

**AGENDA  
BOARD OF SELECTMEN  
MONDAY, FEBRUARY 7, 2022  
WAQUOIT MEETING ROOM  
MASHPEE TOWN HALL  
16 GREAT NECK ROAD NORTH  
MASHPEE, MA 02649**

**\*Broadcast Live on Local Cable Channel 18\***

**\*Public Call in Number: (508) 539-1449\***

**\*Streamed Live on the Town of Mashpee Website: <https://www.mashpee.ma.gov/channel-18>\***

**6:30 p.m. – Convene Meeting in Open Session**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**CONVENE JOINT MEETING WITH THE AFFORDABLE HOUSING TRUST**

Discussion and Approval of Transfer of Title of Real Property located at 108 Commercial Street (Mashpee Assessors Map 81, Parcel 130) for Purposes of Affordable Housing Development

**ADJOURN JOINT MEETING WITH THE AFFORDABLE HOUSING TRUST**

**MINUTES**

Approval of the following: Monday, January 24, 2022 Regular Session

**APPOINTMENTS & HEARINGS** *\*Call in Number for Public Comment (508) 539-1449\**

- Public Comment
- Discussion of a Proposed Town Meeting Article with Regard to Prohibiting the Discharge of Fire Arms or Hunting on Public Property: *Richard L. Terry*

**COMMUNICATIONS & CORRESPONDENCE**

**OLD BUSINESS**

**NEW BUSINESS**

Town Manager Rodney Collins:

- Presentation of Fiscal Year 2023 Operating Budget
- Overview of the Fiscal Year 2023 Capital Improvement Program

**ADDITIONAL TOPICS**

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

**LIAISON REPORTS**

**TOWN MANAGER UPDATES**

**EXECUTIVE SESSION**

**ADJOURNMENT**

**MASHPEE TOWN CLERK**

FEB 03 2022

RECEIVED BY: 

## MOTIONS FOR TRANSFER OF 108 COMMERCIAL STREET

February 7, 2022

### Motion by Select Board:

Move that the Board vote to transfer all right, title and interest of the Town of Mashpee in and to the parcel of real property identified as 108 Commercial Street (Assessors Map 81, Parcel 130) to the Mashpee Affordable Housing Trust for purposes of developing affordable housing and to authorize the execution of a Deed to effect said transfer in title upon final preparation thereof by Town Counsel.

### Motion by Affordable Housing Trust:

Move that the Board of Trustees vote to accept all right, title and interest of the Town of Mashpee in and to the parcel of real property identified as 108 Commercial Street (Assessors Map 81, Parcel 130) for purposes of developing affordable housing; to authorize the execution of a Certificate of Acceptance of Deed for recording with the Deed to consummate said transfer of title; and, further, to authorize the acceptance of grant funds from the Mashpee Economic Development and Industrial Corporation (EDIC) for purposes of conducting a feasibility study in conjunction with the EDIC relative to the proposed development of affordable housing at the 108 Commercial Street site, and to authorize the Town Manager to procure such services and execute such contracts or other instruments as may be necessary to proceed with such feasibility study.

**AGENDA  
BOARD OF SELECTMEN  
MONDAY, JANUARY 24, 2022  
WAQUOIT MEETING ROOM  
MASHPEE TOWN HALL  
16 GREAT NECK ROAD NORTH  
MASHPEE, MA 02649**

**\*Virtual / Remote Meeting\***

**\*Broadcast Live on Local Cable Channel 18\***

**\*Public Call in Number: (508) 539-1449\***

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**6:30 p.m. – Convene Meeting in Open Session**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MINUTES**

Approval of the following: Monday, January 10, 2022 Regular Session and Executive Session

**APPOINTMENTS & HEARINGS** *\*Call in Number for Public Comment and Public Hearings: (508) 539-1449\**

- Public Comment
- 6:35 pm – Public Hearing: Alcoholic Beverages License Amendment, Transfer of Annual Wine and Malt Beverages and Seasonal All Alcoholic Beverages Package Store License; Commons Convenience, Inc. to MPG Corporation dba Rapid Refill
- 6:40 pm – Public Hearing: Alcoholic Beverages License Amendment, Multiple Amendments to Annual All Alcoholic Beverages Restaurant License of 25 Market Street, Inc. dba Café Trevi

