
May 19, 2014

AGENDA
BOARD OF SELECTMEN
MONDAY, MAY 19, 2014

6:00 p.m. - Convene Meeting – Waquoit Meeting Room – Mashpee Town Hall

PLEDGE OF ALLEGIANCE
MOMENT OF SILENCE

EXECUTIVE SESSION

6:00 Fire Contract Negotiations

MINUTES

Approval of the following:

Monday, April 28, 2014 – Regular and Executive Session

Monday, May 5, 2014 – Regular and Executive Session

APPOINTMENTS & HEARINGS

6:30 Public Comment

Reorganization of the Board of Selectmen

6:40 Public Hearing – Mashpee Commons Spring/Summer Events

6:50 Public Hearing – Popponeset Inn: Alteration of Premises (Description)

COMMUNICATIONS & CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

- Review of Annual Reappointments
- Request for Reappointment to Board of Assessors
- Ratification of Hiring Process – Deputy Fire Chief
- Bid Acceptance – Implementation of Revaluation Update Program
- Bid Discussion – Operation of Transfer Station
- Update on Archives Renovation Project
- Barnstable HOME Consortium – Renewal of Mutual Cooperation Agreement
- Request for Special Events – Block Party/Cayuga Avenue
- Request for One-Day Liquor License – Wampanoag Rod & Gun Club

ADDITIONAL TOPICS

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

LIAISON REPORTS

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

Meeting Called to Order by Chairman Cahalane at 6:00 p.m.
Mashpee Town Hall, Waquoit Meeting Room

NEW BUSINESS:

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

Rod & Gun Club member Courtenay Mills was in attendance to request the Board of Selectmen approve the use of their 2014 liquor license on May 31, 2014 for a club function.

Motion made by Selectman Sherman to approve the request of the Mashpee Wampanoag Rod & Gun Club for a One-Day Liquor License on May 31, 2014 as requested.

Motion seconded by Selectman Taylor.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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Adjournment:

Executive Session – Fire Contract Negotiations:

Motion made by Selectman Taylor to adjourn at 6:03 p.m.

The Board will enter into Executive Session at this time for the purpose of discussing Fire Contract Negotiations.

**The Board will re-convene at approximately 6:30 p.m.
Motion seconded by Selectman Richardson.
VOTE: Unanimous. 5-0.**

Roll Call Vote:

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

Respectively submitted,

Kathleen M. Soares
Secretary to the Board of Selectmen

IN THE MATTER OF EXECUTIVE SESSION

DATE: May 19, 2014

It is MOVED by: Selectman Taylor

That this governmental body hold an Executive Session.

A Roll was Called (see attached Roll Call).
The Clerk of this Executive Session was designated as:

Selectman Sherman

A quorum being present and a Majority having voted to go into Executive Session, the Chair states that:

1. This meeting Convened in Open Session and
 - A. Notice and Posting of the Meeting was Given. OR (X)
 - B. The Meeting is an Emergency Meeting. ()

2. After the Executive Session, the Meeting
A. Will Reconvene. (X) B.
Will Not Reconvene. ()

3. The Purpose or Purposes of this Executive Session are:
A. To deliberate upon matters involving Individuals where the
Individuals involved have been notified in writing of the
meeting and have not requested an open meeting, and
regarding:
1. The Reputation and Character of the Individual. ()
2. The Physical Condition and Mental Health of the
Individual. ()
3. The Discipline or Dismissal of a Public Officer,
Employee, Staff Member or Individual. ()
4. A Complaint or Charge brought Against a Public
Officer, Employee, Staff Member or individual. ()
B. To Deliberate upon Matters which, if done in Open Meeting, could
Detrimentally Affect the Position of the City, and regarding:
1. Collective Bargaining. (X)
2. Strategy with respect to Collective Bargaining. (X)
3. Strategy with respect to Litigation ()
4. The Purchase, Exchange, Lease or Value of Real
Property. ()
C. To Deliberate Matters regarding:
1. The Deployment of Security Personnel Devices ()
2. Allegations of Criminal Misconduct ()
D. To Comply with the Provisions of a General Law or Special Law or
Federal Grant in Aid Requirement, the Specific Law being:
_____ ()

4. All of the foregoing is hereby made part of the official Minutes of this Body. (X)

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Meeting re-convened: 6:33 p.m.

