of Selectmen also acknowledged the dedicated service of past Selectmen members Wayne Taylor and Michael Richardson.

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APPOINTMENTS & HEARINGS

Board of Selectmen – Reorganization:

Selectman Sherman opened the nomination process for the purpose of Reorganization of the Board of Selectmen.

Selectman Sherman motioned to nominate *Selectman John Cahalane* as Chairman of the Board of Selectmen.

Selectman O'Hara seconded the nomination.

Being no further nominations, the Board took the following action;

VOTE: 5-0.

Roll Call Vote:

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

Selectman Gottlieb motioned to nominate *Selectman Carol Sherman* as Vice- Chairman of the Board of Selectmen.

Selectman O'Hara seconded the nomination.

Being no further nominations, the Board took the following action;

VOTE: 5-0.

Roll Call Vote:

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

Selectman Cahalane motioned to nominate *Selectman Andrew Gottlieb* as Clerk of the Board of Selectmen.

Selectman Sherman seconded the nomination.

Being no further nominations, the Board took the following action;

VOTE: 5-0.

Roll Call Vote:

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

Board of Selectmen

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APPOINTMENTS & HEARINGS

Public Hearing - Transfer of Stock - Mashpee Oriental, Inc. d/b/a Asia Palace:

The Board of Selectmen opened the Public Hearing on the application of Mashpee Oriental, Inc., d/b/a Asia Palace located at 3 Greene Street, Mashpee, Meina Ko, President and Clerk for a Transfer of Corporation Stock to Shareholders Chao Chun Lin and Michelle Shepard.

The Hearing notice was read aloud into the record in accordance with posting procedures and requirements.

Daniel Goldrick, Esquire and the applicant, Meina Ko was in attendance to review this matter with the Board of Selectmen.

Mr. Goldberg indicated he was before the Board approximately one year ago to request a Transfer of Corporation Stock. The application was approved by the Board of Selectmen, but declined by the Alcoholic Beverages Control Commission (ABCC). Mr. Goldberg stated the application was denied by the ABCC as one of the shareholders had a criminal record and lacked a bank account.

It is the request of Mashpee Oriental, Inc. to list two new shareholders on their Corporation of Stock. It was disclosed the new applicants do not have any relations with the previous applicant.

In reviewing this matter Mr. Goldberg recognized the assistance of the Board of Selectmen's Administrative Assistant Carol Deneen for her courteous and obliging demeanor.

There was no public comment with respect to this regard.

Mr. Goldberg indicated that a future application is forthcoming for outside seating.

It was explained in the next coming months, this aspect is important for the success of the business. The Board of Selectmen was requested to place the topic on the next available agenda when the application is received.

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

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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APPOINTMENTS & HEARINGS

Public Hearing - Transfer of Stock - Mashpee Oriental, Inc. d/b/a Asia Palace:
(continued)

Motion made by Selectman Sherman to approve the application of Mashpee Oriental, Inc., d/b/a Asia Palace, 3 Greene Street, Mashpee, Meina Ko, President and Clerk, for a Transfer of Corporation Stock to Shareholders Chao Chun Lin and Michelle Shepard.

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Public Hearing - Transfer Location and Modify Class II Used Car License to 50 Used Cars for Sale – Jack G. Carter d/b/a 1056 Enterprises, Inc.:

The Board of Selectmen acting as the licensing authority of the Town of Mashpee opened the Public Hearing on the application of Jack G. Carter d/b/a 1056 Enterprises Inc., for the request to transfer his location from 68E Nicoletta's Way to 161 Commercial Street, Mashpee and to modify the Class II Used Car License to expand his current license to include up to 50 cars for sale.

The Hearing notice was read aloud into the record. Jack Carter was in attendance with his counsel Brian Wall to review the license request with the Board of Selectmen.

Attorney Wall indicated that his client wishes to transfer the location of his existing Class II Used Car Sales license and to modify the existing license by expanding the number of cars at the new location.

It was noted the current license allows for up to six vehicles to be shown for sale at one time at the Nicoletta's Way location. The new facility located at 161 Commercial Street is sited in the Industrial Park. Mr. Carter is planning to construct a 7,432 square foot building with an office, two auto repair lifts and an outdoor display area and parking for the display of vehicles and for employees.

It was noted the site plan was unanimously approved by the Planning Board with no opposition. Mr. Carter intends to use this facility to operate a classic car business that will involve buying, selling, repairing and storing classic cars.