**CONVENE JOINT MEETING WITH THE BOARD OF HEALTH**

- Discussion and Update with Regard to the Status of Septic Systems, Cesspools, and Wastewater Treatment Systems in Town

**ADJOURN JOINT MEETING WITH THE BOARD OF HEALTH**

**COMMUNICATIONS & CORRESPONDENCE**

**OLD BUSINESS**

**NEW BUSINESS**

- Discussion and Approval of the Following Appointments:  
Board of Registrars: *Yvonne E. Courtney, Member At-Large, Term Expires March 31, 2023*  
Affordable Housing Committee: *Kayla Baier, Member At-Large, Term Expires June 30, 2022*
- Discussion and Approval of Letter in Opposition to Pilgrim Discharge of Radioactive Water into Cape Cod Bay

**ADDITIONAL TOPICS**

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

- Approval to Deficit Spend Snow & Ice Account
- Discussion and Vote on Use of ARPA Funds

**LIAISON REPORTS**

**TOWN MANAGER UPDATES**

**EXECUTIVE SESSION**

**ADJOURNMENT**

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Present: Selectman Carol A. Sherman, Selectman David W. Weeden, Selectman Andrew R. Gottlieb,  
Selectman John J. Cotton, Selectman Thomas F. O'Hara  
Town Manager Rodney C. Collins  
Assistant Town Manager Wayne E. Taylor

Meeting Called to Order by Chairman Sherman At 6:30 p.m.  
Mashpee Town Hall, Waquoit Meeting room

This is a virtual/remote meeting.

## MINUTES

Monday, January 10, 2022 Regular Session and Executive Session:

**Motion made by Selectman Gottlieb to approve the Regular and Executive Session minutes of Monday, January 10, 2022 as presented.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 4-0.**

**Roll Call Vote:**

**Selectman Sherman, yes  
Selectman Cotton, yes**

**Selectman Weeden, absent for vote  
Selectman O'Hara, yes**

**Selectman Gottlieb, yes  
Opposed, none**

## APPOINTMENTS & HEARINGS

Public Comment: None at this time.

Public Hearing: Alcoholic Beverages License Amendment, Transfer of Annual Wine and Malt Beverages and Seasonal All Alcoholic Beverages Package Store License; Commons Convenience, Inc. to MPG Corporation dba Rapid Refill:

The Select Board opened the Public Hearing on the License Amendment Application of Commons Convenience, Inc. for a transfer of the Annual Wine & Malt Beverages and Seasonal All Alcoholic Beverages Package Store licenses to MPG Corporation d/b/a Rapid Refill. The subject premise is located at 414 Nathan Ellis Highway, Mashpee, MA.

In accordance with posting requirements, the Public Hearing notice was read aloud into the record.

Louis A. Cassis representing counsel was in attendance with the applicant Peter Garrett and Manager of Record, Dan Fortunato to review the Transfer of License from Commons Convenience, Inc. to MPG Corporation.

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## **APPOINTMENTS & HEARINGS**

Public Hearing: Alcoholic Beverages License Amendment, Transfer of Annual Wine and Malt Beverages and Seasonal All Alcoholic Beverages Package Store License: Commons Convenience, Inc. to MPG Corporation dba Rapid Refill: (continued)

All necessary documentation was in order for the Select Board's review and approval of the Transfer of License for the Annual Wine & Malt Package Store License and Seasonal All-Alcoholic Package Store License.

It was noted the applicant operates similar gas station/convenience store establishments in the Towns of Falmouth, Westford and Taunton. With the exception of Change of Ownership and the Change of Manager all other operations would remain the same.

To adhere to signage compliance the Select Board requested the applicant ensure the window signage conforms to the Town of Mashpee Sign Bylaw. The applicant agreed to resolve any potential violation issues.

Select Board member David Weeden present.