MINUTES:

Monday, April 28, 2014 - Regular & Executive Sessions:

Motion made by Selectman Richardson to approve the Regular and Executive Session minutes of Monday, April 28, 2014 as presented.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 4-0-1.

Roll Call Vote:

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

Monday, May 5, 2014 – Regular & Executive Sessions:

Motion made by selectman Richardson to approve the Regular and Executive Session minutes of Monday, May 5, 2014 as presented.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 4-0-1.

Roll Call Vote:

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

APPOINTMENTS & HEARINGS:

Public Comment:

Mashpee High School Commencement:

Selectman Richardson indicated that he has received an invitation to speak at the Mashpee High School Commencement on Saturday, June 7, 2014.

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APPOINTMENTS & HEARINGS:

Reorganization of the Board of Selectmen:

Selectman Cahalane opened the nomination process for the purpose of reorganization of the Board of Selectmen.

Motion made by Selectman Sherman to nominate Selectman Wayne Taylor to serve as Chairman of the Board of Selectmen.

The nomination was seconded by Selectman Cahalane.

Being no further nominations the Board acted as follows;

VOTE: 5-0.

Roll Call Vote:

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

Motion made by Selectman Gottlieb to nominate Selectman Michael Richardson to serve as Vice-Chairman of the Board of Selectmen.

The nomination was seconded by Selectman Taylor.

Being no further nominations the Board acted as follows;

VOTE: 5-0.

Roll Call Vote:

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

Motion made by Selectman Taylor to nominate Selectman Carol Sherman to serve as Clerk of the Board of Selectmen.

**The nomination was seconded by Selectman Richardson.
Being no further nominations the Board acted as follows;
VOTE: 5-0.**

Roll Call Vote:

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

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APPOINTMENTS & HEARINGS:

Reorganization of the Board of Selectmen:

Chairman, Wayne E. Taylor
Vice-Chairman, Michael R. Richardson
Clerk, Carol A. Sherman
John J. Cahalane
Andrew R. Gottlieb

The Board of Selectmen expressed appreciation to Selectman John Cahalane for his dedicated and continued service to the Town of Mashpee and welcomed Andrew Gottlieb as a new and returning member of the Board of Selectmen.

NEW BUSINESS:

Review of Annual Reappointments:

The *draft* Re-appointment List for 2015 was presented to the Board of Selectmen for review. The Board of Selectmen will take action on the list of Committee Members in June prior to the expiration of the referenced terms due to expire on June 30, 2014.

With respect to regulatory boards, it was recommended the Town Manager update the Selectmen on the volume of litigation, and how the Town has prevailed. For informational purposes it was noted that Town Counsel conducts business at the Mashpee Town Hall on a weekly basis and engages with regulatory boards to alleviate possible conflict. At present, the Town has had minimal litigation with respect to this regard.

Liaison Assignments:

A *draft* Liaison Assignment 2014-2015 list was presented to the Selectmen for review. Liaison assignments are designated by the Chairman of the Board of Selectmen following the Board's reorganization.

Request for Reappointment to Board of Assessors:

Correspondence was received from Jason Streebel; Director of Assessing dated April 30, 2014 recommending the re-appointment of Paul Andrews to the Board of Assessors. The recommendation was taken under advisement at this time.

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APPOINTMENTS & HEARINGS:

Public Hearing – Mashpee Commons Spring/Summer Events:

The Board of Selectmen opened the Public Hearing on the application of Mashpee Commons Limited Partnership to provide entertainment to the public from May 24, 2014 through December 23, 2014 in Mashpee Commons, Mashpee.

The Hearing notice was read aloud into the record to conform to posting procedures. Mary Derr, Marketing Manager for Mashpee Commons was before the Board to request approval of the Special Events planned for 2014. The Special Events schedule was outlined in a memorandum attached to the Application for License. All entertainment will be held in Mashpee Commons throughout the 2014 season.

Events include sidewalk sales, a weekly farmer's market, a summer concert series, outdoor movie nights, holiday events and other annual activities.

Ms. Derr indicated that in 2013 the block parties were very successful. Two block parties are planned in 2014 on Saturday, July 19th and Saturday, August 23rd. The activities include live music throughout the day, food trucks, and family fun. All events are free and open to the public. It was noted the Board of Selectmen have restricted all Entertainment with outside live entertainment to 10:00 p.m. only.