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APPOINTMENTS & HEARINGS:

Public Hearing - Transfer Location and Modify Class II Used Car License to 50 Used Cars for Sale – Jack G.

Carter d/b/a 1056 Enterprises, Inc.: (continued)

Mr. Carter indicated that a small number of cars would be displayed outside. The inside of the building would house approximately 20 – 25 vehicles. Currently, Mr. Carter displays 20 vehicles inside. During inclement months, the cars displayed outdoors would be less. With respect to signage, a tasteful road sign is planned along with building signage. The Board of Selectmen indicated they are not in favor of large signs or display flags. Mr. Carter assured the Board the signage would be appropriate.

With regards to the endeavors of the EDIC with respect to light industrial zoning, this type of business is preferred, and would be beneficial to the Town of Mashpee. It was noted the Town's consulting engineer has reviewed the proposal and all matters associated to site work including drainage have been addressed.

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

Motion made by Selectman Gottlieb to approve the request of Jack G. Carter d/b/a 1056 Enterprises, Inc., to transfer the business location from 68E Nicoletta's Way to 161 Commercial Street, Mashpee and to modify the Class II Used Car License to expand the current license to include up to 50 used cars for sale, with the amendment: no more than 25 vehicles to be stored outside unless approved by the Board of Selectmen.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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APPOINTMENTS & HEARINGS:

Mashpee Commons – 2015 Special Events Schedule:

Mary Derr, Marketing Director for Mashpee Commons was before the Board to request approval of the annual Special Events Schedule planned for this season. The 2015 Special Events schedule begins with a Memorial Day sidewalk sale and includes summer block parties, a farmer's market, dancing in the square, Friday shopping nights, the Arts Foundation of Cape Cod summer concert series and holiday events.

The schedule was outlined in a memorandum dated May 1, 2015 addressed to the Board of Selectmen. Ms. Derr indicated that no liquor would be served at the events. However, it is possible a caterer would be secured for a planned block party. If this moves forward, the one day liquor license request would be presented to the Board of Selectmen for approval.

The Board of Selectmen requested the Police and Fire Departments be consulted in the matter of safety with respect to any events planned when blocking road areas.

Motion made by Selectman Sherman to approve the Special Events Application and Schedule of Mashpee Commons for 2015 as referenced.

Motion seconded by Selectman O'Hara.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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APPOINTMENTS & HEARINGS:

Catherine Laurent, Director, DPW: -Request for Approval of Contract Extension for Operation of Transfer Station:

Catherine Laurent, Director of Public Works was in attendance to request approval of the contract extension with Gotta Do Contracting, formerly WeCare Transportation for the operation of the Transfer Station in fiscal year 2016.

The contract award was outlined in a memorandum to the Board of Selectmen dated May 12, 2015. Ms. Laurent indicated the contract sum of \$425,539 represents a 2.5% increase over fiscal year 2015. The operation will remain the same for the five-day schedule, including all staffing and equipment.

In addition, Gotta Do will provide additional staff, 3 days per year for educational outreach on recycling. It was noted the per ton trip fee is \$10 for Single Stream Recycling which is in effect now. The hauling of trash is based on 3,500 tons per year.

Motion made by Selectman Gottlieb to approve the One-Year Extension of the contract with Gotta Do Contracting for the Operation of the Transfer Station as detailed in the memorandum from the DPW Director dated May 12, 2015.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

Selectman Sherman, yes	Selectman Cahalane, yes
Selectman Gottlieb, yes	Selectman O'Hara, yes

Selectman Cotton, yes Opposed, none

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APPOINTMENTS & HEARINGS:

Request for Approval of Annual Bids:

The DPW Director outlined recommendations for Annual Bid contracts in her memorandum addressed to the Board of Selectmen dated May 12, 2015. Bids include Equipment Rental, Cold Planing, Alarm Monitoring/Inspection, and the Operation/Maintenance of the Mashpee High School WWTF and Pump Stations. The bids are the first year of a two or three year bid.

Motion made by Selectman Gottlieb to award the Annual Bid Contracts as referenced in the memorandum of May 12, 2015.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

OLD BUSINESS

High School Solar Notice of Lease – Authorization of Town Manager to Execute on Behalf of Town:

Correspondence was received from Town Counsel dated May 14, 2015 relative to the closing of the solar project financing in order to record the Notice of Lease. All documents were in order for the Selectmen's approval.