Being no further comment the Select Board took the following action;

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

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

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

**Motion made by Selectman Gottlieb to approve the Transfer of Annual Wine & Malt Beverages and Seasonal All Alcoholic Beverages Package Store License from Commons Convenience, Inc. to MPG Corporation d/b/a Rapid Refill.**

**Motion seconded by Selectman O'Hara.**

**Motion amended by Selectman Gottlieb to include the Change of Manager to Dan Fortunato.**

**Amendment seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

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

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## **APPOINTMENTS & HEARINGS**

Public Hearing: Alcoholic Beverages License Amendment, Multiple Amendments to Annual All Alcoholic Beverages Restaurant License of 25 Market Street, Inc. dba Café Trevi:

Acting as the Local Licensing Authority for the Town of Mashpee, the Select Board opened the Public Hearing by reading aloud the notice on the Application for the following multiple amendment's to the Alcoholic Beverages License of 25 Market Street, Inc. d/b/a Café Trevi. The subject premise is located at 25 Market Street, Mashpee.

The multiple amendments include;  
Change of Officers/Directors/LLC Managers  
Change of Stock Interest  
Change of Pledge of License, Stock or Inventory  
Change of Manager

Eugene Curry representing counsel was in attendance with the applicant Samantha Davis to review the requested amendments to the Alcoholic Beverages License. All necessary documentation was in order for the Select Board's review and approval.

Ms. Davis was noted to have purchased 100% interest to manage and control the licensed business and subject premise. Samantha Davis is the sole Officer, Director and Manager of Record. Ms. Davis has a long history in the industry working at Trevi in management since 2015. There is no change to what has been in existence within the establishment previously.

The Select Board in considering this proposal requested the window signage be in compliance with the Town of Mashpee Signage Bylaw.

Attorney Currey commended staff members Stephanie Coleman and Terry Moran for their assistance. Being no comment, the Select Board motioned as follows;

**Motion made by Selectman O'Hara to close the Public Hearing.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Sherman, yes  
Selectman Cotton, yes**

**Selectman Weeden, yes  
Selectman O'Hara, yes**

**Selectman Gottlieb, yes  
Opposed, none**

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## **APPOINTMENTS & HEARINGS**

Public Hearing: Alcoholic Beverages License Amendment, Multiple Amendments to Annual All Alcoholic Beverages Restaurant License of 25 Market Street, Inc. dba Café Trevi: (continued)

**Motion made by Selectman Gottlieb to approve the License Amendment application of 25 Market Street d/b/a Café Trevi for the following amendments;**

**Change of Officers/Directors/LLC Managers**

**Change of Stock Interest**

**Change of Pledge of License, Stock or Inventory**

**Change of Manager to Samantha Davis.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Sherman, yes**

**Selectman Weeden, yes**

**Selectman Gottlieb, yes**

**Selectman Cotton, yes**

**Selectman O'Hara, yes**

**Opposed, none**

## **CONVENE JOINT MEETING WITH THE BOARD OF HEALTH**

Discussion and Update with Regard to the Status of Septic Systems, Cesspools, and Wastewater Treatment Systems in Town:

Board of Health members Brian Baumgaertel, Ernest Virgilio and Kripani Patel were in attendance with Board of Health Agent Glen Harrington to review and update the Select Board on the status of the septic systems, cesspools and wastewater treatment systems in the Town of Mashpee.

Mr. Harrington reviewed his memorandum of January 20, 2022 regarding the status of the Santuit Pond Septic Survey and the proposed Sewer Regulation and Enforcement Strategy.

With regards to Santuit Pond, the Board of Health at their meeting of December 16, 2021 voted to issue fines of \$100 per day for non-compliance if pumping or inspections have not been completed or scheduled by January 6, 2022. Currently 13 properties are not in compliance. One property owner has filed an appeal due to the distance of the property from the pond. The remaining 12 properties in non-compliance status would be subject to daily fines until compliance has been met. Of the 118 properties identified in the order, 105 have fully complied with inspection and pumping. A total of 66 have passed inspection. Four have received a conditional pass and 1 needs further evaluation. Nineteen have failed. This includes 7 cesspools. Six have received a certificate of compliance, and 4 are on Innovative Alternative (I/A) systems. Three are defined under the topic; Other.