With regards to the block parties, Ms. Derr noted that an enclosed beer garden is currently envisioned on the referenced dates in July and August. In normal process, the caterer is required to submit an application to the Board of Selectman for a Special Events application for a one-day liquor license. As part of the application process, approval is required by applicable regulatory agencies of the Town of Mashpee. The application has not been received to date.

Being no public comment, the Board motioned to close the Public Hearing.

Motion made by Selectman Sherman to close the Public Hearing.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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APPOINTMENTS & HEARINGS:

Public Hearing – Mashpee Commons Spring/Summer Events: (continued)

Motion made by Selectman Richardson to approve the Entertainment Permit for Mashpee Commons LLP for various entertainment as referenced in Mashpee Commons from May 24, 2014 through December 23, 2014.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Public Hearing – Popponeset Inn: Alteration of Premises (Description):

The Board of Selectmen acting as the Licensing Authority for the Town of Mashpee opened the Public Hearing on the application of New Seabury Resources Management, Inc., d/b/a Popponeset Inn, located at 252 Shore Drive, Mashpee, Stephen T. Brennan, Manager, for an alteration of premises, deleting the property described as the Beach Club located at 236 Shore Drive, Mashpee.

The Hearing notice was read aloud into the record to adhere to posting requirements. In the absence of Mr. Brennan, a representative from New Seabury Resources Management was in attendance to discuss the application for an alteration of premises.

Correspondence was received from Stephen T. Brennan, General Manager dated April 10, 2014 indicating the Popponeset Inn has amended the description of premises located at 252 Shore Drive to, one story building with tent awning, cottage units, main dining room, terrace room, kitchen, bake shop, cocktail lounge, porch, cabana club, office and cellar for storage.

It was disclosed that this is a clean-up item to remove the location of The Lure (Beach Club) which was previously considered a part of the Popponeset Inn. The Lure at Popponeset located at 236 Shore Drive was approved by the Board of Selectmen at their April 28th meeting for a new Seasonal All-Alcohol Restaurant License to include live Sunday Entertainment.

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APPOINTMENTS & HEARINGS:

Public Hearing – Popponeset Inn: Alteration of Premises (Description):
(continued)

Being no comment, the Board motioned to close the Public Hearing.

Motion made by Selectman Sherman to close the Public Hearing.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Motion made by Selectman Richardson to approve the application of New Seabury Resources Management, Inc., d/b/a Popponeset Inn, located at 252 Shore Drive, Mashpee, Stephen T. Brennan, Manager, for an alteration of premises, deleting the property described as the Beach Club located at 236 Shore Drive, Mashpee.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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NEW BUSINESS:

Ratification of Hiring Process – Deputy Fire Chief:

Thomas Rullo, Fire Chief was in attendance to recommend the Board appoint John F. Phelan as Deputy Fire Chief to the Mashpee Fire and Rescue Department.

Motion made by Selectman Cahalane to appoint John “Jack” Phelan as the Deputy Fire Chief to the Mashpee Fire and Rescue Department.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Deputy Fire Chief Phelan was in attendance and related a few brief words to express appreciation for his appointment. Deputy Phelan is a resident of the Town of Mashpee.

Request for Special Events – Block Party/Cayuga Avenue:

A Special Events application was before the Board for a birthday/graduation block party on May 25, 2014 at Cayuga Avenue. Kris Carpenter was present to review the request. In the matter of safety, it was explained that traffic would be blocked by cones between the hours of 2:00 p.m. to 8:00 p.m. Signage would be posted and there would be no parking allowed in front of the cones or beyond the area of the section proposed to be blocked. All neighbors have been notified of the planned event supported by applicable regulatory agencies of the Town of Mashpee.

Motion made by Selectman Richardson to approve the Special Events Application for a Block Party on Cayuga Avenue on May 25, 2014 as referenced.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Selectman Gottlieb, yes Opposed, none
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NEW BUSINESS:

Bid Acceptance – Implementation of Revaluation Update Program:

Correspondence was received from Jason Streebel; Director of Assessing dated April 30, 2014 relative to the RFP submission for a Valuation Consultant to implement the revaluation update program in fiscal year 2015 through 2017.