Motion made by Selectman Gottlieb to move that the Board vote to authorize the Town Manager, Joyce M. Mason, to execute on behalf of the Town of Mashpee such agreements, certificates, notices of lease, and other such instruments with respect to the Ahana Operations, LLC/GLC-(MA) Mashpee LLC Solar Facilities Lease and On-Site Utility Credit Purchase Agreement, and to ratify the Town Manager's execution of any such documents, to date, as acts duly authorized by the Board.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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NEW BUSINESS

Approval for status change of ZBA membership from Associate to Full/Dom DeBarros:

At their April 8, 2015 meeting, the Zoning Board of Appeals voted to recommend the appointment of Dom DeBarros from Associate to Full Member status of the ZBA.

Motion made by Selectman Sherman to appoint Dom DeBarros to Full Voting Membership to the Zoning Board of Appeals as recommended.

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Acceptance of Resignation from Council on Aging/John M. Dorsey:

Correspondence was received from John M. Dorsey dated April 8, 2015 resigning from his position on the Council on Aging Board effective immediately. Selectman O'Hara indicated that Mr. Dorsey dedicated a considerable amount of time to the position.

Motion made by Selectman O'Hara to accept the letter of resignation from John M. Dorsey from the Council on Aging with regret, authorizing a letter of appreciation to be remitted to Mr. Dorsey for his dedicated service to the Town of Mashpee.

Motion seconded by Selectman Gottlieb.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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NEW BUSINESS

Request for Appointment to Environmental Oversight Committee/Dale McKay:

Michael Talbot, Chair to the Environmental Oversight Committee (EOC) remitted a letter of recommendation dated April 28, 2015 to the Board of Selectmen requesting that Dale McKay be appointed as a new EOC member representing the Conservation Commission.

Motion made by Selectman Gottlieb to appoint Dale McKay to the Environmental Oversight Committee for a term to expire on June 30, 2016.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Request for One-Day Liquor License – Wampanoag Rod & Gun Club:

Communication was received from Courtenay Mills, Secretary to the Rod & Gun Club dated May 11, 2015 requesting to use their 2015 liquor license on June 20, 2015.

Motion made by Selectman Gottlieb to approve the request of the Mashpee Wampanoag Rod & Gun Club to use their liquor license on June 20, 2015.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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NEW BUSINESS

Town Manager Selection Process Discussion:

It was reported, the Town Manager Screening Committee is expected to announce the five recommended candidates for Town Manager at their meeting this Wednesday evening. The Board of Selectmen agreed to receive notification via email directly after the selection process which would include resumes of the nominated candidates. Therefore, the Board duly agreed to cancel their special meeting scheduled for Wednesday evening.

Motion made by Selectman O'Hara to cancel the Board of Selectmen's Special Meeting proposed for Wednesday, May 20, 2015 in lieu of the procedure to receive an email from the Screening Committee Chair

regarding possible candidates.
Motion seconded by Selectman Cotton.
VOTE: Unanimous. 5-0.

Roll Call Vote:
Selectman Sherman, yes Selectman Cahalane, yes
Selectman Gottlieb, yes Selectman O'Hara, yes
Selectman Cotton, yes Opposed, none

In accordance with the mandates of the Town Charter, the Board of Selectmen will have 20 days from Wednesday, May 20, 2015 to make an offer to the recommended candidate. All interviews will be conducted in public session. Each candidate will receive equal attention, 1.5 hours per interview, and it was agreed that all questions would remain consistent. Potential questions are recommended to be forwarded to the Human Resource Director by Thursday.

Upon completion of the interview process, it was agreed the Board would possibly conduct site visits while being mindful of the 20 day calendar, and request references. The Selectmen will also have ability to re-interview. Pending availability, the Board of Selectmen will interview the candidates on Tuesday, May 26, 2015 and May 27, 2015 at an agreeable time to be announced.

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LIAISON REPORTS

Special Events Committee – The Memorial Day Service is scheduled to begin at 10:00 a.m. in the Veterans Garden at the Community Park.

The annual Chamber Dinner will be held on Tuesday, May 19, 2015.

Adjournment:

Motion made by Selectman Sherman to adjourn at 7:15 p.m.
Motion seconded by Selectman Gottlieb.
VOTE: Unanimous. 5-0.

Roll Call Vote:
Selectman Sherman, yes Selectman Cahalane, yes
Selectman Gottlieb, yes Selectman O'Hara, yes
Selectman Cotton, yes Opposed, none

Respectfully submitted,

Kathleen M. Soares
Secretary to the Board of Selectmen