The Board of Health at their February 17, 2022 meeting is expected to review the draft Sewer Connection Regulation. This includes Title V implications for I/A systems, abandonment references and definitive connection criteria for all types of septic systems with enforcement.

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## JOINT MEETING WITH THE BOARD OF HEALTH

### Discussion and Update with Regard to the Status of Septic Systems, Cesspools, and Wastewater Treatment Systems in Town: (continued)

Considerations under the *draft* Sewer Connection Regulation to be discussed include, but not limited to;

- Requiring I/A systems to connect.
- Allowing I/A systems to remain if the system has not been in use for 10 years. Connection would be required for those systems 10+ years.
- Require connection of I/A system if utilized to obtain more bedrooms, where nitrogen credit was used, or to allow a reduction in the depth to groundwater.
- Connection is required if the site is located in a Zone II of a community supply well or in an area where the CWMP states that all septic discharges must be removed from the watershed.
- Connection is required if the operation and maintenance contract has not been made.
- With the transfer of ownership of an I/A system, a 30-day connection is required.
- Allow I/A systems in remote areas not planned for service by public sewer.
- Education would be provided regarding new I/A technologies and their application.
- Check valves would be required on gravity sewer collection systems as a preventative measure in occupied structures.
- New Title V design and installations would be considered for future connection. The Town Engineer would have the ability to recommend any design or construction criteria to facilitate future connections.

It was noted that property owners may have the ability to obtain grant funds and possible extensions if they are in line for the sewer connection. The options when fully defined would be made available to the homeowners.

Discussion followed regarding the connection of I/A systems and the incentive to obtain additional bedroom units. It was recommended the Board of Health not consider giving credit to those using I/A and denitrification systems. It was suggested the elimination be further clarified in the new Sewer Connection Regulations. The main objective for the nitrogen-reducing systems is to lessen the amount of nitrogen that attenuates in to the town's estuaries. Additional density if allowed would offset the value of benefit from an I/A system. A regulation that allows greater density thwarts the objective.

Although it was argued some residents may be upset when there is no recourse to expand their homes. From an environmental regulatory point of view Title V is an abject failure and there is a need to break away from the standard Title V approaches if the town is concerned about improving water quality. Title V regulations were crafted to meet the standard for drinking water systems, and not to address nitrogen loading in embayment's.

It was suggested this topic be placed on the Board of Health's agenda for additional review.

The Board of Health meeting was Called to Order by Chairman Brian Baumgaertel.



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## **JOINT MEETING WITH THE BOARD OF HEALTH**

### Discussion and Update with Regard to the Status of Septic Systems, Cesspools, and Wastewater Treatment Systems in Town: (continued)

As the topic of nitrogen reduction was discussed it was recommended the Board of Health decide upon (3) innovative solutions not using Title V in the latter phases of the sewer project.

It was also advised the Sewer Commission work in collaboration with the DPW prior to the onset of Phase I to review the Road Maintenance Program for cost effectiveness and to minimize disruption. Pipe installation at the lot lines during construction was also recommended for ease of connection.

With respect to cesspools, it is estimated there are 640 Town-wide with 6% on Santuit Pond. It is also projected 94% of the Town of Mashpee utilize Title V systems. At their meeting of January 6, 2022, the Board of Health discussed strategies to address failed septic systems within Phase I of the sewer project. Failed systems should be reported to the Board of Health directly by the homeowner. Draft options for repair and upgrades as well as extensions are being identified.

After further consideration the Select Board requested the Board of Health proceed with Phase I and Phase II of the plan as envisioned requiring significant reductions in these phases.

The Board of Health was also directed to be protective of water resources, and look at areas outside of Phase II requiring new construction, renovations and upgrades to require I/A systems to potentially eliminate all Title V systems in the Town of Mashpee and ensure technologies are in place to help resolve the problem of nitrogen loading within the fresh water environment.