It is the unanimous vote of the Board of Assessors to recommend the contract be awarded to Paul Kapinos and Associates.

Motion made by Selectman Cahalane to award the contract for the Revaluation Update Program to the PK Valuation Group, Paul Kapinos & Associates as recommended.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

Bid Discussion – Operation of Transfer Station:

After review with Town Counsel, Catherine Laurent, Director of Public Works was in attendance to recommend the Board vote to reject the two bids received in response to the RFB for the operation of the Transfer Station. It was disclosed the low bidder and current contract holder, Gotta Do, did not comply with the instructions contained in the bid for hauling, and the second bid as received from Gallo Construction exceeded the available budget.

Town Counsel has recommended the Town negotiate with both bidders.

Motion made by Selectman Richardson to reject the bids received from Gotta Do and Gallo Construction as recommended.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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NEW BUSINESS:

Bid Discussion – Operation of Transfer Station: (continued)

Motion made by Selectman Richardson to appoint a review committee comprised of Joyce Mason; Town Manager, Catherine Laurent; DPW Director and Andrew Gottlieb; Selectmen representative to negotiate a contract with both bidders for the operation of the Transfer Station.

Motion seconded by Selectman Sherman.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

It was agreed if a decision is not reached by June 16th; the Selectmen would consider extending the present contract for an additional 90 days.

Update on Archives Renovation Project:

Catherine Laurent updated the Board on the Archives Renovation Project, a task funded by Community Preservation funding. It was noted the Department of Public Works has been conducting the renovation since last August. Although the DPW has not been able to dedicate work exclusive to the project, it is currently under budget with a tentative completion date in early to mid-June.

Included in the renovation project are handicap accessible restroom facilities funding by the CPC for the Community Park Improvement project.

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NEW BUSINESS:

Barnstable HOME Consortium – Renewal of Mutual Cooperation Agreement:

Correspondence was received from Paul Ruchinkas; Affordable Housing Specialist dated May 2, 2014 relative to the Barnstable County HOME Consortium, Mutual Cooperation Agreement.

Since 1994, the Consortium has received over \$14 million in HOME funds. It is anticipated the County will receive an additional \$1.2 million in federal HOME funds during the next three years.

The HOME Program provides funding for the acquisition and rehabilitation of rental housing, first-time homeownership and homeowner repairs.

Although no action is required, the Board of Selectmen agreed to vote to remain a member Town. For this period, the HOME program will run from July 1, 2015 through June 30, 2018.

Motion made by Selectman Gottlieb to give affirmation to the Barnstable County HOME Consortium the Town of Mashpee would extend their agreement to remain as a Consortium member community.

Motion seconded by Selectman Richardson.

VOTE: Unanimous. 5-0.

Roll Call Vote:

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

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COMMUNICATIONS & CORRESPONDENCE:

Selectmen's Workshop: It was agreed the Board of Selectmen would conduct a goal setting workshop session.

Chamber of Commerce: Several members of the Board of Selectmen attended the annual Chamber dinner held earlier this month. Susan Wornick was a noted attendee. The event recognized Thomas O'Neill as Citizen of the Year.

Volunteer Recognition: Selectmen members attended the Seniors Luncheon held last week honoring fifty plus volunteers.

Town Election: It is hopeful that more citizens will vote at future Town Elections.

Memorial Day Observance: As a reminder, the Memorial Day Observance ceremony will be held on Monday at 10:00 a.m. at the Veteran's Garden.

School Reorganization: With the district-wide administrative reorganization of the Schools, a new principal, Wendy Lithwins has been appointed to the Coombs School to replace Elaine Pender.

Therapeutic Playground: With CPC funding and several successful fundraising events, the Therapeutic Playground planned for the K.C. Coombs School is moving forward.

Mashpee Cares: It was noted the Mashpee Cares organization was recognized for Community Commitment at the annual Chamber of Commerce Dinner. Mashpee Cares is also working with the Cape Cod Foundation to broaden its scope.

Mashpee TV: The program *There's Something About Mashpee* and its segments are ongoing for future broadcasting.

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Adjournment:

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

Roll Call Vote:

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

Respectively submitted,

Kathleen M. Soares
Secretary to the Board of Selectmen