In addition, financial options would be investigated to mitigate the overall burden of costs. The septic loan program offered by Barnstable County is an opportunity to provide low interest loans and other grant possibilities locally. The long-term viability of this program and other like programs are under current review by the County. Levering state funding and obtaining state regulation modifications on a regional basis was also considered.

In moving forward, the Select Board agreed to form a working group to assist the Board of Health to begin the framework and to evaluate financial options to mitigate the costs.

The next joint regulatory group meeting would involve the Sewer Commission. Meetings thereafter would continue review of these issues to include the findings of the working group.

## **ADJOURN JOINT MEETING WITH THE BOARD OF HEALTH**

Kripani Patel of the Board of Health motioned to adjourn their meeting at 7:34 p.m. The motion was seconded by Brian Baumgaertel.

By Roll Call Vote the Board of Health adjourned at 7:34 p.m.

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## **NEW BUSINESS**

### Discussion and Approval of the Following Appointments:

Board of Registrars: Yvonne E. Courtney, Member At-Large, Term Expires March 31, 2023:

Correspondence was received from Deborah Dami Town Clerk dated January 19, 2022 recommending the appointment of Yvonne Courtney to the Board of Registrars to fill the remainder of Margaret Bent's term through March 31, 2022. Ms. Courtney letter of interest was attached to the communication.

**Motion made by Selectman Gottlieb to appoint Yvonne E. Courtney to the Board of Registrars for a term to expire March 31, 2023.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Sherman, yes  
Selectman Cotton, yes

Selectman Weeden, yes  
Selectman O'Hara, yes

Selectman Gottlieb, yes  
Opposed, none

Affordable Housing Committee: Kayla Baier, Member At-Large, Term Expires June 30, 2022:

A letter of recommendation was received from Allan Isbitz, Chair of the Affordable Housing Committee dated January 19, 2022 recommending the appointment of Kayla Baier. A letter of interest was received from Ms. Baier dated January 5, 2022. Ms. Baier is well qualified for the position.

**Motion made by Selectman Gottlieb to appoint Kayla Baier to the Affordable Housing Committee as a Member At-Large with a term to expire on June 30, 2022.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Sherman, yes  
Selectman Cotton, yes

Selectman Weeden, yes  
Selectman O'Hara, yes

Selectman Gottlieb, yes  
Opposed, none

Discussion and Approval of Letter in Opposition to Pilgrim Discharge of Radioactive Water into Cape Cod Bay:

Correspondence was received from the Association to Preserve Cape Cod (APCC) dated December 17, 2021 in concern to the recent proposal by Holtec International, owners of the Pilgrim Nuclear Power Station to discharge up to (1) million gallons of radioactive water from the plant's reactor vessel and spent-fuel pool into Cape Cod Bay.

The APCC is encouraging towns to go on record to oppose any plan to discharge radioactive wastewater into Cape Cod Bay. A sample letter was provided to the Select Board for review.

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Discussion and Approval of Letter in Opposition to Pilgrim Discharge of Radioactive Water into Cape Cod Bay: (continued)

**Motion made by Selectman Gottlieb to send a letter to state and federal regulatory agencies in firm opposition to any future proposal by Holtec to release radioactive water from Pilgrim into Cape Cod Bay.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

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

**ADDITIONAL TOPICS**

Approval to Deficit Spend Snow & Ice Account:

**Motion made by Selectman O'Hara to include the above referenced topic on the Select Board's Agenda.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

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

Late-filed correspondence was received from Catherine Laurent, Director of Public Works requesting to deficit spend the Snow & Ice Account.

**Motion made by Selectman O'Hara to deficit spend the Snow & Ice Account consistent with the DPW Director's request.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

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

The Select Board commended the DPW Director for continued road safety practices during the recent storm events.

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## **ADDITIONAL TOPICS**

### Discussion and Vote on Use of ARPA Funds:

**Motion made by Selectman Gottlieb to place the above topic on the Select Board's Agenda.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

#### **Roll Call Vote:**

<b>Selectman Sherman, yes</b>	<b>Selectman Weeden, yes</b>	<b>Selectman Gottlieb, yes</b>
<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Opposed, none</b>

Due to the importance of this matter, the Select Board agreed to formally take action on the use of American Rescue Plan Act (ARPA) funds by sending a letter to Barnstable County requesting the disbursement of ARPA funds earmarked to the Town of Mashpee be distributed as it was originally intended by population to the member towns. Funding would be utilized for impending water and sewer projects.

**Motion made by Selectman Cotton to authorize Town Counsel to prepare a letter to the County requesting the disbursement of ARPA funds earmarked to the Town of Mashpee empowering the Town Manager to execute the document on behalf of the Mashpee Select Board.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

#### **Roll Call Vote:**

<b>Selectman Sherman, yes</b>	<b>Selectman Weeden, yes</b>	<b>Selectman Gottlieb, yes</b>
<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Opposed, none</b>

## **TOWN MANAGER UPDATES**

COVID: It was reported there was 42 new positive cases over the weekend. The total cases amount to 127.

Health Advisory: The Board of Health has issued a Town-wide mask advisory.

## **ADJOURNMENT**

**Motion made by Selectman O'Hara to adjourn at 7:45 p.m.**

**Motion seconded by Selectman Gottlieb.**

**VOTE: Unanimous. 5-0.**

#### **Roll Call Vote:**

<b>Selectman Sherman, yes</b>	<b>Selectman Weeden, yes</b>	<b>Selectman Gottlieb, yes</b>
<b>Selectman Cotton, yes</b>	<b>Selectman O'Hara, yes</b>	<b>Opposed, none</b>

Respectfully submitted,

Kathleen M. Soares  
Secretary to the Select Board

BOARD OF SELECTMEN

December 16, 2021

TOWN OF MASHPEE

As a resident of Mashpee for forty-six (46) years and former selectman, planning board member, affordable housing committee member, Mashpee River Conservation member, substitute teacher, and assistant coach of the Mashpee varsity girls tennis team I am requesting the Mashpee Board of Selectmen sponsor an article at the next town meeting prohibiting the discharge of fire arms or hunting on public property.

I believe this article promotes public safety. I am attaching a copy of such an article that was approved at Provincetown town meeting on September 21, 2020.

Thank you for your consideration.

Richard L. Terry

A handwritten signature in black ink, appearing to read "Richard L. Terry", with a long, sweeping horizontal stroke extending to the right.

Mashpee, Ma. 02649

DEC 16 2021 PM1:28

**Article 17. Petitioned Article – General Bylaw Amendment Chapter 13 Prohibited Activities – Discharge of Fire Arms or Hunting on Public Property** (*Deletions shown in strike-through and new text show as underlined.*) To see if the Town will vote to amend the Provincetown General Bylaw by amending Chapter 13 as follows:

13-2-4-3 Discharge of Fire Arms or Hunting on Public Property. No person shall discharge any gun, including paint ball guns, fowling piece, pistol, or firearm or release an arrow from a bow or hunt or trap or poison or set fire to any material known as fireworks, or other combustible matter, in any of the public ways, streets or places of the Town, including but not limited to conservation land or other Town owned property, except for lands under control of the Cape Cod National Seashore and Clapp's Pond Property; except on such occasions approved by the Select Board upon public notice; provided, however, this section shall not apply to any person abating nuisance or in the exercise of duty required by law.

*(Requested by Martha Hassell and others)*

**MOTION**

**I move that the Town vote to amend the Provincetown General Bylaw as printed in the warrant under Article 17.**

VOTES		Yes	No	Abs	Report by:
	Motion / Report				Petitioner: Martha Hassell
Select Board	No Recommendation	5	0	0	None

Requires a Majority Vote

## **town meeting article banning hunting on town owned property**

**RICHARD TERRY <**

Tue 12/28/2021 11:36 AM

To: Terrie Cook <tmcook@marshpeema.gov>

**WARNING! EXTERNAL EMAIL:** This message originated outside the town of Marshpee mail system and could be harmful. PLEASE DO NOT CLICK ON LINKS OR ATTACHMENTS unless you are able to verify the content is safe.

Dear Board of Selectpersons:

I would like to place my article on for discussion at the January 10, 2022 meeting.

Thank you.

Richard L. Terry

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